

**BOARD OF PUBLIC WORKS & SAFETY & STORMWATER BOARD  
MINUTES OF THE MAY 8, 2023 REGULAR MEETING**

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

**Present:** Mike Landis, Mary Nichols and Barb Swartley

**Absent:** Mayor Jeremy Stutsman

**CALL TO ORDER:** Acting Chair Mike Landis called the meeting to order at 2:00 p.m.

**REVIEW/APPROVE MINUTES:** Acting Chair Landis presented the minutes of the April 24, 2023 Regular Meeting. Board member Barb Swartley moved to approve the minutes of the April 24, 2023 meeting as presented. The motion was seconded by Board member Mary Nichols. Motion passed 3-0.

**REVIEW/APPROVE AGENDA:** Acting Chair Landis presented the meeting agenda. Board member Swartley moved to approve the presented agenda. Board member Nichols seconded the motion. Motion passed 3-0.

**1) Police Department: Approve hiring of Seth D. Bayes as a probationary patrol officer, effective May 8, 2023**  
**Representing Goshen Police Chief José Miller**, who could not be present, **Clerk-Treasurer Richard R. Aguirre** asked the Board to approve the hiring of Seth D. Bayes for the position of probationary patrol officer.

Reading from a memorandum by Chief Miller, **Aguirre** said Officer Bayes has passed all exams and has been approved by both the local and State pension boards. He is an Army veteran who served for about seven years. He left the armed forces and was hired by the Elkhart County Sheriff's Office. Officer Bayes started his career in the Sheriff's Office corrections division. He graduated from the Indiana Law Enforcement Academy and became a deputy on the patrol division where he worked for approximately two years.

**Aguirre** requested that this hiring be effective May 8, 2023. Quoting Chief Miller's memorandum, Aguirre said Officer Bayes will make a great addition to the Goshen Police Department and this community.

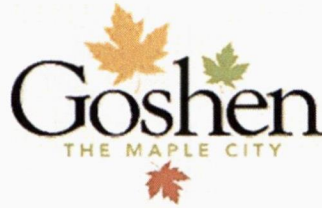
**Note:** Officer Bayes was not be present for the meeting and was being sworn in at another time and place.

**Swartley/Nichols moved to approve the hiring of Seth D. Bayes for the position of probationary patrol officer, effective May 8, 2023. Motion passed 3-0.**

**2) Fire Department: Street closures request for the Memorial Day Parade (May 29, 2023)**

**Representing Goshen Fire Chief Dan Sink and on behalf of the VFW and DAV, Clerk-Treasurer Richard R. Aguirre** asked the Board to approve the annual Memorial Day Parade on Monday, May 29, 2023, beginning between 10 and 10:15 a.m., and for the closures of the 100 and 200 blocks of East Jefferson Street and the 200 and 300 blocks of South 5th Street for the staging of vehicles and apparatus for the parade. Aguirre indicated the parade route will be the usual; starting on Jefferson Street at the Goshen Police Department to Main Street, Pike Street, North First Street and to the Oakridge Cemetery.

**Swartley/Nichols moved to approve the annual Memorial Day Parade on Monday, May 29, 2023, beginning at 10 or 10:15 a.m., and the closures of the 100 and 200 blocks of East Jefferson Street and the 200 and 300 blocks of South 5th Street for the staging of vehicles. Motion passed 3-0.**



**3) Legal Department: Approve and authorize Mayor Stutsman to execute the agreement with Kendall Electric for the reconditioning of five (5) breakers previously evaluated with the total cost to City of \$86,989**

**Brandy Toms, a Paralegal with the City Legal Department**, told the Board that on behalf of Wastewater Treatment Plant staff, she was requesting the Board's approval and authorization for the Mayor to execute is an agreement with Kendall Electric, an authorized distributor for Eaton Corporation.

**Toms** said that after some time spent on negotiating terms, Eaton Corp has asked the City process this order through Kendall Electric, in order to meet the City's terms. Eaton Corp will still do the reconditioning work of five (5) breakers and expects the work to be completed within 12 weeks. Once reconditioned, these breakers will be reserved for use as emergency replacements. Kendall Electric will be paid \$86,989 for the work.

Asked what caused this change, **Toms** said Eaton didn't want to modify the agreement, and asked it be done through a distributor. She said the price was modified, but Eaton is the only company that can do this work.

**Swartley/Nichols moved to approve and authorize Mayor Stutsman to execute the agreement with Kendall Electric for the reconditioning of five (5) breakers previously evaluated with the total cost to City of \$86,989.**

**Motion passed 3-0.**

**4) Water & Sewer Office: Request to move \$8,574.11 in uncollected finaled accounts from active to collection, sewer liens and write offs**

**Kelly Saenz, Manager of the Goshen City Utilities Office**, said that the original amount of unpaid final Water/Sewer accounts for this period, through Jan. 30, 2023, was \$10,646.42. Collection letters were sent out and payments of \$2,072.31 were collected. The uncollected amount was \$8,574.11. So, Saenz asked the Board to move the office's uncollected final accounts from active to Collection, Sewer Liens and Write offs.

**Swartley/Nichols made a motion to move the Goshen Water and Sewer Office's uncollected finaled accounts from active to Collection, Sewer Liens and Write offs. Motion passed 3-0.**

**5) Engineering Department: Approve and authorize the Board to execute the Agreement with Elkhart County for the use of Laredo regarding online access to real estate records.**

**City Director of Public Works & Utilities Dustin Sailor** asked the Board to approve an agreement with Elkhart County for the use of Laredo, which provides online access to real estate records. Sailor said the City of Goshen must retain documentation of all Easement Agreements and Property Deeds on file to satisfy the requirements of the Indiana Finance Authority's Asset Management Program Guidelines.

**Sailor** said the Elkhart County Recorder's Office can grant access to Laredo software allowing staff to search and print records from City offices under an agreement. The terms of the agreement will cost \$250 per month, plus \$1 per page printed, to be invoiced monthly, for a total of three months.

**Swartley/Nichols moved to approve and authorize the Board to execute the agreement with Elkhart County for the use of Laredo regarding online access to real estate records. Motion passed 3-0.**

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

**Acting Chair Landis** opened Privilege of the Floor at 2:10 p.m. There were no comments.

**Approval of Civil City and Utility Claims**



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

Acting Chair Landis adjourned the Board of Works & Safety meeting at 2:10 p.m.

APPROVED:

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Mayor Jeremy P. Stutsman

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Mike Landis, Member

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Mary Nichols, Member

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Barb Swartley, Member

ATTEST

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Richard R. Aguirre, City of Goshen Clerk-Treasurer