

**BOARD OF PUBLIC WORKS AND SAFETY AND
STORM WATER BOARD MEETING
HELD NOVEMBER 13, 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 November 13, 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

ABSENT: Board Member Landis

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

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

REQUEST TO EXECUTE PUBLIC-FINANCE.COM AGREEMENT

Legal Contracts and Claims Manager Keitha Windsor requested Board approval for the Mayor to execute the Master Lease/Purchase Agreement with Public-Finance.com, Inc. for the purchase of Cardiac monitors/defibrillators and AEDs at a bid price of \$55,117.39. A Lease/Purchase agreement is being used to finance the acquisition of the equipment from Tri-anim Health Service, Inc. The payments on the agreement will be over a 5 year period at a rate of 4.59% with the first annual payment of \$12,100 due December 15, 2007.

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

**REQUEST TO ACCEPT WATERFORD CROSSING PUD SECTION II, PHASE II
DRAINAGE PLAN – PROJECT NO. 2007-2007**

Director of Public Works Robert McCoige requested Board approval to accept the Waterford Crossing PUD Section II Phase II drainage plan. In conjunction with this acceptance, it should be noted that the City of Goshen's 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.

In accordance with the City's Subdivision Control Ordinance No. 3196 Section 512 "Drainage Plan", the City's Engineering Department has reviewed the Waterford Crossing drainage plan on behalf of the Board of Public Works and Utilities. The City has received an irrevocable letter of credit from First State Bank of Middlebury in the amount of \$75,000 from the account of Water

Crossing, LLC. The following recommended conditions are recommended to be tied to this approval:

1. The Developer is required to supply the City with a Post Construction Storm Water Management plan and a Storm Water Maintenance Agreement. The plan and agreement shall be approved by the Storm Water Management Board per Ordinance No. 4329;
2. The Developer is required to provide utility easements for the water main and sanitary sewer for the entire Waterford Crossing PUD, prior to final acceptance of the water main and sanitary sewer: and
3. No water and sanitary sewer connections will be permitted until the water main and sanitary sewer has been accepted by the Board.

Mayor Kauffman moved to approve the request with the above conditions. Second by Board Member Stegelmann and motion passed unanimously.

REQUEST TO APPROVE RELEASE OF MAINTENANCE BONDS FOR CLOVER

TRAILS SECTION 10 – 2004-2002

Director of Public Works Robert McCoige requested Board approval to release the year maintenance bonds posted by Brooks Construction for street and curb in the amount of \$7,500 and McKibbin Brothers for water and sewer in the amount of \$9,658 and accept this subdivision for permanent maintenance. Final inspection of the above referenced subdivision has taken place. Street, curb, water and sewer infrastructure have been found to meet City standards and specifications.

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

REQUEST TO ACCEPT RIGHT OF WAY AND EASEMENTS FOR BEADLE-HUFFMAN MINOR SUBDIVISION

City Planner Joseph Hauflaire requested Board affirmation of the right of way and acceptance of the utility and drainage easements for Beadle-Huffman Minor Subdivision. The Plan Commission will be reviewing a two lot minor subdivision generally located on the north side of Caragana Court immediately west of Lombardy Drive at their meeting November 20, 2007. The plat will subdivide a single lot with a building on Lot 2 and create a second lot (Lot 1) currently undeveloped at this time. No new right of way is proposed. There is a modification to the drainage easement approved by the Engineering Department. The plats meet the requirements of the subdivision and zoning ordinance.

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

REQUEST TO ACCEPT RIGHT OF WAY AND EASEMENTS FOR REPLAT OF LOTS 2-6 IN COLLEGE MANOR SUBDIVISION

City Planner Joseph Hauflaire requested Board reaffirmation of the existing public dedications of lots 2-6 in College Manor Subdivision. The Plan Commission will be reviewing a replat of College Manor subdivision generally located on the south side of College Avenue immediately east of Greencroft at their meeting November 20, 2007. The replat will subdivide four lots with

an existing duplex dwelling on each lot into eight single family attached dwellings each on their own lot.

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

PUBLIC HEARING ON ORDER OF THE BUILDING COMMISSIONER
FOR 319 N. 5TH STREET

Mayor Kauffman opened the public hearing:

Neighborhood Preservation Officer, Dawn Nordman presented the Board with an Order of The Building Commissioner for the building located at 319 N. 5th Street as it is still in violation of the City's Neighborhood Preservation Ordinance 4068. The Order was served by certified mail on October 18, 2007 to Ramon Navarro as the prior owner of the property and Jose A. Garcia as the current owner of the property.

The structure is in violation of the following Sections of Ordinance 4068:

1. The foundation on the northeast side has mortar missing and loose blocks. The porch foundation does not provide sufficient support and is not permanent (violation of Section 3.2).
2. The wood siding on the northeast and west sides of the house is cracked, rotting, broken and missing in places (violation of Section 3.2).
3. There is a broken window on the east side of the house and a broken window on the west side of the house (violation of Section 3.4).
4. One set of steps on the northeast side is rotted and falling apart and the second set of steps is missing (violation of Sections 3.5).
5. The front porch has failing handrails (violation of Section 3.6).
6. All painted surfaces have peeling and chipping paint (violation of Section 3.7).
7. There are no house numbers on the house (violation of Section 4.8).

Ms. Nordman presented the Board with pictures of the violations dated September 7, 2007 and November 13, 2007.

Myra Garcia, daughter of property owner Jose A. Garcia appeared at the hearing and stated her family acquired the house 2 to 3 weeks previous.

City Attorney Larry Barkes questioned if the owner disputed any of the listed violations in the Order.

Myra Garcia stated the intention of the owner is to repair the violations and depending on the weather it is estimated the repairs will take up to 2 months time.

Mayor Kauffman moved to find the property in violation of the Neighborhood Preservation Ordinance with the above specified violations and that the Order of the Building Commissioner is set for review on January 7, 2008. 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.