

**BOARD OF PUBLIC WORKS & SAFETY & STORMWATER BOARD
MINUTES OF THE AUGUST 14, 2023 REGULAR MEETING**

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

Present: Mayor Gina Leichty, Mike Landis and Barb Swartley

Absent: Mary Nichols

CALL TO ORDER: Mayor Gina Leichty called the meeting to order at 2:01 p.m.

REVIEW/APPROVE MINUTES: Mayor Leichty presented the minutes of the Aug. 7, 2023 Regular Meeting. Board Member Mike Landis moved to accept the minutes as presented and the motion was seconded by Board Member Barb Swartley. Motion passed 3-0.

REVIEW/APPROVE AGENDA: Mayor Leichty presented the meeting agenda as submitted by the Clerk-Treasurer. Board member Landis moved to approve the agenda as presented. Board member Swartley seconded the motion. Motion passed 3-0.

1) Opening of sealed bids: For the purchase of a new wheel loader for the Street Department with possible trade-in allowance for a 2001 New Holland wheel loader

On behalf of the City Street Department, the Board of Public Works & Safety was asked to open all sealed offers submitted to the City for the **purchase of a 2023 or newer wheel loader**. Offers are were solicited for the following optional item: **TRADE-IN – 2011 New Holland Model #LW170**, Serial #ZEFOLW1700570187.

All sealed quotes were due to be submitted to the Clerk-Treasurer's Office by 1:45 p.m. on Aug. 14, 2023.

Mayor Leichty announced offers from three companies were received:

Hardings Heavy Equipment, Inc. of Lowell, Indiana. Item 1 offer: 2024 Hyundai HL230AKT wheel loader, \$170,303.00. Option #1 (Trade-in): \$19,303.

West Side Tractor Sales Co. of Indianapolis, Indiana. Item 1 offer: 2023 John Dere Model #344P wheel loader, \$174,608.28. Option #1 (Trade-in): \$20,000.

Weaver Ag & Lawn Equipment, LCC, from South Bend, Indiana. Item 1 offer: 2023 JCB Model #TM320 wheel loader, \$149,942.67. Option #1 (Trade-in): \$15,000.

Weaver Ag & Lawn Equipment, LCC, from South Bend, Indiana. Item 1 offer: 2023 JCB Model #417 wheel loader, \$174,299.00. Option #1 (Trade-in): \$15,000.

Weaver Ag & Lawn Equipment, LCC, from South Bend, Indiana. Item 1 offer: 2023 JCB Model #427ZX wheel loader, \$183,764.28. Option #1 (Trade-in): \$15,000.

Landis/Swartley moved that the bids be referred to the City Legal Department for review. Motion passed 3-0.

2) Police Department: Approve the promotion of Captain Ryan Adams #125 to Division Chief of Patrol, retroactive to Aug. 11, 2023

Goshen Police Chief José Miller asked the Board to approve the promotion of **Ryan A. Adams** from the rank of Patrol Captain to the rank of Division Chief.



Chief Miller said Capt. Adams has been a Goshen Police Department officer for over 25 years. He has previously served as a Captain, Lieutenant, SWAT Team Commander, Detective, and Division Chief of Investigations. Capt. Adams returned to patrol for several years and now again wishes to be part of the administrative leadership at Goshen Police Department.

Chief Miller said Capt. Adams has served the community and the department, with the highest integrity. Chief Miller added that Capt. Adams "has demonstrated time and time again he will be a great asset to our department. I am requesting this promotion to be retroactive to Friday Aug. 11, 2023."

Landis/Swartley moved to approve the promotion of Ryan A. Adams from the rank of Patrol Captain to the rank of Division Chief, retroactive to Aug. 11, 2023. Motion passed 3-0.

After the approval of his promotion, Mayor Leichty swore Ryan A. Adams into office as Division Chief.

3) Police Department request: Approve the promotion of Officer Aaron D. Johnson from the position of Patrol Sergeant to the rank of Patrol Lieutenant, retroactive to Aug. 11, 2023

Goshen Police Chief José Miller asked the Board to approve the promotion of **Officer Aaron D. Johnson** from the position of Patrol Sergeant to the rank of Patrol Lieutenant.

Chief Miller said Officer Johnson has worked for the Police Department approximately six years "and has demonstrated he has great leadership qualities." Officer Johnson is a Sergeant on the midnight shift and is a field training officer for new recruits. Chief Miller asked that the promotion be retroactive to Friday Aug. 11, 2023.

Landis/Swartley moved to approve the promotion of **Aaron D. Johnson** from the position of Patrol Sergeant to the rank of Patrol Lieutenant, retroactive to Aug. 11, 2023. Motion passed 3-0.

After the approval of his promotion, Mayor Leichty swore Aaron D. Johnson into office as Patrol Lieutenant.

4) Police Department request: Approve the hiring of Diego Murillo for the position of probationary patrol officer, effective Aug. 14, 2023

Goshen Police Chief José Miller asked the Board to approve the hiring of **Diego Murillo** for the position of probationary patrol officer.

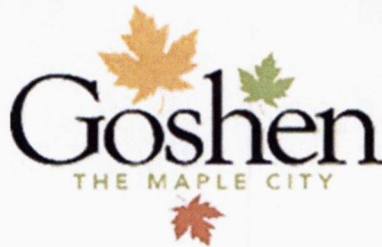
Chief Miller said Officer Murillo has passed all exams and has been approved by both the local and State pension boards. Chief Miller added, "We are thrilled to have Diego as a new police officer serving our community. I would like this hiring to be effective today, Monday Aug. 14, 2023.

Landis/Swartley moved to approve the hiring of **Diego Murillo** for the position of probationary patrol officer effective today, Aug. 14, 2023. Motion passed 3-0.

After the approval, Mayor Leichty swore Diego Murillo into office as a Probationary Patrol Officer.

5) Fire Department request: Approve the promotion of John M. Kauffman to the rank of Private First Class for the Goshen Fire Department, effective Aug. 15, 2023

Assistant Chief of Operations Anthony Powell told the Board that **John M. Kauffman** will complete his probationary year at the Goshen Fire Department on Aug. 15, 2023. Based on his performance and recommendations from his Battalion Chief and Training Officer, Chief Powell said "it is my pleasure to request that John be promoted to the rank of Private First Class for the Goshen Fire Department, effective Aug. 15, 2023."



Landis/Swartley moved to approve the promotion of John M. Kauffman to the rank of Private First Class for the Goshen Fire Department, effective Aug. 15, 2023. Motion passed 3-0.

After the approval of his promotion, Mayor Leichty swore John M. Kauffman into office as Private First Class.

6) Fire Department request: Approve the promotion of Matthew W. Pilling to the rank of Private First Class for the Goshen Fire Department, effective Aug. 15, 2023

City Assistant Chief of Operations Anthony Powell told the Board that Matthew W. Pilling will complete his probationary year at the Goshen Fire Department on Aug. 15, 2023. Based on his performance and recommendations from his Battalion Chief and Training Officer, Chief Powell said "it is my pleasure to request that Matt be promoted to the rank of Private First Class for the Goshen Fire Department, effective Aug. 15, 2023."

Landis/Swartley moved to approve the promotion of Matthew W. Pilling to the rank of Private First Class for the Goshen Fire Department, effective Aug. 15, 2023. Motion passed 3-0.

After the approval, Mayor Leichty swore Matthew W. Pilling into office as Private First Class.

7) Goshen High School Band Boosters request: Police presence, street closures, barricades and parking for the Goshen High School Marching Band Invitational, Sept. 9, 2023

On behalf of the Band Boosters of Goshen High School, Jason Kauffman of Goshen requested the closure of public streets around the school for the upcoming Marching Band Invitational at Goshen High School.

Kauffman requested the closure of East Purl Street, from 9th Street east to the school campus, and 10th Street, from the intersection of 10th and Madison streets to East Reynolds Street, from 10 a.m. until midnight.

In a letter to the Board, Kauffman wrote that he was making this request for the safety of the students attending this event. Since organizers utilize the entire campus for this Invitational, he wrote that students' movement across these streets is necessary. Organizers also requested for parking the use of the grassy knoll area between Douglas Street and Plymouth Avenue, which is the future site of the Ariel Cycleworks Apartments

The event will be held on Sept. 9, 2023, and will begin approximately at 5 p.m. Organizers hoped to have a police officer present before, during, and after the event.

Mayor Leichty said it was a long day, but it's a fun day for people who live in the neighborhood and she encouraged people to attend the event.

Board member Landis asked if organizers would need any street barricades from the City. Kauffman responded that the school has some, but would need more. Mayor Leichty asked if organizers have requested use of barricades from the Street Department. City Street Commissioner David Gibbs said he would handle it.

Landis/Swartley moved to approve the closure of East Purl Street, from 9th Street east to the school campus, and 10th Street, from the intersection of 10th and Madison streets to East Reynolds Street, from 10 a.m. until midnight on Sept. 9, 2023. Motion passed 3-0.

8) El Imperial Restaurant/Bar request: Request for retroactive approval of a Big Dipper 35 grease trap at 113 South Main Street in downtown Goshen

Mick Reese, Environmental Compliance Administrator for the City Wastewater Treatment Plant, appeared along with Erick Ponce, the owner of El Imperial Restaurant/Bar, 113 South Main Street. Reese said was under the impression a variance was granted for a mechanical interceptor, but determined it had not been approved.



Reese said **Ponce** asked him to appear at the Board meeting and seek retroactive permission for a 35-gallon per minute mechanical interceptor at the restaurant.

In response to a question from **Board member Landis**, **Reese** said a variance could be granted because there was no ability to place 1,000-gallon interceptor on site. He also confirmed other conditions **Ponce** has met.

In a letter to the Board, **Ponce** wrote that the restaurant will serve a variety of Mexican food dishes accompanied with special alcoholic beverages. He added: "Our mission is to attract 21 and up individuals who enjoy music, food, and drinks. This establishment will provide a unique quality experience. There will be several areas where pictures can be taken, and also a pool table. I plan to open from Thursday-Sunday. The keys to success will be focused in product quality, service, and atmosphere."

Mayor Leichty said she looked forward to eating at the restaurant. **Ponce** said he was unsure of the opening date. **Landis/Swartley** moved to approve a variance for a 35-gallon Big Dipper grease trap at 113 South Main Street, the El Imperial Restaurant & Bar. Motion passed 3-0.

9) Legal Department request: Accept the easement for Goshen City utility purposes from Villas Venecia 420, LLC, and authorize the Mayor to execute the acceptance

Shannon Marks, the Legal Compliance Administrator for the City Legal Department, recommended that the Board accept the easement from Villas Venecia 420, LLC, which was attached to the meeting packet. This easement is for Goshen City utility purposes at 420 Johnston Street.

Landis/Swartley moved to accept the easement for Goshen City utility purposes from Villas Venecia 420, LLC, 420 Johnston Street, and authorize the Mayor to execute the acceptance. Motion passed 3-0.

10) Legal Department request: Approve the AmeriCorps at Michiana Council of Governments (MACOG) Service Site Organization Agreement with MACOG providing four AmeriCorps Member Service Years for the 2023-2024 Service Year in the amount of \$44,000 and authorize Mayor Leichty to execute the agreement

City Attorney Bodie Stegelmann said City staff asked for approval of an agreement with MACOG for the placement of four MSY (member service year) AmeriCorps Members for the 2023-24 Program year to work in the City of Goshen. The City will pay MACOG \$11,000 per MSY for the AmeriCorps members assigned to the City.

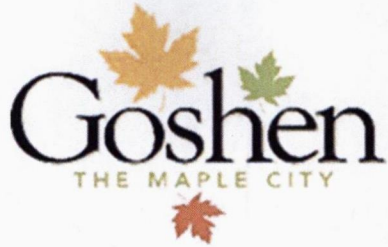
Under the contract, AmeriCorps members will begin service on or after Sept. 1, 2023 and complete the required number of service and training hours no later than Aug. 31, 2024.

Landis/Swartley moved to approve the AmeriCorps at MACOG Service Site Organization Agreement with MACOG providing four AmeriCorps Member Service Years for the 2023-2024 Service Year in the amount of \$44,000 and authorize Mayor Leichty to execute the agreement. Motion passed 3-0.

Mayor Leichty said she understood that one of the AmeriCorps members was seeking housing. She said the Environmental Resilience Department would welcome recommendations for affordable rental housing.

11) Engineering Department request: Approve the Indiana Avenue closure of local traffic only for the full depth replacement and full depth reclamation pavement work, Aug. 21 thru Sept. 15, 2023

City Director of Public Works & Utilities Dustin Sailor told the Board that Niblock Excavating will be performing work on two sections of Indiana Avenue.



Sailor said the first section is from Wilden Avenue, north to the City limits and will consist of full depth pavement replacement and some shoulder work. This work will start Monday, August 21 and go through Wednesday, Aug. 30. He said the second section of work is on Indiana Avenue from Wilden Avenue south to the railroad paved with surface on Sept. 11 and 12. This section will be a hard closure at the tracks and open to local traffic coming off of Wilden Avenue. Niblock will maintain access for residents, the Wastewater Treatment Plant and the Recycle Center. **Landis/Swartley** moved to approve the Indiana Avenue closure of local traffic only for the full depth replacement and full depth reclamation pavement work from Aug. 21 thru Sept. 15, 2023. Motion passed 3-0.

Privilege of the Floor (opportunity for public comment for matters not on the agenda):
Mayor Leichy opened Privilege of the Floor at 2:30 p.m. There was no comments from the public.

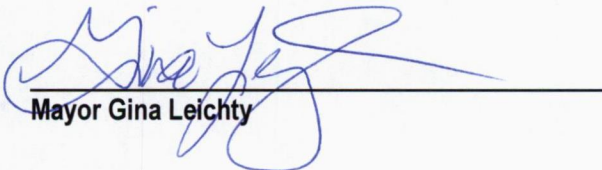
Approval of Civil City and Utility Claims

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

Adjournment

Mayor Leichy adjourned the Board of Works meeting at 2:30 p.m.

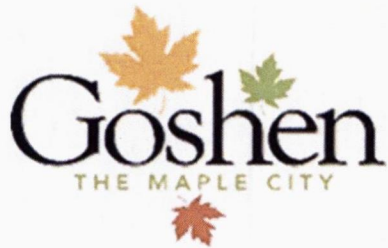
APPROVED:




Mayor Gina Leichy

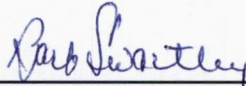


Mike Landis, Member



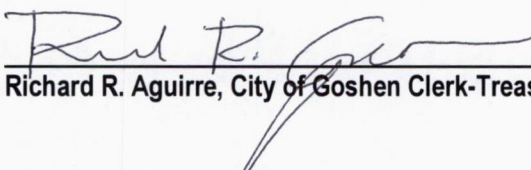


Mary Nichols, Member



Barb Swartley, Member

ATTEST:



Richard R. Aguirre, City of Goshen Clerk-Treasurer