



**BOARD OF PUBLIC WORKS & SAFETY & STORMWATER BOARD  
MINUTES OF THE SEPTEMBER 19, 2022 REGULAR MEETING**

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

**Present:** Deputy Mayor Mark Brinson and members Mary Nichols and DeWayne Riouse

**Absent:** Mayor Jeremy Stutsman, Mike Landis and Barb Swartley

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

Deputy Mayor Brinson said that Mayor Stutsman was unable to attend today's meeting, so he was serving in his place. City Attorney Bodie Stegelmann explained that since he was absent from the City this afternoon, Mayor Stutsman designed Mark Brinson as "acting executive" for the afternoon and he can act as a member of the Board and will be presiding at the meeting (pursuant to the Mayor's Executive Order 2022-04, signed Sept. 14, 2022).

**REVIEW/APPROVE MINUTES:** Deputy Mayor Brinson presented the minutes of the Sept. 12, 2022 regular meeting. Board member DeWayne Riouse moved to approve the minutes as presented and the motion was seconded by Board member Mary Nichols. Motion passed 3-0.

**REVIEW/APPROVE AGENDA:** Deputy Mayor Brinson presented the meeting agenda with the deletion of one item 8) *Legal Department: Approve and authorize Mayor Stutsman to execute the Amendment to the Agreement with the Teamsters Local Union No. 364 (which will return after a Council discussion)* and the addition of item 12) *Engineering Department: Approve partial closure of Reliance Road on Sept. 22, 2022.* Board member Riouse moved to approve the agenda as suggested and Board member Nichols seconded the motion. Motion passed 3-0.

**1) Police Department: Approve the hiring of William Miller as a Patrol Officer, retroactive to Sept. 12, 2022**

Police Chief José Miller asked the Board to approve the hiring of William Miller for the position of patrol officer, effective today, Sept. 12, 2022.

Chief Miller said Officer Miller previously worked for the Goshen Police Department and "performed his patrol duties with the utmost respect and integrity." On March 13, 2021, Officer Miller left the profession for the private sector and has now decided to return to the profession and the Goshen Police Department.

Chief Miller said Officer Miller passed all exams and has been approved by both the local and State pension boards. Chief Miller added, "It will be our pleasure to add William Miller back on the Goshen Police Department ... (and he) will be a welcomed addition to the Goshen Police Department."

Riouse/Nichols moved to approve the hiring of William Miller for the position of Patrol Officer, effective Sept. 12, 2022. Motion passed 3-0.

After the Board's approval, Deputy Mayor Brinson swore in Officer Miller as a Goshen Patrol Officer.

**2) Police Department: Approve the promotion of Adriana Fernandez #212 from Probationary Patrol Officer to Patrol Officer, effective Sept. 20, 2022**

Police Chief José Miller asked the Board to approve the promotion of Adriana I. Fernandez from the position of Probationary Patrol Officer to the rank of Patrol Officer, effective Sept. 20, 2022.



**Chief Miller** said on Sept. 20, 2022, Officer Fernandez will have completed her 12-month probationary period. Chief Miller said "Officer Fernandez has demonstrated she will be a great addition to the Goshen Police Department and to this community."

**Riouse/Nichols** moved to approve the promotion of Adriana I. Fernandez from the position of Probationary Patrol Officer to the rank of Patrol Officer, effective Sept. 20, 2022. Motion passed 3-0.

After the Board's approval, Deputy Mayor Brinson swore in Officer Fernandez as a Goshen Patrol Officer.

**3) Police Department: Approve the promotion of Aaron D. Johnson #191 from Patrol Officer to Sergeant, effective Sept. 16, 2022**

**Police Chief José Miller** asked the Board to approve the promotion of Officer Aaron D. Johnson from the position of Patrol Officer to the rank of Sergeant, retroactive to Sept. 16, 2022.

**Chief Miller** said Officer Johnson has worked for the Police Department approximately five years and has "demonstrated he will be an asset to our department as a supervisor." He currently is a field training officer for new recruits in the department.

**Riouse/Nichols** moved to approve the promotion of Officer Aaron D. Johnson from the position of Patrol Officer to the rank of Sergeant, retroactive to Sept. 16, 2022. Motion passed 3-0.

After the Board's approval, Deputy Mayor Brinson swore in Aaron D. Rogers as a Goshen Police Sergeant.

**4) Police Department: Approve the promotion of Brian K. Abshire from Patrol Officer to Detective, retroactive to Sept. 16, 2022**

**Police Chief José Miller** asked the Board to approve the promotion of Brian K. Abshire from the position of Patrol Officer to the rank of Detective, retroactive to Sept. 16, 2022.

**Chief Miller** said Officer Abshire has served with the Police Department for approximately 4½ years. He currently is an evidence technician and drone pilot for the department. Chief Miller said Abshire "has proven his dedication time and time again to this department and our community."

**Riouse/Nichols** moved to approve the promotion of Brian K. Abshire from the position of Patrol Officer to the rank of Detective retroactive to Sept. 16, 2022. Motion passed 3-0.

After the Board's approval, Deputy Mayor Brinson swore in Brian K. Abshire as a Goshen Police Detective.

**5) Police Department: Approve the promotion of Curtis J. Weldy #162 from Lieutenant to Captain, effective Sept. 16, 2022**

**Police Chief José Miller** asked the Board to approve the promotion of Curtis J. Weldy from the rank of Lieutenant to the rank of Captain, retroactive to Sept. 16, 2022.

**Chief Miller** said Lt. Weldy has been an officer with the Police Department for approximately 10 years. He currently serves as a lieutenant on the afternoon shift and has been acting captain of the afternoon shift for several months.

**Chief Miller** said Lt. Weldy "has demonstrated repeatedly that he will be a great asset to our department."

**Riouse/Nichols** moved to approve the promotion of Curtis J. Weldy from the rank of Lieutenant to the rank of Captain, retroactive to Sept. 16, 2022. Motion passed 3-0.

After the Board's approval, Deputy Mayor Brinson swore in Curtis J. Weldy as a Goshen Police Captain.



**6) Police Department: Presentation of Life saving Award to Officer Paige Hershberger #209**

**Police Chief José Miller** informed the Board that he was presenting Officer Paige Hershberger a Life Saving Award for her quick response that resulted in the saving of a life on Sept. 3, 2022 – an incident he said was unknown to the Police Department until it was brought to light because of a Facebook post.

**Chief Miller** said on Sept. 3, 2022, Officer Hershberger responded to a call for a possible overdose. Upon arrival, the male subject was unresponsive and stopped breathing. Chief Miller said Officer Hershberger immediately began chest compressions and the subject began breathing slightly. Medics arrived and began treatment on the male subject and later transported him to Goshen General Hospital for further medical treatment.

**Chief Miller** said that without the quick actions by Officer Hershberger the situation could have ended in a different manner. The Chief added, "I would like to personally thank Officer Hershberger for her actions and am proud to have officers such as her on the Goshen Police Department."

**After his remarks, Chief Miller presented Officer Hershberger with a Life Saving Award.** There was no Board action because this was an information-only item. In the Mayor's absence, **Deputy Mayor Brinson** thanked Officer Hershberger and all Goshen officers for their service to the community.

**7) St. John The Evangelist Catholic Church request: Approve the partial closure of 3rd Street on Sept. 24, 2022 for the annual parish fall festival**

**Jonathan Evangelista, pastoral associate for St. John the Evangelist Catholic Church,** asked the Board to approve the partial closure of 3<sup>rd</sup> Street on Sept. 24, 2022 for the church's annual parish fall festival.

**Evangelista** said the festival will be held on the grounds of the church (school parking lot). In order to safely allow parishioners to enjoy the festival; Evangelista asked the Board's permission to block part of 3<sup>rd</sup> street from 10 a.m. until 10 p.m. when the event will be completed. In response to a question from the **Deputy Mayor,** Evangelista said the church will be coordinating the use of barricades with the City Street Department.

**Riouse/Nichols moved to approve the partial closure of 3rd Street on Sept. 24, 2022, from 9 a.m. until 10 p.m., for the church's annual parish fall festival. Motion passed 3-0.**

**8) Legal Department: City leaf storage agreement with Ozinga Ready Mix Concrete, Inc.**

**Brandy Toms, a paralegal with the City Legal Department,** asked the Board to approve and authorize the Mayor to execute the Leaf Storage Agreement with Ozinga Ready Mix Concrete, Inc.

**Toms** said according to the agreement, the City will lease space from Ozinga Ready Mix Concrete, Inc. at 1700 Egbert Avenue to store leaves for the 2022 leaf pick-up season. The rental is \$10.00 per month.

**Riouse/Nichols moved to approve and authorize the Mayor to execute the Leaf Storage Agreement with Ozinga Ready Mix Concrete, Inc. Motion passed 3-0.**

**9) Legal Department: Agreement with Eaton Corporation for Reconditioning of breakers for the wastewater treatment plant at a cost of \$66,560, plus shipping costs**

**Brandy Toms, a paralegal with the City Legal Department,** asked the Board to approve and authorize Mayor Stutsman to execute the agreement with Eaton Corporation for the reconditioning of five breakers previously evaluated with the total cost being \$66,560, plus shipping costs to return the breakers to City.

**Toms** said the agreement with Eaton Corporation is for the second phase of five old breakers recently replaced by the waste water treatment plant.



**Toms** said this final phase constitutes the reconditioning of the breakers for use as emergency replacements should the need ever arise. Eaton will be paid a total sum of \$66,560.00 for the reconditioning plus any shipping costs to return the breakers to City once reconditioning is finished.

**Riouse/Nichols** moved to approve and authorize Mayor Stutsman to execute the agreement with Eaton Corporation for the reconditioning of five (5) breakers previously evaluated with the total cost being \$66,560 plus shipping costs to return the breakers to City. Motion passed 3-0.

**10) Engineering Department: Approve lane restrictions on Greene Road, High Street, Alley 256, West Avenue and Indiana Avenue, Sept. 20 through Sept. 29, 2022, for the installation of fiber conduit.**

**City Director of Public Works & Utilities Dustin Sailor** told the Board that **David Talbot**, senior project manager for TCS Communications, LLC, wanted to request approval of lane restrictions on Greene Road, High Street, Alley 256, West Avenue and Indiana Avenue, Sept. 20 through Sept. 29, 2022, for the installation of fiber conduit.

**Talbot** said TCS Communications, LLC, which is working for Frontier Communication, needs lane restrictions to bore fiber conduit across city streets. A lane will be restricted, as the existing utilities are exposed, to prevent damage during the boring process.

**Location of street crossings:**

- 1) Greene Road at Berkey Avenue (9/20 - 9/22)
- 2) High Street at Pike Street (9/21 - 9/23)
- 3) Chicago Avenue at Denver Street (9/22 - 9/26)
- 4) Chicago Avenue at Wilkinson Street (9/23 - 9/27)
- 5) Indiana Avenue and Dewey Avenue at Lincoln Avenue (9/26 - 9/28)
- 6) West Avenue, alley at Dewey Avenue (9/26- 9/28)
- 7) Berkey Avenue at Indiana Avenue (9/27 - 9/29)

**Riouse/Nichols** moved to approve lane restrictions on Greene Road, High Street, Alley 256, West Avenue and Indiana Avenue, Sept. 20 through Sept. 29, 2022, for the installation of fiber conduit. Motion passed 3-0.

**11) Halloween information item: Mayor Stutsman** has recommend that the trick-or treating hours for 2022 be 5:30-8 p.m. on Oct. 29, 2022

**Deputy Mayor Brinson** announced that Mayor Stutsman has recommended that the City of Goshen's hours for trick-or-treating for 2022 be 5:30 to 8 p.m. on Saturday, Oct. 29.

In response to a question from **Deputy Mayor Brinson**, **City Attorney Stegelmann** said this was an information-only agenda item with no Board action required.

**12) Engineering Department: Approve partial closure of Reliance Road on Sept. 22, 2022**

**City Civil Traffic Engineer Josh Corwin** presented the Board with a memorandum (EXHIBIT 1) seeking approval for the closure of Reliance Road, between Peddlers Village Road and US 33, on Thursday, Sept. 22.

**Corwin** said Selge Construction has notified the Engineering Department of the requested road closure for site development and the connection of a sewer and water main for the Elkhart County Courthouse.

**Riouse/Nichols** moved to approve the closure of Reliance Road, between Peddlers Village Road and US 33, on Thursday, Sept. 22. Motion passed 3-0.



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

Deputy Mayor Brinson opened Privilege of the Floor at 2:27 p.m. There were no public comments, so Deputy Mayor Brinson closed Privilege of the Floor at 2:28 p.m.

As all matters before the Board of Public Works & Safety were concluded, Riouse/Nichols moved to approve Civil City and Utility claims and adjourn the meeting. Motion passed 3-0.

Deputy Mayor Brinson adjourned the meeting at 2:28 p.m.

**EXHIBIT #1: Memorandum, dated Sept. 19, 2022, from the City Engineering Department to the Board of Works & Safety requesting the closure of Reliance Road, between Peddlers Village Road and US 33, on Thursday, Sept. 22. Selge Construction requested the closure for site development and the connection of a sewer and water main for the Elkhart County Courthouse. City Civil Traffic Engineer Josh Corwin presented the memo and made the request during the Board's consideration of walk-in agenda item 12) Engineering Department: Approve partial closure of Reliance Road on Sept. 22, 2022.**

APPROVED

A handwritten signature in black ink, appearing to read "M. Brinson", is written over a horizontal line.


Deputy Mayor Brinson, Chair of the Sept. 19, 2022 meeting

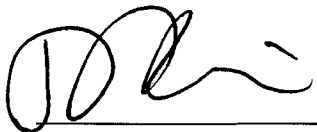
A handwritten signature in black ink, appearing to read "Jeremy Stutsman", is written over a horizontal line.

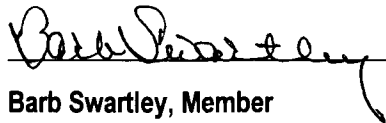
Mayor Jeremy Stutsman

Michael Landis, Member



  
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**Mary Nichols, Member**

  
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**DeWayne Riouse, Member**

  
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**Barb Swartley, Member**

**ATTEST**

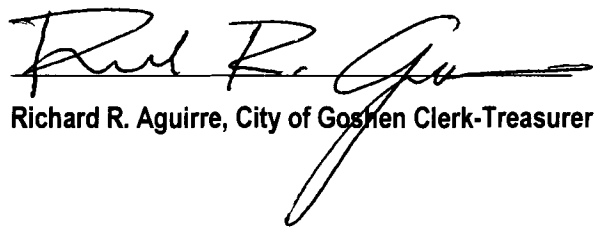
  
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**Richard R. Aguirre, City of Goshen Clerk-Treasurer**



EXHIBIT #1

**Engineering Department  
CITY OF GOSHEN**

204 East Jefferson Street, Suite 1 • Goshen, IN 46528-3405

Phone (574) 534-2201 • Fax (574) 533-8626 • TDD (574) 534-3185  
engineering@goshencity.com • www.goshenindiana.org

## MEMORANDUM

TO: Board of Public Works and Safety

FROM: Engineering Department

RE: **REQUEST FOR ROAD CLOSURE  
(JN: 2021-0014)**

DATE: September 19, 2022

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Selge Construction has notified the engineering department of a requested road closure for work associated with the site development and infrastructure for the Elkhart County Courthouse. They have requested Reliance Road between Peddlers Village Road and US 33 be closed to traffic on Thursday, September 22<sup>nd</sup>. The proposed detour route is shown on the attached exhibit.

**Requested Motion: Approve the closure of Reliance Road between Peddlers Village Road and US 33 on Thursday, September 22<sup>nd</sup>.**

**City of Goshen  
Board of Works & Safety**

\_\_\_\_\_  
Jeremy Stutsman, Mayor

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Mary Nichols, Board Member

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Mike Landis, Board Member

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DeWayne Riouse, Board Member

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Barb Swartley, Board Member

- ① ROAD CLOSED AHEAD
- ② 1- Type II w/AV-4 ; X44-10
- ③ 3- Type III w/AV-2
- ④ CLOSE NO LEFT TURN LANE

123

PICKWICK VILLAGE

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33

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3

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④

④

Reliance Rd

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28

Remond Ave

Stepping Stone Dr

Wilbur's Way

Esselman Supply

Mega Blast Laser Tag Arcade

Planet Fitness

Urgent Care Goshen Physicians

Maple Court Place