

**BOARD OF PUBLIC WORKS AND SAFETY AND
STORM WATER BOARD MEETING
HELD AUGUST 20, 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 August 20, 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 Planner, Director of Public Works, Utilities Administrative Engineer, Assistant Fire Chief, Police Chief, Building Commissioner, Assistant Street Commissioner, Legal Compliance Administrator, Legal Contracts and Claims Manager, Legal Administrative Assistant, Park Administrative Assistant, Utilities Superintendent, Utilities Office Manager.

Minutes of the meeting of August 6, 2007, were presented. On motion of Board Member Stegelmann and second by Board Member Landis, the minutes were approved as presented.

**REQUEST TO TEMPORARILY CLOSE 5TH STREET FOR CHAMBERLAIN
ELEMENTARY ICE CREAM SOCIAL**

Kim Bolton, representing Chamberlain Elementary School, requested Board approval to close 5th Street between Crescent St. and Middlebury St. on August 30, 2007 from 6:00 to 8:00 p.m. The closure is for the safety of the guests that attend the school's open house and ice cream social.

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

**REQUEST TO APPROVE CHANGE ORDER NO. 1 WITH TELEDATA INC.
FIBER OPTICS PROJECT 2007-2014**

Director of Public Works Robert McCoige requested Board approval of Change Order No. 1 with Teledata, Inc. in the amount of \$6,048.29 which brings the total contract to \$43,984.97 for Fiber Optics Distribution System.

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

REQUEST TO ADVERTISE FOR BIDS FOR THE 2007 ASPHALT PAVING PROJECT

Director of Public Works Robert McCoige requested board approval to advertise for bids for the 2007 Asphalt Paving Project. The bids for the project will be due in the Clerk-Treasurer's Office on Monday, September 10, 2007 by 4:00 p.m.

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

REQUEST TO APPROVE AGREEMENT AMENDMENT WITH DLZ INDIANA, LLC FOR PLYMOUTH AVENUE PEDESTRIAN TUNNEL, PROJECT NO. 2005-0032 AND GOSHEN COLLEGE PEDESTRIAN TUNNEL, PROJECT 2006-0015

Director of Public Works Robert McCoige requested Board approval of an agreement amendment with DLZ Indiana, LLC for the investigation, design and topographic survey for the Goshen College Bicycle/Pedestrian Railroad Underpass and the Plymouth Avenue Bicycle/Pedestrian Tunnel. Various meetings and directives from the City of Goshen has resulted in DLZ providing additional or revised engineering services beyond the scope of the original project. Mr. McCoige stated the biggest changes to the agreement are due to federal requirements; including entities are required to hire a consultant from a list provided by the federal government. Mr. McCoige stated the tunnels are estimated to be constructed and finalized in 2009 and further the requirements have added six months to one year to the original estimated finalization date. The amendment increases the original amount by \$26,000 which brings the total contract to \$349,450.

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

REQUEST TO APPROVE AGREEMENT WITH DLZ INDIANA, LLC FOR SAFE ROUTES TO SCHOOL, PROJECT NO. 2007-0003

Director of Public Works Robert McCoige requested Board approval of an agreement with DLZ Indiana, LLC for sidewalk improvements at Parkside Elementary School for the Safe Routes to School Grant. The agreement is in the amount of \$65,590 and has been reviewed and approved by INDOT.

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

REQUEST FOR APPROVAL AND ACCEPTANCE OF INFRASTRUCTURE FOR PARK WEST SECTION 6, PROJECT 2006-2003

Director of Public Works Robert McCoige requested Board approval and acceptance of the infrastructure for maintenance in Park West Section 6. The installation of infrastructure (water main, sanitary and storm sewer, street and curbing) has been satisfactorily completed and the Engineering Department is recommending the acceptance. A three-year maintenance bond (10% of the construction costs) for the water main, sanitary and storm sewer, street and curbing has been submitted to the City of Goshen. Mr. McCoige stated the Stormwater Post-Construction Plan for this project still needs to be completed and approved by the Stormwater Board and included into the property deeds.

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

**REQUEST ACCEPTANCE OF RIGHT OF WAY AND EASEMENTS
FOR PARK WEST SECTION 6**

City Planner Joseph Hauflaire requested Board approval and acceptance of right of way for Park West, Section 6. The Plan commission approved the plat for Park West 6, a residential single family subdivision containing eight lots. The plat proposes dedication of new right of way and utility and drainage easements. Plan Commission approval is contingent upon the Board accepting the rights of way, easements and a performance or maintenance bond.

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

UPDATED BRUSH PICK-UP INFORMATION

Assistant Street Commissioner Dennis Long informed the Board for information only that in addition to the scheduled brush pickup for this week the City will have an additional brush pickup the week of August 27, 2007.

RECOMMENDATIONS FROM MAYOR'S TRAFFIC COMMISSION

Director of Public Works Robert McCoige presented the Board with the following recommendations from the Mayor's Traffic Commission August Meeting:

1. East Jackson Street – NO TRUCK Sign Request: The request came from the Parkside Neighborhood Association. Currently several trucks are still utilizing Jackson Street to get to the industrial area on the east side of the railroad tracks. This request was approved by the Traffic Commission.

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

2. 209 West Lincoln Avenue – 15 MINUTE PARKING Sign Request: Mr. Juan Lora, owner of Best Dry Cleaners, submitted a request for the two parking spaces in front of the business to be designated as 15 MINUTE PARKING. The request was denied by the Traffic Commission.

Mr. Juan Lora stated he is requesting the sign for the safety of his customers and the success of his business. Mr. Lora further stated cars currently park in the two spots in front of his business and then are parked there for several hours. Mr. Lora also stated almost all of his customers are in and out of the business in less than 15 minutes.

Mayor Kauffman stated the Board needs to be concerned that allowing this may cause a flurry of similar request but he agrees this is a unique situation.

Traffic Commission and Council Member Chic Lantz stated it was not a quick decision of the Commission to deny the request but the main topic of discussion was setting precedent for similar requests.

Police Chief Gary Penland stated concerns of the spaces becoming an enforcement nightmare and questioned the time the officers may have to spend having the vehicle towed.

The Board discussed future similar requests, enforcement issues and often drivers will comply with the restrictions once the signs are posted, a dry cleaners is a fast customer service type business and the cars that park in the spaces for hours now are suspected to be doing business at the county jail.

Director of Public Works Robert McCoige stated the Board has placed signs in the past temporarily and have later removed the signs when the situation changes.

Mayor Kauffman informed Mr. Lora that he needs to understand that strict enforcement of the parking regulations is not possible.

Board Member Stegelmann moved to approve the placement of the signs until the prisoners in the Elkhart County Jail are moved to the new location of the correctional center. Second by Board Member Landis and motion passed unanimously.

3. Alley near Farm Bureau Credit Union on Monroe Street – STOP Sign Request: Mr. Keith Wortinger requested modifications be made at the alley on the west side of the Farm Bureau Credit Union on East Monroe Street. Mr. Wortinger was hit by a car while on his motorcycle in that alley. A STOP sign and pavement markings in the north/south alley on the west side of the Farm Bureau Credit Union building just south of Monroe Street need to be installed. The request was approved by the Traffic Commission.

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

4. 10th Street between Purl Street – Switch Parking from East Side of 10th Street to the West Side: Goshen Community Schools and Gleason Industries have been working together to allow for the Gleason Industries truck traffic to exit onto 10th Street from the east/west alley between Reynolds Street and Purl Street. A request was submitted to put NO PARKING signs on the east side of 10th Street from Reynolds Street to Purl Street. Parking would be permitted on the west side of 10th Street from Reynolds Street north to the east/west alley, which the adjacent residents are in agreement to this proposal. This request was approved by the Traffic Commission.

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

REQUEST TO APPROVE AN ANNEXATION AGREEMENT RESOLUTION

Legal Compliance Administrator Shannon Marks requested Board approval of A Resolution of the Board of Public Works and Safety Approving the Annexation Agreement with Kropf Family Real Estate, LLC, Verna I. Zook, Trustee of The Verna I. Zook 1997 Revocable Trust Agreement and Ag Trucking, Inc. Mrs. Marks stated the annexation concerns the extension of City Water and Sewer for six parcels of land near C.R. 31 and C.R. 38.

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

REQUEST TO APPROVE AN INTERLOCAL AGREEMENT RESOLUTION

Legal Compliance Administrator Shannon Marks requested Board approval of A Resolution of the Board of Public Works and Safety Approving the Interlocal Agreement for the Transfer of Planning, Zoning and Developmental Jurisdiction for an Area South of Berkey Avenue and West of Greene Road from Elkhart County to the City of Goshen. Mrs. Marks explained the area in the Resolution is the new Westoria Subdivision.

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

**PUBLIC HEARING ON ORDER OF THE BUILDING COMMISSIONER
FOR 208, 208 ½ AND 210 EAST CLINTON STREET**

Building Commissioner Michael Leasor stated he is requesting the order be continued due to the owners of the property having completed the repairs on one of the properties and he believes with the allotment of more time the owners will complete the second property.

Board Member Landis moved to continue the Public Hearing on the Order of the Building Commissioner on the above listed addresses for three weeks. Second by Board Member Stegelmann and motion passed unanimously.

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