



BOARD OF PUBLIC WORKS & SAFETY & STORMWATER BOARD
MINUTES OF THE DECEMBER 11, 2023 REGULAR MEETING
Convened in the Goshen Police & Court Building, 111 East Jefferson St., Goshen, Indiana

Present: Mayor Gina Leichty, Mike Landis, Orv Myers, Barb Swartley and Mary Nichols
Absent: None

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

REVIEW/APPROVE MINUTES: Mayor Leichty presented the minutes of the Dec. 4, 2023 Regular Meeting that were prepared by Clerk-Treasurer Aguirre. **Board Member Mary Nichols moved to approve the minutes as presented and the motion was seconded by Board Member Barb Swartley. Motion passed 5-0.**

REVIEW/APPROVE AGENDA: Mayor Leichty presented the agenda as submitted by the Clerk-Treasurer with one proposed addition – 9) *Ancon Construction request: Approve lane restriction on Wilden Avenue, Dec. 12-15, 2023, for access to a water main.* **Board member Nichols moved to accept the agenda as suggested with the added agenda item. Board member Swartley seconded the motion. Motion passed 5-0.**

1) Opening of sealed bid: Mini excavator for the Cemeteries Department

On behalf of the City Cemeteries Department, the Board of Public Works & Safety opened a sealed offer submitted to the City for the **purchase of a new mini excavator for the Cemeteries Department. Offers also were solicited for the following optional item: TRADE-IN – John Deere Model #310D, Serial #T0310DG801642.**

Sealed quotes were due to be submitted to the Clerk-Treasurer's Office by 1:45 p.m. on Dec. 11, 2023.

Mayor Leichty announced that one offer was received from:

Bobcat of Michiana, Inc. of Elkhart, Indiana. Offer: \$70,489.92. Option #1 (Trade-in): \$12,000.

Nichols/Swartley moved that the bid be referred to the City Legal Department for review. Motion passed 5-0.

2) Opening of sealed bid: 2024 Pavement Rejuvenation Project for the Engineering Department

On behalf of the City Engineering Department, the Board of Public Works & Safety opened a sealed offer submitted to the City for the **2024 Pavement Rejuvenation Project.**

Sealed quotes were due to be submitted to the Clerk-Treasurer's Office by 1:45 p.m. on Dec. 11, 2023.

Mayor Leichty announced that one offer was received from:

Rejuvtec, Inc. of Indianapolis, Indiana. Offer: \$102,176.10, with a completion date change to June 30, 2024.

Nichols/Swartley moved that the bid be referred to the City Legal Department for review. Motion passed 5-0.

3) Police Department request: Approve the promotion of Officer Zachary J. Bechtel from the rank of Patrol Officer to the rank of Sergeant, retroactive to Dec. 1, 2023

City Police Chief José Miller asked that the Board approve the promotion of **Zachary J. Bechtel** from the rank of Patrol Officer to the rank of Sergeant, retroactive to Dec. 1, 2023.

Chief Miller said that after reviewing the results of all officers who tested, Officer Bechtel was selected as the candidate for the position. The Chief said Officer Bechtel has worked at the police department over four (4) years "and has demonstrated he will be an asset to supervisory team on the Goshen Police Department. He has not only served our department as a Patrol Officer, but he's also one of our department's field training officers."



Nichols/Swartley made a motion to approve the promotion of Zachary J. Bechtel from the rank of Patrol Officer to the rank of Sergeant, retroactive to Dec. 1, 2023. Motion passed 5-0.
After the Board approved the promotion, Mayor Leichty swore Sergeant Bechtel into office.

4) Environmental Resilience Department request: Approve and authorize the Mayor to sign contracts for the creation of the South Wellfield Bee and Butterfly Sanctuary

Aaron Sawatsky Kingsley, Director of the City Department of Environmental Resilience, asked for approval of three agreements to create a Bee and Butterfly Sanctuary on the site of the City's new South Wellfield.

In a memorandum to the Board, **Kingsley** wrote that in 2021, the City of Goshen created a climate action plan to address climate concerns and improve resilience. Part of this plan included goals to reduce emissions.

Kingsley wrote that the City owns a significant amount of land within City limits, which is maintained via mowing or rented out for agriculture. These activities emit a large amount of greenhouse gasses, increasing city emissions.

Kingsley wrote that the Department of Water and Sewer has agreed to use 48 acres of their newly acquired land for the new wellfield to plant wildflowers and prairie grasses. This type of habitat is essential for pollinator species like honeybees and monarch butterflies, which have been devastated by habitat loss.

Working with three organizations, **Kingsley** wrote that the City will be able to access funding (\$14,310.00 for seed) to provide habitat for plant and insect species. The City will spend an additional \$14,206.00 over three years for installation, monitoring and maintenance (including a prescribed burn) during the sanctuary's establishment phase.

Kingsley also wrote that plans for the site also include a public walking path where nearby communities can enjoy the wildflowers and butterflies. This will be the largest restoration project the City has participated in.

The agreements were with:

- **The Bee and Butterfly Habitat Fund** (Seed a Legacy Program), to provide habitat seed mixtures.
- **The U.S. Fish and Wildlife Service** (Partners for Wildlife Program) with a grant of \$9,540 and \$4,770 contributed by the National Wild Turkey Federation, with the City providing \$14,206.
- **Blue Herron Ministries, Inc.** will plant seeds from December 2023 to February 2024 and also provide site inspections and prescribed fire services for a total of \$8,960.

Kingsley also provided a copy of a sales order with **Spence Restoration Nursery** of Muncie, Indiana for prairie and other seeds totaling \$16,556.

Kingsley summarized the proposal and requests to the Board and said this will be a beautiful and unique project for Goshen. **Mayor Leichty** agreed, adding that there will be a need for communication to the public about the necessity for occasional prescribed burns at the site. **Kingsley** said that would be an important part of the process.

Clerk-Treasurer Aguirre asked **City Attorney Bodie Stegelmann** a procedural question – whether the Board could approve the three agreements in one motion or whether the agreements had to be approved in three separate motions. **Stegelmann** said they could be approved in one motion as long as the three agreements were identified.

Board member Landis asked what would happen to the sanctuary if further evaluation showed that the site wasn't suitable for a wellfield. **Superintendent of the City Water Treatment and Sewer Department Kent Holdren** responded that the City would still own the land and establishing a sanctuary would reduce land maintenance costs.

Kingsley added that the City's agreement with the federal government would require the City to maintain a bee and butterfly sanctuary at the property for at least 10 years.

Nichols/Swartley made a motion to approve and authorize the Mayor to sign contracts with the Bee and Butterfly Habitat Fund, the U.S. Fish and Wildlife Service and Blue Herron Ministries, Inc. on behalf of the Board of Works to create the South Wellfield Bee and Butterfly Sanctuary. Motion passed 5-0.

After passage, Kingsley acknowledged the work of AmeriCorps volunteers, including Alexa Kennel, for their work on this project. The audience responded with applause.



5) Engineering Department request: Approve the partial closure of Reliance Road, Dec. 13-15, 2023, for the new building utility connections and roadway restoration

City Director of Public Works & Utilities Dustin Sailor told the Board that Stone Brothers company was requesting permission to complete the water and sewer connections for the new T&T Auto Service building at 1795 Reliance Road. The company requested closure of Reliance Road immediately east of the property from Wednesday, Dec. 13, through the end of the day on Friday, Dec. 15, 2023.

Sailor said the company will be boring the water connection beneath the roadway and open cutting the road to make the sewer connection. It has contracted with State Barricade for the proper traffic control signage and will be responsible for maintaining that while the road is closed. In addition, staff will continue to coordinate with the Reliance Road Fire Station to ensure staff is aware of any impact on their access.

Sailor said in the event that work is postponed pending completion of utility locates, a press release will be distributed, and an updated closure timeline provided.

Mayor Leichty asked if Elkhart County officials had been informed of the closure. **Sailor** said he would check. **Nichols/Swartley** made a motion to approve the Reliance Road closure for the utility connections and roadway restoration from Dec. 13, 2023 thru December 15, 2023. Motion passed 5-0.

6) Engineering Department request: Approve Change Order No. 4 for the 2023 Asphalt Project to make valve box adjustments and the thermoplastic pavement markings for an increase of \$16,994.65 and a 6.98% change to the contract price to \$2,650,494.15

City Director of Public Works & Utilities Dustin Sailor informed the Board that several valve boxes need to be adjusted lower to match the new asphalt road properly to avoid plows from hitting them. Rieth Boulevard previously had improper 4-inch width cross hatch markings. According to the latest Manual of Uniform Traffic Control Device (MUTCD), the proper width should be 12 inches.

Sailor said included in the Board's agenda packet was Change Order No.4 for the 2023 Paving Project, which provides the cost of the valve box adjustments and the thermoplastic pavement markings to complete the project. In response to a question from **Board member Landis**, **Sailor** said the City had not listed these specifications, leading to the change order.

Nichols/Swartley made a motion to approve Change Order No. 4 for the valve box adjustments and the thermoplastic pavement markings for an increase of \$16,994.65 and a 6.98% change to the contract price to \$2,650,494.15. Motion passed 5-0.

7) Engineering Department request: Approve the acceptance of infrastructure of roadway, water main, sanitary and storm sewers, and sidewalk for maintenance for the Westoria Subdivision Expansion, Phase 8, for a total of \$399,567.93

City Director of Public Works & Utilities Dustin Sailor told the Board that the installation of infrastructure (water main, sanitary and storm sewer, curb, asphalt, and sidewalk constructed to-date) has been satisfactorily completed for the Westoria Subdivision Expansion, Phase 8 project. The Engineering Department recommends that the infrastructure be accepted for maintenance.

Sailor said the three-year maintenance bonds (10% of the construction costs) for the infrastructure will be submitted to the City of Goshen Engineering Department upon completion and dedication of the decorative streetlights. He asked the Board to accept of the infrastructure for this project.

Nichols/Swartley made a motion to approve the acceptance of infrastructure of roadway, water main, sanitary and storm sewers, and sidewalk for maintenance for the Westoria Subdivision Expansion, Phase 8 for a total of \$399,567.93. Motion passed 5-0.



8) Engineering Department request: Approve the acceptance of maintenance for public ways at the East College Avenue Development Project

City Director of Public Works & Utilities Dustin Sailor told the Board that the installation of infrastructure for the East College Avenue Development Project continues, but the public ways (roadway, curb) are substantially complete and require maintenance. This includes approximately 7,015 linear feet of roadway, and 13,930 linear feet of curb. **Sailor** said the Engineering Department recommends that the public ways be accepted for maintenance, but final infrastructure acceptance will not be completed until the project reaches substantial completion. Because final infrastructure is not being accepted, a maintenance bond is not being required at this time.

Nichols/Swartley made a motion to approve the acceptance of maintenance for public ways at the East College Avenue Development Project. Motion passed 5-0.

9) Ancon Construction request: Approve a Wilden Avenue lane restriction, Dec. 12-15, 2023, for access to a water main

Doug VanGuntten, President of Ancon Construction, asked the Board to approve an eastbound lane restriction at 2121 and 2119 West Wilden Avenue for the installation of two water taps.

In a memorandum to the Board, **VanGuntten** wrote that Ancon will be installing two 2-inch water taps to serve the company's future corporate headquarters at 2121 West Wilden Avenue and serve its current warehouse at 2119 West Wilden. He wrote that the work would require cutting into the eastbound lane of Wilden Avenue to access the water main. Ancon will be working with the City of Goshen Water Department to complete the water tap.

VanGuntten requested lane restrictions from Tuesday, Dec. 12 through Friday, Dec. 15, 2023. He indicated that the work is planned to be completed in two working days and re-opened. Due to unknown weather conditions, the company requested a longer timeframe, but does not anticipate needing lane restriction for the entire four days. **VanGuntten** also wrote that Ancon will provide the necessary traffic control measures to provide a safe working environment and safe for vehicles on Wilden Avenue.

Mayor Leichty asked if Ancon had all of the required conversations with City staff regarding the closure. **VanGuntten** said he had done so.

Board member Landis asked if the work could be completed in two days unless there is a weather interruption. **VanGuntten** said that was correct.

Nichols/Swartley made a motion to approve an eastbound lane restriction at 2121 and 2119 West Wilden Avenue for the installation of two water taps from Dec. 12 through Dec. 15, 2023. Motion passed 5-0.

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

Mayor Leichty opened Privilege of the Floor at 2:20 p.m. There were no public or City staff comments.

Approval of Civil City and Utility Claims

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

Adjournment

Mayor Leichty adjourned the Board of Works meeting at 2:20 p.m.

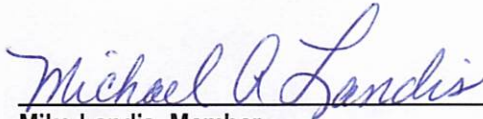


EXHIBIT #1: Memorandum, with a map from Doug VanGunten, president of Ancon Construction, requesting that the Board approve a lane restriction on Wilden Avenue, Dec. 12-15, 2023, for access to a water main.

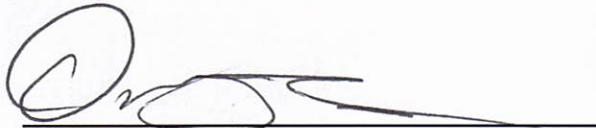
APPROVED:



Mayor Gina Leichty



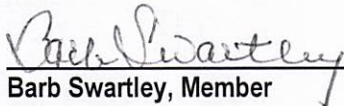
Mike Landis, Member



Orv Myers, Member

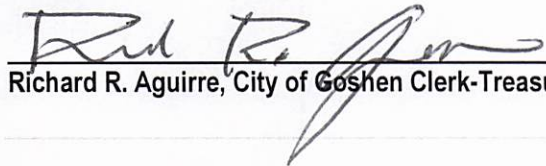


Mary Nichols, Member



Barb Swartley, Member

ATTEST:



Richard R. Aguirre, City of Goshen Clerk-Treasurer



EXHIBIT #1

2146 Elkhart Road, Goshen, IN 46526
Ph 574.533.9561 | Fx 574.534.5546

December 8, 2023

To: Board of Works

RE: Request for lane restriction

Ancon Construction would like to request a lane restriction for the installation of two (2) water taps.

The requested work and lane restrictions would be as follows:

Address: 2121 & 2119 W. Wilden Ave. East bound lane

Description of Work:

We will be installing two (2) 2" water taps to serve our future corporate headquarters (2121 W. Wilden) and serve our current warehouse (2119 W. Wilden). The work will require cutting into the east bound lane of Wilden ave. to access the existing water main. We will be working with the City of Goshen Water Dept. to complete the water tap.

Schedule and timeline:

We would request lane restrictions from Tuesday, Dec. 12 through Friday, Dec. 15. The work is planned to be completed in two working days and re-opened. Due to unknown weather conditions, we have requested a longer timeframe, but we do not anticipate needing lane restriction for the entire 4 days.

Traffic Control:

We will provide the necessary traffic control measures to provide a safe working environment and safe for vehicles on Wilden Ave.

Attachement:

We have included a map of the location of our work and the lane restriction. We have also included our site plans noting the water line work.

Ancon Contact Person: Doug VonGutnen, President 574-533-9561
doug@anconconstruction.com

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SAFETY INTEGRITY PASSION QUALITY STEWARDSHIP INNOVATION



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