



BOARD OF PUBLIC WORKS & SAFETY & STORMWATER BOARD

MINUTES OF THE July 11, 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 and DeWayne Riouse

Absent: Barb Swartley

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

REVIEW/APPROVE MINUTES: Mayor Stutsman presented the minutes of the June 27, 2022 regular meeting. Board member Mary Nichols moved to approve the minutes as presented and the motion was seconded by Board member DeWayne Riouse. Motion passed 4-0.

REVIEW/APPROVE AGENDA: Mayor Stutsman presented the meeting agenda. Board member Nichols moved to approve the agenda as submitted. Board member Riouse seconded the motion. Motion passed 4-0.

1) Fire Department: Accept resignation of Private Tyler Thibodeaux, effective July 25, 2022

Goshen Fire Department Chief Dan Sink asked the Board to accept the resignation of Private Tyler Thibodeaux, effective July 25, 2022. In his letter of resignation, Thibodeaux wrote that he was extremely grateful for the opportunities that the Goshen Fire Department had provided him, but "after significant consideration, I will be pursuing career goals outside of the fire service. I have enjoyed my time at GFD and will continue to grow from the experiences I've had. I'm proud to say I worked with the Goshen Fire Department.

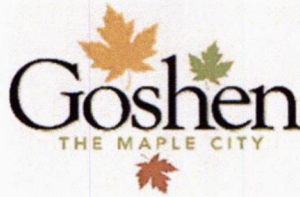
Chief Sink said Thibodeaux has served with the department since February 2019, adding: "We have enjoyed working with Tyler during his time at GFD and appreciate his service to our community. Our GFD family would like to wish Tyler and his family the very best in their new endeavors" Mayor Stutsman echoed those sentiments.

Nichols/Riouse moved to accept the resignation of Private Tyler Thibodeaux, effective July 25, 2022. Motion passed 4-0.

2) Fire Department: Approve Resolution 2022-22 - Approving Certain City of Goshen Fire Department Policies and Repealing Certain Policies (GFD Policy Manual)

Goshen Fire Department Assistant Chief Anthony Powell asked the Board to approve the Goshen Fire Department Policy Manual that was prepared by Lexipol LLC, by passing Resolution 2022-22 - *Approving Certain City of Goshen Fire Department Policies and Repealing Certain Policies*.

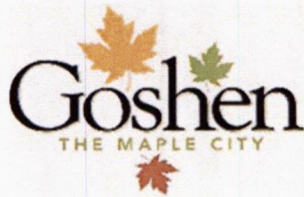
In a memorandum to the Board, **Chief Dan Sink** wrote that on Feb. 8, 2021, the Board of Works and Safety approved an agreement between the Goshen Fire Department and Lexipol and it was signed the same day by Mayor Stutsman. Lexipol provides fully developed, state-specific policies researched and written by subject matter experts and vetted by attorneys. Chief Sink wrote that these policies are based on nationwide standards and best practices while also incorporating state and federal laws and regulations where appropriate. In addition, Lexipol will keep the Fire Department's policies updated as new subject matter develops.



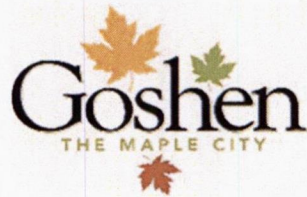
Chief Sink indicated that since Feb. 8, 2021, GFD committee members, along with representatives from Lexipol, have been working to complete the updated fire department policy manual. He wrote that if approved, these policies will be replacing all current fire department policies and will be effective starting Oct. 1, 2022. This will allow time for officers and staff to review and acknowledge the policies prior to them being effective.

Resolution 2022-22 - Approving Certain City of Goshen Fire Department Policies and Repealing Certain Policies, set forth the background and context of the new policy manual. The following City of Goshen Fire Department Policies when approved would be effective Oct. 1, 2022:

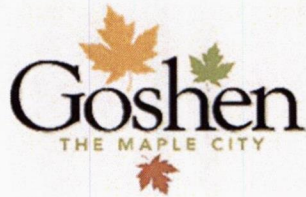
- 100 – Fire Service Authority
- 101 - Oath of Office
- 102 - Policy Manual
- 200 - Organizational Structure
- 201 - Emergency Action Plan and Fire Prevention Plan
- 202 - Chief's Order
- 203 - Training Policy
- 204 - Liability Claims
- 205 - Electronic Mail
- 206 - Administrative Communications
- 207 - Minimum Staffing Levels
- 208 - Post-Incident Analysis
- 209 - Annual Planning Master Calendar
- 210 - Solicitation of Funds
- 211 - Purchasing and Procurement
- 212 - Physical Asset Management
- 300 - Incident Management
- 301 - Emergency Response
- 302 - Fireground Accountability
- 303 - Rapid Intervention/Two-In Two-Out
- 304 - Urban Search and Rescue (USAR)
- 305 - Tactical Withdrawal
- 306 - Response Time Standards
- 307 - Aircraft Operations
- 308 - Atmospheric Monitoring for Carbon Monoxide
- 309 - Staging
- 310 - High-Rise Incident Management
- 311 - Elevator Entrapments
- 312 - Elevator Restrictions During Emergencies
- 313 - Swiftwater Rescue and Flood Search and Rescue Responses



- 314 - Confined Space Rescue Response
- 315 - Trench Rescues
- 316 - Carbon Monoxide Detector Activations
- 317 - Safely Surrendered Baby Law
- 318 - Hazardous Materials Response
- 319 - News Media and Community Relations
- 320 - Scene Preservation
- 321 - Child Abuse
- 322 - Disposition of Valuables
- 323 - Performance of Duties
- 324 - Adult Abuse
- 325 - Traffic Accidents
- 326 - Line-of-Duty Death and Serious Injury Investigations
- 327 - National Fire Incident Reporting System (NFIRS)
- 328 - Ride-Along Program
- 329 - Grocery Shopping On-Duty
- 330 - Chaplains
- 331 - Active Shooter and Other Violent Incidents
- 400 - Fire Inspections
- 401 - Fire Investigations
- 402 - Code Enforcement
- 403 - Fireworks Displays
- 404 - Hazardous Materials Disclosures
- 405 - Maximum Occupancy - Overcrowding
- 406 - Juvenile Firesetter Referrals
- 407 - Fire Watch Services
- 408 - Fire Investigation Digital Photo Files
- 500 - Patient Care Reports
- 501 - Patient Refusal of Pre-Hospital Care
- 502 - Advance Health Care Directives
- 503 - Latex Sensitivity
- 504 - Controlled Substance Accountability
- 600 - Fire Apparatus Driver/Operator Training
- 601 - CPR and Automated External Defibrillator Training
- 602 - Communicable Disease Training Program
- 603 - Emergency Action Plan and Fire Prevention Plan Training
- 604 - Hazard Communication Program Training



- 605 - Hazardous Materials (HAZMAT) Training
- 606 - Hearing Conservation and Noise Control Training
- 607 - Heat Illness Prevention Training
- 608 - Health Insurance Portability and Accountability Act (HIPAA) Training
- 609 - National Incident Management System (NIMS) Training
- 610 - Repetitive Motion Injuries and Ergonomics Training
- 611 - Respiratory Protection Training
- 612 - Training Records
- 613 - Firefighter Health, Safety and Survival Training
- 614 - Training Leave of Absence
- 700 - Use of Department-Owned and Personal Property
- 701 - Personal Communication Devices
- 702 - Vehicle and Apparatus Inspections, Testing, Repair and Maintenance
- 703 - Use of Department Take Home Vehicles
- 704 - Information Technology Use
- 705 - Mobile Data Terminal Use
- 706 - Knox-Box® Access
- 707 - Communications Operations
- 708 - Photography and Electronic Imaging
- 709 - Non-Official Use of Department Property
- 800 - Records Management
- 801 - Release of Records
- 802 - Subpoenas and Court Appearances
- 803 - Patient Medical Record Security and Privacy
- 900 - Illness and Injury Prevention Program
- 901 - Indiana Occupational Safety and Health Administration (IOSHA) Inspections
- 902 - IOSHA Notification of Illness, Injury or Death
- 903 - Communicable Diseases
- 904 - High-Visibility Safety Vests
- 905 - Soft Body Armor
- 906 - Apparatus/Vehicle Backing and Parking
- 907 - Heat Illness Prevention Program
- 908 - Respiratory Protection Program
- 909 - Personal Alarm Devices
- 910 - Health and Safety Officer (HSO)
- 911 - Vehicle Safety Belts
- 912 - Fire Station Safety



- 913 - Ground Ladder Testing
- 914 - Personal Protective Equipment
- 915 - Hazardous Energy Control
- 916 - Hazard Communication
- 917 - Personal Firearms
- 918 - Roadway Incident Safety
- 1000 - Recruitment and Selection
- 1001 - Performance Evaluations
- 1002 - Promotions and Transfers
- 1003 - Position Descriptions
- 1004 - Classification Specifications
- 1005 - Fire Officer Development
- 1006 - Reporting for Duty
- 1007 - Emergency Recall
- 1008 - Overtime
- 1009 - Discriminatory Harassment
- 1010 - Conduct and Behavior
- 1011 - Personnel Complaints
- 1012 - Personal Projects On-Duty
- 1013 - Personnel Records
- 1014 - Commendations and Meritorious Service
- 1015 - Grievance Procedure
- 1016 - Wellness and Fitness Program
- 1017 - Physical Fitness
- 1018 - Critical Incident Stress Debriefing
- 1019 - Workplace Violence
- 1020 - Lactation Breaks
- 1021 - Smoking and Tobacco Use
- 1022 - Drug- and Alcohol-Free Workplace
- 1023 - Personal Appearance Standards
- 1024 - Uniform Regulations
- 1025 - Badges
- 1026 - Identification Cards
- 1027 - Work-Related Illness and Injury Reporting
- 1028 - Temporary Modified-Duty Assignment
- 1029 - Release of HIPAA-Protected Information
- 1030 - Return to Work



- 1031 - Line-of-Duty Death
- 1032 - Line-of-Duty Death and Serious Injury Notification
- 1033 - Family Support Liaison
- 1034 - Funerals
- 1035 - Family and Medical Leave
- 1036 - Military Leave
- 1037 - Driver's License Requirements
- 1038 - Nepotism and Conflicting Relationships
- 1039 - Member Speech, Expression and Social Networking
- 1040 - Anti-Retaliation
- 1041 - Sick Leave
- 1042 - Vacation
- 1100 - Facility Security
- 1101 - Emergency Power
- 1102 - Wastewater Discharge
- 1103 - Flag Display
- 1104 - Fire Station Living
- 1200 - Disability - Retirement
- 1201 - Information Regarding Arson
- 1202 - Department Vehicles
- 1203 - Use of Communication Facilities
- 1204 - Change in Personnel Status
- 1205 - Disciplinary Action
- 1206 - Terrorism
- 1207 - Reporting

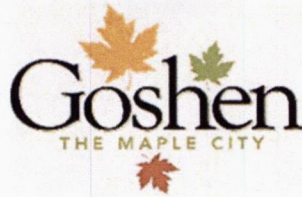
Resolution 2022-22 also specified that that, upon the approval of the above-described policies, the current City of Goshen Fire Department policies, including, but not limited to, those policies found in the City of Goshen Fire Department Rules and Regulations, are hereby repealed, effective Oc. 1, 2022.

DISCUSSION AND APPROVAL OF RESOLUTION 2022-22:

At the July 11, Board of Works & Safety meeting, **Mayor Stutsman** said that the policies were shared with Board members several months ago for their review. He asked if Board members had any questions or comments.

Board member Landis said he debated whether to ask questions privately, but decided that since the policies will be used by the department and perhaps modified, he should make his comments at a public meeting. Landis asked about the following:

- **A policy that dictates that firefighters stop their vehicles at all stop signs and red lights and whether the department's new policy matches the practice.** Powell said Lexipol follows best practices and state law, and that Goshen's policy is that vehicles must stop for stop signs and red lights.

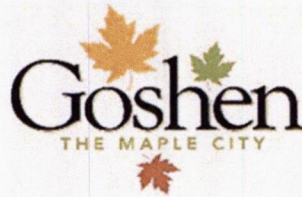


Mayor Stutsman said the vehicles at least try to slow down. **Landis** said he hasn't seen Fire Department vehicles stop in those instances. **Powell** said that would be a violation of the policy. Landis said perhaps there should be a change because he wouldn't blame Fire Department vehicles from not stopping when responding to emergencies. Powell said the new policy is that vehicles must come to a full stop for the safety of all. Landis said if an ambulance was coming for him, he wouldn't want it to stop.

- **Regarding the swift-water rescue policy, Landis noted that firefighters are supposed to be certified to enter the water for rescues.** In case of a major emergency, he asked if the Fire Department had enough certified firefighters to enter the water or was there a loophole that would exempt non-certified firefighters. Powell said that all firefighters are supposed to have a life jacket or life preserver within 15 feet of the water. He said the department sends all personnel to South Bend to the Indiana River Rescue School, which is nationally recognized. He added that there shouldn't be any Goshen firefighters who cannot go into the water.
- **Landis said the department's chaplain policy seemed to encourage a diversity of expression, but also stated that the chaplain should be of a denomination that was representative of the community, which seemed more specific.** Landis said that this seemed to suggest the person should be a subset of a Christian, while the policy doesn't state that the person even has to be religiously affiliated. Powell said the department's chaplains were trying to set up an LLC so that even if not associated with their churches, they could still serve. Powell also said denominations are not discussed. Landis said he gathered that from the policy itself, but in encouraging selection of a person from a denomination that was representative of the community, he wondered if that was how chaplains were picked. Powell said he could not further address Landis' question.
- **Landis asked if there are any fireworks set off in the City that are not public He said he was raising the issue because fireworks are set off all the time. He said the new policy included a long list of requirements for a public display, but nothing to distinguish private vs. public displays.** Chief Sink said the major fireworks shows must have certified personnel. Landis said there seem to be major private displays every year. Chief Sink said that people have access to major fireworks, but that he didn't know the threshold for distinguishing between private displays and public ones that require permission.
- **Landis asked if the new state law allowing people to carry handguns without a permit would affect the department's personal firearms policy.** He said the policy specifies that a personal firearm must be kept in a firefighter's private vehicle. Landis asked if the policy would change. Powell said it would not.
- **Regarding communicable diseases, Landis asked if that was a continuing conversation.** Powell said this was being handled similarly to the Police Department's policy. Powell said the department will receive updates from Lexipol as state and federal laws change. And in those cases, Powell said policy revisions will be made.

Mayor Stutsman said there will be periodic policy updates, noting that the Board will soon be asked to make revisions to the Police Department policies to reflect changes in state law that took effect on July 1.

Nichols/Landis moved to approve the Goshen Fire Department Policy Manual that was prepared by Lexipol LLC. by passing Resolution 2022-22 - Approving Certain City of Goshen Fire Department Policies and Repealing Certain Policies. Motion passed 4-0.



3) Elkhart County 4H Fair request: Request for street closures and related assistance for the annual fair parade on July 24, 2022

On behalf of The Elkhart County 4H Fair Board and Goshen Noon Kiwanis Club, **Boyd Smith** requested that the Board grant approval to stage the 2022 Elkhart County 4H Fair Parade, along with traditional support services from the City. The parade is scheduled for July 24, 2022 with no changes to the traditional route.

In a written request, **Smith**, who is the Fair's parade director, asked the Board to approve having the Goshen Police Department close streets as they see appropriate for the staging and running of the parade. He also requested assistance from the Goshen Street Department with barricades and trash pickup. **Smith** wrote that the staging areas will be Linway Plaza, the Kroger Plaza and Rogers Park. Parade registration begins at 10:30 AM and the parade will step off promptly at 1:30 p.m.; some units will arrive as early as 9:00 a.m., prior to registration.

In response to a question from **Mayor Stutsman**, **Smith** said that he has already been in touch with City departments about his requests for the parade.

Nichols/Riouse moved to grant approval to stage the 2022 Elkhart County 4H Fair Parade, along with traditional support services from the City. The parade is scheduled for July 24, 2022. Motion passed 4-0.

4) Organization request: Closure of parking lot adjacent to Goshen Brewing Co. for a pickleball tournament
Tavisak "Tavi" Mounsithiraj, owner and operator of the Goshen Soccer Academy, asked the Board to approve the use of the City parking lot on West Washington Street, north of Goshen Brewing Company, for pickleball test play from 8 a.m. until 1 p.m. on Saturday, Aug. 6, 2022 and from 9 a.m., on Aug. 12, and continuing until 8 p.m. on Saturday, Aug. 13.

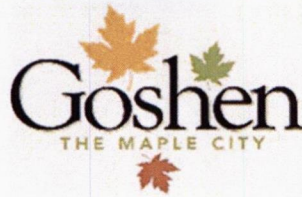
Mounsithiraj asked to use the parking lot on three dates in August 2022 for the playing of pickleball, a racket/paddle sport that is gaining increased popularity. Included in the Board packet was **Mounsithiraj's** initial request and a map/diagram of his proposed use the parking lot for the Pickleball Invitational Challenge, a City pickleball tournament. In response to a question from **Board member Landis**, **Mounsithiraj** said he has already tested the surface of the parking lot and knows it will work for pickleball. He added that participants will be required to sign waivers of liability.

Nichols/Riouse moved to approve the use of the City parking lot on West Washington Street, north of Goshen Brewing Company, for pickleball test play from 8 a.m. until 1 p.m. on Saturday, Aug. 6, 2022 and from 9 a.m., on Aug. 12, and continuing until 8 p.m. on Saturday, Aug. 13. Approval is contingent on Mounsithiraj meeting any conditions proposed by the City Parks and Recreation Department, the City Street Department and the City Engineering Department. Motion passed 4-0.

5) Legal Department: Agreements with 19 non-profit groups for grants from American Rescue Plan funds

Matt Lawson, an attorney with the City Legal Department, asked the Board to approve and authorize Mayor **Stutsman** to execute the 19 agreements for the organizations awarding each recipient specified funds from the City's American Rescue Plan Fund.

Lawson said on March 11, 2021, President Biden signed into law the American Rescue Plan Act of 2021, ("ARPA" or the "Act"), establishing the Coronavirus State and Local Fiscal Recovery Funds program (hereafter the "ARP Funding"). The City has received a total allocation of ARP Funding, in the amount of \$6,692,508.



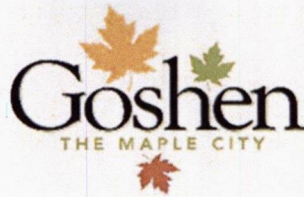
Lawson said the City intends to allocate a portion of its ARP Funding to assist non-profit organizations within the City, and nearby communities, that have suffered negative economic impacts as a result of the COVID19 pandemic in accordance with all federal, state, and local guidelines regarding the usage of ARP Funding.

Lawson said the following organizations received awards for the following projects in these amounts:

- **ADEC, Inc.**, ADEC Summer Camp, \$25,000
- **Center for Healing & Hope, Inc.**, Food Security with Dignity, and the Natural Helpers program, \$25,000
- **Elkhart County Clubhouse, Inc.**, Home repairs and installation of a ramp for accessibility and safety, \$19,704
- **Bashor Home of The United Methodist Church, Inc.**, Benevolent Care Services and Safe Place Community Training, \$25,000
- **Boys & Girls Clubs of Elkhart County, Inc.**, Summer Camp Food Support, \$3,500
- **Bushelcraft Farm Corporation**, Fresh Food for Families in Goshen's Food Desert, \$5,000
- **Child and Parent Services, Inc.**, Family Resource Center Navigator, \$10,000
- **Council on Aging of Elkhart County, Inc.**, Access to Healthcare for low-income seniors and the disabled, \$25,000
- **Food Bank of Northern Indiana, Inc.**, Mobile Food Distributions for City of Goshen and Greater Elkhart County, \$20,000
- **Goshen Christian Montessori School, Inc.**, Expanding high-quality child-care options for low/moderate income families, \$5,000
- **Goshen Community Schools Foundation, Inc.**, Field Trip Funding, \$40,000 (2yrs @ \$20k each)
- **Goshen Health System, Inc.**, Pilot a weekend backpack meal distribution program for at-risk, food insecure families, \$24,960
- **Goshen Interfaith Hospitality Network, Inc.**, Goshen Interfaith Homeless Shelter Relocation, \$20,000
- **Kiwanis Club of Goshen Maple City Indiana, Inc.**, Tools-4-Schools Program, \$10,000
- **Goshen Stars Soccer Club, Inc.**, Capital Projects for Field Development, \$75,000 (3yrs @ \$25k ea.)
- **Horizon Education Alliance, Inc.**, Triple P: Positive Parenting Program, \$20,000
- **Maple City Health Care Center, Inc.**, COVID Vaccination for Goshen, \$25,000
- **Ryan's Place, Inc.**, Children's Grief Support Programs, \$20,000
- **ULEAD, Inc.**, Kindness Week Events, \$11,500

Mayor Stutsman provided the background and context of the awards, including the appointment of a review committee and the grant review and award process. The Mayor said with the approval of the City Council, the City decided to provide more grant funding than originally envisioned to better address community needs. He briefly discussed some of the needs that will be met through the grants.

Nichols/Riouse moved to approve and authorize **Mayor Stutsman** to execute the 19 agreements for the organizations awarding each recipient specified funds from the City's American Rescue Plan Fund. Motion passed 4-0.



6) Legal Department: Approval of agreement to purchase GraniteNet Software from BEC Enterprises, LLC for TVI Camera for the Water & Sewer Department

Carla Newcomer, a paralegal with the City Legal Department, asked the Board to approve and execute the agreement with BEC Enterprises, LLC, d/b/a Brown Equipment Company, for the for installation of GraniteNet Software for the TVI Camera and for an annual support plan.

Attached to the Board's packet was an agreement with BEC Enterprises, LLC, d/b/a Brown Equipment Company, for GraniteNet Software for the TVI Camera. **Newcomer** said BEC Enterprises, LLC will be paid \$60,505.00 for the software and \$4,250.00 for the annual support.

Nichols/Riouse moved to approve and execute the agreement with BEC Enterprises, LLC d/b/a Brown Equipment Company, for the installation of GraniteNet Software for the TVI Camera and for an annual support plan. Motion passed 4-0.

7) Legal Department: Resolution 2022-20 - Declaring Surplus and Authorizing the Disposal of Personal Property

Shannon Marks, a paralegal with the City Legal Department, asked the Board to pass and adopt Resolution 2022-20 - *Declaring Surplus and Authorizing the Disposal of Personal Property.*

Marks said the City wishes to dispose of personal property that is no longer needed or is unfit for the purpose for which it was intended. Resolution 2022-20 is to declare the property as surplus and authorize its disposal in accordance with the provisions of Indiana Code § 5-22-22-8 by demolishing or junking property that is worthless or of no market value. The surplus property, or components of the property, will be recycled where possible.

Attached to Resolution 2022-20 and included in the agenda packet was a list of the surplus property, which included camcorders, televisions, surveillance cameras, VCR/DVDs, and computers.

Nichols/Riouse moved to pass and adopt Resolution 2022-20 - Declaring Surplus and Authorizing the Disposal of Personal Property. Motion passed 4-0.

8) Legal Department: Resolution 2022-21 - 2023 City Holiday Schedule

Shannon Marks, a paralegal with the City Legal Department, asked the Board to pass and adopt Resolution 2022-21, 2023 City Holiday Schedule.

Marks reported that the Common Council has delegated to the Board of Public Works and Safety the responsibility to determine on an annual basis a holiday schedule and designate the date to be observed for a holiday should an actual holiday fall on a Saturday or a Sunday.

Resolution 2022-21 would approve the holiday schedule for 2023, and specifically designate the following dates to be observed for holidays that actually fall on a Saturday or Sunday

- New Year's Day, Monday, January 2, 2023 (in lieu of January 1)
- Veterans Day, Friday, November 10, 2023 (in lieu of November 11)
- Christmas Eve, Tuesday, December 26, 2023 (in lieu of December 24)
- (Christmas Day falls on Monday, December 25, 2023)

The other City holidays for 2023 are:

- Martin Luther King, Jr.'s Birthday (Third Monday in January) Monday, January 16, 2023



- Memorial Day (Last Monday in May), Monday, May 29, 2023
- Juneteenth National Independence Day (June 19), Monday, June 19, 2023
- Independence Day (July 4), Tuesday, July 4, 2023
- Labor Day (First Monday in September), Monday, September 4, 2023
- Thanksgiving Day (Fourth Thursday in November), Thursday, November 23, 2023
- Thanksgiving Holiday (Friday following Thanksgiving Day), Friday, November 24, 2023

Resolution 2022-21 also specifies that that City of Goshen offices and departments, excluding the Police and Fire Departments, will be closed on the above dates.

Nichols/Riouse moved to pass and adopt Resolution 2022-21, 2023. Motion passed 4-0.

9) Engineering Department: Accept the drainage plan for the East College Avenue Industrial Park Subdivision (JN: 2020-0036)

City Director of Public Works Dustin Sailor asked the Board to accept the drainage plan for the East College Avenue Industrial Park Subdivision, which was prepared by the developer's Indiana licensed professional engineer. The City does not warrant the drainage plan will function as intended and accepts no liability for the drainage design. **Sailor** said that pursuant to Ordinance No. 3196, Section 512 of the Goshen Subdivision Control Ordinance, Goshen Engineering has reviewed the drainage plan for the East College Avenue Industrial Park Subdivision on behalf of the Board of Works and Safety. The Goshen Engineering Department finds the proposed drainage plan adequately detains on-site and offsite runoff in accordance with Elkhart County's intensity-duration curve as found in the 2017 Elkhart County Highway Guidelines and Standards for Design of Public Improvements. **Sailor** said the plan goes one step further and has incorporated improvements that can safely pass stormwater runoff through the drainage system in accordance with the precipitation frequency estimates published in NOAA Atlas 14.

Sailor said Goshen Engineering recommends the Board's acceptance of the plan with the understanding that Goshen Engineering reviewed the drainage plan for general adherence to good engineering practice. The Board should note in their drainage approval that acceptance of the development's drainage plan in no way guarantees the drainage plan and drainage improvements will work as intended, and the City accepts no liability for any design shortcomings. **Sailor** said all concerns related to the development's drainage improvement are to be referred back to the development's licensed professional(s).

Nichols/Riouse moved to accept the drainage plan for the East College Avenue Industrial Park Subdivision, which was prepared by the developer's Indiana-licensed professional engineer. The City does not warrant the drainage plan will function as intended and accepts no liability for the design. Motion passed 4-0.

10) Engineering Department: Approve the agreement with La Croix Traffic Engineering to complete a traffic study of the major traffic corridors in the southeast portion of the City

City Director of Public Works Dustin Sailor asked the Board to approve the agreement with La Croix Traffic Engineering to complete the traffic study for a lump sum fee of \$45,350.

Sailor said In order to support future projects, and in response to increasing traffic, the engineering department was asking to commission a traffic study along major traffic corridors in the southeast portion of the city. LaCroix Traffic Engineering has submitted a proposal to complete the study for a lump sum fee of \$45,350. The first study will be along Dierdorff Road and County Road 40 and the second along Plymouth Avenue.



Nichols/Riouse moved to approve the agreement with La Croix Traffic Engineering to complete the traffic study for a lump sum fee of \$45,350. Motion passed 4-0.

11) Engineering Department: Approve the request for Mayor Stutsman to execute the 2022 asphalt milling contract with McCrite Milling & Construction

City Director of Public Works Dustin Sailor asked the Board to approve Mayor Stutsman to execute the 2022 asphalt milling contract with McCrite Milling & Construction.

Sailor said the Engineering Department solicited quotes and selected McCrite Milling & Construction as the lowest responsible and responsive quote for 2022 asphalt milling contract. The selected contractor will mill the designated streets in advance of paving to be completed by the City of Goshen Street Department and be compensated in the contract amount of \$22,640.

Nichols/Riouse moved to approve Mayor Stutsman to execute the 2022 asphalt milling contract with McCrite Milling & Construction. Motion passed 4-0.

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

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

Matthew Lind of Goshen said he wanted to discuss the status of the home at 414 River Avenue. He said he went on vacation last month after the bid opening for the demolition of the home. Lind said the deadline for the work was July 1, but when he returned from vacation, he learned that the home was still standing. He said he then reviewed the minutes of the Board of Works and learned about the possible involvement of Habitat for Humanity with the home. Lind said he wanted some clarification on what had happened.

Mayor Stutsman said he believed the City's bid to demolish the home was about \$12,000, but the City then learned that Habitat for Humanity had been working with the property owner to buy the property and build a new home. The Mayor said Habitat's price to demolish the home was for much less than the earlier bid, so the City would save money by working with Habitat. The Mayor said he received an email from Habitat last week and there are plans to demolish the home within two weeks and a contractor was in place. Mayor Stutsman said he was hesitant to delay the demolition, but decided to do so, to save the City money and to facilitate a home build with Habitat.

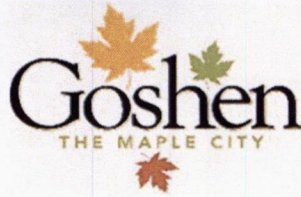
City Attorney Bodie Stegelmann said the Mayor's response was consistent with the current status of the project. Stegelmann said he expected the home to be demolished in a week to 10 days.

Lind said this was exciting news.

Mayor Stutsman said he wished the City could have expedited the demolition because he knows this has been an "awful property" for the neighborhood for years. He said he wished the demolition could have been faster.

Lind agreed and said he believes the home has been a problem since 2013, so the situation has persisted for nine years. He said a neighbor has been working on a nice house next door to 414 River Avenue and has it for sale now. Lind said the sales price will be affected by thousands of dollars because of the home at 414 River Avenue. Lind said that for a demolition to take nine years was astounding. He asked if Board members would have allowed this situation to persist this long if they lived next to 414 River Avenue.

Mayor Stutsman said he became mayor in 2016 and cannot speak for what happened from 2013 to 2016.



However, **Mayor Stutsman** said the City condemned the home at 414 River Avenue in 2017 and almost immediately ordered its demolition, but then a court challenge was filed. He said that this same property owner had a home next to the Mayor's home for eight years that was vacant and in poor condition. Mayor Stutsman said someone eventually bought the home and renovated it. The Mayor said the City works as fast as possible on such cases, but there are many such homes in the community and the City can only afford to address a few at a time.

Board member Landis said some property owners are able to delay the demolition process through legal means, which is also frustrating to the Board. Landis added that perhaps Lind can inform his neighbor of the impending demolition, which could help him get a better sales price.

There were no FURTHER comments, so Mayor Stutsman closed Privilege of the Floor at 2:33 p.m.

As all matters before the Board of Public Works & Safety were concluded, Mayor Stutsman/Nichols moved to approve Civil City and Utility claims and adjourn the meeting. Motion passed 4-0.

Mayor Stutsman adjourned the meeting at 2:33 p.m.

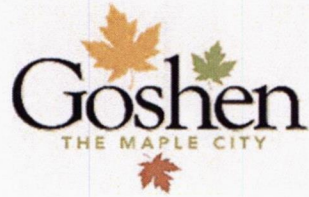
APPROVED

A blue ink signature of Jeremy Stutsman, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Jeremy Stutsman, Chair

A blue ink signature of Michael Landis, written in a cursive style with a prominent 'M' and 'L'.

Michael Landis, Member

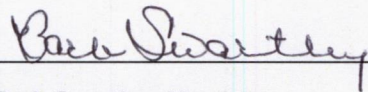




Mary Nichols, Member

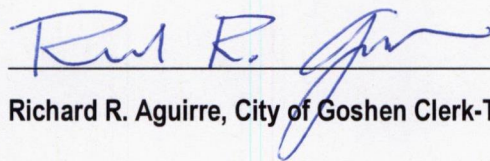
Absent

DeWayne Riouse, Member



Barb Swartley, Member

ATTEST



Richard R. Aguirre, City of Goshen Clerk-Treasurer