



**BOARD OF PUBLIC WORKS & SAFETY & STORMWATER BOARD
MINUTES OF THE APRIL 25, 2022 REGULAR MEETING**

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

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

Absent: None

CALL TO ORDER: Mayor Stutsman called the meeting to order at 2:00 p.m.

REVIEW/APPROVE MINUTES: Minutes of the April 18, 2022 meeting of the Board of Works & Safety & Stormwater Board were presented. Board member Mary Nichols moved to approve the minutes as presented and the motion was seconded by Board member DeWayne Riouse. Motion passed 5-0.

REVIEW/APPROVE AGENDA: Mayor Stutsman presented the agenda with an amendment to delete the opening of bids for the College Avenue Bridge #410 Utility Relocations as well as item #5, the agreement with Traffic Control Specialists, Inc. for road striping. Board member Nichols moved to approve the agenda as amended. Board member Riouse seconded the motion. Motion passed 5-0.

1) OPEN BIDS: Demolition of 414 River Avenue (due at 1:45 p.m. on Monday, April 25)

Mayor Stutsman opened the one bid received for the demolition of the home at 414 River Road, which includes the demolition of all structures, the removal of any basements, foundations and drives, the disposal of all debris and the filling, leveling and seeding of the grounds. All work must be completed by July 1, 2022. The sole bid was received from B & E Excavating (Ben Martin) of Nappanee in the amount of \$11,600.

Mayor Stutsman/Nichols moved to refer the bid to the City Legal Department. Motion passed 5-0.

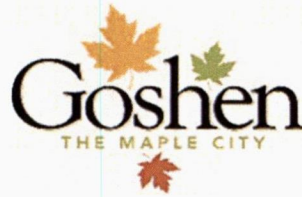
2) Police Department: Request for temporary road closure for the 100 block of East Jefferson Street on May 15, 2022 for a ceremony in observance of National Police Week

Goshen Police Chief José Miller asked the Board to approve a temporary road closure for the 100 block of East Jefferson Street on Sunday, May 15, 2022, from 1 p.m. until 5 p.m. Chief Miller said the Goshen Police Department will be conducting a ceremony in front of the Police Department in observance of National Police Week. He requested barricades and no parking signs for the 100 block of East Jefferson between the hours of 1 and 5 p.m. He added that the ceremony will begin at 3 p.m. and the public is invited to attend.

Nichols/Riouse moved to approve a temporary road closure for the 100 block of East Jefferson Street on May 15, 2022, from 1 p.m. until 5 p.m. Motion passed 5-0.

3) Resident request: Street closure; Spring Brooke on June 18, 2022

Mary Ellen Sisson of Goshen asked the Board to approve the closure of a section of Spring Brooke Drive for Spring Brooke's summer cook-out, carry-in, games, and music event on June 18, 2022, with a rain date of July 9, 2022.



She said her group wanted to close a small section of Spring Brooke Drive immediately north of the clubhouse to the entrance of Edge Brooke Court while leaving the left lane open just past the second driveway on the north side (across from the clubhouse) to allow those residents to come and go to and from their homes. The event will start at 4:30 p.m. and end at 9 p.m. on June 18. She said the group would need some barricades for the closure. City staff requested that access be maintained to all residences and that barricades and a "road closed" or detour sign be arranged through the City Street Department.

Nichols/Riouse moved to approve the closure of a section of Spring Brooke Drive for Spring Brooke's summer cook-out, carry-in, games, and music event on June 18, 2022, from 4:30-9 p.m., with a rain date of July 9, 2022. Motion passed 5-0.

4) Legal Department: Contract with Kemira Water Solutions, Inc. for the purchase of Ferric Chloride for the Waste Water Treatment Plant

Brandy Henderson, a paralegal with the Legal Department, asked the Board to award a contract to Kemira Water Solutions, Inc. as the lowest responsible and responsive offeror and authorize the issuance of a Purchase Order for the purchase of Ferric Chloride at a cost of \$1.03 per pound. Henderson said the City solicited quotes for the purchase of Ferric Chloride, a chemical required for the Waste Water Treatment Plant, in accordance with Indiana Code § 5-22-8-3. She said on April 11, the Board approved and accepted the quote from PVS Technologies, Inc. However, it was later determined that there was an error in the weight increment causing an error in the quotes. Therefore, the lowest quote was by Kemira Water Solutions and not PVS Technologies, Inc.

Nichols/Riouse moved to award a contract to Kemira Water Solutions, Inc. as the lowest responsible and responsive offeror and authorize the issuance of a Purchase Order for the purchase of Ferric Chloride at a cost of \$1.03 per pound. Motion passed 5-0.

5) Planning & Zoning Department: Westoria Eighth PUD - Acceptance of Plat

Planning & Zoning Administrator Rhonda Yoder asked the Board to accept the subdivision plat for Westoria Eighth PUD with dedications and easements. Yoder said a 27-lot residential subdivision has been submitted, Westoria Eighth PUD, which is the final section of Westoria subdivision, zoned Residential R-2PUD (Planned Unit Development). The subdivision meets the Zoning and Subdivision Ordinance and Westoria PUD requirements. A subdivision drainage plan was accepted by the Board of Works on Oct. 18, 2021. Secondary approval will be granted while public infrastructure is being constructed and prior to acceptance for maintenance, and a Letter of Credit for the infrastructure construction was provided and accepted by the Board of Works on April 18, 2022. The plat includes dedication of right of way, for the extension of Westoria Drive and Winslow Drive, along with a number of easements.

Nichols/Riouse moved to accept the subdivision plat for Westoria Eighth PUD with dedications and easements. Motion passed 5-0.

6) Water & Sewer Department: Request for a partial closure of Emerson Street on April 26, 2022

Kent Holdren, Superintendent of the City Water/Sewer Plant, asked the Board for permission to close Emerson Street to thru traffic, between West Purl Street and West Douglas Street, on Tuesday, April 26, 2022 and reopening for traffic on Thursday afternoon, April 28, 2022, weather permitting.



Holdren said the City of Goshen Water and Sewer Department will be installing a sewer lateral on 603 Emerson Street. He said the excavation would be about 10 feet in depth and for the safety of the work crews and the public, a portion of Emerson Street should be closed to traffic. He said City staff would notify Goshen Schools and Emergency Medical Services and ensure that the garbage is moved to the appropriate location for pick up.

Nichols/Riouse moved to approve the closure of Emerson Street to thru traffic, between West Purl Street and West Douglas Street, on Tuesday, April 26, 2022 and reopening for traffic on Thursday afternoon, April 28, 2022, weather permitting. Motion passed 5-0.

7) Water & Sewer Department: Request for relief from sewer charge for 528 Alfalfa Street

Kent Holdren, Superintendent of the City Water/Sewer Plant, asked the Board to grant sewer relief be for 528 Alfalfa Street, as calculated by the Billing Department for the amount of \$995.46. Holdren said the Goshen Water and Sewer Department investigated the claim for \$995.46 in relief and determined that water was leaking through the meter horn and did not enter the sewer.

Jason Bontreger, who owns and lives at 528 Alfalfa Street, said he agreed on the amount of proposed sewer relief. In response to a question from **Board member Landis**, **Bontreger** said he held up on paying the late fees because he didn't know until today that he was responsible for them because the City caused the water leak.

City Water & Sewer Office Manager Kelly Saenz said it would be up to the Board to decide whether to grant relief from the late fees added to Bontreger's account. She said the late fees total \$231.08 for four months, November through February. Saenz also said her office cannot waive the fees.

Landis questioned the request to forgive the late fees because City staff had been in contact with Bontreger throughout this period and he was aware of the late fees. **Bontreger** said he paid his bills, but wasn't aware that late fees were being charged for the sewer fees.

Saenz said the City first contacted Bontreger in October and again in November, December and February. She said the late fees began in November. Saenz said after November, Bontreger made a total of three payments. So, she said he was carrying a balance and his payments were sporadic.

Mayor Stutsman said no was disputing the need for the sewer relief, but the question seemed to be what to do about the late fees.

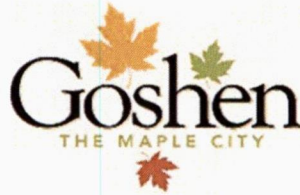
Landis said it seemed **Bontreger** didn't like the fees, so he decided to not pay. Landis said he was open to providing him with partial relief on the late fees. In response to a question by **Board member Swartley**, **Bontreger** discussed his payments. **Landis** also further commented on the situation.

Mayor Stutsman said he would be inclined to forgive the late fees, but was open to providing less than 100% of the late fees.

Bontreger pointed out that he took action to report the leak.

Board member Riouse said he would support providing 50% relief from the late fees. **Landis** said he could support a 75% discount on the late fees. **Swartley** agreed. **Board member Nichols** clarified the proposed relief for late fees.

Nichols/Riouse moved to grant sewer relief for 528 Alfalfa Street, as calculated by the Billing Department for the amount of \$995.46 as well as 75% of relief from the \$231.08 in late fees. Motion passed 5-0.



8) Building Department: Electrical license request for Elton M. Weaver

City Building Commissioner/Commercial Building Inspector Myron Grise asked the Board to approve a City of Goshen electrical license for Elton M. Weaver with Weaver Service LLC, of Rochester, Indiana.

Grise said Weaver has met the requirements for a City of Goshen electrical license. Weaver took the required Prometric exam on Aug. 5, 2013, and received a passing score of 87%. Grise said Weaver holds a valid electrical license with St. Joseph County, and is requesting a reciprocal license with the City of Goshen

Nichols/Riouse moved to approve a City of Goshen electrical license for Elton M. Weaver with Weaver Service LLC, of Rochester, Indiana. Motion passed 5-0.

9) Building Department: Mechanical license for Kenneth R. Kerr

City Building Commissioner/Commercial Building Inspector Myron Grise asked the Board to approve a City of Goshen mechanical license for Kenneth R. Kerr with K-Clean Service Co., of Chesterton, Indiana. Grise said Kerr has met the requirements for a City of Goshen mechanical license. Kerr took and passed, with a sufficient score, the ICC Master Mechanical exam in June 2018. Kerr holds a valid mechanical license with Michigan City, Indiana, and is requesting a reciprocal license with the City of Goshen.

Nichols/Riouse moved to approve a City of Goshen mechanical license for Kenneth R. Kerr with K-Clean Service Co., of Chesterton, Indiana. Motion passed 5-0.

Privilege of the Floor (opportunity for public comment for matters not on the agenda):

Mayor Stutsman opened Privilege of the Floor at 2:19 p.m. There were no public comments, so the Mayor closed the public comment period at 2:19 p.m.


As all matters before the Board of Public Works & Safety & Stormwater Board were concluded, Mayor Stutsman/Nichols moved to approve Civil City and Utility claims and adjourn the meeting. Motion passed 5-0.

Mayor Stutsman adjourned the meeting at 2:19 p.m.

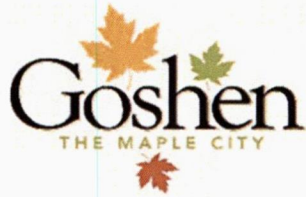
APPROVED



Jeremy Stutsman, Chair



Michael Landis, Member

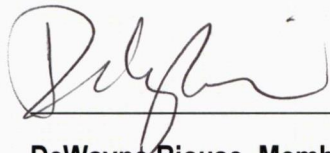




Mary Nichols, Member

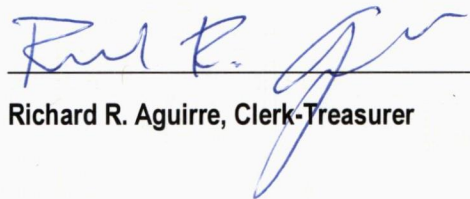


Barb Swartley, Member



DeWayne Riouse, Member

ATTEST



Richard R. Aguirre, Clerk-Treasurer