



**BOARD OF PUBLIC WORKS & SAFETY & STORMWATER BOARD
MINUTES OF THE APRIL 17, 2023 REGULAR MEETING**

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

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

Absent: None

CALL TO ORDER: Kid Mayor Paul Conner Gwaltney, assisted by Mayor Stutsman, called the meeting to order at 2:00 p.m. The Mayor stated that Conner would help preside at the meeting.

REVIEW/APPROVE MINUTES: Kid Mayor Gwaltney and Mayor Stutsman presented the minutes of the April 10, 2023 Regular Meeting. Board member Barb Swartley moved to approve the minutes of the April 10, 2023 meeting as presented. The motion was seconded by Board member Mary Nichols. Motion passed 4-0.

REVIEW/APPROVE AGENDA: Mayor Stutsman presented the meeting agenda with added agenda item 11) *David Pottinger request: Use of parking spaces and portion of the sidewalk in front of 213 South Main Street while repair work is in progress.* Board member Swartley moved to approve the agenda as suggested. Board member Nichols seconded the motion. Motion passed 4-0.

1) Police Department: Promotion of Eduardo Osoria #216 from Probationary Patrol Officer to Patrol Officer
Goshen Police Chief José Miller asked the Board to approve the promotion of Eduardo Osoria from the position of Probationary Patrol Officer to the rank of Patrol Officer, effective April 18, 2023.

Chief Miller said Officer Osoria has attended, and successfully completed, the Indiana Law Enforcement Academy basic training program. As of April 18, Officer Osoria will have completed his 12-month probationary period for the Goshen Police Department. Chief Miller said Officer Osoria has demonstrated he will be a great addition to the Goshen Police Department and to this community.

Swartley/Nichols moved to approve the promotion of Eduardo Osoria from the position of Probationary Patrol Officer to the rank of Patrol Officer, effective April 18, 2023. Motion passed 4-0.

After Board approval, Mayor Stutsman swore Eduardo Osoria into office as a Goshen Patrol Officer.

2) Police Department: Promotion of Huntley Z. Davis #217 from Probationary Patrol Officer to Patrol Officer
Goshen Police Chief José Miller asked the Board to approve the promotion of Huntley Z. Davis from the position of Probationary Patrol Officer to the rank of Patrol Officer, effective April 18, 2023.

Chief Miller said Officer Davis will be graduating from the Indiana Law Enforcement Academy basic training program this week. As of April 18, Officer Davis will have completed his 12-month probationary period for the Goshen Police Department. Chief Miller said Officer Davis has demonstrated he will be a great addition to the Goshen Police Department and to this community. Officer Davis was at the academy and unable to be present for the meeting.

Swartley/Nichols moved to approve the promotion of Huntley Z. Davis from the position of Probationary Patrol Officer to the rank of Patrol Officer, effective April 18, 2023. Motion passed 4-0.



3) Police Department: Promotion of Tanner R. Warlick #218 from Probationary Patrol Officer to Patrol Officer

Goshen Police Chief José Miller asked the Board to approve the promotion of Tanner R. Warlick from the position of Probationary Patrol Officer to the rank of Patrol Officer, effective April 18, 2023.

Chief Miller said Officer Warlick has attended, and successfully completed, the Indiana Law Enforcement Academy basic training program. As of April 18, Officer Warlick will have completed his 12-month probationary period for the Goshen Police Department. Chief Miller said Officer Warlick also has demonstrated he will be a great addition to the Goshen Police Department.

Swartley/Nichols moved to approve the promotion of Tanner R. Warlick from the position of Probationary Patrol Officer to the rank of Patrol Officer, effective April 18, 2023. Motion passed 4-0.

After Board approval, Mayor Stutsman swore Tanner R. Warlick into office as a Goshen Patrol Officer.

4) Police Department: Promotion of Maxwell J. Harmon #219 from Probationary Patrol Officer to Patrol Officer

Goshen Police Chief José Miller asked the Board to approve the promotion of Maxwell J. Harmon from the position of Probationary Patrol Officer to the rank of Patrol Officer, effective April 18, 2023.

Chief Miller said Officer Harmon has attended, and successfully completed, the Indiana Law Enforcement Academy basic training program. As of April 18, Officer Harmon will have completed his 12-month probationary period for the Goshen Police Department. Chief Miller said Officer Harmon also has demonstrated he will be a great addition to the Goshen Police Department.

Swartley/Nichols moved to approve the promotion of Maxwell J. Harmon from the position of Probationary Patrol Officer to the rank of Patrol Officer, effective April 18, 2023. Motion passed 4-0.

After Board approval, Mayor Stutsman swore Maxwell J. Harmon into office as a Goshen Patrol Officer.

5) Resident Request: Driveway extension on Blackport Drive (Brian Ketcham)

Brian Ketcham of Goshen asked the Board to approve the refurbishment of his stone driveway at 109 Blackport Drive. He said he would like to dig down four or five inches, line the driveway with railroad ties and then install two different layers of slag stone. He said the final dimensions of the driveway would be 68 feet long and 20 feet wide. In response to a question from Board member Landis, Ketcham said the current driveway is about 17 feet wide.

City Civil Traffic Engineer Josh Corwin told the Board that the Engineering Department generally requests that driveways be no more than 24 feet wide and that in the right-of-way, the surface be either concrete or asphalt.

City Assistant Planning & Zoning Administrator Rossa Deegan said the existing driveway is gravel and there are many gravel driveways in the vicinity. He said the Planning Department would have been able to approve the request if Ketcham was not widening the driveway. He recommended approval.

Swartley/Nichols moved to approve the request from Brian Ketcham to extend his driveway absent any objection from the Planning or Engineering Departments and consistent with City of Goshen policy and direction. Motion passed 4-0.



6 Business Request: Approval to use Powerhouse parking lot for Interra “Shred-It Days” on June 2-3, 2023
Megan Simpson, Community/Communication Specialist for Interra Credit Union, asked the Board for the use of the City Powerhouse parking lot, in downtown Goshen, for the credit union's annual “Shred-It Days” event June 2 and June 3, 2023.

In her written request to the Board, **Simpson** asked for use of the parking lot for “Shred-It Days” staging on Friday, June 2, 7:30 a.m. to 4:30 p.m. Shredding will occur 9-11 a.m. and 1-3 p.m. She also asked for closure of the parking lot on June 3 from 7:30 a.m. to noon. The event will be from 9-11 a.m. She said because of the event's popularity, the times may be adjusted. She also requested the use of four barricades from the City Street Department.

Simpson indicated that “Shred-It Days” is a popular event for Interra members. It is designed to encourage ID theft prevention and recycling, Interra brings in Mountain High Shredding with its mobile truck/shredder. In 2022, almost 20,000 pounds of paper was shredded.

Because it is a popular event, **Simpson** wrote that several cars are often in line to drop off their shredding materials. Interra staff members are present and involved with unloading, weighing, etc. Interra pays for the first 50 pounds, with a nominal fee charged thereafter. She wrote that directional signage will ensure the orderly entrance into and exit from the parking lot.

Swartley/Nichols moved to approve the use of the City Powerhouse Parking Lot from 7:30 a.m. to 4:30 on Friday, June 2 and 7:30 a.m. to noon on Saturday, June 3. Motion passed 4-0.

7) Non-profit organization request: Approval to use a portion of City Parking Lot at 315 W. Washington St. for the Center for Healing & Hope's annual Festival of Hope

Daniel Tackett, Director of Marketing and Development for the Center for Healing & Hope, asked the Board to use the easternmost portion of the City parking, lot located just north of Goshen Brewing Company, at 315 W. Washington St., for the center's annual Festival of Hope, noon to 6 p.m., on June 24, 2023. The event was held in the same location last year.

In his written request to the Board, **Tackett** requested closure of the parking lot Friday, June 23 after Goshen Brewing Company closes at 10 p.m. and continuing until Saturday, June 24 at 8 .pm. He also requested the use of barricades and “No Parking” signs from the Street Department as well as access to the City owned electrical outlets at the north end of the parking lot.

Tackett wrote that the center intends to set up tents, tables, and chairs for nonprofits, children's activities, food vendors, and marketplace vendors and to allow for foot traffic throughout this area of the parking lot. He added that the center has coordinated the use of the parking lot with three adjacent potentially affected businesses – the Goshen Brewing Company, Interra Credit Union and Goshen Farmers Market.

Board member Landis complimented **Tackett** for the format and completeness of his written request adding, “It gave us all the information we need. We should make it a template and send it out to people.”

Swartley/Nichols moved to approve the use of the City parking lot at 315 W. Washington St. for the Festival of Hope, beginning Friday, June 23 after the Goshen Brewing Company closes and ending Saturday, June 24 at 8 p.m. Motion passed 4-0.

8) Legal Department: Contract for Lawn Services with Affordable Lawn & Landscaping, Inc.



Shannon Marks, the Legal Compliance Administrator for the City Legal Department, told the Board the City solicited proposals for lawn mowing and maintenance services for certain City of Goshen properties for the 2023 season, with an option to renew the contract for up to two additional mowing seasons.

In a written request, **Marks** indicated that solicitations were sent to five contractors, and proposals were received from Affordable Lawn & Landscaping, Inc. and Yardshark LLC. A table comparing the two proposals received was attached to the Board's agenda packet.

Marks said the Legal Department recommended that the Board approve the proposed contract with Affordable Lawn & Landscaping, Inc. for the lawn services, and authorize the Mayor to execute the Contract on behalf of the Board of Public Works and Safety and the City of Goshen. She indicated the Goshen Redevelopment Commission will also be presented the contract for approval.

Marks said the City will pay Affordable Lawn & Landscaping, Inc. based on either a lump sum cost for the entire calendar month for lawn services, including fall clean-up, provided to certain service areas or based on a unit cost for each mow and a unit cost for fall clean-up for other service areas. Exhibit B of the Contract set forth the costs for lawn services to each service area.

Mayor Stutsman said that he is a friend of the owners of both companies that ended up bidding, so he would not be voting on this matter.

Swartley/Nichols moved to approve and authorize Mayor Stutsman execute the contract for Lawn Services with Affordable Lawn & Landscaping, Inc. Motion passed 3-0. Mayor Stutsman did not vote.

9) Legal Department: Agreement with *I Fix Bricks* for the completion of downtown brick and stone planter boxes at a total cost of \$23,100

Brandy Toms, a paralegal with the City Legal Department, said this matter came before the Board last week, but it was tabled for clarification. He said this was a request from the City Economic Improvement District to install planter boxes on Main Street.

Toms said the request was tabled to allow the Engineering Department a chance to review the proposed locations of the planter boxes. She said staff from the Engineering and Street department conducted a review and approved the placement of the planter boxes.

Toms said attached for the Board's approval, and for Mayor Stutsman to execute, was an agreement with *I Fix Bricks* for the completion for the downtown brick and stone planter boxes. She said *I Fix Bricks* will be paid \$3,850 for each planter for a total cost of \$23,100 for the completion of all six (6) planters.

Swartley/Nichols moved to approve and authorize Mayor Stutsman to execute the agreement with *I Fix Bricks* for the completion for the downtown brick and stone planter boxes at a total cost of \$23,100 for the completion of the planter boxes for Downtown Goshen. Motion passed 4-0.

10) Dave Pottinger request: Use of parking spaces and a portion of the sidewalk in front of 213 South Main Street while repair work is in progress

Mayor Stutsman said Dave Pottinger submitted a verbal request related to the repair of the building façade at 213 South Main Street on April 24, 2023. He requested parking spaces for equipment and partial use of the sidewalk. Dave Pottinger was present and confirmed the request.



Mayor Stutsman/Nichols moved to allow the blocking of two parking spaces in front of 213 South Main Street and the partial use of the sidewalk by scaffolding for repair work on April 24, 2023, weather permitting. 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 2:24 p.m. There were no comments.**

11) Business request: The Wholesome Tortilla request for alley and projection lighting for its temporary restaurant at 119 East Lincoln Avenue, behind Pizzerria Venturi (Magali Vergara & Rafael Chavez)

In March, **Rafael Chávez y Moreno and Magali Vergara López**, owners of **The Wholesome Tortilla**, submitted a request to the City to install decorative lights and projection lighting in the alley between 115 and 119 East Lincoln Avenue. The purpose of the lights: to provide safety in the alley at night, to provide aesthetic enhancement within the alleyway, and to lead passersby to their restaurant.

Chávez y Moreno and Vergara López were not present earlier in the meeting and were not present when the item was called again at the end of the meeting.

Clerk-Treasurer Aguirre said he was unaware the applicants had confirmed they would be present. **Deputy Clerk-Treasurer Jeffery Weaver** said the applicants had indicated they would be present. He said they may have forgotten, and that he could reach out to them about attending a future meeting.

Mayor Stutsman reviewed the request. He said he recalled that a prior business had lights in the alley. He asked if Wholesome Tortilla owners just wanted to replace the lights.

Deputy Clerk-Treasurer Weaver said he understood the Wholesome Tortilla was moving into a space behind Venturi, 123 E. Lincoln Ave., and wanted to install lights to draw people to the restaurant and also wanted to install projection lighting. He said he referred the request to City departments to check on the lighting requirements.

Mayor Stutsman asked if any department representatives were aware of the request.

City Assistant Planning & Zoning Administrator Rossa Deegan said he was aware of the request and had told the owners that they would need Board of Works approval. However, he said he didn't have any more information about the lighting specifications. He said a previous business owner had lights.

Mayor Stutsman said it appeared there were outstanding questions about the request, including the type of projection lighting. So, **Mayor Stutsman and Board member Nichols** moved to table the request until the petitioner asks that the matter be put back on the Board's agenda. Motion passed 4-0.

Approval of Civil City and Utility Claims

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

Adjournment

Kid Mayor Gwaltney adjourned the Board of Works meeting at 2:28 p.m.



APPROVED:

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

Mayor Jeremy P. Stutsman

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

Mike Landis, Member

A handwritten signature in black ink, appearing to be "Mary Nichols", written over a horizontal line.

Mary Nichols, Member

Barb Swartley, Member

ATTEST

A handwritten signature in black ink, appearing to be "Richard R. Aguirre", written over a horizontal line.

Richard R. Aguirre, City of Goshen Clerk-Treasurer