

**BOARD OF PUBLIC WORKS & SAFETY
AND STORM WATER BOARD MEETING
HELD MARCH 5, 2007
GOSHEN, INDIANA**

The Board of Public Works & Safety of the City of Goshen met in the Council Chambers, 111 East Jefferson Street on March 5, 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: Third-Deputy Clerk-Treasurer, City Attorney, Director of Public Works, Fire Chief, Police Chief, Building Commissioner, Street Commissioner, Legal Compliance Administrator, Legal Contracts and Claims Manager, Mayors Administrative Assistant, Park Superintendent, Utilities Superintendent, Utilities Office Manager.

Minutes of the meeting of March 5, 2007 were presented. On motion of Board Member Stegelmann and second by Board Member Landis, the minutes were approved as presented.

REQUEST TO PROMOTE B. BROWN TO PRIVATE FIRST CLASS FIREFIGHTER

Fire Chief Danny Sink requested Board approval to promote Brian Brown to the rank of Private First Class with the Goshen Fire Department effective March 7, 2007. Mr. Brown will be completing his probationary year at the Goshen Fire Department as of March 7, 2007.

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

Mayor Kauffman swore Mr. Brown into the position of Private First Class with the Goshen Fire Department.

REQUEST TO HIRE D. S. MILLER AS A FULL TIME PATROL OFFICER

Police Chief Gary Penland requested Board approval to hire Davis Shayne Miller as a full time Patrol Officer for the Goshen Police Department. Mr. Miller has met all the requirements of his conditional offer of employment and has been a reserve officer for over two years. Mr. Miller has passed all three phases of the Goshen Police Department field training. Mr. Miller will be considered manpower within a short time of his employment with the Goshen Police Department; however he will have to attend the Academy next year. Mr. Miller has done a wonderful job as a reserve officer and Chief Penland expressed he knows that Mr. Miller will continue to do so as a full time officer.

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

Mayor Kauffman swore Mr. Miller into the position of Patrol Officer with the Goshen Police Department.

REQUEST TO BLOCK INTERSECTIONS FOR ‘BE A LIFE-SAVER’ CAMPAGIN

Jane Erickson, Co-Chair of the Goshen Campaign for Child and Parent Services of Elkhart County ‘Be a Life-Saver’, requested Board approval to use the corners of Eighth Street and Plymouth Avenue as a collection site. The drive runs on Friday April 20th from 9:00 a.m. to 7:00 p.m. and Saturday April 21st from 9:00 a.m. to 3:00 p.m. and will be staffed by adults from Goshen service organizations. All donations collected are used for CAPS programs including Healthy Families located in the new Goshen office behind Walgreens. Mrs. Erickson also requested the use of safety vests from the Street Department for the workers.

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

OPEN BIDS FOR 2007 SIDEWALK PROJECT, PROJECT NO. 2007-

Mayor Kauffman opened the following bids:

	Hoosier Builders	Niblock Excavating	Selge Construction	Reith-Riley Construction	Phend & Brown Construction
Base Bid	246,649.50	125,375.00	137,155.00	132,271.00	154,713.50
Alternate Bid 1	19,523.75	31,945.00	13,440.00	12,365.25	15,773.00
Alternate Bid 2	50,761.25	24,286.60	27,493.00	21,979.25	35,529.00
Total Bid:	316,934.50	181,606.60	178,088.00	166,615.50	206,015.50

Mayor Kauffman moved to refer the bids to the Engineering and Legal Departments for review and recommendation of award at the next Board of Public Works and Storm Water Board meeting on March 12. Second by Board Member Stegelmann and motion passed unanimously.

OPEN BIDS FOR PLYMOUTH AVENUE UTILITY EXTENSION

Mayor Kauffman opened the following bids:

	HRP Construction	Niblock Excavating	Phend & Brown Construction

Base Bid	115,536.50	81,488.50	143,969.00
Bid Alternate	58,916.00	43,335.00	64,292.00
Total Bid:	174,452.50	124,823.50	208,261.00

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

REQUEST TO AWARD CONTRACT FOR 2007 SIDEWALK PROJECT, PROJECT NO. 2007-0001

Director of Public Works Robert McCoige requested Board approval to award the bid for the 2007 Sidewalk Project, Project No. 2007-0001 to Yaw Construction at a cost of \$124,240.00. Mr. McCoige asked that it be noted the City will be responsible for 50% of the cost as the residents participating will be responsible for the remaining 50%, and the funds are appropriated within the budget.

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

REQUEST TO AWARD CONTRACT FOR THE CITY OF GOSHEN WATER DEPARTMENT WELL MAINTENANCE

Legal Contracts and Claims Manager Keitha Windsor requested Board approval to award the contract for the City of Goshen Water Department Well Maintenance to Peerless-Midwest, Inc for pump overhaul of the following:

- Well #1 A – Complete overhaul of pump and motor
\$15,000.00
 - Well #6 A – Complete overhaul of pump and motor
\$15,000.00
 - High Service Pump #4 – Complete overhaul of pump and motor
\$12,000.00
 - Well #13 – Complete overhaul of pump and motor \$17,000.00
- Total:** **\$59,000.00**

Legal Contracts and Claims Manager Keitha Windsor further requested Board approval to award the contract for the City of Goshen Water Department Well Maintenance to Reynolds, Inc. for well cleaning and restoration of the following:

- Well #5 A – Cleaned and Restored \$ 6,272.00
 - Well #6 A – Cleaned and Restored \$ 6,164.00
- Total: \$12,436.00

Board Member Landis questioned if the process was different for cleaning and restoration if performed by Reynolds or Peerless-Midwest, due to the fact that Reynolds, Inc. was significantly less than other bids. Utilities Superintendent Doug Perry responded, stating the process was not different between companies.

Board Member Stegelmann questioned if the City of Goshen has used Reynolds, Inc. before on a similar project. Mr. Perry responded, stating that the City has not used this company before.

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

REQUEST TO PLACE DUMPSTER IN PARKING LOT B

Mayor Kauffman requested Board permission to temporarily place a dumpster in public parking lot ‘B’ at the rear end of 215 S. Main Street. The dumpster will be placed on Tuesday, March 6 and remain for approximately fourteen days.

Mayor Kauffman further elected to abstain from this vote as he is part-owner of the property located at 215 S. Main Street.

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

REQUEST TO APPROVE INTERLOCAL AGREEMENT WITH ELKHART COUNTY

City Attorney Larry Barkes requested Board approval to enter into an Interlocal Agreement between Elkhart County and the City of Goshen regarding the relocation of utilities along the new County Road 17 between County Road 28 and County Road 30. The agreement is necessary as utility lines that were previously installed upon direction of Elkhart County now have to be relocated for future construction of County Road 17. Elkhart County is funding the project as they are performing the relocation. This agreement will also be presented at the Goshen Common Council meeting on March 20, 2007.

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

REQUEST TO AMEND WASTE WATER TREATMENT PLANT AGREEMENT WITH GREELEY & HANSEN

Legal Contracts and Claims Manager Keitha Windsor requested Board approval to amend an agreement originally approved on June 19, 2006 between the City of Goshen Waste Water Treatment Plant (WWTP) and Greeley & Hansen for professional engineering consulting services in support of negotiations with the City's renewal of their National Pollution Discharge Elimination System (NPDES) permit. The original agreement was for an amount not to exceed \$5,000.00.

On August 14, 2006, the agreement was amended and increased by \$5,000.00. The agreement was increased another \$10,000.00 on September 18, 2006 for a total of \$20,000.00.

The City has determined that the services required of Greeley & Hansen have again increased due to the continued efforts related to the renewal and the appealing of certain requirements of the NPDES permit. The City is requesting to increase the contract amount an additional \$10,000.00 for a total contract cost not to exceed \$30,000.00. The increase of \$10,000.00 was based on Brett D. Barber of Greeley & Hansen's hourly rate of \$220.00 plus expenses.

Mayor Kauffman noted the original contract has grown from \$5,000.00 to \$30,000.00, further questioning if Mr. Barber's services were still required.

Utilities Superintendent Doug Perry stated the City is waiting on the Indiana State Attorney General to approve the IDEM agreement that involves the NPDES permit, further noting that Mr. Barber's work was done unless the City needs something else to have the permit approved.

Board Member Stegelmann questioned if the Board should proceed or table the request.

Mr. Perry stated the Legal Department likes to have an agreement on file so the City is able to reference approximate fees to be paid out pertaining to the permit and other services.

Legal Compliance Administrator Shannon Marks stated the base agreement is for work for the NPDES permit and the original contract does not cover other services.

Mayor Kauffman moved to table the request. Second by Board Member Stegelmann and the request was tabled for further review and discussion.

REQUEST TO APPROVE COMMUNITY DEVELOPMENT BLOCK GRANT LOAN SUBORDINATION

CDBG Administrator and Assistant City Planner Rhonda Yoder requested Board approval to agree to a subordination request for a CDBG owner-occupied rehab project from the 2004 Program Year, Activity #125. The subordination is being requested as part of a refinance request to get cash out to reinvest in improvements to the house such as new floors in the bathrooms and kitchen, new kitchen cabinets, resurface the bathtub and re-side the house.

The CDBG mortgage is for a total of \$3,900.00 and is forgivable after five years from the date of the mortgage. The CDBG mortgage is currently in third position and will remain in third position after subordination. The lender with the second-position mortgage has agreed to subordination.

For the following reasons, it is recommended the request be granted:

- **Cash out will go to increase the value of the property by investing in home improvements;**
- **The interest rate is declining from 6.5% to 5.98%;**
- **Monthly payments will decrease from \$571.00 to \$479.00 (although the term is increasing from 15 to 30 years); and**
- **The CDBG loan is small and forgivable and position will remain the same.**

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

REQUEST TO ENTER INTO AGREEMENT WITH MACOG FOR TRAFFIC COUNTS

Director of Public Works Robert McCoige requested Board approval to enter into agreement with MACOG to supply the City of Goshen with Traffic Counts at various locations throughout the City. The agreement is for an amount not to exceed \$2,000.00.

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

REQUEST TO ENTER INTO AGREEMENT WITH WIGHTMAN PETRIE, INC. FOR BASHOR ROAD LIFT STATION, PROJECT NO. 2002-0033

Director of Public Works Robert McCoige requested Board approval to enter into agreement with Wightman Petrie, Inc. to update the design of the Bashor Road Lift Station. The original design was completed in 2004; however the lift station was never constructed. Total costs for services are not to exceed \$6,270.00.

Mayor Kauffman questioned why the original design could not be used.

Mr. McCoige stated due to the amount of time passed since the last design was completed 'change' has occurred therefore the City is almost starting over.

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

REQUEST TO APPROVE DRAINAGE PLAN FOR OAKLAWN FACILITY, PROJECT NO. 2007-2006

Director of Public Works Robert McCoige requested Board approval to approve the drainage plan for the Oaklawn Facility, Project No. 2007-2006. In accordance with the City's Subdivision Control Ordinance, Ordinance No. 3196, Section 512, the City's Engineering Department has reviewed the Oaklawn Facility drainage plan on behalf of the Board of Public Works and Utilities. The Engineering Department further recommends acceptance of the drainage plan. In conjunction of this acceptance, it should be noted the City of Goshen's Engineering Department in no way guarantees the proposed drainage improvements will adequately function as designed and accepts no liability in conjunction with the acceptance of the drainage plan.

Debra Hughes, representative for the engineering company working with Oaklawn, addressed the Board stating the original design was created in 1985 and it needed to be updated.

Acting as the Storm Water Board, Board Member Stegelmann moved to approve the request. Second by Board Member Landis and motion passed unanimously.

ANNOUNCEMENT OF RAILROAD CROSSING CLOSURE

Director of Public Works Robert McCoige informed the Board that Mark Constable of Norfolk Southern Railroad has made the City of Goshen aware that they will be closing the Beaver Lane Railroad Tracks to reconstruct the intersection. Work will begin on Monday, March 12, 2007 and the intersection will be closed for approximately two weeks.

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