

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

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

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

Absent:

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

REVIEW/APPROVE MINUTES: Mayor Stutsman presented the minutes of the Dec. 12, 2022 Regular Meeting. Board member Barb Swartley 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 meeting agenda. Board member Swartley moved to approve the agenda as submitted. Board member Riouse seconded the motion. Motion passed 5-0.

1) Fire Department: Accept the retirement of Private Lee Mravec, effective Jan. 6, 2023

City Fire Chief Dan Sink told the Board that after 27 years of dedicated service to the Goshen community, Private Lee Mravec has submitted his letter of intent to retire, effective Jan. 6, 2023. He asked that the Board affirm Private Mravec's retirement from the Goshen Fire Department. Chief Sink added, "We have enjoyed our years of working together with Lee at GFD and his contributions for our success are many and we wish him the very best in his new endeavors." Mayor Stutsman echoed the Chief's sentiments.

Swartley/Riouse moved to approve the retirement of Private Mravec from the Goshen Fire Department, effective Jan. 6, 2023. Motion passed 5-0.

2) Fire Department: Approve the promotion of Joseph F. Cestone as Private First Class

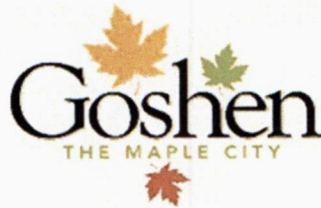
City Fire Chief Dan Sink told the Board that Joseph F. Cestone will complete his probationary year at the Goshen Fire Department on Dec. 20, 2022. Based on his performance and recommendations from his shift Battalion Chief and Training Officer; Chief Sink said it was his pleasure to request that Cestone be promoted to the rank of Private First Class for the department, effective Dec. 20, 2022.

Swartley/Riouse moved to approve the promotion of Joseph F. Cestone to the rank of Private First Class for the department, effective Dec. 20, 2022. Motion passed 5-0.

After the Board approved the promotion, Mayor Stutsman swore Private First Class Cestone into office.

3) Plan Commission appointment: Approve the reappointment of the Board of Works representative to the City Plan Commission and the announcement of a Mayoral reappointment

Mayor Stutsman asked the Board to approve the reappointment of Richard Worsham as the Board's representative to the City Plan Commission for a term of Jan. 1, 2023 to Dec. 31, 2023.



Mayor Stutsman also said he was reappointing **Rolando Ortiz** to the Plan Commission for a four-year term, Jan. 1, 2023 to Dec. 31, 2026. City staff had recommended that **Worsham** and **Ortiz** continue serving on the Plan Commission and both indicated that they were happy to do so.

Swartley/Riouse moved to approve the reappointment of **Richard Worsham** as the Board's representative to the City Plan Commission for a term of Jan. 1, 2023 to Dec. 31, 2023. Motion passed 5-0.

4) Downtown Goshen, Inc. request: Street closures and requests for City services for 2023 First Friday and related events

Acting on behalf of Downtown Goshen, Inc., **Amanda McMahon**, Event Coordinator for **Eyedart Creative Studios**, asked the Board to approve multiple street closures and other City services for various First Friday activities in 2023.

McMahon presented the Board with a three-page list of the requested closures and City services and seven pages of maps detailing the activities, which were included in the Board's agenda packet. More specifically, Downtown Goshen, Inc. requested street closures, barricades, orange fencing, trash containers and police officer patrols for some monthly events starting in January 2023 through December 2023.

McMahon outlined the requested street closures, which had already been reviewed and approved by City staff.

Mayor Stutsman said the requests for the entire year were being presented to the Board to give downtown businesses and residents more advance notice so they can better plan.

Board member Landis thanked **McMahon** for the information. **Mayor Stutsman** said a December street closure map was not included in the packet. **McMahon** said one would be provided.

Swartley/Riouse moved to approve multiple street closures for various First Friday activities in 2023 as requested. Motion passed 5-0.

5) Legal Department: Resolution 2022-36, Share of Cost of Wages and Benefits for 2023

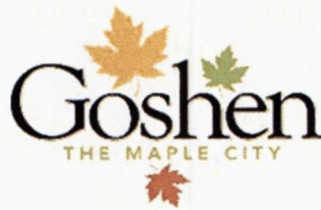
Shannon Marks, the Legal Compliance Administrator for the City Legal Department, asked the Board to adopt Resolution 2022-36, *Share of Costs of Wages and Benefits for 2023*.

Marks said there are certain City positions, including elected officials, for which the cost of wages and employment benefits are paid from more than one fund or budget. She said pursuant to the annual compensation ordinances for Elected Officials and for Civil City and Utilities Employees, the Board must annually determine the percentage share of costs for the affected positions that are paid from more than one fund or budget. Resolution 2022-36 is for this purpose. Budgets for the City and for Utilities paid for salaries for the following Departments and Offices: Central Garage, Clerk-Treasurer, Common Council, Community Development, Engineering, Legal, Mayor, and various non-specified positions.

Asked by **Mayor Stutsman** if there had been any major changes. **Marks** said there had not been major changes, but pointed out those that had been made.

Swartley/Riouse moved to adopt Resolution 2022-36, *Share of Costs of Wages and Benefits for 2023*. Motion passed 5-0.

6) Legal Department: Resolution 2022-39, Documenting the Submission of the 2022 Annual Certifications by City of Goshen Elected Officers



Shannon Marks, the Legal Compliance Administrator for the City Legal Department, asked the Board to pass Resolution 2022-39, *Documenting the Submission of the 2022 Annual Certifications by City of Goshen Elected Officers.*

Marks said elected officials annually are required to sign certifications attesting that they have read and will abide by state statutes and City policies regarding the employment of relatives by the City and contracting with the City.

Mayor Stutsman thanked **Clerk-Treasurer Aguirre** for ensuring all of the certifications were signed and notarized.

Swartley/Riouse moved to pass Resolution 2022-39, *Documenting the Submission of the 2022 Annual Certifications by City of Goshen Elected Officers.* Motion passed 5-0.

7) Legal Department: Award the bid for the purchase of structural firefighter gear to Municipal Emergency Services as the lowest responsible and responsive bidder

Brandy Toms, a paralegal with the City Legal Department, asked the Board to award the bid for the purchase of structural firefighter gear to Municipal Emergency Services as the lowest responsible and responsive bidder and to approve and authorize Mayor Stutsman to execute the agreement with Municipal Emergency Services for the purchase of structural firefighter gear

Toms said earlier this year, the City solicited sealed bids for the purchase of structural firefighter gear. Attached to the Board's agenda packet was a bid tabulation for bids received. This tabulation was based on total units intended to be purchased over the course of four years for comparison purposes only. The actual cost of the gear will be based on the number of units purchased each year. Toms said it is the City's intent to purchase approximately 20-25 complete sets of firefighter gear each year over the course of the next four years

On Dec. 5, 2022, Municipal Emergency Services of Indianapolis, Indiana, submitted the following bids per item: 1. Coat \$1,886.82; 2. Pant \$1,460.10; 3. Helmet \$441.83; 4. Boot \$378.63; 5. Hood \$125.10; 6. Gloves \$106.55; 7. Extrinsic Coat \$402.09; and 8. Extrinsic Pant \$402.09.

Swartley/Riouse moved to award the bid for the purchase of structural firefighter gear to Municipal Emergency Services as the lowest responsible and responsive bidder and to approve and authorize Mayor Stutsman to execute the agreement with Municipal Emergency Services for the purchase of structural firefighter gear. Motion passed 5-0.

8) Legal Department: Award the bid for the purchase of a 6-ton compact excavator to Bobcat of Michiana as the lowest responsible and responsive bidder

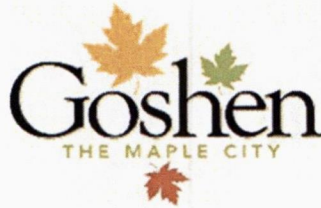
Brandy Toms, a paralegal with the City Legal Department, asked the Board to award the bid for the purchase of a 6-ton compact excavator to Bobcat of Michiana as the lowest responsible and responsive bidder.

Tom said that while McCann Industries, Inc. was the lowest bidder, the company was not able to meet the requirements of being the responsible and responsive bidder, therefore disqualifying its bid.

On Dec. 12, 2022, Bobcat of Michiana, Elkhart, Indiana submitted these bids: 1. \$91,646.75 (2022 Bobcat E63); 2. Not available (6-in-1 Dozer blade); 3. \$2,597.76 (Angle Blade); 4. \$2,477.62 (Extra Counter Weight).

Toms said the actual contract for the purchase will be presented to the Board at a later date.

Swartley/Riouse moved to award the bid for the purchase of a 6-ton compact excavator to Bobcat of Michiana as the lowest responsible and responsive bidder. Motion passed 5-0.



9) Engineering Department: Accept the sanitary sewer infrastructure as listed as a public asset and that the infrastructure be accepted for maintenance within the previously dedicated easement for the Elkhart Market Center project

City Director of Public Works & Utilities Dustin Sailor asked the Board to accept the sanitary sewer infrastructure as listed as a public asset and that the infrastructure be accepted for maintenance within the previously dedicated easement for the Elkhart Market Center project.

Sailor said the installation of infrastructure (sanitary sewer) has been satisfactorily completed by the Brixmor Group for the Elkhart Market Center, 4024 Elkhart Road. He said the value of the infrastructure was \$451,595. The Engineering Department recommends that the infrastructure be accepted for maintenance. A copy of the maintenance bond and letter of dedication were attached to the Board's meeting packet.

Swartley/Riouse moved to accept the sanitary sewer infrastructure as listed as a public asset and that the infrastructure be accepted for maintenance within the previously dedicated easement for the Elkhart Market Center project. Motion passed 5-0.

10) Engineering Department: Approve the corrections to the certified inventory for the City's centerline mileage and authorize Mayor Stutsman to sign a letter stating that all the requested changes to the inventory are accepted and maintained by the City

City Civil Traffic Engineer Josh Corwin told the Board that the Indiana Department of Transportation (INDOT) maintains an inventory of certified centerline mileage for each jurisdiction in the state for the purposes of allocating funds. Attached to the Board agenda packet were corrections to the City's certified roadway mileage inventory, having a net total of +3.04 miles. Currently, the City has a certified inventory of 143.40 centerline miles. Corwin said the additional 3.04 miles, when certified by the state, will bring the new inventory total to 146.44 miles.

Corwin asked the Board to approve the corrections to the certified roadway mileage inventory and authorize Mayor Stutsman to sign the attached cover letter stating all the requested changes to the inventory are accepted and maintained by the City.

Board member Landis asked why there was a discrepancy in the mileage between the State and the City. **Corwin** said some new roads were built and that City made some corrections in the State and City totals.

Swartley/Riouse moved to approve the corrections to the certified roadway mileage inventory and authorize Mayor Stutsman to sign the attached cover letter stating all the requested changes to the inventory are accepted and maintained by the City. Motion passed 5-0.

11) Engineering Department: Move to release the 3-year bond and accept the First Street Reconstruction project for permanent maintenance

City Director of Public Works & Utilities Dustin Sailor said final inspection of the project has taken place. The infrastructure (water, sewer, storm, concrete curb, sidewalk, & pavement) has been found to meet City standards and specifications. So, the Engineering Department, recommended that the City of Goshen release the three-year maintenance bond, which was posted by Walsh & Kelly Construction for water, sewer, storm, concrete curb, sidewalk & pavement in the amount of \$111,554.38.

Swartley/Riouse moved to release the three-year bond and accept the First Street Reconstruction project for permanent maintenance. Motion passed 5-0.



12) Engineering Department: Approve and authorize the Mayor to sign Agreement Amendment No. 2 with Abonmarche Consulting for GIS & IT Services to extend its contract services completion date to May 1, 2023
City Director of Public Works & Utilities Dustin Sailor said the City is currently under contract with Abonmarche Consulting for on-call GIS services and for the following tasks: develop a GIS Strategic Plan, implement the Strategic Plan, support GIS Priority Programs (leak detection, hydrant inspections), and integrate CCTV2 software with GIS. The original term for accomplishing this scope was by the end of this calendar year. Sailor said the GIS Strategic Plan, and implementation of the Plan will remain incomplete by this deadline and so Amendment No. 2 is designed to extend the completion date of all tasks to May 1, 2023.

Sailor said the original terms of the Agreement were unmet this fall due to the discovery that the server system upon which the City's GIS was originally deployed needed to be reconfigured to ensure data security and functionality. Other tasks were dependent upon the deployment of this updated server environment. The deployment process took some time and used funds dedicated to on-call services and Strategic Plan implementation.

Sailor said the updated service agreement changes the completion date, but retains the same fee structure and a total not to exceed amount of \$100,000.00. As of the last invoice dated Nov. 23, 2022, \$38,912.50 remained of the contracted amount.

He asked the Board to approve and authorize the Mayor to sign Agreement Amendment No. 2 with Abonmarche Consulting for GIS and IT Services to extend its contract services completion date to May 1, 2023.

Swartley/Riouse moved to approve and authorize the Mayor to sign Agreement Amendment No. 2 with Abonmarche Consulting for GIS and IT Services to extend its contract services completion date to May 1, 2023. Motion passed 5-0.

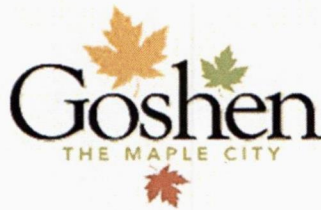
13) Engineering Department: Approve and authorize the Mayor to sign Agreement 2023 GIS and IT On-Call Services with Abonmarche Consulting for a not to exceed fee of \$60,000

City Director of Public Works & Utilities Dustin Sailor asked the Board to approve and authorize the Mayor to sign Agreement 2023 GIS and IT On-Call Services with Abonmarche Consulting for a not to exceed fee of \$60,000. In a memorandum to the Board, **Sailor** reported that the City is currently under contract with Abonmarche Consulting for on-call GIS1 services and for the following tasks: develop a GIS Strategic Plan, implement the Strategic Plan, support GIS Priority Programs (leak detection, hydrant inspections), and integrate CCTV2 software with GIS. At this time, the 2022 funds dedicated to on-call services have been fully utilized.

Amendment No. 2 for 2022 GIS and IT Services extends the deadline for completion of the Strategic Plan and its implementation. A need remains going into 2023 for on-call services to advise and assist the new GIS Coordinator in deploying and maintaining GIS systems that support workflows across City Departments.

Sailor indicated that support over the next year is anticipated to include guidance for system updates, exploration of a more collaborative relationship with Elkhart County GIS systems, development of field and office applications, and continued training of the GIS Coordinator in database and user management. The 2023 GIS and IT On-Call Services agreement is for a not to exceed amount of \$60,000. Since support needs are expected to be ongoing for the foreseeable future, the Agreement includes an annual auto-renewal provision for the next three years unless terminated in writing with 90 days' notice.

Swartley/Riouse moved to approve and authorize the Mayor to sign Agreement 2023 GIS and IT On-Call Services with Abonmarche Consulting for a not to exceed fee of \$60,000. Motion passed 5-0.



14) Engineering Department: Request to enter into a Water Utility On-call Professional Service Agreement with Donohue and Associates for \$20,000 and authorize the Mayor to sign task orders prepared under the terms and conditions of the agreement

City Director of Public Works & Utilities Dustin Sailor said the Goshen Water Utility utilizes Donohue & Associates technical expertise to troubleshoot and provide advice on the maintenance of the Supervisory Data Acquisition System (SCADA). He said the Utility has had previous on-call service agreements with Donohue and Associates. Prior to each task being undertaken, a Task Order is completed that reviews the scope of work and establishes the anticipated level of effort in dollars.

In his written request, **Sailor** asked the Board to enter into a Water Utility On-call Professional Service Agreement with Donohue and Associates for \$20,000, and authorize the Mayor to sign task orders prepared under the terms and conditions of the agreement.

Swartley/Riouse moved to enter into a Water Utility On-call Professional Service Agreement with Donohue and Associates for \$20,000, and authorize the Mayor to sign task orders prepared under the terms and conditions of the agreement. Motion passed 5-0.

15) Engineering Department: Request to enter into a Wastewater On-call Professional Service Agreement with Donohue and Associates for \$39,800 and authorize the Mayor to sign task orders prepared under the terms and conditions of the agreement

City Director of Public Works & Utilities Dustin Sailor told the Board the Goshen Wastewater Utility utilizes Donohue & Associates' technical expertise to address minor plant operation issues, perform operation reviews of equipment and processes, and troubleshoot and provide advice on the maintenance of the Supervisory Data Acquisition System (SCADA). He said the Utility has had previous on-call service agreements with Donohue and Associates. Prior to each task being undertaken, a Task Order is completed that reviews the scope of work and establishes the anticipated level of effort in dollars. With this agreement, Task Order No. 1 is included for Donohue & Associates to update the City's Wastewater Local Limits for submittal to IDEM and the U.S. EPA Region 5. For the 2023 Wastewater On-call Services Agreement, **Sailor** said Goshen's Wastewater Utility was asking the Board's permission to enter into a three-year \$39,800 professional service agreement with Donohue and Associates, and additionally requests that the Mayor be allowed to sign task orders prepared under the terms and condition of the agreement. **Sailor** said that the City will seek an extension of the agreement if needed.

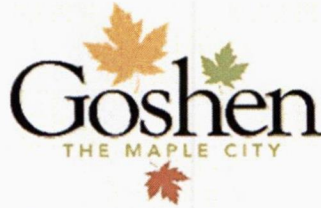
Swartley/Riouse moved to enter into a three-year \$39,800.00 professional service agreement with Donohue and Associates, and additionally to authorize that the Mayor be allowed to sign task orders prepared under the terms and condition of the agreement. Motion passed 5-0.

16) Clerk-Treasurer's Office: Approve the 2023 Board of Works meeting calendar

City Clerk-Treasurer Richard R. Aguirre asked the Board approve the Board's proposed calendar for 2023. The calendar indicates days that the Board will be meeting as well as holidays and other special dates for 2023.

Aguirre said once approved, the calendar will be distributed to the news media, City Departments, and other people on the Board's meeting distribution list. It also will be posted on the City's website.

Aguirre said that if there are instances when a meeting quorum will not be possible, adequate public notice will be given and meetings will be cancelled. Advance notice also will be given for any special Board meetings.



Swartley/Riouse moved to approve the Board's meeting calendar for 2023. 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 2:32 p.m.

Richard Barnum, Assistant City Street Commissioner, announced that the City's annual Christmas tree pickup will begin Jan. 3 and will run until Feb. 6, 2023, weather permitting.

Mayor Stutsman announced that DeWayne Riouse has submitted his resignation from the Board of Works to pursue other opportunities in another city. The Mayor told Riouse he appreciated his service, and especially his advocacy for tenants. Riouse thanked the Mayor.

There were no further comments, so Mayor Stutsman closed Privilege of the Floor.

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

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

APPROVED

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

Mayor Jeremy Stutsman

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

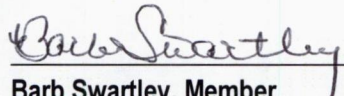
Mike Landis, Member





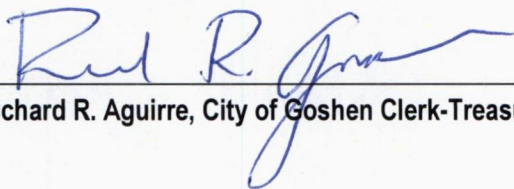
Mary Nichols, Member

DeWayne Riouse, Member



Barb Swartley, Member

ATTEST



Richard R. Aguirre, City of Goshen Clerk-Treasurer