

**BOARD OF PUBLIC WORKS AND SAFETY AND STORM WATER BOARD  
MEETING HELD DECEMBER 7, 2009 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 December 7, 2009, 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 Landis

ABSENT: Board Member Stegelmann

OTHERS: Clerk Treasurer, Clerk-Treasurer Office Assistants, City Attorney, City Planner, Fire Chief, Police Chief, Assistant Police Chief McCloughen, Building Inspectors Nordman & Bice, Street Commissioner, Legal Contracts and Claims Manager, Legal Compliance Administrator, Legal Administrative Assistant, Mayor's Administrative Assistant Lung, Park Superintendent, Superintendent of Waste Water, Superintendent of Water and Sewer, Utilities Office Manager, Administrative Utilities Engineer, Administrative City Engineer, Central Garage Fleet Manager.

Minutes of the meetings of November 23 & November 30, 2009 were presented. On motion of Mayor Kauffman and second by Board Member Landis, the minutes were approved as presented.

**REQUEST TO APPROVE HIRING OF FOUR RESERVE POLICE OFFICERS**

Assistant Police Chief Mike McCloughen requested Board approval for four applicants to join the Goshen Police Reserve program. The Goshen Police Reserves presently has one Officer on the Reserves and he was hired in December of 2006. The four applicants are:

Tyler J. Huser – 23 years of age of Goshen is married and has been a Reserve Police Officer with the Bristol Police Department for the last year. Tyler graduated from Goshen High School and has spent all his life in Goshen. He has an Uncle Mark Huser who is a 25-year veteran of the Goshen Police Department. Tyler has passed all written, physical, oral and polygraph testing and is expected to be a very good addition to our Reserve program.

Kyle M. Owens – 24 years of age from Milford is a graduate of West Noble High School. Kyle has a brother Joshua who has been a Patrol Officer with the Goshen Police Department for the past two years. Kyle's father, Frank Owens, is a long time veteran of the Elkhart Police Department. Kyle has passed all written, physical, oral and polygraph testing and is expected to be a good addition to our Reserve program.

Brandon W. Miller – 24 years of age and a lifetime resident of Goshen graduated from Goshen High School. Brandon has had an interest in Police work ever since high school and has attended both IUPUI and IU of South Bend. Brandon has passed all written, physical, oral and polygraph testing and is considered to be a very good addition to our Reserve program.

Lance G. Evans – 29 years of age of Syracuse is married and attended Wawasee High School. Lance has passed all written, physical, oral and polygraph testing and is considered to be a very good addition to our Reserve program.

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

Clerk Treasurer Tina Bontrager swore in the four applicants as members of the Goshen Police Reserves Program.

**OPEN BIDS FOR FUEL FOR CITY VEHICLES**

Mayor Kauffman opened the following bids:

		Unleaded gasoline (minimum 87 octane)	#2 diesel fuel	#2 off-road diesel fuel	#2 off-road diesel fuel DELIVERY COSTS
OPIS Nov 23/09	Base Price	\$ 2.0095	\$2.0543	\$2.0593	\$0.1000
	Bid Price	\$ 0.1000	\$0.1000	\$0.1000	
	State Tax	\$ 0.1800	\$0.1600		
	<b>Total Price</b>	<b>\$2.2895</b>	<b>\$2.3143</b>	<b>\$2.1593</b>	
Daily Price 23-Nov	Base Price	\$2.3520	\$2.4780	\$2.5110	\$0.1000
	State Tax	\$0.1800	\$0.1600		
	<b>Total Price</b>	<b>\$2.5320</b>	<b>\$2.6380</b>	<b>\$2.5110</b>	
24-Nov	Base Price	\$2.3210	\$2.4510	\$2.4840	\$0.1000
	State Tax	\$0.1800	\$0.1600		
	<b>Total Price</b>	<b>\$2.5010</b>	<b>\$2.6110</b>	<b>\$2.4840</b>	
25-Nov	Base Price	\$2.3830	\$2.5020	\$2.5350	\$0.1000
	State Tax	\$0.1800	\$0.1600		
	<b>Total Price</b>	<b>\$2.5630</b>	<b>\$2.6620</b>	<b>\$2.5350</b>	
27-Nov	Base Price	\$2.3260	\$2.4770	\$2.5100	\$0.1000
	State Tax	\$0.1800	\$0.1600		
	<b>Total Price</b>	<b>\$2.5060</b>	<b>\$ 2.6370</b>	<b>\$2.5100</b>	

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

**OPEN BIDS FOR ELECTRICAL MAINTENANCE CONTRACT FOR  
ORNAMENTAL STREET LIGHTS**

Mayor Kauffman opened the following bids:

<b>ORNAMENTAL STREET LIGHTS</b>				<b>Weaver Electric</b>		<b>Michiana Contracting</b>	
<b>Item No.</b>	<b>Estimated Quantity</b>	<b>Unit</b>	<b>Description</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>
1	150	HRS	Yearly Electrical & Associated Equipment Repair and Maintenance, Traffic signals, School zone flashers, & lighting at signalized intersections	\$60.00	\$9,000.00	\$63.00	\$9,450.00
2	150	HRS	Yearly Electrical & Associated Equipment Repair and Maintenance, Ornamental Street Lights	\$60.00	\$9,000.00	\$63.00	\$9,450.00
3	50	HRS	Yearly Electrical & Associated Equipment Repair and Maintenance, City Buildings	\$60.00	\$3,000.00	\$63.00	\$3,150.00
4	25	HRS	Yearly Electrical & Associated Equipment Repair and Maintenance, Airport	\$60.00	\$1,500.00	\$63.00	\$1,575.00
5	1	HRS	Minimum Service Charge Fee, First Hour of Service	\$90.00	\$90.00	\$94.50	\$94.50
6	1	HRS	Boom Truck, 35-feet and lower	\$45.00	\$45.00	\$35.00	\$35.00
7	1	HRS	Boom Truck, 36 to 50 feet and lower	\$55.00	\$55.00	\$35.00	\$35.00
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			<b>Total Contract Amount Only:</b>		<b>\$22,690.00</b>		<b>\$23,789.50</b>

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

**OPEN BIDS FOR ELECTRICAL MAINTENANCE CONTRACT FOR UTILITIES**

Mayor Kauffman opened the following bids:

<b>UTILITIES</b>				<b>Middlebury Electric</b>		<b>Shaum Electric</b>	
<b>Item No.</b>	<b>Estimated Quantity</b>	<b>Unit</b>	<b>Description</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>
1	270	HRS	Yearly Electrical & Associated Equipment Repair and Maintenance, Wastewater Utility	\$60.00	\$16,200.00	\$76.00	\$20,520.00
2	160	HRS	Yearly Electrical & Associated Equipment Repair and Maintenance, Water Utility	\$60.00	\$9,600.00	\$76.00	\$12,160.00
3	16	EA	Annual testing of motor amperage and voltage draws with report	\$60.00	\$960.00	\$76.00	\$1,216.00
1a	1	Per Hr	Minimum Service Charge Fee, First Hour of Service	\$90.00	\$90.00	\$90.00	\$90.00

2a	1	Per Hr	Boom Truck, 35-feet and lower (Contractor Owned Equipment)	\$45.00	\$45.00	\$50.00	\$50.00
3a	1	Per Hr	Boom Truck, 36 to 50-feet (Contractor Owned Equipment)	\$55.00	\$55.00	\$50.00	\$50.00
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<b>Total Contract Amount Only:</b>					<b>\$26,950.00</b>		<b>\$34,086.00</b>

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

**OPEN BIDS FOR HEADGATES PARKING LOT**

Mayor Kauffman opened the following bids:

<b>BASE BID</b>	<b>Ancon Construction</b>		<b>Dave's Landscaping</b>		<b>S&amp;L Builders</b>		<b>Northern Construction</b>	
<b>Descripti on</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>
Parking Lot	\$63,385.00	\$63,385.00	\$65,240.00	\$65,240.00	\$69,445.00	\$69,445.00	\$93,000.00	\$93,000.00
Base Bid		-----		-----		-----		-----
<b>BID TOTAL:</b>		<b>\$63,385.00</b>		<b>\$65,240.00</b>		<b>\$69,445.00</b>		<b>\$93,000.00</b>

<b>ALTERNATE 1</b>	<b>Ancon Construction</b>		<b>Dave's Landscaping</b>		<b>S&amp;L Builders</b>		<b>Northern Construction</b>	
<b>Descripti on</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>
Parking Area	\$36,853.00	\$36,853.00	\$42,825.00	\$42,825.00	\$47,066.00	\$47,066.00	\$59,000.00	\$59,000.00
South Half		-----		-----		-----		-----
<b>BID TOTAL:</b>		<b>\$36,853.00</b>		<b>\$42,825.00</b>		<b>\$47,066.00</b>		<b>\$59,000.00</b>

<b>ALTERNATE 1a</b>	<b>Ancon Construction</b>		<b>Dave's Landscaping</b>		<b>S&amp;L Builders</b>		<b>Northern Construction</b>	
<b>Descripti on</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>
Parking Area S. Half Concrete	\$2,167.00	\$2,167.00	\$1,845.00	\$1,845.00	\$5,800.00	\$5,800.00	\$6,925.00	\$6,925.00
Edge Restraint		-----		-----		-----		-----
<b>BID TOTAL:</b>		<b>\$2,167.00</b>		<b>\$1,845.00</b>		<b>\$5,800.00</b>		<b>\$6,925.00</b>

<b>ALTERNATE 2</b>	<b>Ancon Construction</b>		<b>Dave's Landscaping</b>		<b>S&amp;L Builders</b>		<b>Northern Construction</b>	
<b>Descripti on</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>
Timber Planters	\$8,056.00	\$8,056.00	\$4,980.00	\$4,980.00	\$6,400.00	\$6,400.00	\$11,925.00	\$11,925.00
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<b>BID TOTAL:</b>		<b>\$8,056.00</b>		<b>\$4,980.00</b>		<b>\$6,400.00</b>		<b>\$11,925.00</b>

<b>ALTERNATE 3</b>		<b>Ancon Construction</b>		<b>Dave's Landscaping</b>		<b>S&amp;L Builders</b>		<b>Northern Construction</b>	
<b>Description</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>	
Parking Lot Base Bid - Concrete	\$3,817.00	\$3,817.00	\$2,460.00	\$2,460.00	\$10,800.00	\$10,800.00	\$8,900.00	\$8,900.00	
Edge Restraint		-----		-----		-----		-----	
<b>BID TOTAL:</b>		<b>\$3,817.00</b>		<b>\$2,460.00</b>		<b>\$10,800.00</b>		<b>\$8,900.00</b>	

<b>ALTERNATE 4</b>		<b>Ancon Construction</b>		<b>Dave's Landscaping</b>		<b>S&amp;L Builders</b>		<b>Northern Construction</b>	
<b>Description</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>	
Trench Drain	\$2,033.00	\$2,033.00	\$2,260.00	\$2,260.00	\$2,600.00	\$2,600.00	\$3,000.00	\$3,000.00	
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<b>BID TOTAL:</b>		<b>\$2,033.00</b>		<b>\$2,260.00</b>		<b>\$2,600.00</b>		<b>\$3,000.00</b>	

<b>Base Bid Total with Alternates</b>	<b>\$116,311.00</b>	<b>\$119,610.00</b>	<b>\$142,111.00</b>	<b>\$182,750.00</b>
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Mayor Kauffman moved to refer the bids to the Engineering Department for review and recommendation. Second by Board Member Landis and motion passed unanimously.

**OPEN BIDS FOR TANGLEWOOD DRIVE PAVEMENT RESTORATION**

Mayor Kauffman opened the following bids:

<b>Contractor</b>	<b>Bid Amount Total</b>
S & L Builders	\$113,198.00
Selge Construction	\$125,954.00
Niblock Excavating	\$139,646.00
Northern Construction	\$140,113.75
Phend & Brown	\$141,476.67
Rieth-Riley	\$148,800.00
Yaw Construction	\$2,540,535.00

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

**OPEN BIDS FOR CRESCENT STREET PHASE III**

Mayor Kauffman opened the following bids:

<b>Contractor</b>	<b>Bid Amount Total</b>
Beer & Slabaugh	\$461,215.25

Selge Construction	\$505,689.61
Northern Construction	\$519,573.41
Rieth-Riley	\$581,651.60
Niblock Excavating	\$596,500.00
HRP Construction	\$614,500.00

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

**AWARD BIDS FOR THE PURCHASE OF CHEMICALS**

Legal Contracts and Claims Manager Keitha Windsor requested Board approval to award the bids for the purchase of chemicals for the City’s Water Department and Wastewater Treatment Plant. Sealed bids were received and opened at the November 30, 2009 meeting of the Board of Public Works and Safety and the following are the lowest responsive and responsible bidders:

- JCI Jones Chemicals, Inc. for Chlorine at \$0.36 per pound
- JCI Jones Chemicals, Inc. for mercury free Sodium Hypochlorite at \$0.6986 per gallon
- Alexander Chemical Corp. for Hydrofluosilicic Acid at \$3.50 cents per gallon
- Alexander Chemical Corp. for Sodium Bisulfate at \$0.17098 per pound
- PVS Technologies for mercury reduced Ferric Chloride at \$0.61 per pound Fe (Iron)

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

**REQUEST TO APPROVE AGREEMENT FOR THE POLICE DEPARTMENT TO LEASE 211 SOUTH FIFTH STREET**

Legal Compliance Administrator Shannon Marks requested Board approval of a lease agreement between the Goshen Police Department and the Estate of William J. Fiedeke and the Estate of Isabell Fiedeke for space in the building at 211 south Fifth Street for use by the Goshen Police Department. The Goshen Police Department has been occupying this space since December 2005 to store personal property and for offices. Fiedeke has requested to increase the monthly rental for 2010 by \$25.00 to \$448.00 per month. The terms and conditions of the attached lease agreement are essentially the same as the current agreement except the monthly rental amount and the term is for 12 months beginning January 1, 2010, and then month-to-month thereafter under the same terms and conditions.

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

**REQUEST TO APPROVE RESOLUTION TO TRANSFER POWERHOUSE TO REDEVELOPMENT COMMISSION**

Legal Compliance Administrator Shannon Marks requested Board approval to authorize the Transfer of Real Estate to the Redevelopment Commission. The City of Goshen obtained title to the real estate more commonly known as the Millrace Powerhouse from Northern Indiana Public

Service Company by Quitclaim Deed dated August 14, 1968 and recorded August 23, 1968 in the office of the Recorder of Elkhart County. The real estate is located within the River Race Economic Development Area and the Goshen Redevelopment Commission would like to offer this real estate for lease.

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

**REQUEST TO APPROVE RIGHT-OF-WAY CERTIFICATION LETTER TO INDOT  
FOR THE MILLRACE POWERHOUSE PRESERVATION**

Administrative City Engineer Mary Cripe requested Board approval of a Right-of-Way Certification letter to INDOT, which certifies that no additional right-of-way was acquired for this project. This letter is necessary to move forward to construction of this project utilizing 80% federal funds for construction.

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

**REQUEST TO APPROVE MAPLE CITY GREENWAY AGREEMENT AMENDMENTS  
NO. 5 & 6 WITH KEN HERCEG & ASSOCIATES**

Administrative City Engineer Mary Cripe requested Board approval of Agreement Amendment No. 5 for the Maple City Greenway, Phase V – 2009-0006 with Ken Herceg & Associates, Inc. The Amendment will increase the Agreement amount by \$64,762.00. This brings the total fees to \$192,629.00. The Board of Public Works and Safety approved this Amendment on June 8, 2009; however, the Amendment was never signed.

Also for the Board's approval is Agreement Amendment No. 6 for the Maple City Greenway, Phase V – 2002-0006 with Ken Herceg & Associates, Inc. The Amendment will increase the Agreement amount by \$40,000.00. This brings the total fees to \$232,629.00

Mayor Kauffman moved to approve the requests. Second by Board Member Landis and motion passed unanimously.

**REQUEST TO APPROVE CHANGE ORDER NO. 1 FOR THE 2009 ASPHALT  
PAVING PROJECT (JN: 2009-0002)**

Administrative City Engineer Mary Cripe requested Board approval of Change Order No. 1 for the 2009 Asphalt Paving Project with Niblock Excavating. This change order increases the contract amount \$69,565.16 which brings the total contract amount to \$338,445.12. The increase is due to the following modifications to the project:

- Removed Cottage Avenue from Jackson Street to Douglas Street
- Removed Briarwood Drive from Westwood Drive to the Liftstation
- Added Dewey Avenue from Prairie Street To West Street
- Added North 7<sup>th</sup> Street from Crescent Street to Middlebury Street
- Added Westwood Drive from SR. 15 to Mayflower Drive
- Added College Avenue at 16<sup>th</sup> Street for sewer repair

Administrative City Engineer Mary Cripe stated that CDBG funds were used for the North 7<sup>th</sup> Street sidewalk plus the sewer repair.

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

**REQUEST TO AWARD BID FOR 90" CSO TRUNK LINE ON FIRST STREET AND RIVER AVENUE**

Administrative Utilities Engineer Dustin Sailor requested Board approval to award the bid on the 90" CSO Trunk Line on First Street and River Avenue to Niblock Excavating. The contract price is \$2,847,400.00.

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

**REQUEST TO APPROVE MAPLE COURT PLACE POST-CONSTRUCTION PLAN (JN: 2006-2053)**

Administrative Utilities Engineer Dustin Sailor requested Board approval of the "Maple Court Place" Post-Construction Plan. The developer of Maple Court Place, affecting one or more acres of land, has submitted a sufficient post-construction plan revision plan that is compliant with Ordinance 4329, "Uniform Requirements for Post-Construction Stormwater Management."

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

**REQUEST TO APPROVE SUPERIOR LAMINATING, INC. AGREEMENT AMENDMENT**

Legal Contracts and Claims Manager Keitha Windsor requested Board approval of an Agreement Amendment with Superior Laminating, Inc. Originally, the City entered into an agreement dated November 18, 2009 for Superior to provide and install counter top and cabinets for the Maintenance Office at the WWTP. The Agreement was for a single VFD16 cabinet and the City now requires four VFD16 cabinets.

The cost to provide and install the additional three VFD16 cabinets is a fixed fee of \$735.00 for a total contract price of \$1,755.65. The work shall be completed within three weeks from receipt of a notice to proceed for the City.

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

**REQUEST TO APPROVE MAINTENANCE AGREEMENT WITH CUMMINS CROSSPOINT FOR POLICE AND COURTS BUILDING GENERATOR**

Legal Contracts and Claims Manager Keitha Windsor requested Board approval of a Maintenance Agreement with Cummins Crosspoint on the City's emergency back-up generator at the Police and Courts Building. The City is currently in a maintenance program agreement with Cummins Crosspoint for 2009 on the back-up generator at the City' Police Station, 111 East

Jefferson, Goshen, IN 46528 and wishes to enter into a maintenance agreement for 2010. This Agreement will be effective for a one-year period beginning January 1, 2010 and ending December 31, 2010 for the set fee of \$455.31.

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

**REQUEST TO APPROVE MECHANICAL LICENSE FOR M. BONIFAS**

Building Inspector Steve Bice requested Board approval to issue a City of Goshen Mechanical License to Mike Bonifas, of Mann's, Inc., located at 50 Commerce Drive, Huntington, IN 46750. Mr. Bonifas has met the requirements for a City of Goshen Mechanical license and achieved a score of 75.1% on the Master Mechanical exam.

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

**REQUEST TO APPROVE ELECTRICAL LICENSE FOR S. NOTT**

Building Inspector Steve Bice requested Board approval to issue a City of Goshen Electrical License to Steve Nott, representing James Electric, 333 Stable Drive, Fort Wayne, IN 46825. Mr. Nott has met the requirements for a City of Goshen Electrical license and achieved a score of 79.5% on the Master Electrician test.

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

**REQUEST TO APPROVE 2009 CDBG SUB-RECIPIENT AGREEMENT  
FOR REHABILITATION PROGRAM**

CDBG Administrator Rhonda Yoder requested Board approval of the CDBG Sub-recipient Agreement for Owner-occupied Housing Rehabilitation for Program Year 2009, as follows:

**Owner-occupied Housing Rehabilitation Sub-recipient Agreement:**

LaCasa, Inc.	\$102,774.00
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Mayor Kauffman moved to approve the request. Second by Board Member Landis and motion passed unanimously.

**REQUEST TO APPROVE CONTRACT FOR EQUIPMENT LEASE BETWEEN  
MACOG AND THE CITY OF GOSHEN**

Administrative City Engineer Mary Cripe requested Board approval of a Contract between MACOG (Michiana Area Council of Governments) and the City of Goshen for Equipment Lease. The City has leased from MACOG five 2010 Ford Escape hybrid vehicles, and the City agrees to pay MACOG the sum of \$1,126.00 for each of the five vehicles which totals \$5,630.00. Additionally, the City agrees to pay \$1.00 per year per vehicle as a lease fee, each year so long as the lease agreement is in effect. The fee will be paid on an annual basis on July 1<sup>st</sup> each year to MACOG beginning 2011.

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

**PUBLIC HEARING ON ORDER OF THE BUILDING DEPARTMENT FOR**  
**111 SOUTH 8<sup>TH</sup> STREET**

Mayor Kauffman opened the public hearing:

City Attorney Larry Barkes asked if there was anyone in the audience that would be representing J & N Investments or Lydia A. Miller. Jared Yoder came in front of the Board stating he was representing J & N Investments. Mr. Yoder stated that the structure in question, a double garage, is structurally connected with J & N Investments owning one side and the other owner owning the other side. Mr. Yoder also stated that there was some painting done, but it got too late in the season to finish and would really like to tear down the whole structure but cant because of the other owner. After discussion, Mr. Yoder stated a woman on the Cottage Street side owns the other half of the garage.

Building Inspector Dawn Nordman stated to Board Members that Mr. Yoder has done things to help fix up the one half of the double garage, but not all of the violations are in compliance yet.

The structure is in violation of the following Sections of the Goshen City Code:

1. There are parts of the roof at the soffits that are rotted and rodents are able to enter (violation of Section 6.3.1.1 (3)).
2. There is a door missing on the east side of the garage (violation of Section 6.3.1.1 (4)).
3. There is a door on the east side of the garage that is missing panels (violation of Section 6.3.1.1 (4)).
4. All painted surfaces have chipped and peeling paint (violation of Section 6.3.1.1 (7)).

Dawn Nordman stated that items number 2 and 3 have been completed but items 1 and 4 are still not in compliance. Board Members discussed the double garage issues and City Attorney Larry Barkes stated that the other owner would have to come to the hearing to get the problems finalized. Mr. Yoder asked if the other owner received a notice from the City, and City Attorney Larry Barkes stated that yes, the other owner, a Eufemia Lara, did get notice from the City and signed the certified mailing. Mr. Yoder stated to the Board Members that he would be willing to tear the garage down at his cost if the other owner would be ok with that.

Mayor Kauffman moved to find the property in violation of the Neighborhood Preservation Ordinance 4068, with the above mentioned violations numbers 1 and number 4. Second by Board Member Landis and motion passed unanimously. Mayor Kauffman moved to continue the public hearing until the owner of the other half of the structure can be reached. 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.