

**BOARD OF PUBLIC WORKS AND SAFETY  
AND STORM WATER BOARD MEETING  
HELD APRIL 9, 2007  
GOSHEN, INDIANA**

The Board of Public Works and Safety and Storm Water Board of the City of Goshen met in the Council Chambers, 111 East Jefferson Street on April 9, 2007, at 4:00 P.M. for their weekly Board meeting. Mayor Kauffman was the presiding officer with members of the Board present or absent as follows:

**PRESENT:** Mayor Kauffman, Board Member Stegelmann, Board Member Landis

**ABSENT:**

**OTHERS:** Clerk-Treasurer, City Attorney, Planning Office Administrative Assistant, Director of Public Works, Utilities Administrative Engineer, Assistant Fire Chief, Assistant Police Chief McCloughen, Assistant Police Chief Priem, Building Commissioner, Street Commissioner, Legal Compliance Administrator, Legal Contracts and Claims Manager, Mayor's Administrative Assistant, Park Maintenance Director, Utilities Superintendent, Utilities Office Manager.

Minutes of the meeting of April 2, 2007 were presented. On motion of Board Member Stegelmann and second by Board Member Landis, the minutes were approved as presented.

**REQUEST TO APPROVE THE HIRING OF NICHOLAS D. MCCLOUGHEN**

Assistant Chief Priem on behalf of Chief Penland requested Board approval to hire Nicholas D. McCloughen effective April 9, 2007 as a Probationary Police Officer with the Goshen Police Department. Mr. McCloughen has passed all of the requirements of his conditional offer of employment.

Board Member Landis moved to approve the request. Second by Board Member Stegelmann and motion passed unanimously.

Clerk-Treasurer Tina Bontrager swore Nicholas D. McCloughen into the position of Probationary Police Officer with the Goshen Police Department.

**REQUEST TO APPROVE THE PROMOTION OF JOSE D. MILLER**

Assistant Chief Priem on behalf of Chief Penland requested Board approval of the promotion of Jose D. Miller effective April 9, 2007 for the position of Detective with the Goshen Police Department. Officer Miller had the highest scores on all phases of the testing.

Board Member Stegelmann moved to approve the request. Second by Board Member Landis and motion passed unanimously.

**REQUEST TO EXECUTE PARAMEDIC BONUS AGREEMENTS**

Legal Compliance Administrator Shannon Marks requested Board approval of the execution of Paramedic Bonus Agreements with Jason C. Miller, Matthew E. Whitford and Anthony D. Powell of the Goshen Fire Department. The agreement is for each paramedic to serve a minimum period of six years in the capacity as a paramedic with the Goshen Fire Department beginning April 1, 2007. Pursuant to this agreement the three paramedics would receive a one-time bonus in the amount of Seven Thousand and Five Hundred Dollars.

Mrs. Marks explained to be eligible for this bonus payment, the paramedic must be a certified paramedic in the State of Indiana, must be hired by the City of Goshen as a member of the Goshen Fire Department after January 1, 2003 and must execute an agreement to serve a minimum period of six years in the capacity as a paramedic for the Goshen City Fire Department.

City Attorney Larry Barkes stated the Council approved an amendment to the 2007 Salary Ordinance to include the bonus at their March 20, 2007 meeting. Jason C. Miller was hired as a member of the Fire Department on March 31, 2003 and is currently certified as a paramedic.

Matthew E. Whitford was hired as a member of the Fire Department on September 2, 2003 and is currently certified as a paramedic.

Anthony D. Powell was hired as a member of the Fire Department on February 4, 2004 and is currently certified as a paramedic.

Board Member Landis moved to approve the request to execute agreements with Jason C. Miller, Matthew E. Whitford and Anthony D. Powell. Second by Board Member Stegelmann and motion passed unanimously.

**OPEN BIDS FOR ACTUATORS**

Mayor Kauffman opened the following bids:

	ALTERNATE	OPTION	ALTERNATE	Comments
	Modulating Actuators	Non-Modulating Actuators	Installation	Installation Assistance
Peerless-Midwest	\$4,960.00	\$ 4,110.00	\$17,800.00	\$110.00 per man per hour
	x 16	x 16		

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\$79,360.00    \$65,760.00

B.L. Anderson	\$3,299.00	\$2,489.00	\$15,875.00	Installation does not include Electrical
	x 16	x 16		
	\$52,784.00	\$39,824.00		

Mayor Kauffman moved to refer the bids to the Utilities and Legal Departments for review and recommendation. Second by Board Member Stegelmann and motion passed unanimously.

**REQUEST TO AWARD CONTRACT FOR AMBULANCE**

Legal Contracts and Claims Manager Keitha Windsor requested Board approval to award the contract for the purchase of the ambulance to McCoy Miller, LLC as the lowest responsible and responsive bidder at a contract price of \$163,062. The bids received included a discount available should the City waive the performance bond. Board Member Landis questioned what impact could be caused should the City choose to waive the bond.

Mrs. Windsor stated the performance bond regards delivery of the ambulance and the Legal Department has faith this vendor will meet the delivery. Mrs. Windsor further stated a worst case scenario would be the City would have to re-bid the purchase.

Board Member Stegelmann moved to approve the request. Second by Board Member Landis and motion passed unanimously.

**REQUEST TO CONDUCT SIDEWALK DAYS**

Sidewalk Days Chairman Scott Woldruff requested Board approval to hold the Annual Sidewalk Days Event in the downtown area. The request is to close Main Street from Clinton to Washington Street and Washington Street from 5<sup>th</sup> Street to the first alley west of Main Street. The closure is scheduled for Friday, July 13 at 4:00 p.m. to Saturday, July 14 at 8:00 a.m.

Mayor Kauffman confirmed that the Sidewalk Days Committee would contact the state regarding the closure of the state highway. Board Member Landis moved to approve the request. Second by Board Member Stegelmann and motion passed unanimously.

**REQUEST TO ERECT FENCE IN RIGHT OF WAY**

Scott McKee, 302 S. 6<sup>th</sup> St, requested Board approval to erect a vinyl fence on his property replacing a metal fence currently there. Mr. McKee showed drawings and pictures of the proposed fence and the property.

Planning Office Administrative Assistant Becky Hershberger stated Mr. McKee will still need approval from the Board of Zoning Appeals for a variance.

Mayor Kauffman reminded Mr. McKee that if a fence is built in the right of way and the City decides to widen the road then all costs to move the fence will be born by the property owner.

Board Member Landis moved to approve the request subject to the Board of Zoning Appeals approval of the fence. Second by Board Member Stegelmann and motion passed unanimously.

**REQUEST REGARDING HIGH WATER & SEWER BILLS DUE TO BROKEN LINES AT BROOKSIDE MANOR MOBILE HOME COMMUNITY**

Kent B. Davis, Community Manager at Brookside Manor Mobile Home Community requested Board approval to adjust numerous water and sewer bills for residents of the mobile home park. Mr. Davis stated they had numerous pipes break that went undetected. Board Member Landis questioned why this winter was unique as he does not remember the community approaching the Board for adjustments in the past.

Mr. Davis stated in the past the management of the Mobile Home Community winterized the park by checking pipes and this year they hired an outside firm for winterizing and checking the pipes. The management did post flyers in the mail center urging people to let their faucets run. Mr. Davis stated they have 400 homes in the park and out of the 18 homes affected by the breaks they are mainly unoccupied or homes where the residents refused to run the water.

Mayor Kauffman stated in comparable situations in the past the Board has given credit for the sewer usage of the statements assuming the water did not go down the sewer.

Mr. Davis stated any credit for the residents would be appreciated.

Mayor Kauffman suggested the Board have Utilities Office Manager Tana Brooks work with Mr. Davis and calculate the specific dollar amount of any sewer adjustments that could be credited to the residents' statements and then return to the Board with the dollar amount.

**REQUEST TO APPROVE AGREEMENT WITH GOSHEN COLLEGE FOR THE BICYCLE-PEDESTRIAN RAILROAD UNDERPASS AT GOSHEN COLLEGE**

Director of Public Works Robert McCoige requested Board approval of an agreement with Goshen College for the Bicycle-Pedestrian Railroad Underpass at Goshen College. Mr. McCoige stated the City received a grant for the college and will bid and construct the project and administer the grant. The college will pay for all design

engineering and the local match of the grant.

Board Member Landis moved to approve the request. Second by Board Member Stegelmann and motion passed unanimously.

**REQUEST TO APPROVE AGREEMENT WITH DONOHUE AND ASSOCIATES TO PREPARE THE REQUIRED SCADA SYSTEM MASTER PLAN**

Director of Public Works Robert McCoige requested Board approval of an agreement with Donohue and Associates to prepare the supervisory control and data acquisition (SCADA) system master plan with a scheduled completion time within 12 weeks at a cost of \$45,600 divided between the water (\$20,800) and wastewater (\$24,800) utilities.

In order to develop a SCADA system that is compatible and expandable, the City Utilities needs to retain consultant assistance to evaluate both the water and wastewater treatment facilities and to prepare a SCADA system master plan that will provide the necessary information to design a functional control system. The study's goals will be to develop a control system master plan that reduces the utilities current operating costs by replacing existing obsolete equipment, improves operation efficiency, reduces current operation staff, and reduces electrical power consumption.

Board Member Stegelmann moved to approve the request. Second by Board Member Landis and motion passed unanimously.

**REQUEST TO APPROVE DRAINAGE PLAN FOR PLYMOUTH AVENUE PROFESSIONAL PARK – PROJECT NO. 2006-2050**

Director of Public Works Robert McCoige requested Board approval of the drainage plan for the Plymouth Avenue Professional Park, Project No. 2006-2050 with the following conditions:

- As part of Phase I, the Developer will be required to extend the water main and sanitary sewer to the south property line and dedicate utility easements to the City;
- The temporary cul-de-sac as part of Phase II shall be the only temporary cul-de-sac constructed: and
- Combined concrete curb and gutter turnouts along with drainage swales will be incorporated in the drainage plan. Since this development is a commercial development, each lot will require a drainage approval from the Board as the lots get developed.

In conjunction with this acceptance, it should be noted that the Engineering Department in no way guarantees that the proposed drainage improvements will adequately function as designed and accepts no liability in conjunction with the

acceptance of the drainage plan.

The City has received an irrevocable Letter of Credit from JP Morgan Chase Bank in the amount of \$150,000 for the construction of the water, sanitary sewer and roadway from the account of DJ Construction Company, Inc. for Plymouth Avenue Professional Park.

Board Member Landis moved to approve the request. Second by Board Member Stegelmann and motion passed unanimously.

**REQUEST TO ACCEPT RIGHT OF WAY AND EASEMENTS FOR PLYMOUTH AVENUE PROFESSIONAL PARK ZONED COMMERCIAL B-3 PUD**

Planning Office Administrative Assistant Becky Hershberger requested Board approval and acceptance of right of way and easements for Plymouth Avenue Professional Park zoned Commercial B-3 PUD. The Plan Commission approved the plat for Plymouth Avenue Professional Park at their March 20, 2007 meeting. The plat proposes dedication of new right of way and easements. Plan Commission approval is contingent upon the Board accepting the rights of way, easements and a performance or maintenance bond.

Board Member Stegelmann moved to approve the request. Second by Board Member Landis and motion passed unanimously.

**REQUEST FOR APPROVAL OF A RESOLUTION APPROVING THE ANNEXATION AGREEMENT WITH LMA-HUF DEVELOPMENT, LLC.**

Legal Compliance Administrator Shannon Marks requested Board approval of a Resolution approving the annexation agreement with LMA-HUF Development, LLC. Mrs. Marks stated the authorization to execute the annexation agreement was granted by the Council at their April 3, 2007 meeting.

The Resolution states the Board has considered the Comprehensive Plan for the City of Goshen in granting this approval.

Board Member Landis moved to approve the request. Second by Board Member Stegelmann and motion passed unanimously.

**REQUEST TO INCLUDE 807 N. INDIANA AVENUE IN RENTAL MANAGEMENT AGREEMENT WITH CULVER DEVELOPMENT CORPORATION**

City Attorney Larry Barkes requested Board approval to include the city-owned property at 807 N. Indiana Avenue under the terms and conditions of the previously approved rental management agreement with Culver Development Corporation. The City through its Redevelopment Commission entered into the agreement on March 15, 2007.

Board Member Stegelmann moved to approve the request. Second by Board Member Landis and motion passed unanimously.

**There being no further business Mayor Kauffman moved to process claims and then to adjourn. Second by Board Member Landis and motion passed unanimously.**