



MINUTES of March 29, 2021 Regular Meeting

Board of Public Works & Safety and Stormwater Board

Held 2:00 p.m. Goshen Police & Court Building, 111 East Jefferson Street, Goshen, Indiana

Present: Chair Jeremy Stutsman, Member Mike Landis

Absent: Member Mary Nichols

No minutes were presented.

Landis/Stutsman moved to approve the agenda as presented. Passed 2-0

Promotion of Andrew L. Keim from Detective to Sergeant

Chief of Police Jose' Miller presented the packet memo.

Landis/Stutsman moved to approve the promotion of Andrew L. Keim from Detective to Sergeant effective March 26, 2021. Passed 2-0

Officer Andrew Keim was sworn in by Mayor Stutsman.

Mechanical License for Robert J. Dwyer of "A Good Neighbor"

Assistant Building Commissioner Myron Grise presented the packet memo.

Landis/Stutsman moved to grant a mechanical license to Robert J. Dwyer for the City of Goshen. Passed 2-0.

Award Contract Related to Well #14 with National Water Services, LLC

City Attorney Bodie Stegelmann presented the packet memo.

Landis/Stutsman moved to approve Resolution 2021-11 concerning the rehabilitation of Well #14. Passed 2-0



Road Closure: Olive Street at Lincoln Avenue JN: 2019-0046

Director of Public Works and Utilities Dustin Sailor presented the packet memo.

Sailor stated that this is expected to be the final closure of this project.

Landis/Stutsman moved to approve the closure of Olive Street, just north of Lincoln Avenue, from April 5 through April 7, 2021. Passed 2-0

Hearing: Building Commissioner Order for 1602 South 12th Street

Mayor Stutsman opened the public hearing.

Building Department and Planning/Zoning Inspector Travis Eash presented the packet memo.

Discussion between Mayor Stutsman and Eash indicated that human and animal waste was documented in the attached pictures (*Exhibit A*). Eash stated that he has contacted the Humane Society and Adult Protective Services, adding that the owner currently lives in the residence. Eash stated that he is not aware if Adult Protective Services has been successful in making contact with the resident.

Eash commented that the electricity was still on at the residence. Explained that a leak occurred in 2014 and the water service has been turned off since then.

Eash confirmed that he did hand the resident a notice of the hearing, however the resident did not commit to attending the hearing.

Mayor Stutsman remarked that he did not want to see the owner on the streets, but the residence must keep up with city ordinances. Stutsman clarified with Stegelmann that action taken today would not remove the owner from the residence.

Mayor Stutsman stated he knows the resident personally and would like to extend an invitation to meet with them.

Landis/Stutsman moved to find the house at 1602 South 12th Street to be unsafe based on items 1-6 specified on the first page of the City of Goshen Building Commissioner Order dated March 1, 2021. Passed 2-0

Further discussion continued on proper timeframe to schedule another hearing. Stutsman stated the inspection is to be done a week before the hearing.

Landis/Stutsman moved to set a hearing on June 28, 2021. The matter will return to the Board with updates and progress reports. Passed 2-0

Mayor Stutsman closed the public hearing.



Privilege of the Floor:

No one spoke.

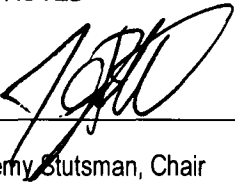
Stutsman/Landis moved to approve Civil City and Utility claims and adjourn. Passed 2-0

Adjournment at 2:24 p.m.

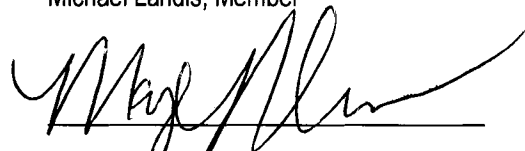
Exhibit A: Updated Inspection Findings, Interior Photos of 1602 South 12th Street (9 pages)

Exhibit B: Affidavit of Mailing for Building Commissioner Order (1 page)

APPROVED

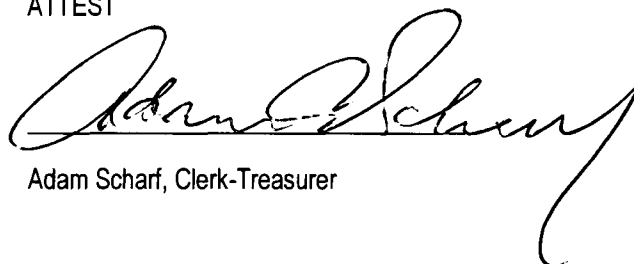


Jeremy Stutsman, Chair

Michael Landis, Member

Mary Nichols, Member

ATTEST



Adam Scharf, Clerk-Treasurer

3-29-21 BOARD WORKS MINUTES
EXHIBIT A



**Building Department
CITY OF GOSHEN**

204 East Jefferson Street, Suite 5 • Goshen, IN 46528-3405

Phone (574) 534-1811 • Fax (574) 533-8626 • TDD (574) 534-3185
building@goshencity.com • www.goshenindiana.org

MEMORANDUM

TO: BOARD OF PUBLIC WORKS

From: GOSHEN BUILDING DEPARTMENT (TRAVIS EASH)

Date: MARCH 29, 2021

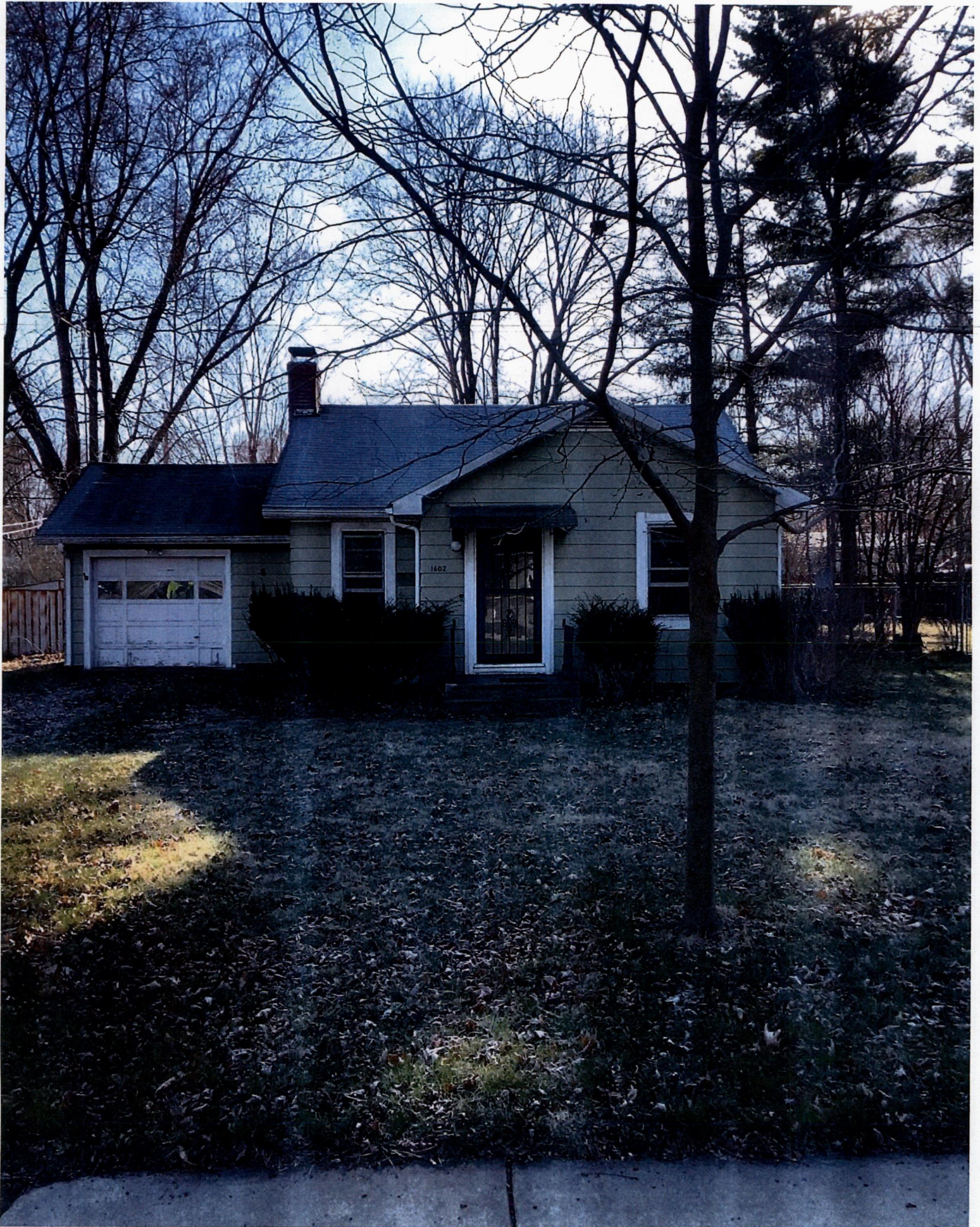
Subject: 1602 S 12TH STREET

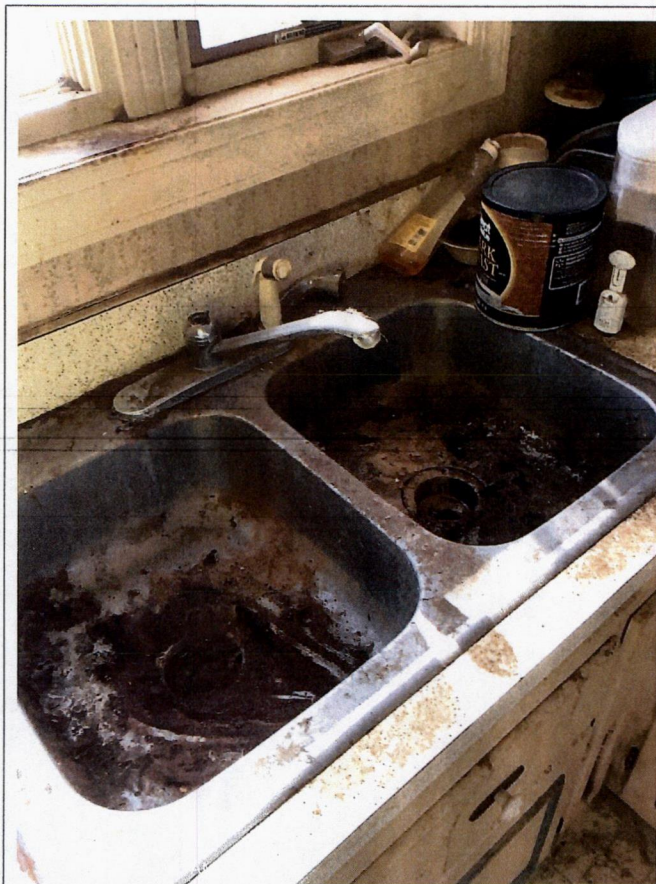
This morning I inspected the property at 1602 S 12th Street. No violations have been repaired. The owner has begun to clean over the past week, however overall very little compliance from my original inspection conducted on September 15, 2020.

According to the City Utilities office there has been no water usage since August of 2014 which is how the property came to the attention of the Building Department.

Thank You,

Goshen Building Department

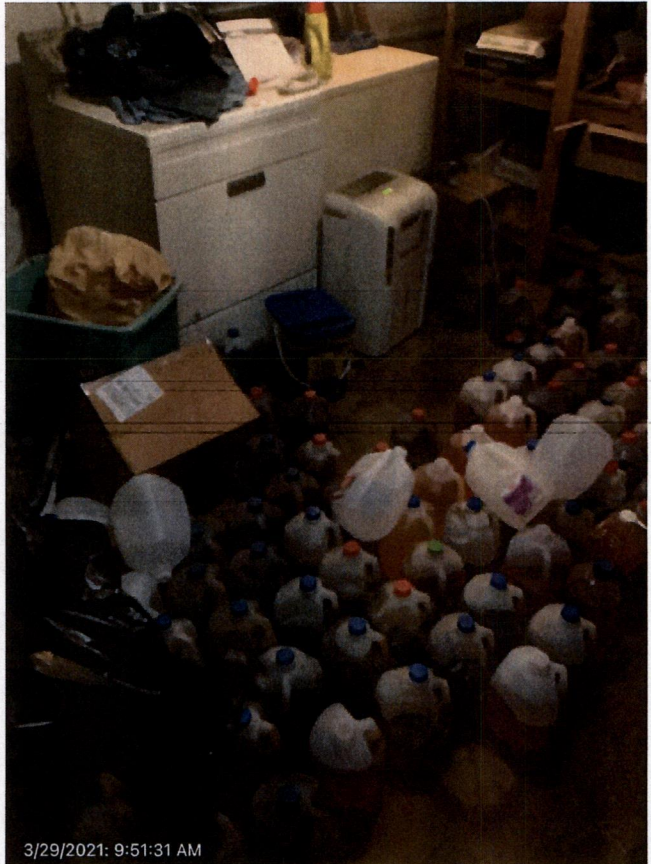




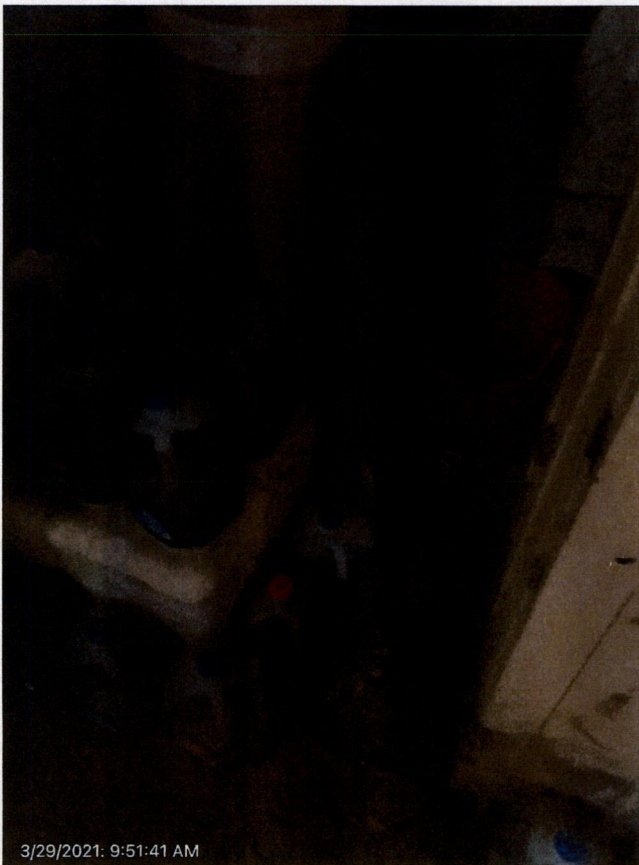




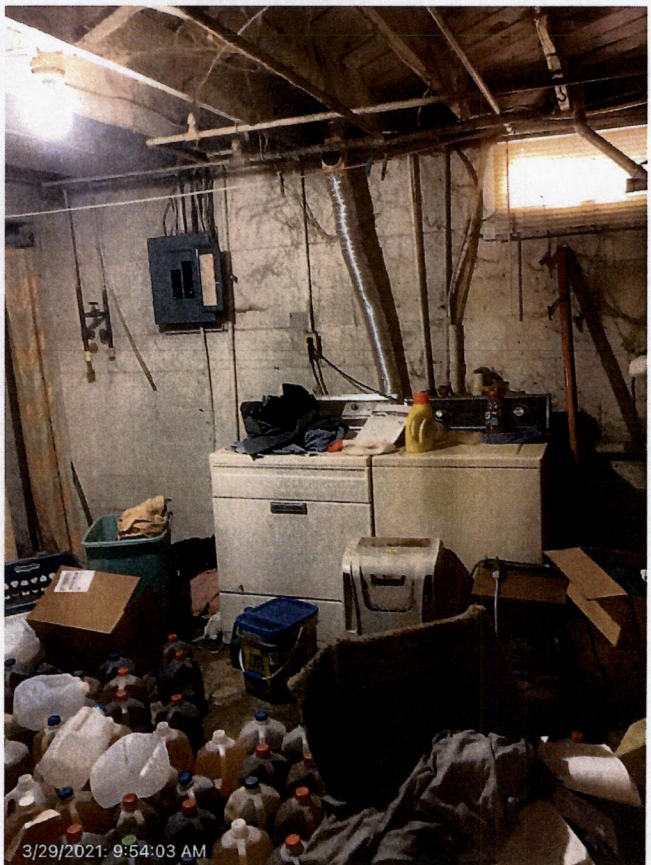
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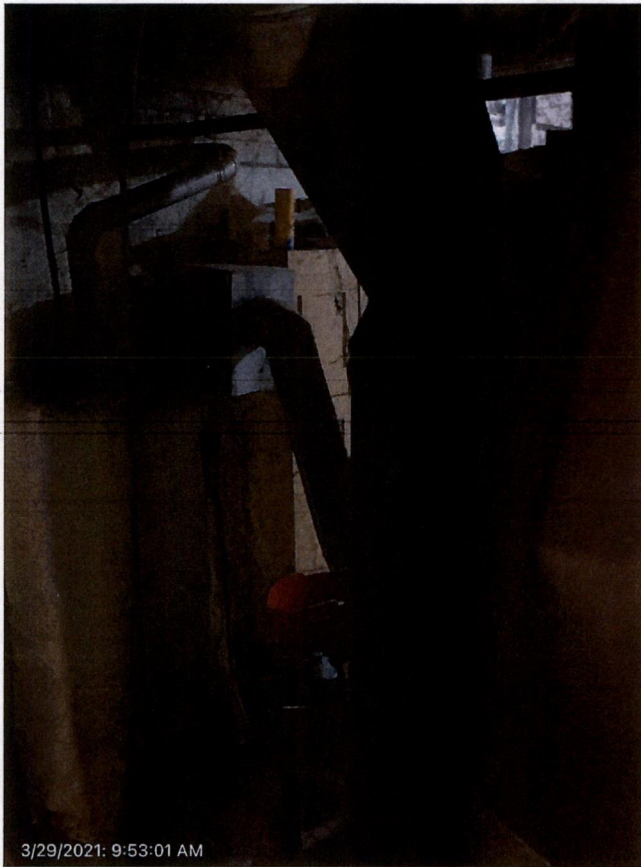
3/29/2021: 9:51:31 AM



3/29/2021: 9:51:41 AM



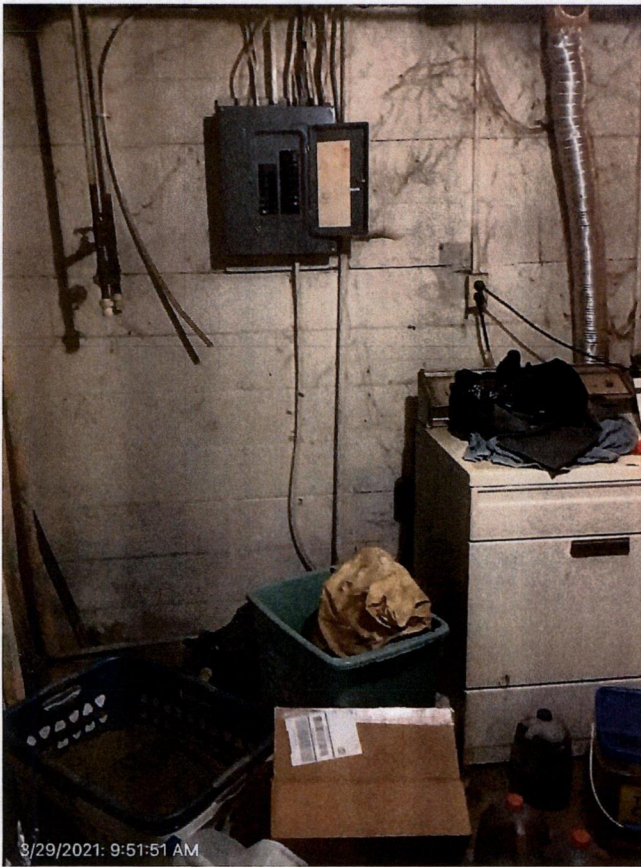
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3/29/2021: 9:53:01 AM



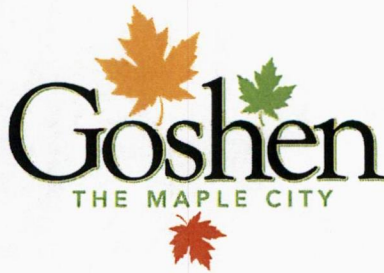
3/29/2021: 9:52:45 AM



3/29/2021: 9:51:51 AM



3/29/2021: 9:53:44 AM



**Department of Community Development
CITY OF GOSHEN**

204 East Jefferson Street, Suite 6 • Goshen, IN 46528-3405

Phone (574) 537-3824 • Fax (574) 533-8626

communitydevelop@goshencity.com • www.goshenindiana.org

November 17, 2020

St Germain Gregory E
1602 S 12Th St
Goshen, IN 46526

RE: Vacant Property at 1602 S 12Th St

Dear Property Owner:

The City of Goshen inspected the vacant property at 1602 S 12Th St on 11/16/2020. As a result of the inspection, the building has been determined to be not habitable. The inspection identified code violations that would require correction to bring the property into compliance with the Goshen Neighborhood Preservation Ordinance.

The City of Goshen requires that all violations identified in the table below be corrected by the compliance date and the property re-inspected.

6.3.1.2(f)

Water Heater

NPO

Every dwelling shall have supplied water-heating facilities which are properly installed, maintained in a safe and good working condition, properly connected with the hot water lines required under Subsection (e) and are capable of heating water to such temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, bathroom sink, bathtub or shower at a temperature of not less than one hundred (100) degrees Fahrenheit. Such supplied water heating facilities shall be capable of meeting the requirements of this Subsection when the dwelling unit heating facilities required under Code Section 6.3.1.3(f) are not in operation.

Water heater is not working properly and needs to be replaced.

6.3.1.7(a)

Plumbing

NPO

At least one flush toilet, bathroom sink, and bathtub or shower properly connected to the water and sewer systems of the City and in good working condition shall be supplied for every eight (8) persons, or fractions thereof, residing within a hotel or rooming house, including members of the operator's family whenever they share the use of such facilities; provided, that in a hotel or rooming house where rooms are let to males, flush urinals may be substituted for not more than one-half the required number of toilets. All other facilities shall be so located within the building as to be reasonably accessible from the common hall or passageway to all persons sharing such facilities. Every bathroom sink, and bathtub or shower shall be supplied with hot water at all times.

Entire plumbing system needs to be assessed and repaired. Per city ordinance, a dwelling cannot be occupied without running water. Per utilities office, there has been no usage since 2014.

6.3.1.6(b)(2)

Clean and Sanitary Plumbing Fixtures

NPO

Every occupant of a dwelling unit shall keep all plumbing fixtures therein in a clean and sanitary

condition, and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

All plumbing fixtures need to be cleaned and maintained in a sanitary manner. Plumbing needs to be in a good working condition with no signs of any leaks.

6.3.1.6(b)(1)**Clean and Sanitary Dwelling Unit**

NPO

Every occupant of a dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit, and premises thereof which he or she occupies and controls.

Interior of house is unsafe due to the accumulated trash, debris containers full of bodily waste and animal feces throughout the whole structure.

All trash, debris need to be properly disposed of and property needs to be maintained in a sanitary manner.

All bodily waste and animal feces need to be properly disposed of and the property needs to be cleaned and maintained in a sanitary manner.

All carpets have been stained and have embedded animal feces. All carpets need to be replaced. All other flooring needs to be cleaned and assessed to determine whether or not it needs to be replaced.

6.3.1.3(d)**Egress**

NPO

Every dwelling unit shall have at least one (1) safe, unobstructed means of egress leading to a safe and open space at ground level; and every bedroom shall have at least one (1) operable egress window or exterior door. The sill height of an egress window shall not be higher than forty-four inches (44") above the floor. The minimum opening area for an egress window shall be five and seven-tenths (5.7) square feet, except the minimum opening area for an egress window on the first-floor shall be five (5) square feet. The minimum clear opening height of all egress windows shall be twenty-two inches (22").

Multiple egresses blocked due to the accumulation of materials. Interior of property needs to be cleaned and all egresses need to be accessible in case of an emergency.

6.3.1.3(e)**Heat Supply**

NPO

Every dwelling shall have heating facilities which are properly installed, maintained in safe and good working condition, and are capable of safely and adequately heating all habitable rooms, bathrooms, and rooms in every dwelling unit located therein to a temperature of at least sixty-five (65) degrees Fahrenheit, and whenever the outside winter conditions are at least zero (0) degrees Fahrenheit. Unvented fuel burning space heaters shall not be used to provide primary heating.

Furnace and duct work need to be assessed and repaired so that the proper amount of heat can be supplied to the home.

6.3.1.4(c)**Lack of Service/Facility/Equipment**

NPO

No owner, operator, or occupant shall cause any service, facility, equipment or utility which is required under this Code Article to be removed from, shut off from, or discontinued from any occupied dwelling let or occupied by him or her, except for such temporary interruption as may be necessary when actual repairs or alterations are in process, or during temporary emergencies when discontinuance of service is approved by the Inspection Officer. Provided, however, that this Subsection is not intended to require an owner to continue to serve utilities or heat to a premises occupied by a tenant who has not paid his or her rent or utilities.

All utilities need to be on and working safely and properly.

6.1.1.7(a)**Building Permit Required**

GCCO

A permit shall be obtained before a person begins to construct, alter, remodel, rehabilitate, or add to any building or structure, or the placement of a mobile home. A permit shall be obtained before a person begins work on new or altered electrical, mechanical or plumbing systems. The required permits and fees are set forth in the current Building Department Fee Ordinance.

All proper permits need to be pulled prior to any work being done other than cleaning.

In addition, if the property is intended to be used as a rental, it will require registration with the Building Department.

Thank you for your cooperation in allowing the City of Goshen to conduct this inspection.

Respectfully,

Travis Eash
Code Compliance Officer

3-29-2 BOARD WORKS MINUTES
EXHIBIT B

AFFIDAVIT OF MAILING

STATE OF INDIANA)
) SS:
COUNTY OF ELKHART)

I, Carla Newcomer, having been duly sworn, state that on March 1, 2021, I mailed the attached Order of the City of Goshen Building Commissioner for the real estate located at 1602 S. 12th Street, Goshen, Indiana 46526 to the persons listed by certified mail, return receipt requested. The same Notice was mailed by regular first-class mail on March 1, 2021, and has not been returned to me.

Dated March 29, 2021.



Carla Newcomer

Subscribed and sworn by me, a notary public on March 29, 2021.

(SEAL)





Shannon Marks, Notary Public
County of residence: Elkhart County
Commission number:
My commission expires: