



Board of Public Works & Safety and Stormwater Board

Regular Meeting Agenda

4:00 p.m., October 3, 2024

Goshen Police & Court Building, 111 East Jefferson Street, Goshen, Indiana

To access online streaming of the meeting, go to <https://goshenindiana.org/calendar>

Call to Order by Mayor Gina Leichty

Approval of Minutes: September 12, 2024 & September 26, 2024

Approval of Agenda

- 1) Open Sealed Bids:** Purchase of a Tandem Axle dump truck (Street Department)
- 2) Open Sealed Bids:** Purchase of Hybrid Ford Explorer Pursuit Vehicles (Police)
- 3) Police Department request:** Approve promotion of Officer Nicholas Perry #227 to the rank of Patrol Officer, effective Oct. 16, 2024
- 4) Police Department request:** Approve Oct. 12 retirement of Officer Matthew E. Yoder
- 5) Artisan Investment Group request:** Approve two-vehicle gravel parking area for its property at 205 Middlebury Street (*Tabled from Sept. 26, 2024 meeting*)
- 6) Rob Steury request:** Approve blocking a sidewalk on Main Street to paint a building
- 7) Legal Department request:** Approve Resolution 2024-24, *Declaring Surplus and Authorizing the Disposal of Personal Property* (Parks Department)
- 8) Engineering Department request:** Approve advertising bids for the 2024 Sewer Cured-in-Place Pipe Lining (CIPP) Project
- 9) Engineering Department request:** Approve and authorize the Mayor to sign the Financial Commitment Letter to be submitted to INDOT for the Highway Safety Improvement Program application for traffic sign replacement

Privilege of the Floor

Approval of Civil City and Utility Claims

Adjournment



BOARD OF PUBLIC WORKS & SAFETY & STORMWATER BOARD
MINUTES OF THE SEPTEMBER 12, 2024 REGULAR MEETING
Convened in the Goshen Police & Court Building, 111 East Jefferson St., Goshen, Indiana

Present: Mayor Gina Leichty, Mike Landis, Orv Myers, Mary Nichols and Barb Swartley

Absent: None

CALL TO ORDER: Mayor Leichty called the meeting to order at 4:01 p.m.

REVIEW/APPROVE MINUTES: The minutes of the Sept. 5, 2024 Regular Meeting were not yet ready.

REVIEW/APPROVE AGENDA: Mayor Leichty presented the agenda with the proposed addition of two items: 1) *Mayoral appointment: Capt. Phil Schrock will be Goshen's next Assistant Fire Chief* and #8) *St. John The Evangelist Catholic Church request: Approve the partial closure of 3rd Street on Sept. 21, 2024 for the church's annual parish fall festival.* **Board member Orv Myers moved to approve the agenda as amended. Board member Mary Nichols seconded the motion. The motion passed 5-0.**

1) Mayoral appointment: Capt. Phil Schrock will be Goshen's next Assistant Fire Chief

Mayor Leichty announcement her appointment of Capt. Phil Schrock as Assistant Fire Chief, effective Nov. 7, 2024. Reading from a two-page statement (**EXHIBIT #1**), Mayor Leichty said:

"One of the greatest honors and responsibilities I have as Mayor is appointing leaders who will safeguard the well-being of our community. And today, I am proud to announce the **appointment of Goshen's next Assistant Fire Chief**. This moment marks an important transition for our Fire Department and our City — one filled with anticipation for the future and a deep respect for the foundation that has brought us here.

"So, first, I want to start by saying thank you to Chief Sink. For more than four decades, **Chief Danny Sink** has been the heart of the Goshen Fire Department. His leadership, defined by kindness, humor, and an unwavering service to the people of Goshen, has created a legacy that extends far beyond the firehouse walls. And after 44 years of dedicated service, we will soon have the opportunity to honor him and celebrate his remarkable career as he retires on Nov. 8, 2024.

Mayor Leichty continued, "With Chief Sink's retirement, I have **appointed Chief Anthony Powell to assume the role of Fire Chief**, effective Nov.8. Anthony's transition leaves an important vacancy within our leadership team, and today, I am pleased to announce **Captain Phil Schrock's appointment will be my appointment as the next Assistant Fire Chief of Goshen.**

"Selecting our fire department's leadership is not just about finding the most capable leader but about finding the right combination of leaders who complement one another's strengths. Anthony and Phil bring different but equally valuable skills to the table. Anthony's creative vision and experience with department strategy, alongside Phil's strength in relationship-building and operational leadership, ensures that our fire department will be prepared to meet every challenge with excellence.

"Phil is not only an outstanding leader but also a dedicated family man. He is the proud father of Ella and Ava and the loving husband of Mindy. One thing that struck me when speaking with Phil and Mindy about this role was how excited they are — especially because it will give Phil more opportunities to attend the girls' activities. Family is at the heart of everything Phil does, and it's a value he brings to his leadership in the department – and his Fire Department family, as well.

Mayor Leichty also said, "Captain Schrock has been a dedicated member of the Goshen Fire Department for nearly two decades, serving with distinction. His leadership style is defined by leading through example, inspiring those around him to perform at their best, and fostering strong, trusting relationships within the department.



“Along with his extensive experience as Captain, Phil brings a wide array of specialized skills, including expertise in fire strategy, emergency operations, and first responder leadership.”

Mayor Leichty paused at this point and invited incoming Chief Powell to comment on Capt. Schrock.

Powell said, “Capt. Schrock’s career has been marked by exceptional dedication and remarkable achievements and his new role is a testament to his outstanding contributions to the department and the community.

“Phil’s journey began 23 years ago when he began as a volunteer at the Middlebury Fire Department. In September 2005, he joined the Goshen Fire Department and since then his commitment and expertise have been nothing short of exemplary. Over the years, Captain Schrock has served in various capacities, including Firefighter Paramedic, Sergeant, Lieutenant, Pension Secretary and, most recently, as Captain.”

Chief Powell continued, “Each of these roles has allowed Phil to demonstrate his exceptional leadership and management skills. His ability to lead teams effectively, oversee complex operations and drive improvements has been instrumental in enhancing the efficiency and effectiveness of our department. His track record of managing teams and overseeing operations speaks volumes about his capability and dedication.”

Chief Powell concluded, “Captain Schrock’s unwavering commitment to our Department’s mission and his ability to drive positive change, make him an ideal candidate for the role of Assistant Chief of Administration. His deep understanding of our operations and his proven success in previous roles ensure he will bring a wealth of experience and forward-thinking approach to his new position.”

After **Chief Powell’s** remarks, **Mayor Leichty** said, “Captain Schrock brings a lot. He’s very highly recommended. And as we look ahead, I’m confident that Captain Schrock’s leadership as Assistant Fire Chief will play a vital role in upholding the high standards of service, safety, and care that our residents depend on and deserve.

“So, on November 7th, Captain Schrock will officially take the oath of office here at 4 pm. at the Board of Works meeting and I’m confident that under his leadership our Fire Department will continue to thrive and serve the people of Goshen with excellence. So, please join me in congratulating Phil on this well-deserved appointment. We look forward to the future with you and Anthony at the helm, and thank you, everyone, for your support as we begin this new chapter for our Fire Department.”

The audience responded with applause.

Given the chance to respond, **Capt. Schrock** said, “I appreciate that very much. Thank you so much for the trust in me. I am definitely looking forward to working with all of you and I will not let you down. Thank you very much.”

2) Ciris Jaime request: Approve additional concrete parking spaces at 1311 Cosmo Street

Ciris Jaime of 1311 Cosmos Street asked the Board for permission to extend her driveway to allow parking by four vehicles. She said she has a one-vehicle garage, and the family’s three SUVs and pickup truck do not fit inside the garage, even after cleaning it out.

Jaime indicated she was seeking approval to extend the parking space beyond what the City normally allows. She said she wants to extend it to the side of the garage so that two cars are able to park there. She said the new proposed driveway would extend out to the alley way and it would be made of concrete.

City Project Manager Andrew Lund said the Engineering Department would not recommend approving a driveway as long as requested and into the City’s right of way. The department would limit the driveway a maximum of 24 feet. Lund said a different driveway configuration on the property could accommodate two vehicles. He said he has not discussed the issue with the applicant.

Board members Swartley and Landis asked about driveway dimensions and orientation as well as alternate possibilities for the driveway. **Ciris Jaime** responded to questions about the driveway.

Mayor Leichty suggested that the applicant meet with City staff and try to find a solution acceptable to all parties and then bring the request back to the Board in a week for approval.

Mayor Leichty/Board member Nichols made a motion to table the request until the Board’s next meeting on Sept. 26. The motion passed 5-0.



3) Ziolkowski Construction, Inc. request: Extend the closure of Burdick Street until Oct. 11, 2024 to complete a construction project at Goshen Stamping

Scott Quinn, the Project Manager for Ziolkowski Construction, Inc. of South Bend, asked the Board to extend the company's closure of Burdick Street until Oct. 11, 2024.

Quinn said his company still has the roof to the building to put on which will have to be placed by a crane on Sep. 19, 2024 from Burdick Street. With the limited access to the building and working area, Quinn said Ziolkowski Construction wanted the additional closure of Burdick Street to finish its work on the Goshen Stamping project.

On May 9, 2024, the Board approved the closure of Burdick Street from May 20 through Aug. 31, 2024 for the construction project at Goshen Stamping on the condition that Ziolkowski Construction, Inc. got permission from adjacent property owners for the closure. **Quinn** said neighbors have been informed of this request and don't object.

Clerk-Treasurer Aguirre pointed out the written request was for Burdick Street to be closed until Sept. 30 and not Oct. 11. **Quinn** said the company wanted a longer closure to complete the work and not require another extension.

City Director of Public Works & Utilities Dustin Sailor said he wanted the Board to be aware that there have been many street closures in this area, but his department didn't object to this request.

Myers/Nichols made a motion to extend the closure to Oct. 11. The motion passed 5-0.

4) Legal Department request: Award the bid for the purchase of two service bodies for the single axle chassis to W.A. Jones Truck Bodies and Equipment and approve and authorize the Mayor to execute the purchase agreement with W.A. Jones Truck Bodies and Equipment

City Attorney Bodie Stegelmann told the Board that the City solicited sealed bids for the purchase of two service bodies for the single-axle chassis in accordance with Indiana Code §5-22-8-3. Sealed bids were opened by the Board of Public Works & Safety on Aug. 29, 2024. Below is a summary of the bids received:

Vendor	Per Unit Price	Total Bid
Viking Cives	\$60,708	\$121,416
Meyer Truck Equipment	\$84,200	\$168,400
WA Jones Truck Bodies & Equipment	\$86,740	\$173,480

Stegelmann said that while Viking Cives and Meyer Truck Equipment had lower bids than WA Jones, both Viking Cives and Meyer Truck Equipment have exceptions that will not fill the needs of the Water & Sewer Department and therefore have rejected these bids. So, the Water and Sewer Department recommended and requested awarding the bid to W.A. Jones Truck Bodies & Equipment for the purchase of two (2) service bodies for single-axle chassis as the most responsive and responsible bidder.

Myers/Nichols made a motion to reject Viking Cives and Meyer Truck Equipment's bids as unresponsive bids, award the bid for the purchase of two (2) service bodies for the single axle chassis to W.A. Jones Truck Bodies and Equipment as the most responsive and responsible bidder and approve and authorize Mayor Leichty to execute the purchase agreement with W.A. Jones Truck Bodies and Equipment for the purchase of two (2) service bodies for single axle chassis. The motion passed 5-0.

5) Water & Sewer Office request: Move \$5,963.28 in uncollected finalized accounts from active to collection, sewer liens and write offs for the period through June 25, 2024

Kelly Saenz, Manager of the Goshen City Utilities Office, told the Board that the original amount of unpaid final Water/Sewer accounts, for the period through June 25, 2024, was \$7,917.97. Collection letters were sent out and payments of \$1,954.69 were collected.

The uncollected amount was \$5,963.28. So, **Saenz** asked the Board to move the office's uncollected final accounts from active to Collection, Sewer Liens and Write offs for the period. Of the uncollected amounts, \$2,677.10 came from water accounts and \$3,286.18 from sewer accounts.



Nichols/Myers made a motion to move the Goshen Water and Sewer Office's \$5,963.28 in uncollected finaled accounts for this period from active to Collection, Sewer Liens and Write offs. Motion passed 5-0.

6) Engineering Department request: Approve the closure of Plymouth Avenue, at the intersection of 10th Street, between the dates of Friday, Sept. 20, and Thursday, Oct. 10

City Director of Public Works & Utilities Dustin Sailor told the Board that Niblock Excavating has requested permission to close Plymouth Avenue, at the intersection of 10th Street, starting Friday, Sept. 20 through the end of the day Thursday, Oct. 10.

Sailor said the closure will allow Niblock to perform their work to rebuild the manhole chimney and tie in the storm lines and perform the asphalt and concrete work. All appropriate traffic control devices will be utilized.

Niblock Excavating is requesting this road closure as part of the Tenth Street Reconstruction project. The road closure is being coordinated with Goshen Community Schools.

Myers/Nichols made a motion to approve the road closure of Plymouth Avenue, at the intersection of 10th Street, between the dates of Friday, Sept. 20, and Thursday, Oct. 10. The motion passed 5-0.

7) Engineering Department notification: Lane restriction on U.S. 33 at the intersection of Reliance Road (old C.R.17) starting Sept. 10 until the end of the day Oct. 11

City Director of Public Works & Utilities Dustin Sailor informed the Board and the public that there will be a lane restriction on U.S. 33 at the intersection of Reliance Road (old C.R.17).

Starting Sept.10, **Sailor** said Niblock will be removing concrete curb, asphalt and storm lines and installing new storm lines, concrete curb and asphalt in the new road shift location. This work is for the County Court Roadway project. He said the lane restriction will last until the end of the day Friday, Oct. 11.

Mayor Leichty noted that no one from the *Goshen News* was present, but she would try to pass on this information.

Note: This was an information item, so no Board action was taken.

8) St. John The Evangelist Catholic Church request: Approve the partial closure of 3rd Street on Sept. 21, 2024 for the church's annual parish fall festival

Jonathan Evangelista, Pastoral Associate for St. John the Evangelist Catholic Church, asked for the Board's permission to close portions of Third Street, from 9 a.m. until 10 p.m., on Sept. 21, 2024, for the church's annual parish festival. The festival will be held on the grounds of the church as well as the school parking lot and Evangelista said the closures were needed to allow parishioners to enjoy the festival.

Evangelista provided the Board with a written request to the Board that included a map (**EXHIBIT #2**)

Board member Swartley and **Mayor Leichty** asked the extent of the closure. **Evangelista** clarified the closure and said neighbors had been informed of the closures and have agreed to not park on the street.

Mayor Leichty wished **Evangelista** a wonderful festival.

Myers/Nichols moved to allow St. John The Evangelist Catholic Church to block part of Third Street, from 10 a.m. until 10 p.m. on Sept. 21, 2024, for the church's annual festival. Motion passed 5-0.

Privilege of the Floor (opportunity for public comment for matters not on the agenda):

Mayor Leichty opened Privilege of the Floor at 4:27 p.m.

Marvin Shepherd, Superintendent of the City Water Treatment and Sewer Department, told the Board that he wanted to inform the public about Goshen Utilities' fall hydrant flushing program. It will begin on Monday, Sept.30, and run through Friday, Oct. 4, 2024, depending on the weather. Shepherd provided copies of the schedule to Board members and the news media (**EXHIBIT #3**)



Mayor Leichty thanked Shepherd and his team for their hard work in testing and preparing the hydrants to be available for emergencies.

Mayor Leichty closed the public comment period at 4:30 p.m.

Mayor Leichty recessed the Board of Public Works meeting at 4:30 p.m. and opened a meeting of the City of Goshen Stormwater Board for consideration of two matters.

CITY OF GOSHEN STORMWATER BOARD

4:00 p.m., Sept. 12, 2024

Members: Mayor Leichty, Mike Landis and Mary Nichols

9) Accept the post-construction stormwater management plan for Brinkley RV Buildings #6 & #7 as it has been found to meet the requirements of City Ordinance 4329

City Director of Public Works & Utilities Dustin Sailor told the Board that the developer of the Brinkley RV Buildings #6 & #7 project, affecting one or more acres of land and located at 1470 and 1580 Brinkley Way West, has submitted a sufficient post-construction plan that is compliant with Ordinance 4329, "Uniform Requirements for Post-Construction Stormwater Management."

Sailor said this project is part of the East College Avenue Industrial Park Development and is considered Amendment #2 to the original PCSMP accepted on May 24, 2023.

The Stormwater Department asked the Stormwater Board to accept the plan.

Nichols/Landis made a motion to accept the post-construction stormwater management plan for Brinkley RV Buildings #6 & #7 as it has been found to meet the requirements of City Ordinance 4329. The motion passed 3-0.

10) Accept the post-construction stormwater management plan for Zollinger Road as it has been found to meet the requirements of City Ordinance 4329

City Director of Public Works & Utilities Dustin Sailor told the Board that the developer of the Zollinger Subdivision project, affecting one or more acres of land and located near the Zollinger Road and Middlebury Street intersection on the east side of Zollinger Road, has submitted a sufficient post-construction plan that is compliant with Ordinance 4329, "Uniform Requirements for Post-Construction Stormwater Management."

The Stormwater Department asked the Stormwater Board to accept the plan.

Nichols/Landis made a motion to accept the post-construction stormwater management plan for Zollinger Road as it has been found to meet the requirements of City Ordinance 4329. The motion passed 3-0.

At 4:33 p.m., Mayor Leichty recessed the meeting of the City of Goshen Stormwater Board and opened public hearings on two orders of the City Building Commissioner for two allegedly unsafe buildings.

CITY BOARD OF PUBLIC WORKS & SAFETY PUBLIC HEARING:

4:00 p.m., Sept. 12, 2024

Members present: Mayor Leichty, Mike Landis, Orv Myers, Mary Nichols and Barb Swartley



11) Review of the Order of the City of Goshen Building Commissioner for 322 W. Oakridge Avenue (Ronald E. Davidhizar, property owner)

At 4:33 p.m., Mayor Leichty convened a hearing to review the Order of the City of Goshen Building Commissioner for 322 W. Oakridge Avenue (Ronald E. Davidhizar, property owner)

BACKGROUND:

In a Sept. 9, 2024 memo to the Board, Assistant City Attorney Don Shuler wrote that an unsafe building review hearing was scheduled Sept. 12 for the property located at 322 W. Oakridge Avenue in Goshen. Attached to his memo was the Order of the City of Goshen Building Commissioner.

Shuler wrote that the Board needed to conduct the hearing by receiving evidence and arguments from the Building Department, the property owner, and any other individual who wished to speak to the property.

After receiving the evidence, Shuler wrote that the Board was tasked with determining whether to affirm, rescind, or modify the Order of the Building Commissioner, both as to the finding of code violations that made the building unsafe, and as to the required action to take.

If the Board found the evidence supported the Order of the Building Commissioner and wished to affirm, Shuler wrote it should adopt the findings in the Building Commissioner's Order as its findings on the condition of the building and the appropriateness of demolition, and, based on those findings, affirm the Order for demolition.

The Board's Sept. 12 hearing was prompted by a July 17, 2024 Order by City Building Commissioner Myron Grise. In the order, Grise notified Ronald E. Davidhizar that his property at 322 W. Oakridge Avenue was in violation of the City of Goshen Neighborhood Preservation Ordinance, codified in Goshen City Code § 6.3.1. Grise wrote that the property, which consisted of a vacant residential structure and accessory building/garage, both were in violation of Goshen City Code. He wrote that the vacant residential structure was in violation as follows:

- 1. The foundation is not reasonably weather tight and has not been kept in good repair**, a violation of Section 6.3.1.1 (b). There are areas of the foundation where cracks and holes have formed permitting water to enter the structure.
- 2. The exterior walls and siding have not been kept in good repair**, a violation of Section 6.3.1.1(b). Multiple areas where siding has been damaged or is missing.
- 3. The interior walls have not been kept in good repair**, a violation of Section 6.3.1.1 (b). Interior walls have been removed or have begun to collapse.
- 4. The ceilings have not been kept in good repair**, a violation of Section 6.3.1.1(b). Sections of the ceiling have begun to collapse.
- 5. The floors have not been kept in good repair**, a violation of Section 6.3.1.1(b). Floor coverings have been removed and areas have begun to collapse.
- 6. The structure's roof is not sound, tight, and free of defects** that admit rain, or otherwise kept in good repair, a violation of Section 6.3.1.1(c). There is evidence of a roof leak, with exposed wood members water logged and compromised.
- 7. Windows in the structure are not reasonably weather tight**, in sound working condition, and otherwise kept in good repair, a violation of Section 6.3.1.1(d). There are multiple broken windows throughout the structure.
- 8. All painted surfaces have not been properly coated**, weather tight, and maintained in good condition, a violation of Section 6.3.1.1(g). There is chipping and peeling paint throughout the interior of the structure.
- 9. The heating and mechanical system at the structure is not operable**, a violation of Section 6.3.1.1 (a). There is no working furnace or duct system.



10. The **plumbing system at the structure is not operable**, a violation of Section 6.3 .1. l(a). There are missing plumbing fixtures and existing plumbing is not installed properly.

11. The **electrical system at the structure is not operable**, a violation of Section 6.3.1. l(a). The electrical panel is exposed and there are exposed wires throughout the structure. The electrical system does not work properly.

12. The **structure is a fire hazard** as a result of obsolescence, dilapidated conditions, and deterioration, a violation of Section 6.3 .1. l(x). There is evidence of a prior fire as a ceiling and floor show significant charring on and smoked damaged structural members throughout. The interior of the structure is full of excess housing appliances and other storage. The structure is easily accessible to humans and animals, with animal feces being present throughout, along with evidence of vagrants entering the structure.

13. The **structure is vacant and not secured**, a violation of Section 6.3. 1.1 (fl). The property is easily accessible to people and animals. The structure is not maintained in a manner that would permit human habitation, occupancy, or use as it is full of trash, debris, and animal feces.

Grise wrote that the accessory building/garage was in violation as follows:

14. The **garage is in such condition that it is likely to partially or completely collapse** due to faulty construction, deterioration, and decay, a violation of Section 6.3.1. l(r). Faulty construction has compromised the structural integrity of the garage. The roof assembly is beginning to show signs of failure. The exterior of the outside walls of the garage were never properly weather protected and is showing signs of decay.

Grise wrote that **these conditions rendered the vacant residential structure unsafe** within the meaning of I.C. § 36-7-9-4(a)(1), (2), (5), and (6). He wrote that “the deterioration to the foundation, the collapsing walls, floors, and ceilings, the leaking through the roof causing water damage, weakened structural members, rotting, and other deterioration, in addition to the structure being unsecured, is all evidence that the structure is in an impaired structural condition that makes it **unsafe to person or property.**”

Grise also wrote that “the loose, hanging, exposed electrical wires throughout the structure, coupled with its unsecured nature and accumulated trash and materials inside, render it a **fire hazard**. The **structure is dangerous to person or property** because of violations of the Neighborhood Preservation Ordinance, particularly violations concerning cracks in the foundation, a leaky roof, collapsing ceilings, floors, and walls, and its unsecured nature. The **structure is vacant and not maintained in a manner that permits human habitation, occupancy, or use** under the Neighborhood Preservation Ordinance.”

In addition, **Grise** wrote that “the **garage's condition makes it an unsafe building** within the meaning of I.C. § 36-7-9-4(a)(l) and (5). The garage is in an impaired structural condition and dangerous to person or property due to its violations of the Neighborhood Preservation Ordinance. In particular, the structural integrity of the garage has been compromised due to faulty construction and continued deterioration as the result of water leaks through the roof. In addition, the roof assembly is showing signs of collapse. The exterior walls of the garage were never properly weather protected and are showing signs of decay and deterioration as a result of continued exposure to the elements. The likelihood of continued deterioration due to the faulty construction, disrepair, unuse, and water leaks, makes the property unsafe.”

Further, **Grise** wrote that the structures continued to require reinspection and additional abatement action after prior abatement actions. He wrote that in 2009, the City of Goshen and Davidhizar entered into an Agreed Judgment in Cause No. 20C01-0709-OV-00002, which concerned multiple properties, including 322 W. Oakridge Avenue. Under the Agreed Judgment, **Davidhizar** was to complete repairs to the vacant structure at the subject real estate by Dec. 31, 2009. Due to continued violations at the subject real estate, **Grise** wrote that Davidhizar and the City of Goshen entered into a Stipulation, dated May 13, 2015, where Davidhizar agreed to bring the structures at the subject real estate into compliance by Sept. 30, 2015.

When repairs still had not been made to the vacant residential structure, **Grise** wrote that the City engaged in administrative enforcement procedures, resulting in a hearing before the Board of Works on July 18, 2016.



As a result of that hearing, the Board of Works issued an order finding the property to be unsafe and referred the matter to the City Legal Department for further legal action to enforce the Neighborhood Preservation Ordinance. **Grise** wrote that the City of Goshen filed suit against Davidhizar to enforce the Order of the Board Works on Aug. 23, 2016, under Cause No. 20C01-1608-PL-229. An Order of Joint Stipulation and Agreed Judgment was entered whereby Davidhizar agreed to bring the structure into compliance with Goshen City Code by Nov. 1, 2019. Due to Davidhizar's failure to bring the property into compliance by said date, **Grise** wrote that a contempt action was filed with the Court, resulting in Davidhizar paying a judgment fine of \$2,500.00 pursuant to Court Order dated June 25, 2020. Subsequently, the City and Davidhizar entered into an Agreed Order on May 10, 2021, where Davidhizar executed a Cash Performance Bond in the sum of \$10,000. for completion of the repairs to the vacant residential structure at the real estate by Nov. 8, 2021. When Davidhizar failed to make repairs, the performance bond was released to the City by Order of the Court on November 15, 2022. Later, by agreement of the parties, the \$10,000 was entered as liquidated damages from Davidhizar to the City, via Court Order dated Nov. 13, 2023.

Grise wrote that the property was reinspected again on May 22, 2024, and the violations indicated above demonstrated the lack of any substantial repairs to this structure for 15 years, despite various enforcement and abatement actions taken by the City of Goshen.

Grise wrote that "based on these findings concerning the condition of both the residential structure and the garage on the real estate, as well the fact that the property continues to require reinspection and additional abatement action by Goshen despite prior abatement actions, demolition of both the garage and vacant residential structure is warranted."

Grise ordered Davidhizar to demolish the unsafe buildings (residential structure and garage) and remove all demolition remains, trash, and debris on the unsafe premises and return the site to natural grade, all of said work to be completed within 60 days.

The property owner was further notified that a hearing on the Order of the City Building Commissioner would be held by the Board of Works which could affirm, rescind, or modify the order.

DISCUSSION AND OUTCOME OF BOARD OF PUBLIC WORKS & SAFETY HEARING ON SEPT. 12, 2024:

At 4:33 p.m., Mayor Leichty opened the hearing to review the Order of the City of Goshen Building Commissioner for 322 W. Oakridge Avenue (Ronald E. Davidhizar, property owner).

Present for the hearing were: Board members Leichty, Landis, Myers, Nichols and Swartley; City Attorney Bodie Stegelmann; Assistant City Attorney Don Shuler, Building Commissioner Myron Grise and City Building Inspector Travis Eash. Ronald E. Davidhizar, the property owner, was not present. However, Marlin Schwartz, a representative of Artisan Builders, a potential purchaser of the property, was present.

Assistant City Attorney Don Shuler discussed the background of the property and explained the reason for today's hearing. He said a representative of the City Building Department would report on the building's condition. Also, a representative of the potential buyer of the property also was present.

Mayor Leichty swore in City Building Inspector Travis Eash to give truthful and complete testimony.

City Building Inspector Eash distributed to the Board a 1-page memorandum, dated Sept. 12, 2024. Attached to the memo was Eash's four-page inspection report dated June 7, 2024 and 12 pages of color photos of the home showing its condition (**EXHIBIT #4**).

Reading from the memo, **Eash said**, "My initial inspection of the property at 322 W Oakridge Avenue was conducted on May 22, 2024. The photos from that inspection along with my report are attached in the packet.



“While conducting my inspection, I witnessed multiple violations, in which several of those have made the structure unsafe. Violations that make the property unsafe are evidence of a roof leak and water damage. The garage roof assembly is showing signs of failure due to faulty construction. Also, areas around the foundation where cracks and holes have formed allowing water to enter down into the basement.”

Eash continued, “There is no operable plumbing system, heating system or electrical system in the structure. The structure has multiple broken windows and at time of inspection was easily accessible. There is evidence of animals throughout structure as well.

“Since my initial inspection in May, our office has been contacted by Artisan Builders who informed us and provided proof that they are in agreement to purchase the property but as of today have not closed, but should in the near future.”

Eash concluded, “The Building Department’s recommendation is that the Board affirm the Demolition Order because the current condition warrants demolition, but also allow time for the new purchaser to close and give them 90 days after closing to make substantial repairs or demolish all structures (house, garage & pool) on the property.

“A representative from Artisan Builders is here and may have more to say about the purchase and possible plan moving forward.”

The Mayor swore in Marlin Schwartz from Artisan Builders to provide truthful and complete testimony.

Schwartz said Artisan favored the Board affirming the facts and findings for the property but then tabling the matter until after the company has a chance to purchase the property and assess its condition.

Asked about the company’s intentions for the property, **Schwartz** said that after obtaining the property, it will either be completely renovated immediately by the company or it will be resold to one someone who is interested in buying it as-is and then renovating it. He added, “If it’s salvageable, great. If not, then we can work towards the solution of scraping it.”

Schwartz added that Artisan’s purchase of the property is scheduled to close on Oct. 9. He asked for 90 days afterward to assess the property’s condition and make a decision about how to proceed.

Assistant City Attorney Shuler said Artisan has been negotiating with **Ron Davidhizar** to purchase a number of his properties, including 322 W. Oakridge Avenue. He said that just before today’s meeting, Davidhizar’s attorney said he is confident Davidhizar’s sale to Artisan will go through.

Shuler recommended that the Board allow time for the sale of 322 W. Oakridge to close. More specifically, Shuler recommended that the Board affirm the findings of the City Building Commissioner that the property is unsafe and order the demolition of the property, but then give the new buyer 90 days to return with plans for the property.

Board members and Shuler discussed the proposed order and its timing.

Schwartz said Artisan is in negotiations to buy more than 30 of Davidhizar’s properties. He added that the company would need at least 30 days past the Oct. 9 purchase of 322 W. Oakridge to decide how to proceed with the property – either its renovation or its sale.

Mayor Leichty said she favored affirming the Building Commissioner’s unsafe building order and delaying final action to allow the new owner time to return with a plan.

During further discussion, **Shuler** outlined recommended action by the Board and stated that it would be good to continue the matter until Dec. 12, 2024.

Myers/Nichols then made a motion to adopt the proposed unsafe building order of the Building Commissioner for the property at 322 W. Oakridge Avenue, as outlined by Assistant City Attorney Don Shuler, and continue the matter to Dec. 12, 2024. The motion passed 5-0.



12) Review of the Order of the City of Goshen Building Commissioner for 213 Crescent Street (Midwest Leasing LLC, property owner)

At 4:50 p.m., Mayor Leichty convened a hearing to review the Order of the City of Goshen Building Commissioner for 213 Crescent Street (Midwest Leasing LLC, property owner).

BACKGROUND:

In a Sept. 9, 2024 memo to the Board, Assistant City Attorney Don Shuler wrote that an unsafe building review hearing was scheduled Sept. 12 for the property located at 213 Crescent Street, Goshen, Indiana.

Attached to his memo was the Order of the City of Goshen Building Commissioner. Shuler noted that the matter was rescheduled from the original hearing date due to lack of service to the owner about the hearing.

Shuler wrote that the Board needed to conduct the hearing by receiving evidence and arguments from the Building Department, the property owner, and any other individual who wished to speak to the property.

After receiving the evidence, Shuler wrote that the Board was tasked with determining whether to affirm, rescind, or modify the Order of the Building Commissioner, both as to the finding of code violations that made the building unsafe, and as to the required action to take.

If the Board found the evidence supported the Order of the Building Commissioner and wished to affirm, Shuler wrote it should adopt the findings in the Building Commissioner's Order as its findings on the condition of the building and the appropriateness of demolition, and, based on those findings, affirm the Order for demolition.

The Sept. 12 hearing was prompted by an Aug. 2, 2024 Order by City of Goshen Building Commissioner Myron Grise. In the order, Grise notified Midwest Leasing, LLC that its property at 213 Crescent Street was in violation of the City of Goshen Neighborhood Preservation Ordinance, codified in Goshen City Code § 6.3.1. Grise wrote that the violation was "the existence of a residential structure that has recently sustained a fire, causing significant damage. There are burnt, charred members throughout the structure that are beyond repair. All fire-resistant qualities are gone. The damage sustained by the fire renders the building in danger of collapse.

The condition of the residential structure at the real estate is in violation of Goshen City Code §§ 6.3.1.(q), (r), (v), (w), and (x). The overall state of the structure as a result of its recent fire has resulted in the vacant structure becoming unfit for human habitation, occupancy, or use under the City of Goshen's Neighborhood Preservation Ordinance."

Grise wrote that "the residential structure located at the real estate is unsafe within the meaning of Indiana Code § 36-7-9-4(a)(2), (4), (5), and (6). The loss of all fire-resistant qualities renders the structure a fire hazard. The deteriorated and otherwise fire damaged condition of the building, including the lack of roof and loss of structural members, renders it a public nuisance and dangerous to persons due to violations of the Neighborhood Preservation Ordinance; and the structure is vacant or blighted and not maintained in a manner that would permit human habitation, occupancy, or use under the Neighborhood Preservation Ordinance.

Grise wrote that based on these findings concerning the condition of the residential structure and the significant damage caused by a recent fire, demolition of the vacant residential structure was warranted.

Grise ordered Midwest Leasing LLC to demolish the unsafe building and remove all demolition remains, trash, and debris on the unsafe premises and return the site to natural grade, all of said work to be completed within 45 days.

The property owner was further notified that a hearing on the Order of the City Building Commissioner would be held by the Board of Public Works and Safety which could affirm, rescind, or modify the order.



DISCUSSION AND OUTCOME OF BOARD OF PUBLIC WORKS & SAFETY HEARING ON SEPT. 12, 2024:

At 4:51 p.m., Mayor Leichty opened the hearing to review the Order of the City of Goshen Building Commissioner for 213 Crescent Street (Midwest Leasing LLC, property owner).

Present for the hearing were: Board members Leichty, Landis, Myers, Nichols and Swartley; City Attorney Bodie Stegelmann; Assistant City Attorney Don Shuler, Building Commissioner Myron Grise and City Building Inspector Travis Eash. The property owner was not present despite receiving notice of the hearing.

Assistant City Attorney Don Shuler discussed the background of the property and explained the reason for today's hearing. He said a representative of the City Building Department would report on the building's condition, which sustained a fire on June 13, 2024. Shuler noted that the Board recently approved the demolition of adjoining property – at 215 Crescent Street – that was damaged in the same fire that damaged 213 Crescent Street. He also said he could make some representations on behalf of the property owner, Midwest Leasing LLC.

City Building Inspector Eash distributed to the Board a 1-page memorandum, dated Sept. 9, 2024, about the condition of **213 Crescent Street**. Attached to the memo were three pages of color photographs of the property. The information was provided during consideration of agenda item #12, Review of the Order of the City of Goshen Building Commissioner for 213 Crescent Street (Midwest Leasing LLC, property owner) (**EXHIBIT #5.**)

Reading from his memo, **Eash** said, "Due to the Building Commissioner's Order and this hearing, I conducted a brief visual inspection on August 28, the same day I inspected the neighboring house at 215 Crescent which came before this Board a couple weeks ago. I have attached photos from that inspection in this packet, which clearly show the extent of the damage from the fire in June.

"The roof has been significantly compromised, providing little to no protection from weather elements. Throughout the house there are burnt and charred structural members that are beyond repair. Due to the extensive damage to the structure, it is likely to collapse and it is the Building Department's recommendation that the Board affirm the Building Commissioner's Order for demolition," **Eash** said.

No representative of Midwest Leasing LLC was present

Assistant City Attorney Shuler said that on Aug. 28, the City was contacted by an attorney representing Midwest Leasing, LLC., who stated that the company didn't dispute or object to the substance of the Building Commissioner's unsafe property finding and demolition order because of the fire. Shuler said the company was actually seeking bids to demolish the structure and was just seeking 45 days, to the end of October, to carry it out.

Shuler said this week an attorney from Midwest Leasing said he didn't expect a representative would attend today's hearing and was still soliciting bids for the demolition. Shuler said the attorney indicated the company was having trouble securing bids because of the uncertainty of the condition of the neighboring property at 215 Crescent Street.

Shuler said the owner of 215 Crescent, Cecil Bontreger, contacted the owner of 213 Crescent and they are in discussions about sharing the costs of the demolition of both properties.

"So, I think everybody's in agreement that this needs to come down, and they just need to be modified from the 45 days, an initial Building Commissioner order, which would actually be in two days from now," **Shuler** said. "So, again, on behalf of the Building Department, we do have a proposed order for the Board to consider that would simply affirm the Building Commissioner's findings as to the condition of the property, but then otherwise modify it, that the order would be the demolition is to be carried out by the end of October.

Myers/Nichols then made a motion to accept the Building Commissioner's order for demolition of the property at 213 Crescent Street by end of October 2024. The motion passed 5-0.



At 4:57 p.m., Mayor Leichty adjourned the hearings on the Building Commissioner's orders for unsafe properties and reopened the meeting of the Board of Public Works and Safety.

Approval of Civil City and Utility Claims

As all matters before the Board of Public Works & Safety were concluded, Mayor Leichty/Board member Nichols moved to approve Civil City and Utility claims and adjourn the meeting. Motion passed 5-0.

Adjournment

Mayor Leichty adjourned the Board of Public Works and Safety meeting at 4:57 p.m.

EXHIBIT #1: *A two-page statement by Mayor Leichty announcing her appointment of Capt. Phil Schrock as Assistant Fire Chief, effective Nov. 7, 2024. The Mayor read the statement during added agenda item #1, Mayoral appointment: Capt. Phil Schrock will be Goshen's next Assistant Fire Chief.*

EXHIBIT #2: *A one-page letter and map from Jonathan Evangelists, Pastoral Associate and Director of Religious Education for St. John The Evangelist Catholic Church, requesting approval for the partial closure of 3rd Street on Sept. 21, 2024 for the church's annual parish fall festival. Evangelista provided the letter and map to Board members during consideration of added agenda item #8, St. John The Evangelist Catholic Church request: Approve the partial closure of 3rd Street on Sept. 21, 2024 for the church's annual parish fall festival*

EXHIBIT #3: *Marvin Shepherd, Superintendent of the City Water Treatment and Sewer Department, presented the Board with a memorandum and a map to inform the public about Goshen Utilities' fall hydrant flushing program. The work will begin on Monday, Sept.30, and run through Friday, Oct. 4, 2024, depending on the weather. Shepherd read the entire memo to the Board.*

EXHIBIT #4: *A one-page memorandum to the Board, dated Sept. 9, 2024, from City Building Inspector Travis Eash about the condition of 322 West Oakridge Avenue. Attached to the memo was Eash's four-page inspection report dated June 7, 2024 and 12 pages of color photographs of the property. The information was submitted during consideration of agenda item #11, Review of the Order of the City of Goshen Building Commissioner for 322 W. Oakridge Avenue (Ronald E. Davidhizar, property owner).*

EXHIBIT #5: *A one-page memorandum to the Board, dated Sept. 9, 2024, from City Building Inspector Travis Eash about the condition of 213 Crescent Street. The memo included three pages of color photos of the home and was submitted during consideration of agenda item #12, Review of the Order of the City of Goshen Building Commissioner for 213 Crescent Street (Midwest Leasing, LLC, property owner).*



APPROVED:

Mayor Gina Leichty

Mike Landis, Member

Orv Myers, Member

Mary Nichols, Member

Barb Swartley, Member

ATTEST:

Richard R. Aguirre, City of Goshen Clerk-Treasurer



**BOARD OF PUBLIC WORKS & SAFETY & STORMWATER BOARD
MINUTES OF THE SEPTEMBER 26, 2024 REGULAR MEETING**

Convened in the Goshen Police & Court Building, 111 East Jefferson St., Goshen, Indiana

Present: Mayor Gina Leichty, Mike Landis, Orv Myers, Mary Nichols and Barb Swartley

Absent: None

CALL TO ORDER: Mayor Leichty called the meeting to order at 4:00 p.m.

REVIEW/APPROVE MINUTES: Mayor Leichty presented the minutes of the Sept. 5, 2024 Regular Meeting as prepared by Clerk-Treasurer Richard R. Aguirre. **Board member Mike Landis moved to approve the minutes as presented. The motion was seconded by Board member Barb Swartley. The motion passed 5-0.**

REVIEW/APPROVE AGENDA: Mayor Leichty presented the agenda as prepared by the Clerk-Treasurer. **Board member Landis moved to approve the agenda as presented. Board member Swartley seconded the motion. The motion passed 5-0.**

1) Open Sealed Bids: Construction Manager as Constructor for Shanklin Pool

Assistant City Attorney Don Shuler told the Board that the City solicited sealed proposals for the services of a Construction Manager as Constructor for pre-construction and construction services required for the renovation of and improvements to Shanklin Pool. He said the proposals were due Sept. 26 and could be delivered to the Clerk-Treasurer's Office until 3:45 p.m. or until 4 p.m. to the City Court Room/Council Chambers.

Mayor Leichty asked if there are any additional proposals to be submitted to the Board. There were not. The Mayor then announced that the following bids were received:

- **Berglund Construction Co., Chesterton, IN**
- **CORE Construction, Schererville, IN**
- **DJ Construction, Goshen, IN**
- **Meyer Najem Construction, Fishers, IN**
- **Michael Kinder & Sons, Fort Wayne, IN**
- **R.L. Turner Corp., Zionsville, IN**
- **Skillman Corp., Merrillville, IN**

Landis/Swartley made a motion to forward all sealed proposals to the City Legal Department for review. The motion passed 5-0.

2) Mayor's Office: Swearing in Michael Wanbaugh as Director of Administrative Affairs

Mayor Leichty told the Board that Michael Wanbaugh has joined her office as the Director of Administrative Affairs.

Mayor Leichty then swore Michael Wanbaugh into office as Director of Administrative Affairs.

3) Police Department request: Approve the hiring of Nicholas R. Hess as a probationary patrol officer, with the terms listed in the Conditional Offer of Employment Agreement, retroactive to Sept. 16, 2024

City Police Chief José Miller asked the Board to approve the hiring of **Nicholas R. Hess** for the position of probationary patrol officer.

Chief Miller said Officer Hess previously was a police officer in South Bend and successfully completed the Indiana Law Enforcement Academy. The Chief asked the Board to approve the hiring with the terms listed in the Conditional Offer of Employment Agreement since Hess is a certified officer and will be receiving the sign-on bonus.



Chief Miller added, “We are thrilled that Nicholas wants to join the Goshen Police Department. I would like the hiring of Nicholas to be retroactive to Sept. 16th, 2024.

Landis/Swartley made a motion to approve the hiring of Nicholas R. Hess for the position of probationary patrol officer, retroactive to Sept. 16, 2024, with the terms listed in the Conditional Offer of Employment Agreement. The motion passed 5-0.

After approval of the hiring and agreement, Mayor Leichty swore Officer Hess into office as a patrol officer.

4) Fire Department: request: Approve the promotion of Noah P. Youngman to the rank of Private First Class, retroactive to Sept. 25, 2024

City Fire Chief Dan Sink told the Board that **Noah P. Youngman** completed his probationary year at the Goshen Fire Department on Sept. 25, 2024. Based on his performance and recommendations from his shift Battalion Chief and Training Officer; Chief Sink requested that Firefighter Youngman be promoted to the rank of Private First Class for the Goshen Fire Department, retroactive to Sept. 25, 2024.

Landis/Swartley made a motion to approve the promotion of Noah P. Youngman to the rank of Private First Class for the Goshen Fire Department, retroactive to Sept. 25, 2024. The motion passed 5-0.

After approval, Mayor Leichty swore Noah P. Youngman into office as a Private First Class Firefighter for the Goshen Fire Department.

5) Fire Department request: Approve the promotion of Dakoda “Kody” L. Miller to the rank of Private First Class, retroactive to Sept. 25, 2024

City Fire Chief Dan Sink told the Board that **Dakoda (Kody) L. Miller** completed his probationary year at the Goshen Fire Department on Sept. 25, 2024. Based on his performance and recommendations from his shift Battalion Chief and Training Officer; Chief Sink requested that Firefighter Miller be promoted to the rank of Private First Class for the Goshen Fire Department, retroactive to Sept. 25, 2024.

Landis/Swartley made a motion to approve the promotion of Dakoda (Kody) L. Miller to the rank of Private First Class for the Goshen Fire Department, retroactive to Sept. 25, 2024. The motion passed 5-0.

After approval, Mayor Leichty swore Dakoda (Kody) L. Miller into office as a Private First Class Firefighter for the Goshen Fire Department.

6) Fire Department request: Approve the promotion of John Z. Bacigal to the rank of Private First Class, retroactive to Sept. 25, 2024

City Fire Chief Dan Sink told the Board that **John Z. Bacigal** completed his probationary year at the Goshen Fire Department on Sept. 25, 2024. Based on his performance and recommendations from his shift Battalion Chief and Training Officer; Chief Sink requested that Firefighter Bacigal be promoted to the rank of Private First Class for the Goshen Fire Department, retroactive to Sept. 25, 2024.

Landis/Swartley made a motion to promote John Z. Bacigal to the rank of Private First Class for the Goshen Fire Department, retroactive to Sept. 25, 2024. The motion passed 5-0.

After approval, Mayor Leichty swore John Z. Bacigal into office as a Private First Class Firefighter for the Goshen Fire Department.

7) Fire Department request: Approve the promotion of Colin D. Loe to the rank of Private First Class, retroactive to Sept. 25, 2024

City Fire Chief Dan Sink told the Board that **Colin D. Loe** completed his probationary year at the Goshen Fire Department on Sept. 25, 2024.



Based on his performance and recommendations from his shift Battalion Chief and Training Officer; Chief Sink requested that Firefighter Loe be promoted to the rank of Private First Class for the Goshen Fire Department, retroactive to Sept. 25, 2024.

Landis/Swartley made a motion to promote Colin D. Loe to the rank of Private First Class for the Goshen Fire Department, retroactive to Sept. 25, 2024. The motion passed 5-0.

After approval, Mayor Leichty swore Colin D. Loe into office as a Private First Class Firefighter for the Goshen Fire Department.

8) Dennis & Susan Mark Landis request: Allow an existing gravel driveway to remain and be extended to serve homes on both Lots 1 and 2 of the proposed Double Oak Subdivision

Dennis M. Landis asked the Board to allow the existing gravel driveway to remain and to be extended to serve homes on both Lots 1 and 2 of the proposed Double Oak Subdivision.

Landis said that after subdivision final approval, Lot 2 will be transferred to a third party for construction of a new single-family home. He said 10 years ago the City gave permission to install the gravel driveway that he now wants to extend to serve homes on two lots.

City Project Manager Andrew Lund said the Engineering Department reviewed the request and had no issue regarding the longer gravel driveway.

Landis/Swartley made a motion to allow an existing gravel driveway to remain and be extended to serve homes on both Lots 1 and 2 of the proposed Double Oak Subdivision. The motion passed 5-0.

9) Artisan Investment Group request: Approve a two-vehicle gravel parking area for its property at 205 Middlebury Street

Martin Schwartz of the Artisan Investment Group asked the Board to grant permission to install a gravel parking area for two vehicles at its new property at 205 Middlebury Street in Goshen.

Schwartz said as the company sought to enhance the functionality of its property while remaining in harmony with the neighborhood, staff observed that at least four neighboring properties currently feature gravel parking.

In his written request, **Schwartz** wrote that company representatives believe that establishing gravel parking at this location will provide the necessary space for vehicles and maintain the surrounding area's character. He also wrote that the company is committed to ensuring that the installation is done with care, adhering to any regulations and guidelines set by the City to preserve the integrity of the community.

City Project Manager Andrew Lund said the City Engineering Department recommends against granting this request. He said the driveway approach is on Middlebury Street and surrounding properties have either concrete or asphalt surfaces, with the only gravel driveway two blocks away.

Lund said the property already has a concrete driveway to its garage and it would be inconsistent to add a gravel driveway and added that onsite parking already is available. He added that the City Board of Zoning Appeals approved the location of the parking area with the condition that the second driveway approach along Middlebury Street, southwest of the existing porch, be removed with the remodeling of the home.

In response to a question from the **Mayor, Lund** confirmed that the Board of Zoning Appeals approved a zoning variance to return the property to a duplex. "I'm sorry to hear that," Mayor Leichty responded. Lund also confirmed that the primary vehicle approach for the property would be adjacent to the garage, on Fifth Street.

Schwartz clarified several issues in response to questions from the **Mayor** and **Board member Landis**. He said the garage would be used for parking by a tenant. He said the requested parking also would be used for tenant vehicles. He said the apartment above the garage is no longer able to be used.

Mayor Leichty said she wanted to have a conversation about this request with City Planning and Zoning staff members, who were not present today. She said she wanted to ensure a common understanding of the issues.

Schwartz asked if it would simplify matters if Artisan installed a hard parking surface instead of gravel.



Mayor Leichty said she preferred that the matter be delayed..

Mayor Leichty/Board member Swartley then made a motion to table the request for the installation of a gravel parking area at 205 Middlebury Street in Goshen until Oct. 3. The motion passed 5-0.

10) Trees For Goshen (TFG) request: Approve the use of about 60 feet of alleyway immediately west of the Electric Brew, 118 E. Washington St., on Oct. 4, 2024 to stage and give away trees during First Friday

On behalf of Trees for Goshen, **Aaron Sawatsky Kingsley, Director of the City Department of Environmental Resilience**, asked the Board for the use of approximately 60 feet of alleyway immediately west of the Electric Brew, 118 East Washington Street, on Oct. 4, 2024, from 3 p.m. to 8 p.m.

Sawatsky Kingsley this area was for participation with the First Friday event during that time, and in cooperation with the Electric Brew. He said Trees For Goshen will use the alley space as staging for giving away 200 trees to the public that evening. He said the Electric Brew has been contacted about this request.

In response to a question from the **Mayor, Sawatsky Kingsley** confirmed that the request was coordinated with First Friday organizers. He said the Electric Brew also approved the request.

Landis/Swartley made a motion to allow the use of approximately 60 feet of alleyway immediately west of the Electric Brew, 118 East Washington Street, on Oct. 4, 2024, from 3 p.m. to 8 p.m. The motion passed 5-0.

11) Downtown Goshen Inc. request: Approve the closure of various streets for the Nov. 1, 2024 Light Parade as an addendum to the original request

Amanda Rose, Director of First Fridays for Eyedart Creative Studios, asked the Board for permission to close various streets for the route of the parade during the Nov. 1 Light Parade as an addendum to the original request. She said organizers still need the use of the half block of East Washington Street.

Rose indicated the parade will kick off from the corner of 5th and Clinton streets and will head west to Main Street, head south on Main to Jefferson Street, head east on Jefferson, and end at the corner of 5th and Jefferson streets. She also requested the closure of the City parking lot behind the First Presbyterian Church, 215 E Lincoln Street, off of 5th Street as well as the City lot directly across the street for the use of staging floats.

Rose indicated that the parade route should be closed from 5:45 p.m. to 7:45 p.m. and for parking lots to be closed 1 p.m. to 10 p.m. She also said street barricades would be needed from the City Street Department.

Mayor Leichty said the parade will be in reserve order from last year and the parade will not be on 5th Street.

Landis/Swartley made a motion to approve the closure of various streets and parking lots for the Nov. 1, 2024 Light Parade in downtown Goshen. The motion passed 5-0.

12) Goshen Christian Church: Approve sewer relief in the amount of \$1,476.54

Martin Yoder, representing Goshen Christian Church, requested sewer relief for the church’s July and August bills due to an underground water line break that increased its water usage. He said no water went into the sewer.

Yoder said the church was informed of the extra water usage after City staff read the water meter. He said the church immediately contracted with a backhoe operator and the water line was repaired.

City Water & Sewer Office Manager Kelly Saenz confirmed Yoder’s information.

The leak occurred on July 13 to Aug. 16, 2024. The repair to the water line was made on Aug. 16, according to receipts from P&L Backhoe Service Inc.

The total amount of credit to the customer for this leak was as follows:

July 1-Aug. 1	Total sewer billed	\$861.75
Aug. 1-Sept. 1	Total sewer billed	\$1,182.75
Sewer average		\$33.98



Total amount of credit

July 1-Aug. 1	Total credit	\$827.77	
Aug. 1-Sept. 1	Total credit	\$1,148.77	
		\$500.00	Credit given per City policy
Total credit to be granted by the Board		\$1,476.54	

Saenz said the church was eligible for a total credit of \$1,476.54.

Landis/Swartley made a motion to grant Goshen Christian Church's request for sewer relief in the amount of \$1,476.54. The motion passed 5-0.

13) Legal Department request: Approve and authorize Mayor Leichthy to execute an Agreement Amendment with Cathy's Cleaning Service to extend cleaning services to include the Goshen Police Department Training Center at an estimated yearly cost of \$5,460

City Attorney Bodie Stegelmann told the Board that the City solicited quotes for cleaning services of the Annex Building, City Hall and the Utilities Billing Office in accordance with Indiana Code § 5-22-8-3. Cathy's Cleaning was awarded the bid from the solicitation.

Stegelmann said Cathy's Cleaning and the City have now agreed to amend the current agreement to expand cleaning services to the Police Training Center. The table below outlines costs for this service.

Weekly Cost	Monthly Cost	Additional Cleaning Services (per hour)	Total Approximate Yearly Cost
\$105	\$455	\$40	\$5,460

Stegelmann said cleaning services with Cathy's Cleaning shall commence the first week after execution of the agreement by all parties. **Stegelmann** recommended that the Board approve and authorize **Mayor Leichthy** to execute an Agreement Amendment with Cathy's Cleaning Service to extend cleaning services to include the Police Training Center at an estimated yearly cost of \$5,460.

Mayor Leichthy said the company "has been doing an excellent job."

Landis/Swartley made a motion to approve and authorize **Mayor Leichthy** to execute an Agreement Amendment with Cathy's Cleaning Service to extend cleaning services to include the GPD Training Center at an estimated yearly cost of \$5,460. The motion passed 5-0.

14) Legal Department request: Award the bid for the purchase and installation of a diesel generator for the Hilltop Booster Station to L&M Electric, Inc. and approve and authorize Mayor Leichthy to execute the purchase agreement with L& M Electric, Inc.

City Attorney Bodie Stegelmann told the Board that the City solicited sealed bids for the purchase and installation of a diesel generator for the Hilltop Booster Station in accordance with Indiana Code § 5-22-8-3. Sealed bids were opened by the Board of Public Works & Safety on Aug. 29, 2024. Below is a summary of the bids received:

Vendor	Per Unit Price	Trade-in Offer	Total bid
L&M Electric, Inc.	\$103,167.00	\$1,500	\$101,667.00
Elevated Power, Inc.	\$132,859.91	\$500	\$132,359.91
Michiana Contracting, Inc.	\$169,910.00	\$500	\$169,410.00
Buckeye Power Sales Co., Inc.	\$57,717.00	No offer made	\$57,717.00

Stegelmann said the City Water and Sewer Department requested awarding the bid to L&M Electric, Inc. for the purchase and installation of a diesel generator for the Hilltop Booster Station as the lowest responsive and responsible bidder.



Landis/Swartley made a motion to award the bid for the purchase and installation of a diesel generator for the Hilltop Booster Station to L&M Electric, Inc as the lowest responsive and responsible bidder and approve and authorize Mayor Leichthy to execute the purchase agreement with L& M Electric, Inc. for the purchase and installation of a diesel generator for the Hilltop Booster Station. The motion passed 5-0.

15) Legal Department request: Approve the AmeriCorps at MACOG Service Site Organization Agreement providing four AmeriCorps Member Service Years for the 2024-2025 Service Year for \$60,000 and authorize Mayor Leichthy to execute the agreement

City Attorney Bodie Stegelmann told the Board that attached to the agenda packet for the Board's approval and authorization for Mayor Leichthy to execute was an agreement with MACOG (Michiana Council of Governments) for the placement of 4 MSY (member service year) AmeriCorps Members for the 2024-25 Program year to work in the City of Goshen.

The City will pay MACOG \$15,000 per MSY for the AmeriCorps Members assigned to the City

Landis/Swartley made a motion to approve the AmeriCorps at MACOG Service Site Organization Agreement with MACOG providing four AmeriCorps Member Service Years for the 2024-2025 Service Year in the amount of \$60,0000 and authorize Mayor Leichthy to execute the Agreement. The motion passed 5-0.

16) Legal Department request: Approve and authorize the authorize Mayor Leichthy to execute the agreement with Thomas Tree Care, LLC as the Goshen City Forestry Liaison at a cost not to exceed \$40,140 from the remainder of 2024 through the end 2026 for these services

City Attorney Bodie Stegelmann recommended that the Board approve and authorize Mayor Leichthy to execute the attached agreement with Thomas Tree Care, LLC as the Goshen City Forestry Liaison. Thomas Tree Care, LLC will be paid no more than \$40,140 from the remainder of 2024 through the end 2026 for these services.

Landis/Swartley made a motion to approve and authorize the authorize Mayor Leichthy to execute the agreement with Thomas Tree Care, LLC as the Goshen City Forestry Liaison at a cost not to exceed \$40,140 from the remainder of 2024 through the end 2026 for these services. The motion passed 5-0.

17) Legal Department request: Approve and authorize Mayor Leichthy to execute the agreement with Goshen Fiber Network for IT services necessary to connect Goshen Police Training Center to the City network at a cost of \$6,660 for the three-year term

City Attorney Bodie Stegelmann recommended that the Board approve and authorize Mayor Leichthy to execute the attached agreement with Goshen Fiber Network for IT services necessary to connect Goshen Police Training Center to the City network. This agreement allows for a continuation of services for three years at a cost of \$6,660.

Landis/Swartley made a motion to approve and authorize Mayor Leichthy to execute the agreement with Goshen Fiber Network for IT services necessary to connect Goshen Police Training Center to the City network at a cost of \$6,660 for the three-year term. The motion passed 5-0.

18) Planning & Zoning request: Approval and authorization for the Mayor to sign the CBDO and CBDG agreements for Planning, Public Service, and Housing Activities for Program Year 2024

Community Development Specialist Theresa Cummings asked the Board to approve and authorize the Mayor to sign CDBG (Community Development Block Grant) agreements and the CBDO (Community Based Development Organization) agreement for Program Year 2024. Cummings described them as follows:



Planning Grant (for neighborhood outreach):

Lacasa, Inc., \$7,000

Public Service Grants:

Boys and Girls Clubs of Elkhart County – Goshen Club, \$5,325

Council on Aging of Elkhart County, \$5,325

Elkhart County Clubhouse, \$4,325

Goshen Interfaith Hospitality Network, \$16,000

Maple City Health Care Center, Inc., \$5,325

Walnut Hill Early Childhood Center, \$13,325

Housing Grants:

Owner Occupied Rehab - Lacasa, Inc., \$43,500

Homeownership Assistance – Lacasa, Inc., \$49,500

Multi Family Rehab – Lacasa, Inc., (CBDO) \$135,363

Planning, Public Service, and Housing Grants Total: \$341,988

Cummings indicated the planning grant will be used for neighborhood outreach. The public service grants will be used to fund access to early childhood education, daily nutrition programs, mental health support, senior transportation, and primary healthcare. The housing grants will be used to fund the ongoing owner-occupied housing rehab program, homeownership assistance, and a CBDO project for rehabilitation of 16 affordable multi-family housing units. She attached to the board's agenda packet a sample public service agreement.

Landis/Swartley made a motion to approve and authorize the Mayor to sign the CBDO and CDBG agreements for Planning, Public Services and Housing activities for Program Year 2024. The motion passed 5-0.

19) Engineering Department request: Approve/authorize Change Order No. 5 for the 10th Street and Douglas Street Reconstruction project for \$4,117, bringing the total contract to \$4,332,663.08, an increase of 1.97% and extend project completion to Oct. 4, 2024

City Director of Public Works & Utilities Dustin Sailor told the Board that attached to the agenda packet was Change Order No. 5 for the 10th Street and Douglas Street Reconstruction project.

Sailor said Change Order No. 5 includes costs related to replacing an existing cast in place structure with a new precast structure and installing 2-10 inch Inserta "T"s. In addition, the project schedule will be extended four days. The original contract amount plus additions from Change Order No. 4 was \$4,328,546.08. Change Order No. 5 increases the total contract by \$4,117.00, for a revised contract amount of \$4,332,663.08, which is an increase of 1.97% over the original contract amount. Four days are being added to the project for the additional work.

Landis/Swartley made a motion to approve and authorize Change Order No. 5 for the 10th Street and Douglas Street Reconstruction project in the amount of \$4,117, bringing the total Contract to \$4,332,663.08, an increase of 1.97% and extend the project schedule four additional days making the final completion date Oct. 4, 2024. The motion passed 5-0.

20) Engineering Department request: Accept 150 linear feet of 6 inch HDPE sewer pipe and one manhole, with an estimated value of \$12,000, from the owners of 422 and 424 Johnston Street as a wastewater utility asset

City Director of Public Works & Utilities Dustin Sailor told the Board that the owners of 422 and 424 Johnston Street, who recently developed new townhomes, had an private sewer lateral crossing Johnston Street to serve an existing townhome.



To allow their new townhomes to connect to a public sewer main as required by Ordinance 4333, Goshen Utilities offered to accept the existing sewer lateral and manhole as public infrastructure if the sewer lateral was repaired. The owners repaired the sewer lateral and Goshen Utilities inspected the lateral and deemed the repair sufficient. On behalf of the owners, **Sailor** asked the Board to accept 150 linear feet of 6 inch high density polyethylene (HDPE) sewer pipe and one manhole into the wastewater utility's assets. The estimated value of the asset is \$12,000.

Board member Landis asked if the new assets met the City's specifications. **Sailor** said not originally, but changes were made to meet the City's standards.

Landis/Swartley made a motion to accept 150 linear feet of 6 inch HDPE sewer pipe and one manhole, with an estimated value of \$12,000, from the owners of 422 and 424 Johnston Street as a wastewater utility asset. The motion passed 5-0.

21) Engineering Department request: Approve the relocation of the "No Outlet" sign on North 7th Street to a position closer to Hilltop Street

City Project Manager Andrew Lund told the Board that the Engineering Department received a request from a resident to install a "No Turnaround" or "Dead End" sign on North 7th Street, north of Hilltop Street, due to vehicles turning around in or driving over her yard.

Lund said Engineering staff noted an existing "No Outlet" sign that was positioned far enough north of the intersection with Hilltop Street that it may not have been visible to entering vehicles. Per Indiana MUTCD standard, Lund said No Outlet signs are to be posted as near as possible to the entry of a dead end or no outlet condition, to allow vehicles the opportunity to turn.

Lund said the request was brought to the Sept. 19 Traffic Commission meeting. The Commission voted unanimously with a positive recommendation to install the No Outlet sign closer to the intersection with Hilltop Street.

Landis/Swartley made a motion to approve the relocation of the No Outlet sign on N 7th Street to a position closer to Hilltop Street. The motion passed 5-0.

22) Engineering Department request: Approve the removal of the 30 MPH speed limit signs on East College Avenue, between Century Drive and eastern City limits, and temporarily return the speed limit to 45 MPH until future speed studies are completed

City Project Manager Andrew Lund told the Board that due to increased construction traffic during the East College Avenue Industrial Development, the Board of Works in May 2023, approved a temporary reduction of the speed limit to 30 MPH along East College Avenue, east of Century Drive to the City limits. Signs reading "Speed Limit 30 MPH" were posted and existing 45 MPH speed limit signs were bagged.

Lund said heavy construction is now complete. Engineering is requesting to remove the 30 MPH signs and temporarily re-establish a speed limit of 45 MPH until speed studies may be completed to determine an appropriate speed limit along this section of East College Avenue.

Lund said the request was brought to the Sept. 19 Traffic Commission meeting. The Commission voted unanimously with a positive recommendation to remove the 30 MPH signs.

Landis/Swartley made a motion to approve the removal of the 30 MPH speed limit signs on East College Avenue, between Century Drive and eastern City limits, and temporarily return the speed limit to 45 MPH until future speed studies are completed. The motion passed 5-0.

23) Engineering Department request: Deny the request to install a speed limit sign on Oak Lane



City Project Manager Andrew Lund said a Traffic Commission member received a request to install a speed limit sign on Oak Lane, due to vehicles speeding. Oak Lane is a dead-end street, and there is no speed limit currently posted. He said by Indiana State statute, the maximum speed limit for urban roads is 30 MPH, unless an engineering study determines a different speed limit is appropriate.

This request was brought to the Sept. 19 Traffic Commission meeting. It was brought up that Oak Lane had been resurfaced in 2023, after which, speeding is sometimes more common. There is a "No Outlet" sign and also another sign explaining there is no public access for vehicles to get to Fidler Pond.

Lund said the Commission voted unanimously with a positive recommendation to install a 30 MPH speed limit sign, but only if it could be mounted with one of the existing signs. After the meeting, Engineering staff confirmed that the 30 MPH speed limit sign would need to be on a separate post, per Indiana MUTCD guidance.

So, **Lund** said another sign wasn't deemed to be necessary and the Engineering Department was recommending the Board deny the speed limit sign.

Board members asked about the Engineering Department's rationale for its recommendation. **Lund** said perhaps the faster driving was because of the recent resurfacing of the street and it didn't seem the speed sign was needed.

Board member Swartley said she didn't think people generally knew the street speed limit was 30 mph.

Landis/Swartley the made a motion to deny the request to install a speed limit sign on Oak Lane. The motion passed 5-0.

24) Clerk-Treasurer's Office request: Approve/authorize the Clerk-Treasurer to sign the agreement with Peterson Consulting Services Inc. to assist the City with its financial reporting related to its capital assets for \$5,850, plus reimbursable expenses not to exceed \$250

Deputy Clerk-Treasurer Jeffery Weaver said the Clerk-Treasurer's Office wished to contract with Jon C. Peterson of Peterson Consulting Services, Inc., to assist the City with its financial reporting related to its capital assets as required by Government Accounting Standards Board Statement No. 34.

The agreement is for a fixed fee of \$5,850, plus reimbursable expenses not to exceed \$250. All work is expected to be completed within 90 days from receipt of a notice to proceed.

Weaver said he had expected at this point that the Clerk-Treasurer's Office would be further along with its financial software migration, and might not need Peterson's services this year. "But with further conversation with various people, we would like to have him compile it for us again this year to work with us that way. We have a solid benchmark to compare our capital assets list going forward," **Weaver** said.

Landis/Swartley made a motion to approve and authorize Clerk-Treasurer **Aguirre** to sign the agreement with Peterson Consulting Services Inc. to assist the City with financial reporting related to capital assets as required by the Government Accounting Standards Board Statement No. 34 for the fixed fee of \$5,850, plus reimbursable expenses not to exceed \$250. The motion passed 5-0.

25) Clerk-Treasurer's Office request: Authorize the Clerk-Treasurer to execute the banking services agreement renewal with 1st Source Bank, from Oct. 1, 2024 to Sept. 30, 2026

Clerk-Treasurer Richard R. Aguirre told the Board that attached for the Board's review, approval, and execution by the Clerk-Treasurer, was a banking services agreement renewal between the City of Goshen and 1st Source Bank for 2024-2026.

By way of background, **Aguirre** said that on Jan. 31, 2022 the Board of Public Works approved and authorized the Clerk-Treasurer to execute an engagement letter and agreement with **Baker Tilly Investment Services** for services related to the preparation, issuance, review, analysis and advice regarding a Request for Proposal (RFP) for banking services for the City of Goshen. The RFP was issued in February 2022 and proposals were received from **Campbell and Fetter Bank, 1st Source Bank, Key Bank, Lake City Bank, Teachers Credit Union and Interra Credit Union (which provided baking services for the City from Jan. 2, 2018 until Sept. 30, 2022).**



Aguirre said that with assistance and guidance from Baker Tilly, a committee consisting of **City Attorney Bodie Stegelmann, City Water & Sewer Utilities Business Office Manager Kelly Saenz, Deputy Clerk-Treasurer Jeffery Weaver, Accounts Payable Clerk Rhonda Peacock and the Clerk-Treasurer** reviewed the proposals and selected two finalists: 1st Source Bank and Lake City Bank. After consideration of many factors, the **committee selected 1st Source Bank in early May 2022.**

After three months of negotiations, **Aguirre** said the City and Bank agreed on a Treasury Master Services Agreement (TMSA) and an Addendum to the Treasury Master Services Agreement, which set forth additional terms and conditions (attached to his memo). **On Aug. 22, 2022, the Board of Works approved the agreement.**

Aguirre said that pursuant to the terms of the 2022 agreement, **on Sept. 18, 2024, 1st Source formally proposed a two-year extension of the City of Goshen's Treasury Master Services Agreement (TMSA) under the current terms and conditions (not a single change).** It also was attached to the Board's agenda packet.

Despite initial adjustment issues and a few concerns about strict security procedures, **Aguirre** said experience of City staff with 1st Source has been very good. The bank provides excellent customer service. **Aguirre** said the City also has benefitted from high interest rates on our accounts – more than \$4 million a year on its accounts, which is the most the City has ever received. Because of that, he said it was in the City's best interests to approve the renewal.

Aguirre added that in 2026 he would recommend that the City issue a new Request for Proposal (RFP) for banking services for the City of Goshen and accept bids from other institutions.

Landis/Swartley made a motion to approve and authorize the Clerk-Treasurer to sign the agreement, extending for an additional 24 months, the existing terms and conditions of the City of Goshen's Treasury Master Services Agreement with 1st Source Bank for the period Oct. 1, 2024 to Sept. 30, 2026. The motion passed 5-0.

Privilege of the Floor (opportunity for public comment for matters not on the agenda):

Mayor Leichty opened Privilege of the Floor at 5:08 p.m.

Vicky Haberstich of the East Goshen Neighborhood Association said that several years ago the City put up some planter holders on four light poles on East Lincoln Avenue. She said neighbors have filled those.

Haberstich said the neighborhood would now like to install some decorations for the upcoming holidays on the light poles, including Thanksgiving decorations and Christmas wreaths, possibly with solar-powered lights.

Mayor Leichty responded, "It sounds like a great idea to me. My recommendation would just be to consult with our Engineering Department ... just to make sure there's no ADA (Americans with Disabilities Act) or visual impediments that would be caused by any of the decor, and (staff) could provide you with the guidance to make sure that nothing's in the right of way that would affect drivers in an adverse way.

Haberstich said the poles have a "nice setback where the posts are at right now. ... but we certainly will check."

Mayor Leichty asked **City Attorney Bodie Stegelmann** if the Board needed to take an official action or just recommend that **Haberstich** consult with the Engineering Department.

Stegelmann said that since the light poles are in the City's right of way, "I think approval should be given subject to confirmation from the Engineering Department."

Mayor Leichty/Board member Swartley then made a motion that the Board approve the East Goshen Neighborhood Association's request to place holiday decorations on four light poles contingent on consultation with the Engineering Department and with the commitment from the neighborhood association that it will commit to maintain the site. The motion passed 5-0.

Mayor Leichty wished Haberstich good luck and thanked her for promoting neighborhood beautification.



There were no further public comments, so the Mayor closed the comment period at 5:12 p.m.

Mayor Leichty recessed the Board of Public Works meeting at 5:12 p.m. and opened a meeting of the City Stormwater Board to consider one agenda item.

CITY OF GOSHEN STORMWATER BOARD

Members: Mayor Leichty, Mike Landis and Mary Nichols

26) Accept the revised post-construction stormwater management plan for Lassus Fuel and Convenience Store as it has been found to meet the requirements of City Ordinance 4329

City Director of Public Works & Utilities Dustin Sailor told the Board that the post-construction stormwater management plan (PCSMP) for the Lassus Fuel and Convenience Store project was accepted by the Stormwater Board on April 12, 2021.

However, after acceptance and recording, the Stormwater Department discovered the submitted PCSMP did not match the final version accepted at the end of the City's Technical Review process. **Sailor** said the acceptance of this revised PCSMP document addresses those errors and will allow the correct document to be recorded with the Elkhart County Recorder's Office.

The Stormwater Department requested the Stormwater Board's acceptance of the revised PCSMP.

Landis/Nichols made a motion to accept the revised post-construction stormwater management plan for Lassus Fuel and Convenience Store as it has been found to meet the requirements of City Ordinance 4329. The motion passed 5-0.

Mayor Leichty recessed the City Stormwater Board at 5:13 p.m. and convened a hearing of the Board of Public Works & Safety to consider an unsafe building order by the City Building Commissioner.

CITY BOARD OF PUBLIC WORKS & SAFETY PUBLIC HEARINGS:

Members: Mayor Leichty, Mike Landis, Orv Myers, Mary Nichols, Barb Swartley

27) Review of the Order of the City of Goshen Building Commissioner for 315 West Oakridge Avenue (Heirs and beneficiaries of Jerry and Georgie Perdue, property owners)

At 5:13 p.m., Mayor Leichty convened a hearing to review the Order of the City of Goshen Building Commissioner for 315 West Oakridge Avenue (Heirs and beneficiaries of Jerry and Georgie Perdue, property owners)

BACKGROUND:

In a **Sept. 20, 2024** memorandum to the Board, **Assistant City Attorney Don Shuler** wrote that an **unsafe building review hearing was scheduled Sept. 26** for the property located at **315 West Oakridge Avenue, Goshen, Indiana**. Attached to the memo was the **Order of the City of Goshen Building Commissioner**. **Shuler** wrote that the Board of Works needed to conduct the hearing by receiving evidence and arguments from the Building Department, the property owner, and any other individual who wished to speak to the property. After receiving evidence, he wrote that the Board needed to affirm, rescind, or modify the Building Commissioner's Order, both as to the finding of code violations that make the building unsafe, and as to the required action to take.



If the Board found the evidence supported the Order of the Building Commissioner and wished to affirm, Shuler wrote that it should move to adopt the findings in the Building Commissioner's Order as its findings at the condition of the building at the real estate and the appropriateness of demolition, and, based on those findings, affirm the Order for demolition.

The Sept. 26 hearing was prompted by an Aug. 1, 2024 Order by City of Goshen Building Commissioner Myron Grise. In the order, Grise notified the unknown heirs and beneficiaries of Jerry T. Perdue and Georgie M. Perdue, that they were in violation of the City of Goshen Neighborhood Preservation Ordinance, codified at Goshen City Code § 6.3.1. He wrote that the violations existed at their property commonly known as 315 W. Oakridge Avenue, Goshen. The order was based on an Oct. 16, 2023 City inspection and a re-inspection on Oct. 31, 2023. Grise wrote that the violation was the existence of a **vacant residential structure and detached garage that has been vacant for several years, with no consistent water usage for over two (2) years**. He wrote there was **"damage to the roof that would lead to leaks and water intrusion, which would contribute to the deterioration of the structure. There is evidence that animals have been living inside the structure, further compromising the safety and sanitary conditions of the property. The overall state of disrepair and neglect has resulted in the vacant structure becoming unfit for human habitation, occupancy, or use under the City of Goshen's Neighborhood Preservation Ordinance."**

As a result, Grise wrote that **"the residential structure and detached garage located at the real estate is unsafe within the meaning of Indiana Code § 36-7-9-4(a)(4), (5), and (6). The deteriorated and dilapidated condition of the building, the damage to the roof, the unsecured nature of the property, the unsanitary nature of the property, along with the general state of disrepair renders it a public nuisance; dangerous to persons due to violations of the Neighborhood Preservation Ordinance; and the structure is vacant or blighted and not maintained in a manner that would permit human habitation, occupancy, or use under the Neighborhood Preservation Ordinance."**

Grise wrote that based on these findings concerning the condition of the vacant residential structure and the detached garage, the continued deterioration of the property, and the lack of any improvement to the property, **demolition of the vacant residential structure and detached garage is warranted."**

Grise ordered the property owners to **demolish the unsafe buildings identified in Section 2 of this Order at the property identified in Section 1 of this Order and remove all demolition remains, trash, and debris on the unsafe premises and return the site to natural grade, all of said work to be completed within sixty (60) days.**

Grise also notified the property owners that failure to comply with his Order could result in the City of Goshen taking action to complete the required demolition and billing them for the costs of such work, including, the actual costs of the work performed and an amount equal to the average processing expense the City will incur in pursuing this matter. Such amounts can become a lien upon the real estate and can ultimately be enforced in the same manner as any other judgment.

Grise further notified the property owners that a hearing would be held before the City Board of Public Works and Safety on Sept. 26, 2024 at 4 p.m. for the purpose of reviewing the Order of the City of Goshen Building Commissioner.

DISCUSSION AND OUTCOME OF BOARD OF PUBLIC WORKS & SAFETY HEARING ON SEPT. 26, 2024:

At 5:13 p.m., Mayor Leichty opened the hearing to review the Order of the City of Goshen Building Commissioner 315 West Oakridge Avenue (Heirs and beneficiaries of Jerry and Georgie Perdue, property owners).

Present for the hearing were: Board members Leichty, Landis, Myers, Nichols and Swartley; City Attorney Bodie Stegelmann; Assistant City Attorney Don Shuler, and Building Commissioner Myron Grise. The property owners were not present but Dudley Beyler, a representative of a future owner, attended the hearing via Zoom.



Assistant City Attorney Don Shuler discussed the background of the property and the purpose of today's hearing. He said **City Building Commissioner Myron Grise** would report on the condition of the home as would the future property owner. Afterward, he said he would suggest that the Board affirm the Building Commissioner's unsafe property finding and then table the matter to give the property owner time to present a plan for the property.

Shuler began his detailed remarks by presenting to the Clerk-Treasurer six pages of documents about efforts made to establish that the property owners were notified of the hearing. (**EXHIBIT #1**). The documents showed that certified mail was made on everyone with a substantial property record of interest, which included a couple of lien holders, a tax sale purchaser and the title owners of the property. Documentation also was provided that showed that the Building Commissioner's Order was published in the *Goshen News* on Aug. 5 and Aug. 12, 2024.

Shuler summarized the Building Commissioner's report on the property, which has been vacant for several years with no consistent water usage for two years. He said the damage to the home and presence of animals inside made it unfit for human habitation, occupation, occupancy and use.

Shuler also said there was a tax sale purchaser – **NWI Res, LLC.** – that was one of the substantial property interest holders of the property. He said this company purchased this property at a tax sale in September of 2023. He said the minimum bid was around \$4,800, which was what was required by the auditor and the County to pay all the back taxes and special assessments, but NWI Res, LLC. bid about \$16,000. Shuler said this indicated that the purchaser intended to do something with the property.

Shuler said the "period of redemption for that property just expired last week, on Sept.20, which means that NWI Res, LLC. is able to move forward with the filing of a petition for a tax deed as of this week. Shuler said he spoke with both the primary representative of NWI Res, LLC, **Dudley Beyler**, as well as his attorney.

Shuler said the company has started filing the petitions for a tax deed, which he said could be a process of four or five months before NWI Res, LLC. can get a tax deed from the auditor's office that puts the title in its name. Shuler said, in effect, there currently is no party in control of the property.

Shuler said **Dudley Beyler** was attending today's hearing by Zoom and might be able to discuss the company's plans for the property. First, he suggested that **City Building Commissioner Myron Grise** report on the property.

City Building Commissioner Myron Grise distributed to the Board a one-page memorandum, dated Sept. 26, 2024, about the condition of 315 West Oakridge Avenue. The memo included four pages of color photos of the property (**EXHIBIT #2**).

Reading from his memorandum, **Grise** said, "In a follow up to the Order of the Building Commissioner issued on Aug. 1, 2024 for the property at 315 West Oakridge Avenue, I conducted an exterior inspection of the property on Sept. 25, 2024. During that inspection I obtained photographs of the exterior that have been attached for the Board's consideration.

"Prior to issuing the order, the Building Department attempted to inspect the interior of the house. While an inspection warrant was obtained, it was unable to be served due to safety concerns as there appeared to be several large dogs inside the house. From information from neighbors during the attempted inspection, there may be an individual squatting in the garage."

Grise continued, "From my inspection yesterday, nothing has changed or otherwise improved at the property since the Order was issued in early August. The building and garage at the property have had no water usage for at least two years, the house had sustained roof damage leading to potential leaks and water intrusion that will continue the deterioration of the house."

Grise concluded, "The Building Department requests that the Board affirm the finding of the property as unsafe, and take action as recommended by the counsel."

In response to a question from the **Mayor**, **Grise** said there were dogs inside the house and may have attacked him had he entered the home. He also said the house appeared to be in very bad condition.



Mayor Leichty asked **City Attorney Bodie Stegelmann** the procedure for taking testimony from a witness via Zoom. **Stegelmann** said the witness should be sworn in as if he was at the hearing in person.

Mayor Leichty then swore in Dudley Beyler of LaPorte County to provide truthful and complete testimony. The **Mayor** asked **Beyler** to discuss his intentions for 315 West Oakridge Avenue.

Beyler said he inspected the property about a week ago and agreed with the Building Commissioner about its external state. He said he didn't gain interior access because he is just a lien holder and he would be trespassing if he entered the property. **Beyler** said he hopes to attain a tax deed ownership to the property, which would then allow him to clean up the property and then develop a plan for the property going forward.

Mayor Leichty asked if **Beyler** was aware before today that someone was living on the property.

Beyler said he was unaware of that. He said a neighbor "indicated that someone may or may not be in the garage and comes by from time to time. I believe it's a child or descendant of the deceased property owners, and the only information I have is from that neighbor."

Board member Swartley said it was unfortunate how long it takes for a new owner to take possession. She asked if **Beyler** planned to do anything with the property until he obtained the deed. **Beyler** said that was correct, adding, "Legally, I don't have ownership until I get the order from the court and then process through auditor, etc., that produces the tax deed."

Board member Landis asked if **Beyler** had ever dealt with properties like this before and if he knew what he was getting himself into. **Beyler** responded, "I wish I could say this is my first, but using tax liens as a means to acquire properties is, is one of our businesses. We participate in many of the kind of north, west, and north central counties in Indiana, from Elkhart County as far west as Lake County ... I do several hundred of these a year resulting in typically a few dozen properties of which invariably there's a couple that have an issue like this."

Beyler added, "A lot of the inventory that we do get is through passing, and then properties falling in in disrepair. And hearing that and going through this is, it's just how titles get cleaned up and properties move on and get rehabilitated, and ideally eventually a family is living in there or it becomes a rental home."

Mayor Leichty thanked Beyler for his participation in the hearing.

Beyler responded, "I appreciate you allowing me to participate and, you know, we'll move forward on this and get it cured. And as the neighbor said, the dumping ground of the of the of the block, we'll make sure we cure that."

Mayor Leichty invited additional comments from Assistant City Attorney Shuler.

Shuler said that in reviewing court records it was clear NWI Res, LLC. has made multiple filings of tax petitions for tax deeds in Elkhart County. He said part of the challenge with this property is that no one is legally responsible, adding, "Technically, it's the heirs of Jerry and Georgie Perdue, but they're unidentified for the most part."

Shuler said it was not clear the City can do anything from a code enforcement perspective as to the exterior of the property. And he said settling the ownership issue through the tax lien process will take more time.

Shuler said the City Building Department was recommending that the Board enter an order affirming the finding that the property is unsafe in its current condition, "but otherwise table the matter for what remedy to impose, whether or not to further affirm or modify the order as to demolition or repair order," to Feb. 27, 2025. He said that at that point the Board could require NWI Res, LLC. to provide it with a detailed plan for the property.

Mayor Leichty asked if remedies were available for neighbors dealing with this nuisance property. She said, "We have no property owners, but we do have animals and potentially people living on this site, and a great deal of refuse. So, is there anything that we can do to lessen the burden of this property on the neighborhood?"

Shuler said there could be available actions through enforcement of the accumulation of materials ordinance. Based on how bad the property is, **Shuler** said the City could go on site and clean it up even without knowing to whom the work would eventually be charged.



The **Mayor** asked if this could become a lien on the future owner. **Shuler** said that was possible, but that is not known yet. He said he would need to research if a lien could be attached to a subsequent property owner. **Mayor Leichty** thanked **Shuler** for the information.

Landis/Swartley then made a motion to find the property at 315 West Oakridge Avenue is unsafe for habitation today in its current condition, but to table further action to Feb. 27, 2025 due to the lack of clear title to any one property owner. The motion passed 5-0.

Mayor Leichty recessed the hearing on the City Building Commissioner's order for an unsafe building order and resumed the meeting of the Board of Public Works & Safety to consider a final agenda item.

CITY BOARD OF PUBLIC WORKS & SAFETY PUBLIC HEARING

Members: Mayor Leichty, Mike Landis, Orv Myers, Mary Nichols, Barb Swartley

28) October meetings and briefing to the Board of Public Works, Safety & Stormwater on Claims Approvals between Oct. 4 and Oct. 25, 2024

Clerk Treasurer Aguirre said he and Deputy Clerk Treasurer Jeffery Weaver wanted to discuss the Board's upcoming meeting schedule and the claims approval process.

Aguirre said the Board of Public Works and Safety has just two meetings scheduled in October – on Oct. 3 and Oct. 31. On behalf of City staff who have approached him about this, Aguirre asked if it would be possible for the Board to also meet during the week of October 17.

Aguirre said today's agenda is an example of what happens when the Board doesn't meet for a week – an agenda with 28 items. He said there could be a future way to regulate how many items come to the Board because there has recently been a pattern that when the Board doesn't meet for a week there are many more items in the following week and then the week after that it can drop to as few as five, six or seven agenda items.

"It doesn't seem from just a time management perspective it's the best way to have 27 or 28 items one week and five or six the next week," **Aguirre** said. "The other effect that it has is on our claims process, and we do have a tool that allows us to approve claims, but you end up in situations otherwise, like today, where you have a couple of baskets of claims and expecting you to give meaningful review (of them). It depends on your diligence, but it is harder."

Mayor Leichty asked if a meeting on the third week of October would work better on Wednesday than Thursday because of a conflicting meeting in the Council Chamber-Courtroom. She then suggested communicating with Board members about some options before the Oct. 3 and then settling on the time and date of an added meeting.

"We could potentially look at moving it up an hour, if that's available," **Mayor Leichty** said. "Maybe I'll come up with a couple of proposed times to present to you, and then we can make a decision at the next meeting. I agree with you. It's better to keep things moving. And so, we'll just find a date that works for all."

Aguirre responded, "And going forward, I will be looking into this and I'd like to talk to the Mayor about setting kind of a maximum like maybe 15 agenda items, unless there are emergency items that have to come, just so that we can have a more orderly flow to the Board."

Aguirre said that Deputy Clerk-Treasurer Weaver now wanted to discuss the claims process.

Weaver said adding a meeting in mid-October might actually address some of the claims issues. He provided the Board with a copy of the City ordinance that allows the Clerk-Treasurer's Office to pay certain claims between Board meetings with retroactive Board approval. Weaver added, "So, this is something that you want to be aware of. We do have a number of checks that could go out in between those meetings. Of course, the most common one being payroll and payroll benefits which we go ahead and make sure those get paid."



Deputy Clerk-Treasurer Weaver suggested that a work session be held with the Board to discuss the claims approval process. “What would help you out? What are some either training or perspectives that you would like to be provided?” Weaver said. “We did have a pretty massive system change here. Processes have changed. I get the feeling that you’re wanting more input on some of the claims approvals.”

Mayor Leichy responded, “That sounds like a good idea, Jeffrey. We’ll talk about a training session for the team and schedule that with you ... I don’t think we need any additional action at this time.”

Board member Landis requested that the meeting include a briefing on the Board’s actual legal responsibility.

Mayor Leichy said that could be incorporated. **Weaver** said he has researched this issue.

Approval of Civil City and Utility Claims

As all matters before the Board of Public Works & Safety were concluded, Mayor Leichy/Board member Swartley moved to approve Civil City and Utility claims and adjourn the meeting. Motion passed 5-0.

Adjournment

Mayor Leichy adjourned the Board of Public Works and Safety meeting at 5:39 p.m.

EXHIBIT #1: *Six pages of documents about the City of Goshen’s efforts to establish that the property owners were notified of the hearing for agenda item #27, Review of the Order of the City of Goshen Building Commissioner for 315 West Oakridge Avenue (Heirs and beneficiaries of Jerry and Georgie Perdue, property owners). The documents, presented by Assistant City Attorney Don Shuler, established that certified mail was made on everyone with a substantial property record of interest, which included a couple of lien holders, a tax sale purchaser and the title owners of the property. Documentation also was provided that the Building Commissioner’s Order was published in the Goshen News on Aug. 5 and Aug. 12, 2024.*

EXHIBIT #2: *A one-page memorandum, dated Sept. 26, 2024, by City Building Commissioner Myron Grise about the condition of 315 West Oakridge Avenue. The memo included four pages of color photos of the home. Grise distributed the information to the Board during consideration of agenda item #27, Review of the Order of the City of Goshen Building Commissioner for 315 West Oakridge Avenue (Heirs and beneficiaries of Jerry and Georgie Perdue, property owners).*

APPROVED:

Mayor Gina Leichy



Mike Landis, Member

Orv Myers, Member

Mary Nichols, Member

Barb Swartley, Member

ATTEST:

Richard R. Aguirre, City of Goshen Clerk-Treasurer



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October 3, 2024

To: Board of Public Works and Safety
From: Brandy Toms, Paralegal
Subject: Open sealed bids for purchase of a Tandem Axle dump truck.

On behalf of the Goshen Street Department, the City solicited sealed bids for the purchase of a tandem axle dump truck in accordance with Indiana Code § 5-22-8-3. All sealed bids are now due and final call has been made. Legal asks that the Board of Public Works & Safety open any and all sealed bids submitted for consideration and return all bid packages to Legal for review.

Suggested Motion:

Move to forward all bids received for a tandem axle dump truck to the Legal Department for review.



CITY OF GOSHEN LEGAL DEPARTMENT

City Annex
204 East Jefferson Street, Suite 2
Goshen, Indiana 46528-3405

Phone (574) 537-3820 • Fax (574) 537-3817 • TDD (574) 534-3185
www.goshenindiana.org

October 3, 2024

To: Board of Public Works and Safety

From: Brandy Toms, Paralegal

Subject: Open sealed bids for purchase of Hybrid Ford Explorer Pursuit Vehicles.

On behalf of the Goshen Police Department, the City solicited sealed bids for the purchase of Hybrid Ford Explorer Pursuit Vehicles in accordance with Indiana Code § 5-22-8-3. All sealed bids are now due and final call has been made. Legal asks that the Board of Public Works & Safety open any and all sealed bids submitted for consideration and return all bid packages to Legal for review.

Suggested Motion:

Move to forward all bids received for Hybrid Ford Explorer Pursuit Vehicles to the Legal Department for review.



Jose' D. Miller

Chief of Police

111 E Jefferson St
Goshen, Indiana 46528

TO: Goshen Board of Public Works & Safety
Mayor Gina Leichty
Member Mike Landis
Member Mary Nichols
Member Barb Swartley
Member Orv Myers

Date: October 3rd, 2024

From: Jose' Miller, Chief of Police

Reference: The Promotion of Officer Nicholas Perry #227 from Probationary Patrol Officer to Patrol Officer

I am requesting the Goshen Board of Public Works and Safety approve the promotion of Officer Nicholas Perry #227 from the position of Probationary Patrol Officer to the rank of Patrol Officer effective October 16th, 2024. On October 16th, 2024, Officer Perry will have completed his twelve (12) month probationary period. Officer Perry has demonstrated he will be a great addition to the Goshen Police Department and to this community.

Perry will not be present since he is still attending the police academy (ILEA)

Respectfully,

A handwritten signature in black ink, appearing to be "Jose' Miller".

Jose' Miller #116
Chief of Police
Goshen City Police Department
111 E. Jefferson Street
Goshen, IN. 46528

Telephone: (574) 533-8661

Hearing Impaired: (574) 533-1826

FAX: (574) 533-1826



Jose' D. Miller

Chief of Police

111 E Jefferson St
Goshen, Indiana 46528

TO: Goshen Board of Public Works & Safety
Mayor Gina Leichty
Member Mike Landis
Member Mary Nichols
Member Barb Swartley
Member Orv Myers

Date: October 3rd, 2024

From: Jose' Miller, Chief of Police

Reference: The Retirement of Officer Matthew E. Yoder #142

I am requesting that the Board of Public Works and Safety **approve the retirement of Officer Matthew E. Yoder #142 effective October 12th, 2024.** Officer Yoder's last day working will be on October 11th, 2024.

Officer Yoder started his full-time career at the Goshen Police Department on March 5th, 2004, giving this community approximately twenty and one half (20 ½) years of service. Prior to working at Goshen Police Department, he worked for the Elkhart County Sheriff's Office in the corrections division.

While at Goshen, Officer Yoder has worked in the Patrol Division. He has served as a field training officer, taser instructor, and on the Elkhart County Regional S.W.A.T. Team. Officer Yoder has a great deal of knowledge and experience which will truly be missed.

I would like to thank Officer Yoder for his service and commitment to this department and our community. I wish him the absolute best in his future endeavors.

Respectfully,

Jose' Miller #116

Chief of Police

Goshen City Police Department
111 E. Jefferson Street
Goshen, IN. 46528

Telephone: (574) 533-8661

Hearing Impaired: (574) 533-1826

FAX: (574) 533-1826

To: Chain of Command

From: Ptlm Matthew E. Yoder - 142

Date: September 27th, 2024

Subject: Retirement

Yesterday evening I accepted a position as a Court Security Officer with the Elkhart County Sheriff's Office. My final day with the Goshen Police Department will be October 11th, 2024.

I would like to offer a sincere thank you to my fellow officers and city employees who have taught, supported and worked along side me over the past twenty years. I know the skills and lessons I've learned as an officer here will continue to apply to my new position.

I would prefer to move along quietly with no party or social media posts.

May the Force be with you, always.



Ptlm Matthew E. Yoder - 142

Marlin Schwartz / Member 9/4/2024
Artisan Investment Group
420 N Main Street Suite 1
Middlebury IN 46540
abgmarlin@gmail.com
574-536-1210

Goshen Board of Works
111 E Jefferson St
Goshen, IN 46528

Dear Goshen Board Of Works,

I hope this letter finds you well. I am writing on behalf of Artisan Investment Group to formally request permission to install a gravel parking area for two vehicles at our property located at 205 Middlebury Street, Goshen, IN.

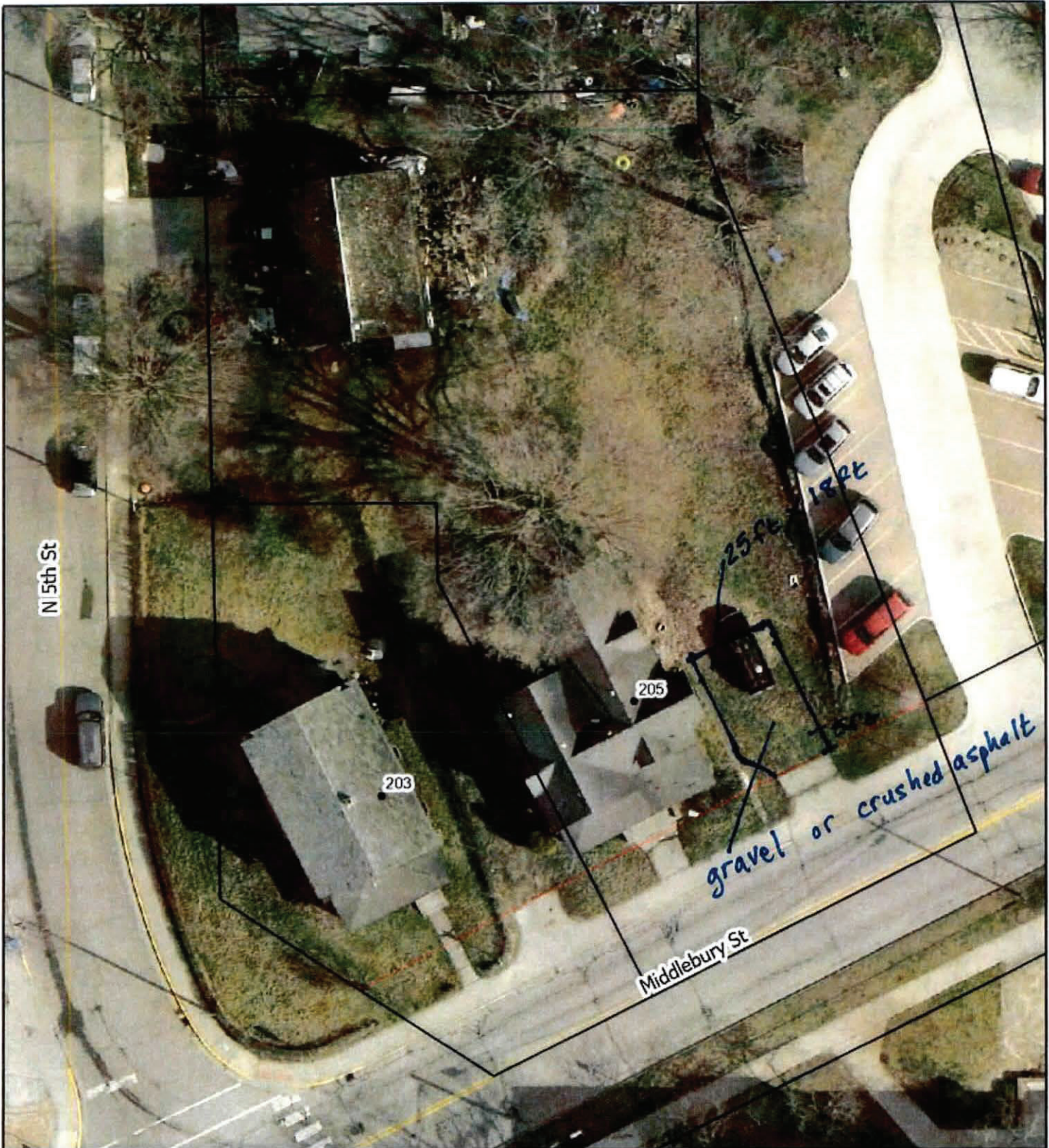
As we endeavor to enhance the functionality of our property while remaining in harmony with the neighborhood, we have observed that several properties around the block have successfully utilized gravel parking solutions. In fact, at least four neighboring properties currently feature gravel parking, which has contributed to the overall aesthetic and practicality of the area.

We believe that establishing gravel parking at our location will provide us with the necessary space for our vehicles and maintain the surrounding area's character. We are committed to ensuring that the installation is done with care, adhering to any regulations and guidelines set by the city to preserve the integrity of our community. We appreciate your time and assistance in this matter and look forward to your favorable response.

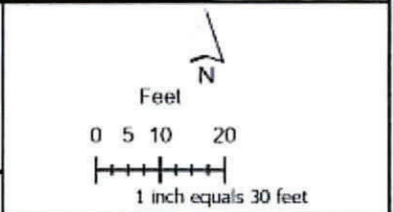
Thank you for considering our request.

Sincerely,

Marlin Schwartz
Member
Artisan Investment Group



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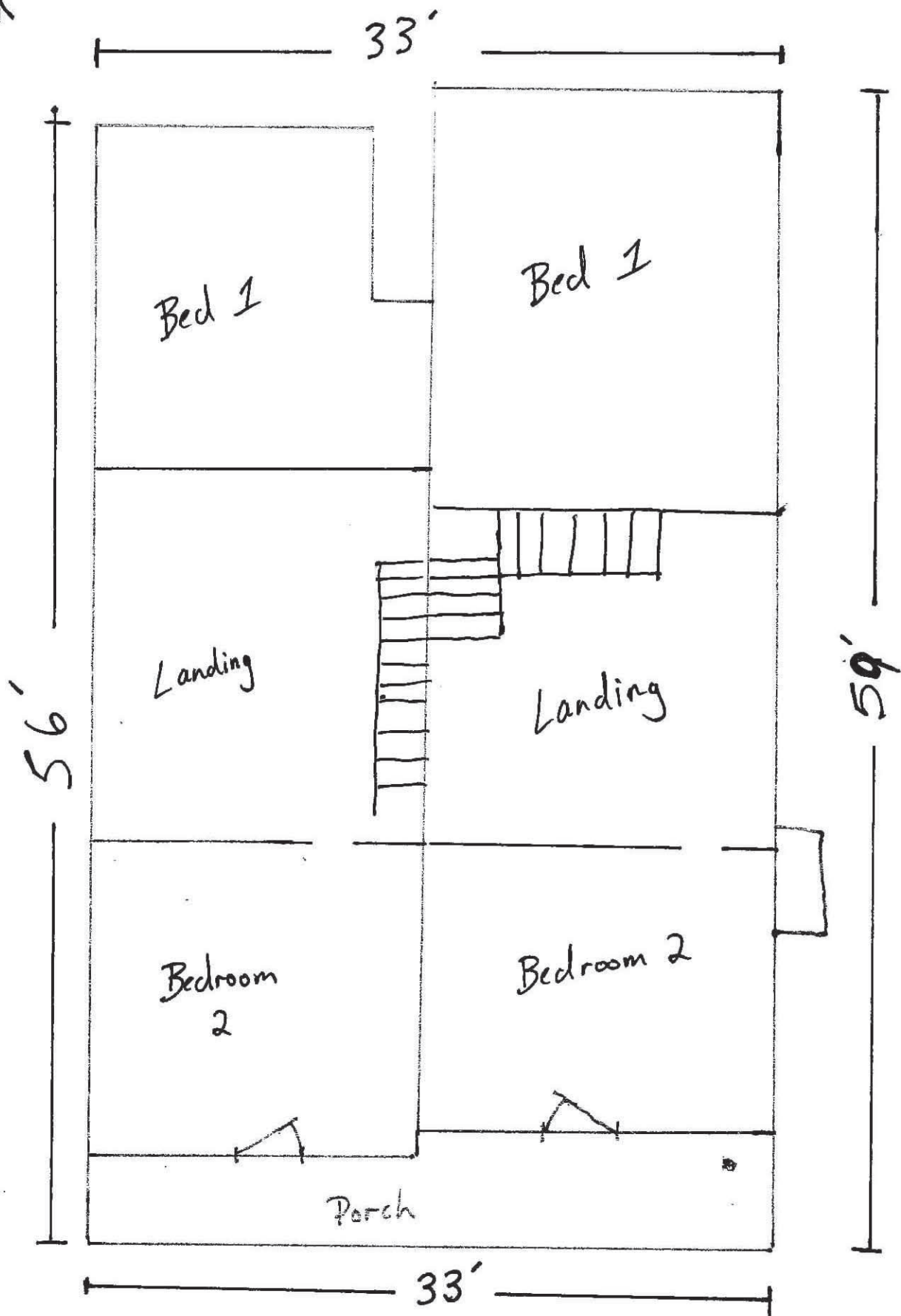


205 Middlebury Street

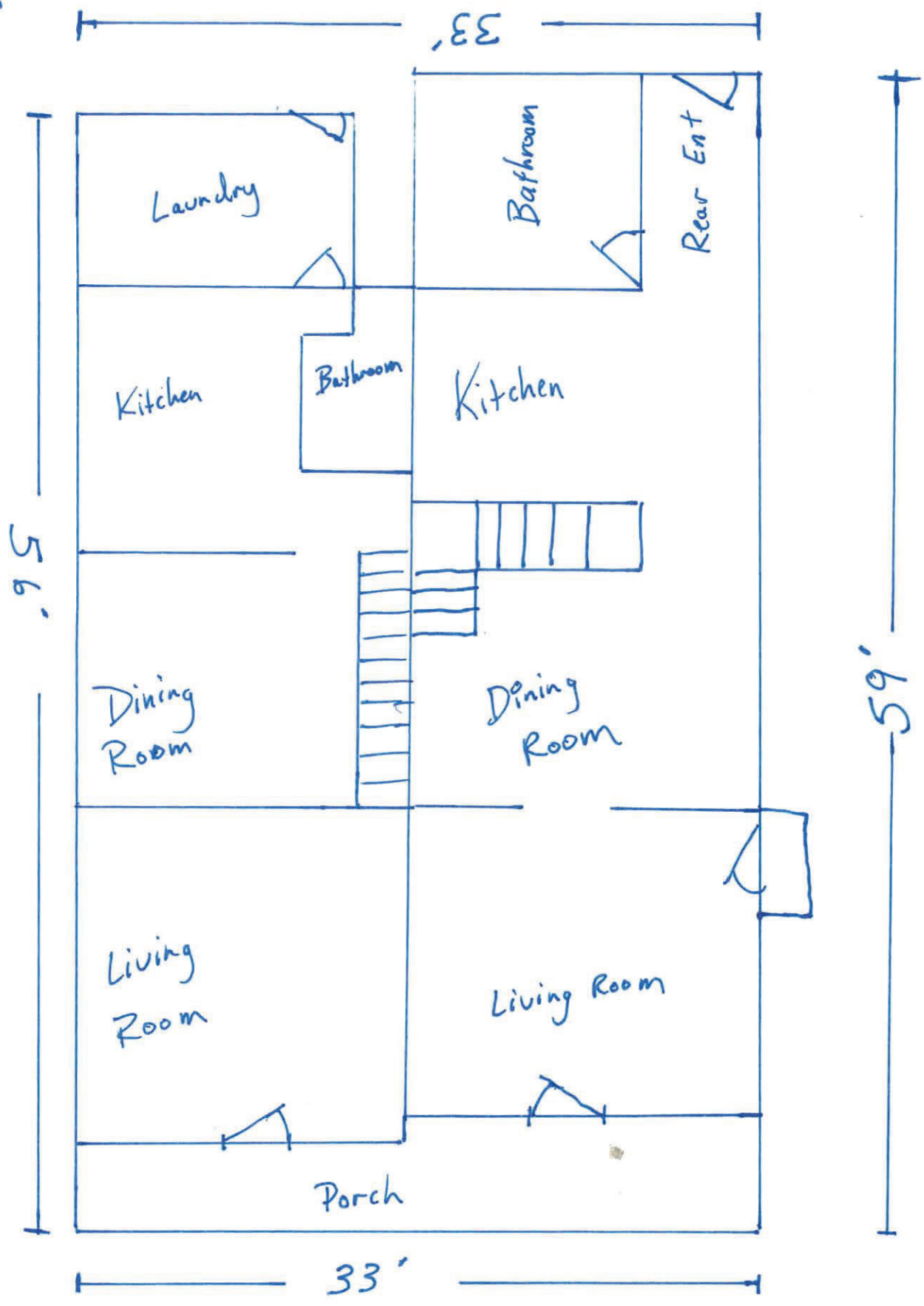
2023 Aerial
 Printed on 8/16/2024

The City of Goshen
 Department of
 Planning & Zoning
 204 East Jefferson Street, Goshen, Indiana 46528
 Phone 574-534-3600 Fax 574-533-8626

N ↑



UPSTAIRS. 205 Middlebury St



Main level 205 Middlebury St



Richard Aguirre, City Clerk-Treasurer
CITY OF GOSHEN

202 South Fifth Street, Suite 2 • Goshen, IN 46528-3714

Phone (574) 533-8625 • Fax (574) 533-9740

richardaguirre@goshencity.com • www.goshenindiana.org

To: City of Goshen Board of Public Works & Safety
From: Clerk-Treasurer Richard R. Aguirre
Date: October 3, 2024
Subject: Request for partial closure of Main Street sidewalk

On Sept. 30, 2024, the Clerk-Treasurer's Office received the following request:

Thanks for taking the time and explaining the process. Here is the information for my proposed painting project at our building.

My name is Rob Steury and my wife's name is Rebekah Steury. Contact information is 574-903-1795 and email is rob.steury@gmail.com

We are going to be using a building for a Salon and it is named Sage Salon. The building location is 106 South Main Street in Goshen.

The project we are working on is painting the entire facade of the building and in doing so will require scaffolding to reach the 2nd story of the building. This project will take approximately 4-5 days but the painters have said that they will work from the top down so the need of scaffolding will be less and less as the project furthers along.

The painters have said that they could start working on this the 3rd or 4th week of October, so to account for any bad weather or other unforeseen delays, the time range of this request would be from October 14th-November 1 to be safe (again the actual work should only take 4-5 days once started). I would not have anything out during the November First Friday if, for whatever reason, it extended to that date.

There is currently not an awning on the building so the scaffolding will be up against the building. We will have cones alerting the public how to navigate this as well. Aside from the worker's vehicles who drive there (normal use), there will not be any parking spaces required for this job.

Thanks for your consideration. Have a great day. Please let me know if you need any other information.

--

Sincerely,
Rob Steury



CITY OF GOSHEN LEGAL DEPARTMENT

City Annex
204 East Jefferson Street, Suite 2
Goshen, Indiana 46528-3405

Phone (574) 537-3820 • Fax (574) 533-8626 • TDD (574) 534-3185
www.goshenindiana.org

October 3, 2024

To: Goshen Board of Public Works and Safety
From: Shannon Marks
Subject: Resolution 2024-24 - Declaring Surplus and Authorizing the Disposal of Personal Property

The Park Department wishes to dispose of personal property that is no longer needed or is unfit for the purpose for which it was intended. The items are worthless or of no market value.

Resolution 2024-24 is to declare the property as surplus and authorize its disposal in accordance with the provisions of Indiana Code § 5-22-22-8 by demolishing or junking property that is worthless or of no market value.

Suggested Motion:

Move to pass Resolution 2024-24 - Declaring Surplus and Authorizing the Disposal of Personal Property.

**Goshen Board of Public Works and Safety
Resolution 2024-24**

Declaring Surplus and Authorizing the Disposal of Personal Property

WHEREAS the Park Department has personal property that is no longer needed or is unfit for the purpose for which it was intended and wishes to dispose of the personal property.

WHEREAS the personal property is worthless or of no market value.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Board of Public Works and Safety that:

1. The personal property set forth in Exhibit A is declared as surplus property, hereinafter collectively referred to as "Surplus Property."
2. Authorization is given to dispose of the Surplus Property in accordance with the provisions of Indiana Code § 5-22-22-8 by demolishing or junking Surplus Property that is worthless or of no market value.

PASSED by the Goshen Board of Public Works and Safety on October ____, 2024.

Gina M. Leichty, Mayor

Mary Nichols, Member

Orv Myers, Member

Michael A. Landis, Member

Barb Swartley, Member

EXHIBIT A

**Surplus Property
(Resolution 2024-24)**

Scotch Laminator, TL902
Media Plus Cash Drawer, # 539994
Keyboard MD MCK-6000
HP Printer, # CNM372G19K



**Engineering Department
CITY OF GOSHEN**

204 East Jefferson Street, Suite 1 • Goshen, IN 46528-3405

Phone (574) 534-2201 • Fax (574) 533-8626 • TDD (574) 534-3185
engineering@goshencity.com • www.goshenindiana.org

MEMORANDUM

TO: Goshen Board of Public Works & Safety

FROM: Goshen Engineering

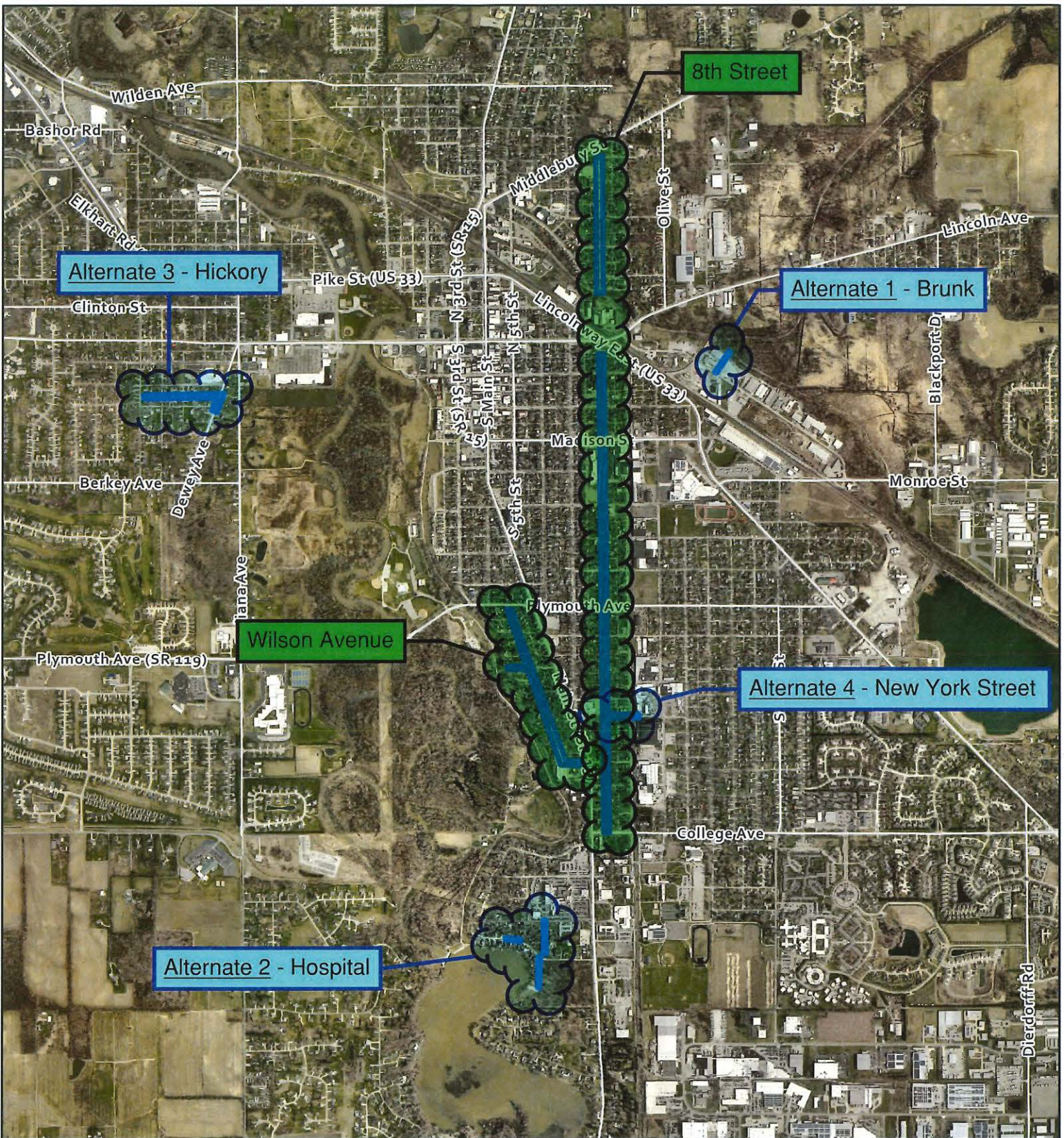
RE: **REQUEST TO ADVERTISE FOR BIDS
2024 SEWER CIPP LINING PACKAGE
JN: 2023-0046**

DATE: October 3, 2024

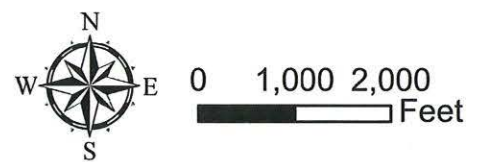
The Engineering Department requests permission to advertise bidding for the 2024 Sewer CIPP Lining Project. This “Cured-in-Place Pipe” lining project (Using a resin impregnated liner cured in place by steam) is expected to extend the life of the Sanitary Sewer Mains by 50 years. The two (2) primary sections of piping to be lined are 8th Street and Wilson Ave. as noted on the attached map. Additionally, we wish to bid four (4) alternate sections of piping and will accept bids for as much of that work as we can complete within our budget. We have allotted \$1 million for this project. Bids for the project will be due at the end of October.

The funds have been allocated and are available for this project, and your approval would be appreciated.

Requested Motion: Approve Engineering’s request to advertise for bids for the 2024 Sewer CIPP Lining Project.



Package Locations 2024 Sewer CIPP Lining Package



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The City of Goshen
 Department of Public Works &
 Safety Office of Engineering
 204 East Jefferson Street, Goshen, Indiana 46528
 Phone: 574-534-2201 Fax: 574-533-8626



**Engineering Department
CITY OF GOSHEN**

204 East Jefferson Street, Suite 1 • Goshen, IN 46528-3405

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engineering@goshencity.com • www.goshenindiana.org

MEMORANDUM

TO: Goshen Board of Public Works & Safety

FROM: Goshen Engineering

RE: **HSIP APPLICATION – SIGN REPLACEMENT PROJECT –
FINANCIAL COMMITMENT CITY OF GOSHEN (JN: 2024-0018)**

DATE: October 3, 2024

Over the past summer, Goshen Engineering, through the efforts of dedicated Street Department interns, have inventoried all of the City traffic signs within City limits, in order to assess sign compliance with current MUTCD and Federal Highway standards. In order to ensure retroreflectivity requirements based on expected sign life and warranty period, many of our current signs need to be replaced. Following the Expected Sign Life Management Method, as detailed in Board of Works Resolution 2011-N, Establishing the Sign Maintenance Retroreflectivity Program, the City of Goshen plans to apply for funding that would provide 90-percent of the sign replacement costs under the Highway Safety Improvement Program, administered through INDOT. In order to be eligible for application, a Financial Commitment Letter must be signed by Mayor Gina Leichty and submitted during time of application stating that Goshen will meet the 10-percent financial match requested in the estimated amount of _____ .

Requested Motion: Move to approve and authorize the Mayor to sign the Financial Commitment Letter to be submitted to INDOT for the Highway Safety Improvement Program application for traffic sign replacement.

**APPROVED:
BOARD OF PUBLIC WORKS & SAFETY
CITY OF GOSHEN, INDIANA**

Gina Leichty, Mayor

Barb Swartley, Member

Mary Nichols, Member

Orv Myers, Member

Michael Landis, Member



GINA M. LEICHTY

Mayor of **Goshen, Indiana**

City Hall • 202 South Fifth Street, Suite 1 • Goshen, IN 46528-3714

mayor@goshencity.com • **goshenindiana.org**

(574) 533-9322

October 3, 2024

Kathy Eaton-McKalip
Director of Local Programs
100 N. Senate Ave.
Indianapolis, IN 46204

**RE: HSIP APPLICATION – SIGN REPLACEMENT PROJECT – FINANCIAL COMMITMENT
CITY OF GOSHEN (JN: 2024-0018)**

Dear Mrs. McKalip,

This letter confirms the City of Goshen’s financial commitment for a planned traffic sign replacement project, meeting the criteria for a Low Cost Systemic LPA Project under the Highway Safety Improvement Program. The City has inventoried all of its traffic signs and intends to replace Regulatory and Warning signs that are 10 years of age or older or in poor condition, in order to meet minimum MUTCD retroreflectivity requirements. We plan to utilize funding from an approved source in order to provide the local match for the projects for application #15625. We expect our local share of the costs for application #15625 to be _____ and we have the local funding available to provide this match.

Sincerely,

Gina M. Leichty
Mayor of the City of Goshen