



**BOARD OF PUBLIC WORKS & SAFETY & STORMWATER BOARD**  
**MINUTES OF THE SEPTEMBER 5, 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 Aug. 29, 2024 Regular Meeting as prepared by Clerk-Treasurer Richard R. Aguirre. Board member Mary Nichols moved to approve the minutes as presented. The motion was seconded by Board member Orv Myers. The motion passed 5-0.

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

**1) Public announcement by the Mayor: The date of Halloween 2024 in Goshen**

Mayor Leichty announced that Halloween 2024 would be observed in the City of Goshen on Thursday, Oct. 31 from 5:30 to 8 p.m. Mayor Leichty said trick or treating on Main Street downtown, which is sponsored by Goshen Chamber of Commerce. will take place the same day from 2 to 5 p.m. She said some City offices will participate, including City Hall, the Police Department and the Utilities Office.

**2) Bill's Heating (original) requests: For its new facility, waive the Design Standards and Specifications for Parking and Driveway Surfaces for an expanded parking area and allow for the new pole barn to use sanitary and water services from the main building (tabled on Aug. 29)**

Mayor Leichty called for consideration of the request at 4:02 p.m.

**BACKGROUND:**

This request came before the Board of Works on Aug. 29, 2024.

On behalf of property owner SKR Investments, Abonmarche forwarded requests for a new Bill's Heating facility at the corner of Dierdorff Road and Kercher Road. The existing building was to be expanded, and a new free-standing pole barn was to be constructed on the northeast side of the property. Abonmarche asked the Board to allow for the new pole barn to use sanitary and water services from the main building and to waive the Design Standards and Specifications for Parking and Driveway Surfaces and allow a gravel surface for trucks to utilize when maneuvering into the new loading dock on the east side of the main building addition.

City Director of Public Works & Utilities Dustin Sailor provided the Board with a detailed memo on the issues involved for both requests. Essentially, the Engineering Department supported the petitioner's request to connect the second building on the site (a subordinate structure) to the primary structure's water and sewer connections in accordance with Ordinances 4333, Section 3.03(M) and Ordinance 4290, Section 1(F). With regard to the request for the gravel surface, Sailor concluded that the Board could only approve the request if it determined that "requiring a parking area of a durable, hard surface for all or some of the parking areas would be unrealistic, excessive and inconsistent with the aesthetic appeal of the development."



At the Aug. 29 Board meeting, **Crystal Welch, a Senior Urban Planner for Abonmarche**, asked the Board to allow for the new pole barn to use sanitary and water services from the main building and to waive the Design Standards and Specifications for Parking and Driveway Surfaces to allow a gravel surface.

**City Project Manager Andrew Lund** summarized **Sailor's** memorandum, concluding that the Engineering Department would not recommend approval of the gravel parking area, primarily because of the size of the building's expansion and because the area will be used for maneuvering trucks and not just storage. In response to a question from the **Mayor**, **Lund** said City staff would recommend that the entire area be upgraded to a hard surface.

**City Assistant Planning & Zoning Administrator Rossa Deegan** told the Board that earlier in the week the City Board of Zoning Appeals also considered this matter. He said the Board approved a reduced setback for the new area on the east property line of three feet with access from and to Kercher Road and an area that used to be for storage. He added his department didn't have an opinion about the appropriate driveway surface type.

**Welch** said the driveway surface requirement wasn't raised during an early pre-development meeting with City staff. She said a gravel driveway was requested because there will be only about two large trucks per month using the new area of the building, which will mostly be used for storage and access by smaller delivery trucks.

**Mayor Leichty** asked about the urgency of a Board decision, adding that perhaps a resolution could be reached by the applicant in further conversation with City staff. **Welch** responded that there was a desire to move forward soon.

**After further discussion with the Mayor, the applicant and City staff, it was decided that it would be best to table to matter until next week's Board meeting.**

On Sept. 5, **City Director of Public Works & Utilities Sailor** indicated in an email to the applicant and City staff that the draft plan submitted by Abonmarche on Sept. 4 for Bill's Heating "has been reviewed for hard surface and turning movements. The plan appears sufficient to address the Board of Works Hard Surface Policy."

In its Sept. 4 email to City Engineering and Planning and Zoning, **Bradley E. Mosness, Vice President of Abonmarche**, sent "a revised Site Development Plan for Bill's Heating that proposed new pavement to be installed on the east side of the building addition in the truck maneuvering area of the loading dock." He wrote, "The existing fence and stone area directly south of the building addition is proposed to remain. After considering the feedback received at last week's meeting, they decided to add a stone area adjacent to the new Pole Barn for storage. A dumpster location is also proposed on the far east side as a result of the discussion at (the) Board of Works."

**Mosness** asked **Sailor** if would review the revised site plan and offer any comments or feedback before the meeting. He further wrote, "If these changes are acceptable, we will proceed to update the drainage calculations and include with our site plan resubmittal."

#### **DISCUSSION AND OUTCOME OF CONSIDERATION OF BILL'S HEATING REQUEST ON SEPT. 5, 2024:**

**Mayor Leichty** invited comments from **Crystal Welch, a Senior Urban Planner for Abonmarche**.

**Welch** said the applicant was still seeking permission to allow for a subordinate utility connection for the new proposed pole barn from the main line coming through the through the primary building. However, the applicant was no longer seeking permission to allow a gravel driveway. Instead, **Welch** said Abonmarche worked with the Engineering and Planning departments and revised the site plan (**EXHIBIT #1**).and no longer was requesting a gravel driveway and would comply with the City requirement for a hard surface.

**There was no response from City of Goshen staff.**

**Board member Landis** said in the past when the Board has approved subordinate utility connections it has done so with the understanding that if a subordinate building was ever separated from the main building the City would require the owner to seek a separate connection. **City Director of Public Works & Utilities Sailor** responded that that would be good to require in this case.



Swartley/Landis then made a motion to allow Bill's Heating to connect a second building (a subordinate structure) to the primary structure's water and sewer connections with the added provision that if the two buildings are ever separated in a sale that new sanitary and water services will be taken to the pole barn. The motion passed 5-0.

**3) Janus Motorcycles request: Approval to close the parking lot north of its building for its annual owners rally, from 5 p.m., Friday, Sept. 13 through Sunday, Sept. 15 at noon**

**Jamie Morrow, Assistant General Manager of Janus Motorcycles of Goshen**, asked the Board to close the parking lot north of its building for Janus' annual owners rally. Janus requested the same closure as last year, starting at 5 p.m. on Friday, Sept. 13 through Sunday, Sept. 15, at noon. The parking lot would be closed to the general public and used for Janus' attendees; motorcycles only. All businesses that use this parking lot have been notified. In its written request, **Janus staff** indicated that on the night of Sept. 14, there will be a free community party open to the public where people will be able to walk around in the parking lot to see all of the Janus Motorcycles in one spot. **Janus staff** conceded that that the City Utility Office's section of the parking lot (4 marked spaces along with disabled person's parking spots) will need to stay open to be helpful for residents until the close of business (5 p.m.). Afterward, Janus has requested that the full parking lot to be barricaded off until Sunday Sept. 15. The parking lot would be gated off, but the alley would not be blocked in any way. Janus requested the use of 12 cones with 12 "no parking" signs delivered on or before Sept. 13. Janus also requested the use of 10 City of Goshen barricades delivered on or before Sept. 12.

In response to a question from **Mayor Leichty**, **Morrow** confirmed that she forwarded her requests to the City Street Department.

**Swartley/Landis** moved to approve the closure of the parking north of its building for its annual owners rally, from 5 p.m. on Sept. 13 until noon on Sunday, Sept. 15, 2024. Motion passed 5-0.

**4) Goshen First Church request: Approve a new lighted freestanding sign with new brick pillars and electronic message center replacing the monument sign now located in right of way at 214 South 5th Street**

**Stacey Holdeman, Officer Manager of Premiere Signs**, told the Board that Goshen First Church, located at 214 S. 5th St., was seeking approval for a new lighted freestanding sign with new brick pillars and electronic message center in place of the existing monument sign that is currently located in right of way.

**Holdeman** said the City Board of Zoning Appeals has approved the new sign size, height and the electronic message center. She asked the Board for approval to install the new sign in the same location as the old sign.

**Holdeman** said the old monument sign is located in right of way and will be removed. The new sign would be the same 3 feet from back edge of the sidewalk and 10 feet from the street curb.

The new sign will be 8 feet, 8 inches in height and will replace the existing sign that is about 6 feet in height. The new sign will have two new brick pillars with a 20 inches x 75 inches double-side lighted sign cabinet and a 29 inches x 75 inches double-sided electronic message center with a commitment of display colors only being black and white. The new sign with new pillars will be 115.25 inches wide from front edge of front pillar to back edge of back pillar.

**City Assistant Planning & Zoning Administrator Rossa Deegan** said the City Board of Zoning Appeals approved the electronic message center that was added to the sign as well as the increase in height and size. He said the original sign was approved by the Board of Works several decades ago. Deegan said it was decided to refer this matter to the Board of Public Works because the width of the sign is getting bigger as well as the height and there was an uncertain right of way issue.

**Board member Swartley** pointed out this would be the church's second sign.

**City Director of Public Works & Utilities Dustin Sailor** said his department wanted to make sure there was a right of way permit. He said the City also wanted to know how electricity would be added to the new sign.



**Board member Swartley** said she knew that there was some neighborhood opposition to an electronic sign.

**Board member Landis** expressed misgivings about the request because it is a request for a variance from ordinances that set maximum dimensions for signs. He said, "Why do we even have ordinances that control everything if we're just going to give them all away when somebody asks nicely or we like the organization that's requesting it." He also noted that that the church already has two signs on its property.

**Holdemen** said the church previously proposed a new signs of similar size to the existing sign, but after community pushback proposed a narrower sign. In response to a question from the **Mayor**, **Holdeman** said the sign dimensions and design were changed due to neighborhood feedback.

**Mayor Leichty** invited comments from the audience. **There were none.**

**Board member Landis** said the Board's sole responsibility was to determine if the new sign could be located in the right of way. He noted that there already is a sign in the right of way. He said he wouldn't oppose the request.

**Board member Swartley** said she would have liked a church representative to attend the meeting to answer questions. She also said she was bothered that a new signs was being proposed after a previous design had neighborhood opposition.

**Mayor Leichty** explained the rationale of church members who supported the new sign. She said church representatives explained their reason for the request to her and City staff.

**Vanessa Padilla**, a reporter for the **Goshen News**, asked to confirm that the sign on the corner of 5<sup>th</sup> Street and Jefferson Street would remain and that the new sign would replace the existing sign with the brick base. **Holdeman** confirmed that was the case.

**Swartley/Landis** made a motion to approve placement of a new lighted, freestanding sign with new brick pillars and electronic message center in place of the existing monument sign currently located in the right of way at 214 South 5<sup>th</sup> Street along with a right of way permit being issued and showing the City where the electricity will be run. The motion passed 5-0.

#### 5) Community-Pro Education request: Approve street closures and barricades for the Hispanic Heritage Month celebration, from 11 a.m. to 10 p.m., on Saturday, Sept. 14, 2024 at Powerhouse Park

**Gilberto Pérez** of **Goshen** told the Board that Community-Pro Education was pleased to announce that the 4th annual Hispanic Heritage Month Celebration in Goshen will be held on Saturday, Sept. 14 at Powerhouse Park from 11 a.m. to 10 p.m. Instead of holding the festival on Main Street, he said festival organizers collaborated with the City Police Department, Fire Department, and Street Department to arrive at this new location and the street closures.

**Pérez** said last year's event brought over 10,000+ individuals and families to downtown Goshen for the Hispanic Heritage Festival and this year 12,000+ people are expected to attend this celebration.

**Pérez** requested the closure of the following streets:

- West Jefferson / River Race Drive
- Alley / River Race Drive
- Alley / 3<sup>rd</sup> Street
- West Madison / 3<sup>rd</sup> Street
- Monroe / 3<sup>rd</sup> Street
- Monroe / River Race Drive

With its written request, **Community Pro Education** attached maps and street barrier listings (**EXHIBIT #2**).

In its request, **Community Pro Education** also wrote that every year from Sept.15 to Oct.15, Americans celebrate National Hispanic Heritage Month by appreciating the community's history, heritage, and contributions of the ancestors of American citizens who came from Mexico, Spain, the Caribbean, and South and Central America.

September 15 is set as the starting date for the month as it is the independence anniversary for El Salvador, Guatemala, Costa Rica, Nicaragua, and Honduras.



**Community Pro Education** also indicated that the Hispanic Heritage Festival is an opportunity to celebrate Hispanic American's contributions to the United States and having the festival in Goshen is a wonderful venue to celebrate Hispanic Heritage Month.

**Mayor Leichty** said she liked the revised layout for the festival, especially the stage. **Pérez** responded that the change was suggested by the Mayor and City staff, so that noise from the stage would be directed south instead of at the Hawks Building. At **Board member Landis'** request, **Pérez** clarified the map orientation.

**Board member Swartley** asked the purposes of the horses. **Pérez** said horse riders, which are called Charros in Spanish, will present various skills and techniques with their horses. He said the horses also will participate in a promenade in which the riders will deliver flags to people on stage who will then re-enact a "cry for freedom" by Latin American countries from Spain.

**Pérez** said organizers were happy about their partnership with Emergency Medical Services, the Fire Department and Police Department and the plans to draw a larger number of people in a concentrated space. He added, "You just never know what will happen, and knock on wood that we haven't had any incidents in past years, but this year we feel very confident with the support from Goshen Police Department and the Emergency Medical Services and first responders that if something would occur we would be able to respond in a very quick manner."

**Mayor Leichty** asked the location of the vendor parking, pointing out that as many as 100 vendors are expected. **Pérez** said the plans are for vendors to go on site Friday and park and set up, so there will be minimal traffic from them on Saturday. He asked if the parking lot north of the Hawks Building might be available for vendor parking.

**Mayor Leichty** asked City staff if that lot or another might be available. **City Director of Public Works & Utilities Dustin Sailor** and **Assistant City Attorney Don Shuler** said the lot north of the Hawks Building and another lot nearby may not be available. Some property is controlled by the City Redevelopment Commission, which would need to approve their use for parking. **Pérez** said he would ask the organizers if they wanted to make a formal request to use the area for parking.

**Board member Landis** asked how organizers will be handling trash disposal and portable restrooms. **Pérez** said eight portable restrooms will be provided and a large dumpster will be placed at the festival and vendors have been instructed to help dispose of trash. He thanked the City for its assistance.

**Swartley/Landis** made a motion to approve the request from **Community Pro Education** for street closures as requested. The motion passed 5-0.

#### 6) Legal Department request: Acceptance of Easement at 111 River Vista Drive

**City Attorney Bodie Stegelmann** recommended that the Board accept the easement from Marisa L. Yoder, as Trustee of the Marisa L. Yoder Trust.

**Stegelmann** said this easement, which is part of the real estate at 111 River Vista Drive, is for Goshen City utility purposes, and to accommodate a public sewer main located in the easement since 1964.

**Swartley/Landis** made a motion to accept the easement at 111 River Vista Drive from Marisa L. Yoder, as Trustee of the Marisa L. Yoder Trust, and authorize the Mayor to execute the acceptance. Motion passed 5-0.

#### 7) Legal Department request: Acceptance of Easement at 115 and 117 River Vista Drive and 1909 and 1911 South Main Street

**City Attorney Bodie Stegelmann** recommended that the Board accept the easement from JRT Realty, LLC, an Indiana Limited Liability Company, also known as JRT Realty, LLC, and JRT Realty.

**Stegelmann** said this easement, which is part of the real estate at 115 and 117 River Vista Drive and 1909 and 1911 South Main Street, is for Goshen City utility purposes, and to accommodate a public sewer main located in the easement since 1964.



Swartley/Landis made a motion to accept the easement at 115 and 117 River Vista Drive and 1909 and 1911 South Main Street from JRT Realty, LLC, an Indiana Limited Liability Company, also known as JRT Realty, LLC, and JRT Realty, and authorize the Mayor to execute the Acceptance. The motion passed 5-0.

**8) Legal Department request: Approve Resolution 2024-23, Declaring Surplus and Authorizing the Disposal of Personal Property**

City Attorney Bodie Stegelmann said the City's Technology Department wished 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 value. **Resolution 2024-23 would declare the property as surplus and authorize its disposal in accordance with Indiana Code § 5-22-22-8 by demolishing or junking property that is worthless or of no market value.**

**The following items were identified for disposal:** Logitech K540 Keyboard - 1812SY01QBT9, Dell Keyboard - CN0414543717247H0819, Logitech Keyboard – 820003292, Logitech Keyboard – 820002940, Logitech Keyboard - BT716DG9921, Logitech Mouse PN 3 852362-0000, Logitech Mouse SN HSA64010736, Logitech Mouse SN HCA439337540, Logitech Mouse PN 810-000595, Logitech Mouse PN 852149-0000, Logitech Mouse - LZ002B101G3, Brother HL5340D Printer-U62246A9J142071, Brother HL5140 Printer-U60964H4J521820, HP Printer - SN CNB6G5R1D4, Tower (Custom), Circuit Board - SN 131816401685, Bus Board - PN 0C55439, Lenovo - Docking Board, SN NM2-C862W09/10, Intel8 Centrio Circuit Board, PN 04W3769, Panasonic Fan - E233037, Logitech Adapter PN 810-000595, Logitech Mouse Adapter - PN 830680, Sharp Calculator -0D106409, Casio Calculator – 1245150, Desk, 2-Rolling Carts, and an Office Chair.

**Swartley/Landis made a motion to pass Resolution 2024-23, Declaring Surplus and Authorizing the Disposal of Personal Property. The motion passed 5-0.**

**9) Engineering Department request: Approve the closure of Ferndale Road, between U.S. 33 and County Road 45, from Sept. 9 to Oct. 1, 2024**

Andrew Lund told the Board that NIPSCO Gas has requested permission to close Ferndale Road/County Road 15 at the railroad crossing between Elkhart Road/U.S. 33 and CR 45, starting Monday, Sept. 9, until Tuesday, Oct. 1, 2024. He said NIPSCO was requesting this closure in order to complete a gas valve replacement at the intersection. The traffic control and detour plans were attached to the written request.

**Swartley/Landis made a motion to approve the closure of Ferndale Road, between US 33 and County Road 45, from Sept. 9 to Oct. 1, 2024. The motion passed 5-0.**

**10) Engineering Department request: Approve the one-day closure of Indiana Avenue, between Chicago Avenue and River Avenue, on Sept. 11, 2024**

Andrew Lund told the Board that Butler, Fairman & Seufert has requested permission to close the Indiana Avenue bridge over the Elkhart River, on Wednesday, Sept. 11, 2024, starting at approximately 8 a.m.

The road will be closed between River Avenue and Chicago Avenue, to allow the company to complete bridge inspections. All appropriate traffic control devices will be utilized.

**Swartley/Landis made a motion to approve the one-day closure of Indiana Avenue, between Chicago Avenue and River Avenue, on Sept. 11, 2024. The motion passed 5-0.**

**11) Clerk-Treasurer's Office request: Approve revised agreements for City employee time and attendance services with Right Stuff Software Corp. and with ADP, through Baker Tilly**

Clerk-Treasurer Richard R. Aguirre said the Clerk-Treasurer's Office was requesting the Board's approval for agreements to provide time and attendance software and support for City of Goshen employees.

Aguirre said the plan to move all City employees to computer and app-enabled time-keeping systems provided by Right Stuff Software Corp. and by ADP, the latter through a service agreement with Baker Tilly.



By way of background, **Aguirre** said in February 2021, at then Clerk-Treasurer Adam Scharf's request, the Board of Public Works & Safety approved an agreement with Right Stuff to move the City away from more than two dozen different manual methods of recording and tracking employee time and pay. Until that time, most City employees used paper time sheets and punch cards that required manual data entry into ADP online. So, preparing the City payroll was a massive and complicated task with data that was subject to misinterpretation and sometimes errors. Since then, **Aguirre** said the City has shifted the Fire, Police and Parks and Recreation Departments to Right Stuff. While that saved staff time and improved accuracy, there have been some challenges importing data into ADP and questions about whether this was the best long-term solution for all City employees. An ADP time, attendance and scheduling system could be a better fit for some.

Still, **Aguirre** said the City wanted to maintain its relationship with Right Stuff because its software has been ideal for Fire and Police, whose supervisors also rely on it for scheduling and reports. So, to provide another option, the Clerk-Treasurer negotiated an agreement for Fire, Police and Parks and Recreation to continue using Right Stuff for three years and for three years the rest of the City's employees will use ADP, whose services are supported by Baker Tilly. Attached to this memorandum is the Right Stuff agreement and the Baker Tilly's Engagement Letter.

**In summary, Aguirre said that under these agreements, the Clerk-Treasurer's Office would:**

- Renew its Right Stuff contract, retroactive to July 1, 2024, for three years under the previous terms and conditions for \$2,575 per month. This agreement includes an upgrade in Police Department software and 40 hours of support per month.
- Renew its agreement with Baker Tilly for ADP Workforce Technology Solutions-HR Plus and upgrade Workforce Now to Workforce Manager Time & Attendance software and support. The costs are detailed on pages 10 and 11 of the agreement.

**Aguirre** said over the next three years the City will assess both time and attendance systems and may recommend continuing this arrangement or transitioning to a single service provider.

**Aguirre** said **Deputy Clerk-Treasurer Jeffery Weaver** would provide more information about the Baker Tilly charges that go beyond the time and attendance software and include Human Resources Office support.

**Weaver** said pages 10 and 11 of the Baker Tilly Engagement Letter had an itemized list of the services that the City will receive and the different segments that the City will pay for Civil City, pensioners and Utilities.

**Board members** asked about the end time of the ADP agreement, which is three years for the time and attendance software. **Weaver** clarified that the City will be paying Baker Tilly, which will pay ADP for the use of its software. He also said Baker Tilly will provide additional payroll related services to the City, including consulting, the preparation of tax documents and legal assistance.

**Board member Landis** asked about ongoing issues involving the accurate exporting of Right Stuff data into ADP and when those issues might be resolved by ADP. **Mayor Leichty** responded, "I think it's more on the Right Stuff end because they're the newer software. And so, integrating with the more substantial technology they're still developing. We did have a long conversation with their senior staff (of Right Stuff) and identified the problems, and they committed to continue to have their developers work with us, to customize the software to increase that efficiency.

"So that provided me with peace of mind, knowing that they're continuing to work. And they've allocated a number of development hours to work with our staff. So, basically you've got ADP on the base and you've got Right Stuff, which is the scheduling component. And it's specialized for police and fire departments, sitting on top and trying to integrate with the pay the payroll system. So, I shared your concerns as well. And so, I think that's why, for some of the other departments. We're just using the ADP and skipping (Right Stuff). We don't need all the scheduling stuff that is part of their package. We just need the payroll that ADP can offer," **Mayor Leichty** said.



**Clerk-Treasurer Aguirre** said, "One of the things, by the way, I learned is how intricate our pay systems are in that when I first came to the City, I was told that no two firefighters were paid the same and I thought that must be just kind of an exaggeration, but it really is true, because of the kind of shift work they have.

**Aguirre** continued, "In fact, when I first came to the City, the system was, firefighters were paid in advance for the overtime. they were expected to work, and then it was reconciled later, which was incredibly complicated. Even now it's very complicated, but it does work out and it all comes out.

**Aguirre** concluded, "It's enormously complicated, our pay systems, because we have three different unions that have different (contract) provisions, and all of that has to be accounted for in our in our time and attendance system.

**Mayor Leichty** responded, "So this will be a big step forward for the City to have everybody on digital timekeeping and payroll."

**Swartley/Landis** made a motion to authorize the Clerk-Treasurer to execute the agreements with Right Stuff Software Corp. and Baker Tilly and ADP for City employee time and attendance software and support. 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 4:47 p.m. There were no public comments, but there was an added agenda item (below).

**12) Engineering Department request: Approve the use of parking spaces around the County Courthouse for sidewalk repairs**

**City Director of Public Works & Utilities Dustin Sailor** said that on behalf of the Elkhart County Commissioners, he wanted to notify the Board that sidewalk repairs would be taking place around the Courthouse and that the contractor will need to use parking spaces on the east, north, and south sides of the building for trucks and trailers.

**Sailor** said the County anticipates the work to start Sept. 9 and last two weeks, depending on the weather. He added that at this point, the County does not anticipate blocking any one side or more multiple sites.

**Mayor Leichty** pointed out the work will begin Sept. 9, after First Friday, Sept. 6.

**Sailor** presented Board members with a letter from Elkhart County Administrator Jeffery Taylor outlining the County's parking space usage request (EXHIBIT #3).

**Swartley/Landis** made a motion to authorize Elkhart County Commissioners to allow a contractor to block parking spaces for the replacement of various sections of the sidewalk around the Courthouse, on County property avoiding right of ways, on the east, north, and south side, beginning Monday, Sept. 9, 2024 for a period of two weeks, weather permitting. The motion passed 5-0.

There were no FURTHER public comments. And the Mayor closed the comment period at 4:50 p.m.

**Mayor Leichty** recessed the Board of Public Works meeting at 4:50 p.m. and opened public hearings to review three unsafe building orders.

**CITY BOARD OF PUBLIC WORKS & SAFETY PUBLIC HEARINGS:**

4:00 p.m., Sept. 5, 2024

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





13) Review of the Order of the City of Goshen Building Commissioner for 111 S. 29th Street (Eduardo Pizana, property owner)

At 4:50 p.m., Mayor Leichty convened a hearing to review the Order of the City of Goshen Building Commissioner for 111 S. 29th Street (Eduardo Pizana, property owner).

**BACKGROUND:**

In an Aug. 30, 2024 memorandum to the Board, Assistant City Attorney Don Shuler wrote that the Board last held a hearing for this property on May 9, 2024. At the conclusion of that hearing, the Board modified the prior demolition order for the property and issued a new order, requiring the repair of cited code violations within 90 days.

Shuler wrote that the Board's Order set the matter for a review hearing for Aug. 22, 2024. Due to the cancellation of the Board of Works meeting on that date, the hearing was rescheduled to Sept. 5, 2024.

Shuler wrote that the purpose of the Board's hearing was to determine if there had been reasonable attempts to comply with the Board's May 9, 2024 Order. Depending on the Board's findings, it could take any of the following action:

If the Board finds there has been substantial progress made or that repairs have been completed, the Board could do any of the following:

- Issue no new order but continue the hearing until a later date;
- Issue a new order requiring the repairs be completed by a certain date, with a review hearing; or Issue an order rescinding the prior order and finding the building to no longer be an unsafe building.

If the Board finds there has not been substantial progress and there has been a willful failure to comply, the Board may issue a civil penalty up to \$5,000.

- If the Board issues a civil penalty, it may hold the penalty in abeyance and set a date for the owner to complete repairs/make progress to avoid entry of the penalty.

The May 9, 2024 hearing was preceded by hearings on March 28, 2024 and Feb. 8, 2024.

The Feb. 8 hearing was prompted by a Nov. 1, 2023 Order by City of Goshen Building Commissioner Myron Grise. In the order, Grise notified Ronald E. Davidhizar, at that time the owner of 111 South 29<sup>th</sup> Street., that he was in violation of the City of Goshen Neighborhood Preservation Ordinance, codified in Goshen City Code § 6.3.1. The order was based on an Oct. 16, 2023 City inspection.

Building Commissioner Grise identified the following City Code violations in his Nov. 1, 2023 Order:

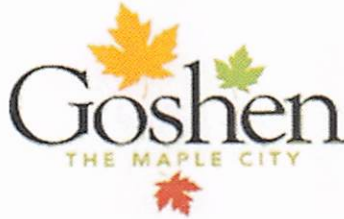
1. **The residential structure is not secured from intrusion by unauthorized persons**, a violation of Section 6.3.1.1(ff). There is no front door installed, missing windows, and large gaps in the foundation. The presence of animal and human feces, decaying animal carcasses, and accumulation of materials inside the structure demonstrate the residential structure's accessibility.

2. **The heating and mechanical system at the residential structure have been damaged** due to neglect and lack of use, a violation of Section 6.3.1.1(a). The furnace has been tampered with and the existing duct work has rusted out and needs replacement.

3. **Due to neglect and deterioration, the residential structure is in a condition where it is danger of collapsing**, a violation of Sections 6.3.1.1 (p) and (r). Areas of the roof are in danger of collapse from deterioration and leaks. Areas of the foundation are collapsing and have large gaps, permitting animals and weather to enter.

4. **The residential structure has become a fire hazard**, a violation of Section 6.3.1.1(x). Due to neglect and dilapidation, in addition to the residential structure's accessibility, the structure has lots most of its fire resistance qualities; the gas lines are busted, the electrical wiring has been cut, and the furnace has been tampered.

5. **The plumbing system at the residential structure is inoperable**, a violation of Section 6.3.1.1(a). Most plumbing pipes have been cut or completely removed.



**6. The electrical system at the residential structure is inoperable**, a violation of Section 6.3.1.1(a). All the wiring has been cut and removed; the electrical panel is open and all wires have been cut from the panel.

**7. The foundation of the residential structure is not weather tight, has not been kept in good repair, and is not firmly supported nor free of open cracks and breaks**, a violation of Section 6.3.1.1(b). There are areas of the foundation that have large holes permitting animals and weather to enter, and areas of the foundation wall that have begun to collapse.

**8. There are multiple missing windows and broken windows throughout** the residential structure, a violation of Section 6.3.1.1(d).

**9. The roof has not been kept in good repair**, a violation of Section 6.3.1.1(b). The roof has deteriorated and has several leaks. Areas of the soffit have collapsed.

**10. The ceiling has not been kept in good repair**, a violation of Section 6.3.1.1(b). Ceiling panels throughout the residential structure have collapsed and several areas of the ceiling have holes.

**11. The walls inside the house have not been kept in good repair**, a violation of Section 6.3.1.1(b). Multiple walls have holes in them.

**12. The floors have not been kept in good repair**, a violation of Section 6.3.1.1(b). Several floors have holes in them and there are areas of the floor that have begun to collapse.

**13. All painted surfaces in the residential structure are not properly coated and weather tight**, a violation of Section 6.3.1.1(g). Areas through the interior and exterior have chipped and peeling paint.

**Building Commissioner Grise concluded the property was unsafe within the meaning of Indiana Code § 36-7-9-4(a)(1), (2), (5), and (6). And because of the listed violations, the property was unsafe, a fire hazard, dangerous to person or property, unfit for human habitation, and threatened the “life, health, property and safety of the public. The property owner was ordered demolish the structure on or before Dec. 1, 2023. The Board of Public Works and Safety needed to conduct a hearing on Feb. 8, 2024 and affirm, rescind, or modify the Building Commissioner’s Order and determine what action to order concerning the property. At the Feb. 8 hearing, the Board learned that the home remained in an unsafe condition and warranted demolition. However, the Board also was notified that the home was sold at auction and would soon close with a new owner, Eduardo Pizana, who planned to repair the property.**

**At the conclusion of the Feb. 8 hearing, the Board passed a motion to adopt the violations listed in the City Building Commissioner’s Order for 111 South 29th Street as the Board’s findings, that those violations made the structure an unsafe building, that the general condition of the building warranted demolition, but that the property could be repaired, and that the new owner within 90 days either make substantial progress on the repairs to the unsafe building or demolish the unsafe building and that new owner return to the Board on March 28, 2024 to give an update on what was happening on the building. The motion passed 5-0.**

**At the March 28, 2024 hearing**, the new property owner reported on the progress made to rehabilitate the property. **Eduardo Pizana** said he had pulled remodeling and plumbing permits and received quotes for electrical and Heating, Ventilation, and Air Conditioning (HVAC) work and hoped to get that started very soon. He said he has also stripped out all of the damaged drywall.

**City Building Inspector Travis Eash** said **Pizana’s** report was accurate. He said he would be asking **Pizana** to keep in touch so City Building staff could visit the property.

**The Board continued the hearing to May 9, 2024. Afterward, it eventually was continued to Sept. 5, 2024.**

#### **DISCUSSION AND OUTCOME OF BOARD OF PUBLIC WORKS & SAFETY HEARING ON SEPT. 5, 2024:**

**At 4:50 p.m., Mayor Leichty** opened the hearing to review the Order of the City of Goshen Building Commissioner for 111 S. 29th Street (**Eduardo Pizana**, property owner).



Present for the hearing were: Board members Leichthy, Landis, Myers, Nichols and Swartley; City Attorney Bodie Stegelmann; Assistant City Attorney Don Shuler, Building Commissioner Myron Grise and City Building Inspector Travis Eash. Eduardo Pizana, the property owner, was not present.

Assistant City Attorney Don Shuler discussed the background of the property and explained that the purpose of today's hearing was to determine if there had been reasonable attempts to comply with the Board's May 9, 2024 Order. He said a City staff member would report on the condition of the home as would the property owner. Afterward, he said he would submit a proposed order for the Board.

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

City Building Inspector Eash distributed to the Board a one-page memorandum, dated Sept. 5, 2024, about the condition of 111 S. 29th Street. (EXHIBIT #4).

Reading from his memorandum, Eash said:

"The original inspection of the property was conducted while under different ownership. Since the new owner has taken possession, they have pulled all the proper permits and have passed all inspections other than a final inspection. They have been aggressive in getting this property into a habitable condition. There is a final inspection scheduled for tomorrow morning.

"I do not have recent photos of the progress but can provide them at a later date if requested. The anticipation is that if the final inspection fails it will be minor and the property should be ready to rent soon."

Eash concluded, "The Building Department recommends that the Board rescind the repair Order on the condition that it passes final inspection."

Assistant City Attorney Shuler said the Board on May 9 modified its action from a demolition to a repair order. He proposed that the Board acknowledge today's hearing and table the matter until Oct. 3, 2024 with the understanding that everything will be completed in the next few weeks and that the Board authorize the Building Commissioner to rescind the unsafe building order if the property passes its final inspection.

At Board member Swartley's request, Shuler clarified his recommended action for the Board.

Swartley/Landis then made a motion to table the Building Department's recommendation for rescission of the repair order for 111 South 29<sup>th</sup> Street until the Board's Oct. 3, 2024 meeting but once the property passes its final inspection, the Building Commissioner can rescind the repair order and the matter will not come back to the Board. The motion passed 5-0.

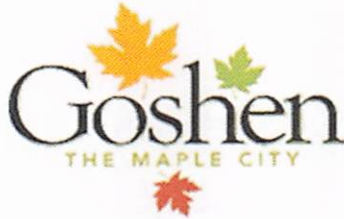
14) Review of the Order of the City of Goshen Building Commissioner for 702 N. 6th Street (Nicolas and Gabriel Camarena, property owners)

At 4:57 p.m., Mayor Leichthy convened a hearing to review the Order of the City of Goshen Building Commissioner for 702 N. 6th Street (Nicolas and Gabriel Camarena, property owners)

#### BACKGROUND:

In an Aug. 30, 2024 memorandum to the Board, Assistant City Attorney Don Shuler wrote that the Board last held a hearing for this property on May 9, 2024. At the conclusion of that hearing, the Board modified the prior demolition order for the property and issued a new order, requiring the repair of cited code violations within 90 days.

Shuler wrote that the Board's Order set the matter for a review hearing for Aug. 22, 2024. Due to the cancellation of the Board of Works meeting on that date, the hearing was rescheduled to Sept. 5, 2024.



Shuler wrote that the purpose of the Board's Sept. 5 hearing was to determine if there have been reasonable attempts to comply with the Board's May 9, 2024 Order. Depending on the Board's findings, it could take any of the following actions:

If the Board finds there has been substantial progress made or that repairs have been completed, the Board could do any of the following:

- Issue no new order but continue the hearing until a later date;
- Issue a new order requiring the repairs be completed by a certain date, with a review hearing; or
- Issue an order rescinding the prior order and finding the building to no longer be an unsafe building.

If the Board finds there has not been substantial progress and there has been a willful failure to comply, the Board may issue a civil penalty up to \$5,000.

- If the Board issues a civil penalty, it may hold the penalty in abeyance and set a date for the owner to complete repairs/make progress to avoid entry of the penalty.

The May 9, 2024 hearing was preceded by hearings on March 28, 2024 and Feb. 8, 2024.

The Feb. 8 hearing was prompted by a Nov. 1, 2023 Order by City of Goshen Building Commissioner Myron Grise. In the order, Grise notified Ronald E. Davidhizar, at that time the owner of 702 North 6th Street., that he was in violation of the City of Goshen Neighborhood Preservation Ordinance, codified in Goshen City Code § 6.3.1. The order was based on an Oct. 16, 2023 City inspection and a re-inspection on Oct. 31, 2023.

Building Commissioner Grise identified the following City Code violations in his Nov. 1, 2023 Order:

1. **The residential structure is not secured from intrusion by unauthorized persons**, a violation of Section 6.3.1. l(ff). The front door is open, the door to the basement is open, and the residential structure is freely accessible to vandals and squatters, in addition to animals.
2. **The roof exhibits signs of deterioration and leaking, permitting water into the residential structure**; ceiling plaster on the second floor has collapsed, exposing water damaged lath on walls and ceiling; the soffit at the rear of the property has begun to collapse; and the fascia around the residential structure is severely water damaged; all of which are violations of Section 6.3.1.l(c).
3. **Multiple windows and doors are broken and not working properly**, a violation of Section 6.3.1.l(d).
4. **Multiple areas of the foundation have holes and cracks, permitting weather and animals to enter**; areas of block foundation have failed and compromised the strength of the foundation; which are violations of Sections 6.3.1. l(b) and U).
5. **Portions of the second-floor ceiling have collapsed**; ceiling panels on the main floor have collapsed; walls throughout the residential structure have holes; several walls have collapsed or been removed, leaving only the studs; all of which are violations of Section 6.3.1. l(b).
6. **The interior of the residential structure has chipped and peeling paint throughout**, a violation of Section 6.3.1.l(g).
7. **The electrical system is damaged and likely needs replacement due to neglect**, a violation of Section 6.3.1.l(a).
8. **The plumbing system is damaged and likely needs replacement due to neglect**, a violation of Section 6.3.1.1 (a).
9. **The mechanical system is damaged and likely needs replacement due to neglect**, a violation of Section 6.3.1.1 (a).
10. **The residential structure, due to deterioration, damage, and its dilapidated condition, has become a fire hazard**, a violation of Section 6.3.1. l(x).



**Building Commissioner Grise concluded the property was unsafe** within the meaning of Indiana Code § 36-7-9-4(a)( 1 ), (2), (5), and (6). And because of the listed violations, the property was unsafe, a fire hazard, dangerous to person or property, unfit for human habitation, and threatened the “life, health, property and safety of the public.” The property owner was ordered demolish the structure on or before Dec. 1, 2023.

**The Board of Public Works and Safety needed to conduct the Feb. 8, 2024 hearing and affirm, rescind, or modify the Building Commissioner’s Order and determine what action to order concerning the property.**

**At the Feb. 8 hearing, the Board learned that the home remained in an unsafe condition and warranted demolition. However, the Board also was notified that the home was sold at auction and would soon close with new owners, Gabriel Camarena and Nicolas Camarena, who planned to make extensive repairs.**

**At the conclusion of the Feb. 8 hearing, the Board passed a motion to adopt the violations listed in the City Building Commissioner’s Order for 702 N 6th Street as the Board’s findings, find that those violations made the structure an unsafe building, that the general condition of the building warranted demolition, but that the property could be repaired, and that the new owner within 90 days either make substantial progress on the repairs to the unsafe building or demolish the unsafe building and that new owner return to the Board on March 28, 2024 to give an update on what was happening on the building. The motion passed 5-0.**

**At the March 28, 2024 hearing, the new property owner, Gabriel Camarena reported on the progress made to rehabilitate the property. City Building Inspector Travis Eash said Camarena had pulled a remodeling permit but other necessary permits had to be pulled by licensed contractors. Still, Eash said the City Building Department didn’t have any issues with the work and said progress was being made. He added that this property took a little longer to close, so work started later than anticipated “but was moving right along.”**

**The Board continued the hearing to May 9, 2024. Afterward, it eventually was continued to Sept. 5, 2024.**

#### **DISCUSSION AND OUTCOME OF BOARD OF PUBLIC WORKS & SAFETY HEARING ON SEPT. 5, 2024:**

**At 4:57 p.m., Mayor Leichty opened the hearing to review the Order of the City of Goshen Building Commissioner for 702 N. 6th Street (Nicolas and Gabriel Camarena, property owners).**

**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. Gabriel Camarena, the property owner, was also present.**

**Assistant City Attorney Don Shuler discussed the background of the property and said that the purpose of today’s hearing was exactly the same as the just-concluded case for 111 South 29<sup>th</sup> Street. He said a City staff member would report on the condition of the home as would the property owner. Afterward, he said he would suggest tabling the matter and allow the Building Commissioner to rescind the remodeling order.**

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

**City Building Inspector Eash distributed to the Board a one-page memorandum, dated Sept. 5, 2024, about the condition of 702 N. 6th Street. The memo included nine pages of color photos of the home (EXHIBIT #5).**

**Reading from his memorandum, Eash said:**

**“The original inspection of the property at 702 N. 6<sup>th</sup> Street was conducted while under different ownership. Since the new owner has taken possession, they have pulled all the proper permits and have passed all inspections other than the final inspection. They have been aggressive in getting this property into a habitable condition and is just a couple weeks of being finished and calling for final inspection.**

**“During a walk-through inspection yesterday, I took recent photos which are attached in this packet along with photos from my initial inspection conducted in October of 2023, to show the progress that has been made.”**



**Eash** concluded, "The Building Department recommends that the Board table the repair Order until Oct. 3rd to allow the property owners to schedule a final inspection. If the final inspection is passed prior to the October 3rd hearing, the Board (should) give the authority to the Building Commissioner to rescind the Repair Order."

**Eash** added that the owner was present, adding that he has to complete some countertop work and install sinks, but should have all work completed in a few weeks.

**Gabriel Camarena** stepped forward and identified himself as the property owner.

On behalf of the City, **Mayor Leichty** extended "a heartfelt thanks for all of the work that you have poured into this home. It's clear that it's a remarkable transformation which will be a tremendous benefit to that entire community. So, I just wanted to offer thanks."

**Camarena** acknowledged the **Mayor's** appreciation.

**Board member Swartley** praised **Camarena** for his beautiful work.

**Swartley/Landis** then made a motion to approve the Building Department's recommendation that the Board table the repair order until Oct. 3 to allow the property owner to schedule a final inspection and if the final inspection is passed prior to Oct. 3, the Board gives the authority to the Building Commissioner to rescind the repair order in which case the Oct. 3 hearing would be canceled. The motion passed 5-0.

15) Review of the Order of the City of Goshen Building Commissioner for 208 Queen Street (Leopoldo Mendoza, property owner)

At 5:01 p.m., **Mayor Leichty** convened a hearing to review the Order of the City of Goshen Building Commissioner for 208 Queen Street (Leopoldo Mendoza, property owner)

#### BACKGROUND:

In an Aug. 30, 2024 memorandum to the Board, Assistant City Attorney Don Shuler wrote that the Board last held a hearing for this property on May 23, 2024. At the conclusion of the hearing, the Board affirmed the prior demolition order for the property, requiring demolition or completion of all repairs of cited violations within 90 days.

**Shuler** wrote that the Board's Order set the matter for a review hearing for Sept. 5, 2024. The Legal Department sent the Order containing notice of the hearing to the property owner via regular mail.

**Shuler** wrote that the purpose of the Board's hearing is to determine if there have been reasonable attempts to comply with the Board's May 23, 2024 Order. Depending on the Board's findings, he wrote that the Board could take any of the following action:

If the Board finds there has been substantial progress made or that repairs have been completed, the Board could do any of the following:

- Issue no new order but continue the hearing until a later date;
- Issue a new order requiring the repairs be completed by a certain date, with a review hearing; or
- Issue an order rescinding the prior order and finding the building to no longer be an unsafe building.

If the Board finds there has not been substantial progress and there has been a willful failure to comply, the Board may do any of the following:

- Affirm the prior and existing demolition order, with no option for repair.
- Issue a civil penalty up to \$5,000.
- If the Board issues a civil penalty, it may hold the penalty in abeyance and set a date for the owner to complete repairs/make progress to avoid entry of the penalty.

Before the May 23, 2024 hearing for 208 Queen Street, **Shuler** said that the Board last held a hearing for this property on Feb. 8, 2024.



The Feb. 8 hearing was prompted by a Nov. 3, 2023 Order by City of Goshen Building Commissioner Myron Grise. In the order, Grise notified Ronald E. Davidhizar, at that time the owner of 208 Queen Street, that he was in violation of the City of Goshen Neighborhood Preservation Ordinance, codified in Goshen City Code § 6.3.1. The order was based on an Oct. 18, 2023 City inspection.

Building Commissioner Grise identified the following City Code violations in his Nov. 3, 2023 Order:

1. The heating and mechanical system at the residential structure is inoperable, a violation of Section 6.3.1. l(a).
2. The plumbing system at the residential structure is inoperable, a violation of Section 6.3.1. l(a).
3. The electrical system at the residential structure is inoperable, a violation of Section 6.3.1. l(a). The electrical panel has been tampered with and there are areas inside the structure with exposed and damaged electrical wires.
4. The residential structure is vacant and not secured, a violation of Section 6.3.1. l(ff). The structure has no doors on its exterior, permitting unauthorized access by people and animals.
5. The windows have not been kept in good repair and are not weather tight and rodent proof, a violation of Section 6.3.1. l(d). All windows have been broken and there is broken glass throughout the residential structure.
6. The ceilings have not been kept in good repair, a violation of Section 6.3.1. l(b). Areas of the ceiling have collapsed.
7. The walls have not been kept in good repair, a violation of Section 6.3.1.l(b). Areas of the walls have collapsed, other walls have holes all the way to the outside exposing the structure to weather damage and rodents entering the property.
8. The floors have not been kept in good repair, a violation of Section 6.3.1.l(b). There are areas of the floor that have begun to collapse and are not able to support the proper load required.
9. The residential structure has not been kept weather tight, making the foundation system incapable of supporting all nominal loads, a violation of Section 6.3.1. l(b). The structural members of the structure have been damaged by weather to the extent that it has compromised the structural integrity of the structure.
10. The residential structure is in likely to partially or completely collapse as a result of deterioration, a violation of Section 6.3.1.1 (r). The floors, walls, and ceilings are detached from each other. The house is leaning and in danger of total collapse.
11. Portions of the residential structure are likely to fail and collapse, a violation of Section 6.3.1.l(p). There are severe cracks in the walls, ceiling, and floors as they have detached from each other. The entire house is beginning to sag. Several portions of the house have begun to collapse due to consistent exposure to weather; structural members have become water damaged to the extent they have lost their structural integrity.

Building Commissioner Grise concluded the property was unsafe within the meaning of Indiana Code § 36-7-9-4(a)(1), (2), (5), and (6). And because of the listed violations, the property was unsafe, a fire hazard, dangerous to person or property, unfit for human habitation, and threatened the "life, health, property and safety of the public." The property owner was ordered demolish the structure on or before Dec. 6, 2023.

The Board of Public Works and Safety needed to conduct the hearing and affirm, rescind, or modify the Building Commissioner's Order and determine what action to order concerning the property.

Along with hearing evidence, questioning witnesses, reviewing the record and making findings, the Board had the option of affirming the Building Commissioner Order (if it agreed with demolition), rescinding the Order (if property violations had been fixed), or modifying the Order (if it believed that the property could be fixed). It could also postpone the hearing to a future date.

Before the Feb. 8 meeting began, City Building Inspector Travis Eash distributed to Board members a 15-page memorandum and report, dated Feb 8, 2024, about 208 Queen Street, which included photographs of the property showing its condition as of an Oct. 18, 2023 inspection. The memorandum documented alleged code violations and the poor condition of the home that Eash wrote made it "uninhabitable and unsafe."



The Board conducted a hearing on the property on Feb. 8, 2024 and heard testimony from City Inspector Travis Eash, Leopoldo Mendoza, the new property owner and Craig B. Blough, a licensed real estate broker and auctioneer for Bartel & Company.

At the conclusion of the Feb. 8 hearing, the Board passed a motion to adopt the violations listed in the City Building Commissioner's Order for 208 Queen Street as the Board's findings, that those violations made the structure an unsafe building, that the general condition of the building warranted demolition, but that the property could be repaired, and that the new owner within 90 days either make substantial progress on the repairs to the unsafe building or demolish the unsafe building and that new owner return to the Board on March 28, 2024 to give an update on what was happening on the building. The motion passed 5-0.

At the March 28, 2024 hearing, the new property owner reported on the progress made to rehabilitate the property. City Building Inspector Travis Eash said Mendoza's purchase of the property closed on March 11, which took longer than anticipated. He said Mendoza has submitted his plans to the City Planning Department for review. Eash said Mendoza was requesting a gravel driveway, which first would need to be approved by the Board of Works and Safety. Eash added that Mendoza was not to blame for delays and he expected to see progress on the home soon.

The Board continued the hearing to May 9, 2024. It was later continued to May 23, 2024. As previously stated, on May 23, the Board affirmed the prior demolition order for the property, requiring demolition or completion of all repairs of cited violations within 90 days and set the matter for a review hearing for Sept. 5, 2024.

#### **DISCUSSION AND OUTCOME OF BOARD OF PUBLIC WORKS & SAFETY HEARING ON SEPT. 5, 2024:**

At 5:01 p.m., Mayor Leichty opened the hearing to review the Order of the City of Goshen Building Commissioner for 208 Queen Street (Leopoldo Mendoza, 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. Leopoldo Mendoza, the property owner, was also present. Translating for Mendoza was Gilberto Pérez Jr. of Goshen.

Assistant City Attorney Don Shuler discussed the background of the property and explained the reason for today's hearing. He said a City representative would testify about the condition of the home and that the property owner, Leopoldo Mendoza, was also present. Afterward, Shuler said he would recommend action to the Board.

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

City Building Inspector Eash distributed to the Board a one-page memorandum, dated Sept. 5, 2024, about the condition of 208 Queen Street. The memo included five pages of color photos of the home (EXHIBIT #6).

**Reading from his memorandum, Eash said:**

"The property at 208 Queen Street originally came to the Board of Works on Feb. 8, 2024, just a couple of weeks after a new owner purchased the property in an auction. At that time, the new owner was ordered to substantially repair the property or demolish it within 90 days.

"This property again came before the Board of Works on May 23, 2024 for another hearing after the initial 90-day time frame had passed. At that hearing I testified that the start of work was delayed for a couple of different reasons, but that those issues had been resolved and felt that the owner was beginning to make progress at the time. He had also pulled a remodel, window and roof permit."

Eash continued, "With all that being said at that hearing the Building Department requested that the Board allow 90 more days for the owner to complete all repairs and pass all required inspections including a final inspection. Now the second 90-day timeframe has passed."





**Eash** again continued, "Since the hearing in May, the owner hasn't had any subcontractors pull permits for electrical, plumbing or HVAC. The owner hasn't called for any inspections or any questions or concerns. Some windows have been installed and a roof has been installed on a portion of the property without proper inspections. There is only a portion of the framing done throughout the house and that portion would not pass inspection as constructed.

"I have photos attached in this packet that I took during a walk-through yesterday to show the current condition of the property, which in the Building Department's opinion is still unsafe and still warrants demolition. All violations from original order still besides the windows still exist on the property."

**Eash** concluded, "In speaking with the owner yesterday at the property he stated that he could get it completed in six months. At the rate it's going now, I don't see how that's possible without hiring help and getting licensed contractors in there to help do the work. The Building Department is very reluctant to allow any more time, especially six months with how things have progressed over the first six months.

"The Building Department's recommendation is that the order remain a demolition order because the current condition warrants demolition, but allow the owner 30 days to determine if he wants to continue with repairs and bring an updated timeline to this Board or demolish the property."

**Mayor Leichty** responded, "Well, I will acknowledge this is pretty disappointing. You know there are clearly a lot of people in the City who desperately need housing, and when we began pursuing properties that we felt were a significant blight, this was obviously one that we identified and it was sold to what we hoped would be somebody who was taking full advantage of the opportunity to transform a property as so many we've heard just today. So many others have taken advantage of that opportunity and moved forward.

**Mayor Leichty** continued, "That said, I understand that there are circumstances that happen in people's lives, and may prevent them from moving forward with their intended plans, but I haven't seen anything substantive that convinces me that there's going to be movement on this property, and I fear that we may be in for another long haul with a house that's unoccupied and blight in our community.

"I would certainly be in favor of continuing with the demolition order. I guess my question to other board members is whether or not we want to grant the 30 day time period or whether we feel like this warrants a demolition order today. Have they had enough time?"

**Eash said the homeowner was present.**

**Mayor Leichty** said, "I'll just be very frank with where I am. Unless there's some legitimate reason that this hasn't moved forward thus far, or some convincing evidence that the owner has the capacity to actually move forward with this project, I would be inclined to continue with the demolition order."

**Mayor Leichty asked if Board members had questions for Eash.**

**Board member Swartley** asked about the quality of the framing Mendoza had completed at the house – whether it would pass inspection and was of poor quality. **Eash** said, "Part of it would fail. Some of the top plates are not installed correctly ... personally I just don't see it getting finished correctly."

**Mayor Leichty** asked **Eash** if Mendoza had issues with other properties that the City has inspected going back to 2022. **Eash** said Mendoza's own residence, a duplex, has had framing issues with a garage he installed that has yet to pass its final inspection.

**Board member Landis** asked if the framing would need to be redone or could the problems be remedied. **Eash** said extensive work would have to be done. He said the timing issue was also a factor in his demolition recommendation. He added that he didn't know Mendoza's plans for completion.

**Mayor Leichty invited comments from Leopoldo Mendoza.**

**Mayor Leichty swore in Mendoza to give complete and truthful testimony.**

**Mendoza spoke in Spanish and his comments were translated into English by Gilberto Pérez Jr.**



**Mendoza** said, "I can only say in my defense this was my first business in this area and I recognize I made some mistakes and one of them was the time frame I was supposed to have done this. I didn't think that the structure would be this bad. At this point, the structure hasn't been completed and that's why I haven't contacted the inspectors because the work is not finished. But I want to assure you that I do want to finish it and I only ask you for more time."

**Mayor Leichty** invited questions from Board members.

**Board member Swartley** asked about **Mendoza's** experience in building construction. **Mendoza** said he didn't have experience with this type of construction.

**Board member Nichols** asked if **Mendoza** was doing the work himself. He said a contractor was helping him.

**Mayor Leichty** said she wanted to make clear to **Mendoza** the parameters of the program the City is working within.

**The Mayor said:**

"When the Board of Works issues a demolition order with a timeline, not every municipality would allow that property to be repaired. Goshen's practice is to allow a property that has a demolition order to sell, and the new owner can request to make repairs on the property given only if they complete them within a specific timeframe.

**Mayor Leichty** continued, "The purpose for that policy is so that we can transform blighted properties into productive properties. So, we are willing to work with folks in construction who can do that quickly and rapidly. If a person cannot complete that project within that timeframe, it's probably better that they not work under this program.

"I don't know if it's possible for you to sell the property at this point and reclaim what you have invested thus far, but that would be one thing that I would recommend that you consider because we will be pressuring you to finish very quickly.

**Mendoza** responded he wanted more time to complete repairs.

**Board member Swartley** asked if **Mendoza** intended to hire subcontractors to work on the home.

**Mendoza** responded that it's a very big project, so he was asking for more time.

**Mayor Leichty** estimated it would cost \$80,000 to \$100,000 to make the home habitable. Besides the time, the Mayor asked if **Mendoza** had the financial resources to complete the work and whether that was feasible.

**Mendoza** said it depended on the time he was given. He said he was short on money and had hoped to complete some of the work on the second floor to qualify for a bank construction loan. He clarified it was a duplex with a basement garage.

**Board member Landis** said the issue seemed to be more one of a timing issue and perhaps another owner could complete the renovation of the property. **Mayor Leichty** said that's why she recommended **Mendoza** consider selling the property, so that he might "break even" on his investment so far.

**Mayor Leichty** said the Building Department recommended that **Mendoza** return in 30 days with a demonstrated plan of action for the property. She said she would also recommend "a financing plan with some kind of recommendation from whatever financial institution that he's working with, that says that they would be willing to finance this project to ensure that it can be completed in a reasonable time frame, or that he comes back with an intent to sell, if that's the other option he wants to consider."

**Board member Swartley** said it's difficult to finance properties like this which are half-finished.

**Board member Landis** asked about the Mayor's position if **Mendoza** were to return with a financing plan.

**Mayor Leichty responded**, "then I would be inclined to extend the timeline. Otherwise, I'm saying, 30 days is 30 days."

**Board member Landis** asked if the Board would also want **Mendoza** to disclose the people who are working with him. The **Mayor** said, "I think that would be a reasonable additional request to include some verification of a financial plan and verification of a building plan with the agreements with subcontractors that are in place." She asked other Board members for their perspectives.

**Board member Myers** said the Board today learned about two people who were able to make significant progress in renovating unsafe properties in the given time frame.



**Myers** said it was unfortunate **Mendoza** was struggling financially, but he is worried that if **Mendoza** is given more time, the property will still not be completed in six months or another year or even two years. He said he agreed with the Mayor that there needs to be a financial plan and a reasonable assurance the work will be completed in a reasonable time frame before **Mendoza** is given more time.

**Board member Nichols** said it would be important that **Mendoza** is able to establish he has adequate money and subcontractors to do the work because "he's not able to do it on his own, or even with the assistance of one person."

**Board member Myers** said there was no need for **Mendoza** to spend more money only to find out he is doing the work inadequately. He pointed out that **Eash** indicated some of the work **Mendoza** has already completed will have to be redone.

**Mayor Leichty** asked if the Board was prepared to make a motion.

**Assistant City Attorney Shuler** summarized for the Board a proposed Order for their action concerning 208 Queen Street. He stated the proposed Order would make findings concerning the condition of the property based on **Travis Eash's** testimony, specifically including that the building is still unsafe, that the repair work has stalled, no subcontractors have been employed, work that has been done has occurred without inspections and would meet code, and that there are serious concerns whether the building may be repaired cost effectively and will be repaired by the property owner.

Based on those findings, **Shuler** advised the Board that the proposed Order would: set the matter for further hearing on Oct. 10, 2024; that the property owner, **Mendoza**, be required to submit a detailed scope of work and repairs to be done with estimated completion dates, including any agreements with contractors and/or subcontractors; that **Mendoza** be required to submit sufficient financial documentation to demonstrate he has the financial resources and capital to complete the repairs in a timely fashion; and that if **Mendoza** fails to meet those requirements at the next hearing, the Board would affirm demolition without the option of repair. **Shuler** stated that if the Board was agreeable to the Building Commissioner's proposed Order, they could move to adopt that Order as summarized.

**Board member Landis** asked if **Mendoza** would need to meet all of the proposed conditions to get more time for repairs. He asked if the Board could provide more time if he meets just some of the conditions.

**Mayor Leichty** responded, "My understanding is that we would be requesting those items for our consideration, and that that would be utilized to make a determination on whether or not we are going to extend the timeline. So basically, we're asking for proof that this is possible in a number of ways that we've enumerated.

"So that that would be the evidence that we would use to make a determination on an extension. Now there is a provision that if he doesn't meet those standards that the assumption is, it would be that the demolition order without any further repairs at that point."

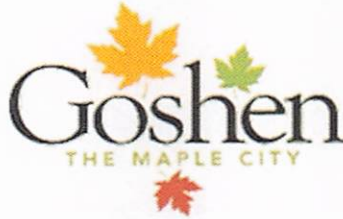
**Board member Swartley** asked what would happen if **Mendoza** returned with a purchase agreement for the property from another buyer who was aware of the demolition order.

**Mayor Leichty** said **Mendoza** proposal "would have to satisfy us."

**Shuler** said, "The demolition orders on these properties have always been recorded to put any type of subsequent purchaser on board. Our request from the Building Department and the Building Commissioner side is obviously if he (**Mendoza**) thinks that's a way to try to recoup his investment and move the forward progress and have a different request, that's on him to bring to the Board.

"Independently, I think, the from the Building Department standpoint, it's still in a condition to be demolished. But we're trying to provide an opportunity and these are the conditions that we think makes sense to see whether or not this is something that's actually going to be repaired. So that's our recommendation.

**Shuler** said the Board could take another action if **Mendoza** returned with a purchase agreement. He added, "If that's what they want to propose, I think that's something that they can do. It's not something that the **Building Commissioner** wants to necessarily require as a way out for them, but that's on them."



Swartley/Landis then moved to adopt the proposed Order as summarized by Assistant City Attorney Shuler. The motion passed 5-0.

At 5:37 p.m., Mayor Leichty adjourned the review hearings 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 Landis 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 5:38 p.m.

**EXHIBIT #1:** *Revised site plans submitted at the meeting by Abonmarche for agenda item #2, Bill's Heating requests: For its new facility, waive the Design Standards and Specifications for Parking and Driveway Surfaces for an expanded parking area and allow for the new pole barn to use sanitary and water services from the main building.*

**EXHIBIT #2:** *Letter and maps submitted to the Board by Manny Cortez, board president of Community Pro Education, to request street closures and barricades for the 4<sup>th</sup> annual Hispanic Heritage Month Celebration on Sept. 14, 2024 at Powerhouse Park (agenda item #5).*

**EXHIBIT #3:** *A letter to the Board from Elkhart County Administrator Jeffery Taylor, on behalf of the Elkhart County Commissioners, requesting the closure of parking spaces on three sides of the County Courthouse for truck and equipment during sidewalk repairs for two weeks, starting Sept. 9 (agenda item #12).*

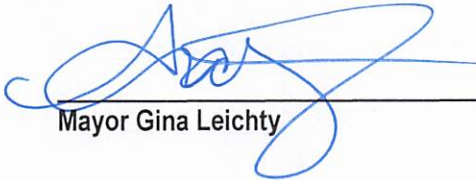
**EXHIBIT #4:** *A one-page memorandum to the Board, dated Sept. 5, 2024, from City Building Inspector Travis Eash about the condition of 111 South 29<sup>th</sup> Street. The memo was submitted during consideration of agenda item #13, Review of the Order of the City of Goshen Building Commissioner for 111 South 29<sup>th</sup> Street (Eduardo Pizana, property owner).*

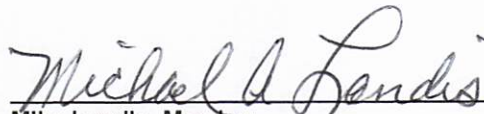
**EXHIBIT #5:** *A one-page memorandum to the Board, dated Sept. 5, 2024, from City Building Inspector Travis Eash about the condition of 702 North 6<sup>th</sup> Street. The memo was submitted during consideration of agenda item #14, Review of the Order of the City of Goshen Building Commissioner for 702 North 6<sup>th</sup> Street (Gabriel Camarena, property owner).*


**EXHIBIT #6:** *A one-page memorandum to the Board, dated Sept. 5, 2024, from City Building Inspector Travis Eash about the condition of 208 Queen Street. The memo was submitted during consideration of agenda item #15, Review of the Order of the City of Goshen Building Commissioner for 208 Queen Street (Leopoldo Mendoza, property owner).*



APPROVED:

  
\_\_\_\_\_  
Mayor Gina Leichy

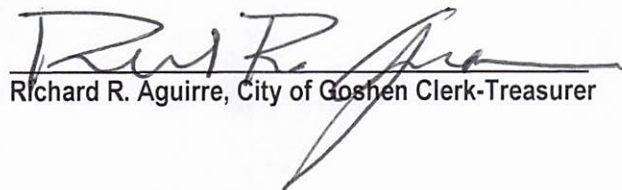
  
\_\_\_\_\_  
Mike Landis, Member

  
\_\_\_\_\_  
Orv Myers, Member

  
\_\_\_\_\_  
Mary Nichols, Member

  
\_\_\_\_\_  
Barb Swartley, Member

ATTEST:

  
\_\_\_\_\_  
Richard R. Aguirre, City of Goshen Clerk-Treasurer

**EXHIBIT #1:** *referenced on Page 20 of the Minutes:*

*Large, oversized Map, consisting of 3-pages is not contained herein due to its size and incapability with scanning equipment. The map is retained with the original Minutes and may be viewed by the public with the records maintained by the Clerk-Treasurer's Office.*

# EXHIBIT #2

Richard Aguirre  
Clerk-Treasurer  
City of Goshen  
Goshen, IN

September 4, 2024

Dear Richard Aguirre, Clerk-Treasurer and Board of Works & Safety,

Every year from September 15 to October 15, Americans celebrate National Hispanic Heritage Month by appreciating the community's history, heritage, and contributions of the ancestors of American citizens who came from Mexico, Spain, the Caribbean, and South- and Central America. September 15 is set as the starting date for the month as it is important for many reasons. It is the independence anniversary for Latin American countries El Salvador, Guatemala, Costa Rica, Nicaragua, and Honduras. Hispanic Americans have been integral to the prosperity of the U.S. Their contributions to the nation are immeasurable, and they embody the best of American values. The Hispanic Heritage Festival is an opportunity to celebrate Hispanic American's contributions to the U.S. Having the festival in downtown Goshen is a wonderful venue to celebrate Hispanic Heritage Month.

This year Community-Pro Education is pleased to announce the 4th Annual Hispanic Heritage Month Celebration on Saturday, September 14, 2023, at the Powerhouse Park at W. Washington St. from 11:00 a.m. to 10:00 p.m.

Last year's event brought over 10,000+ individuals and families to Downtown Goshen for the Hispanic Heritage Festival this year we expect 12,000+ to attend this celebration. It is envisioned that there will be more attendees this year and we are excited to showcase our new location to our festival visitors.

Our request to the Board of Works is to close the following streets:

1. W. Jefferson / River Race Dr.
2. Alley / River Race Dr.
3. Alley / 3<sup>rd</sup> St.
4. W. Madison / 3<sup>rd</sup> St.
5. Monroe / 3<sup>rd</sup> St.
6. Monroe / River Race Dr.

We request street barriers on the above streets in order to ensure adequate safety for pedestrians. The Goshen Police Department, Goshen Fire Department, and the Emergency Medical Services team have collaborated throughout the process to arrive at the above street barriers. We believe the street barriers will allow for a safe environment. At the Board of Works meeting Goshen Police Department officer, Ryan Adams will be present to help explain the street barriers and the reasoning behind these street closures. I have attached with this letter the maps and street barrier listings for your convenience.

Thank you for your time and consideration,

*Manuel Cortez*

Manuel Cortez  
Board of Directors President  
Community Pro-Education.

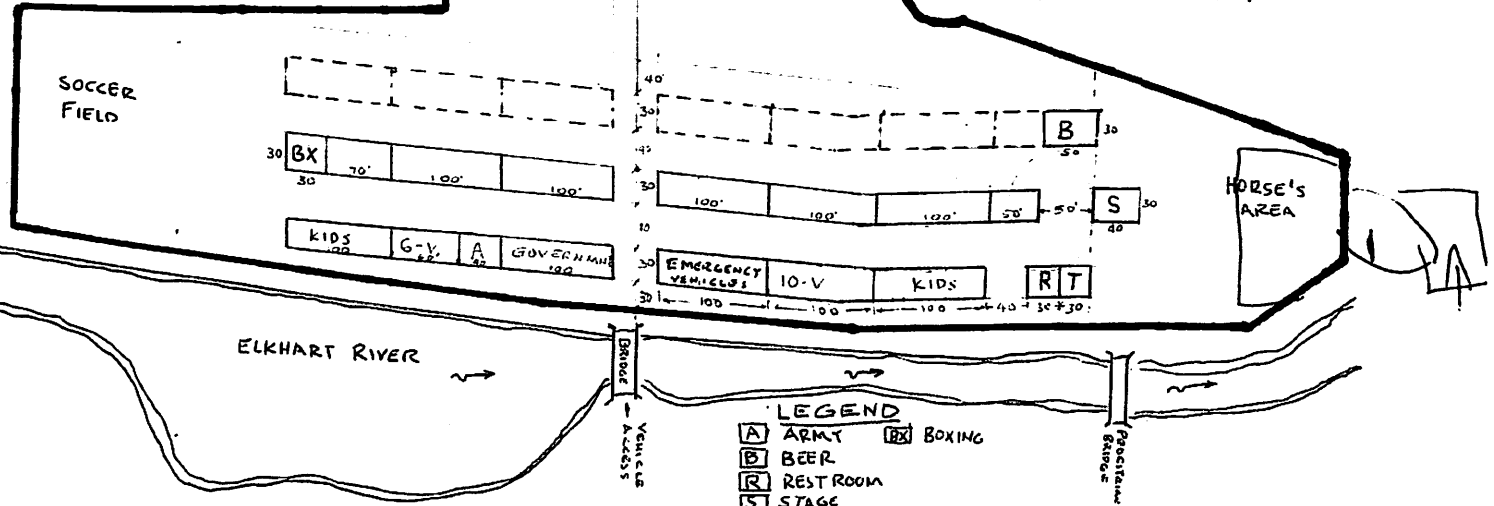


NOT TO SCALE



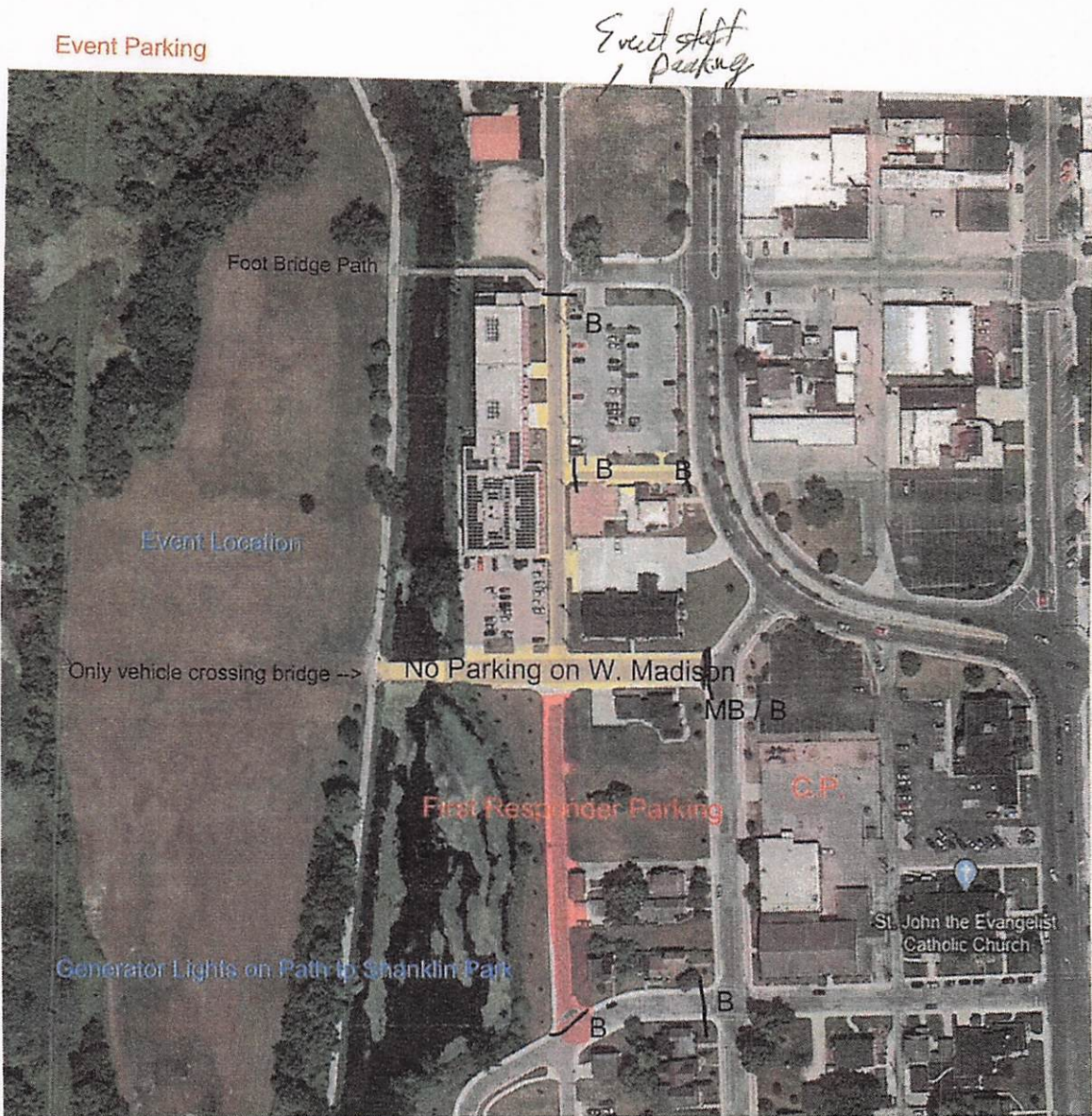
GOSHEN

FESTIVAL DE HERENCIA  
HISPANA 2024



- LEGEND**
- [A] ARMY
  - [B] BEER
  - [R] REST ROOM
  - [S] STAGE
  - [T] TRASH
  - [BX] BOXING

VENDOR PARCEL: 10' x 30'  
(PARKING INCLUDED)



Event Parking @ Shanklin Park

C.P. = Command Post

B = Barricade

█ = Road closed for First Responder Parking

MB / B = Message Board & Barricade

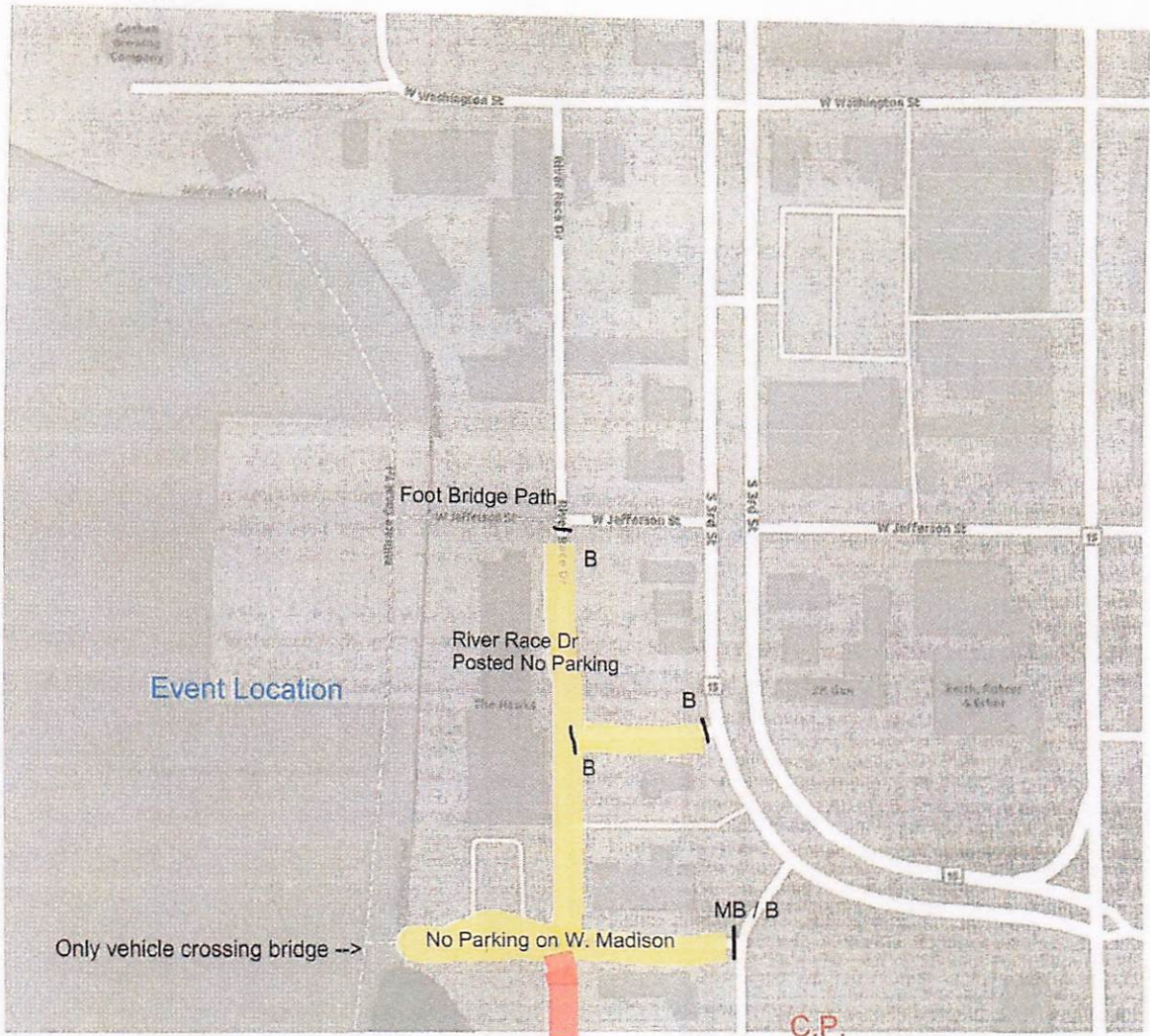
█ No Parking Zones

Barricades:

- 1 - W. Jefferson / River Race Dr.
- 2 - Alley / River Race Dr.
- 3 - Alley / 3rd St
- 4 - W. Madison / 3rd St
- 5 - Monroe / 3rd St
- 6 - Monroe / River Race Dr.

# City of Goshen, west of Main Street

Event Parking




Event Parking @ Shanklin Park


## 2024 Hispanic Heritage Festival

C.P. = Command Post

B = Barricade

MB / B = Message Board & Barricade

 No Parking Zones

 Road closed for First Responder Parking

City Message Boards:  
 1 - W. Madison St / 3rd St  
 2 - W. Lincoln Ave / Water St

EMA Message Boards:  
 Shanklin Park Entrance  
 Shanklin Park North Path



Generator Lights  
on  
Path to  
Shanklin Park

Event Parking @ Shanklin Park



First responder Parking ONLY



No Parking Zones

EXHIBIT #3



Commissioners

Bradley D. Rogers, President  
Suzanne Weirick, Vice President  
Bob Barnes, Member

117 S. Second Street  
Goshen, Indiana 46526  
(574) 534-3541  
[ccommissioners@elkhartcounty.com](mailto:ccommissioners@elkhartcounty.com)

---

September 5, 2024

Goshen Board of Works  
111 East Jefferson St.  
Goshen, IN 46526

RE: Goshen Courthouse Work

Board Members,

Elkhart County will be replacing various sections of the sidewalk around the Courthouse on County property which have become a safety concern for the public utilizing the sidewalk. No work will be occurring on the right-of-way.

The contractor notified Elkhart County this morning that it will begin work Monday and that a few parking spaces on the east, north, and south sides of the Courthouse will be needed at various times during working hours. During such time, there could be spaces utilized to park a truck and trailer. It is anticipated to last two weeks depending on the weather. There will not be any dumpsters or lifts stored overnight, and the parking spaces will be used to park trucks with trailers. It will occur on one side at a time, not all three sides.

I apologize for the last-minute notice. The county was notified today and thought it would be a good idea to request approval from the city.

Regards,

*T. Jeffery Taylor*

Elkhart County Administrator

EXHIBIT #4



Building Department  
CITY OF GOSHEN

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

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

## MEMORANDUM

**TO: BOARD OF PUBLIC WORKS**

**From: GOSHEN BUILDING DEPARTMENT (TRAVIS EASH)**

**Date: SEPTEMBER 5, 2024**

**Subject: 111 S 29<sup>TH</sup> STREET**

The original inspection of the property at 111 S 29<sup>th</sup> Street was conducted while under different ownership. Since the new owner has taken possession, they have pulled all the proper permits and have passed all inspections other than a final inspection. They have been aggressive in getting this property into a habitable condition. There is a final inspection scheduled for tomorrow morning.

I do not have recent photos of the progress but can provide them at a later date if requested. The anticipation is that if the final inspection fails it will be minor and the property should be ready to rent soon.

The building department recommends that the Board rescinds the repair Order on the condition that it passes final inspection.

Thank you,

Travis Eash

EXHIBIT #5



**Building Department  
CITY OF GOSHEN**

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

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

## MEMORANDUM

**TO: BOARD OF PUBLIC WORKS**

**From: GOSHEN BUILDING DEPARTMENT (TRAVIS EASH)**

**Date: SEPTEMBER 5, 2024**

**Subject: 702 N 6<sup>TH</sup> STREET**

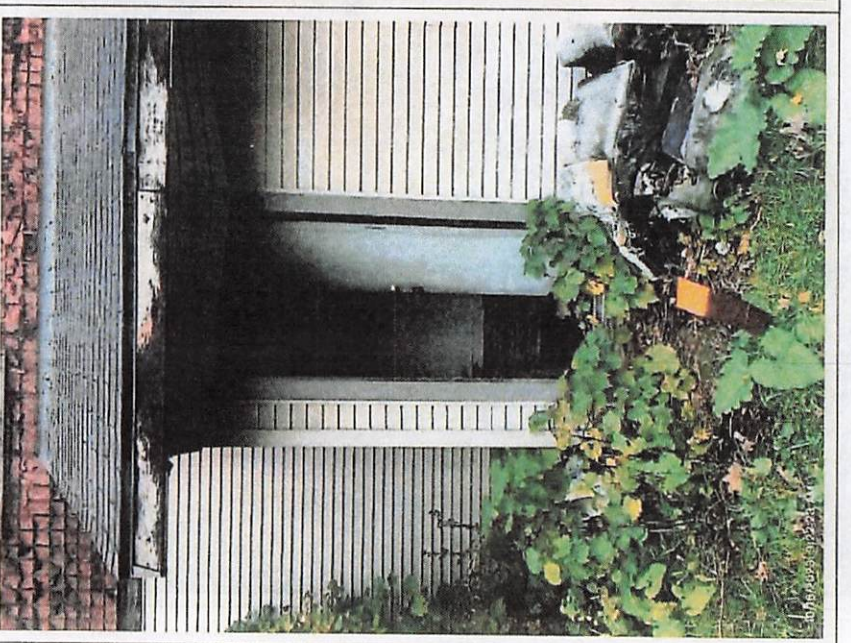
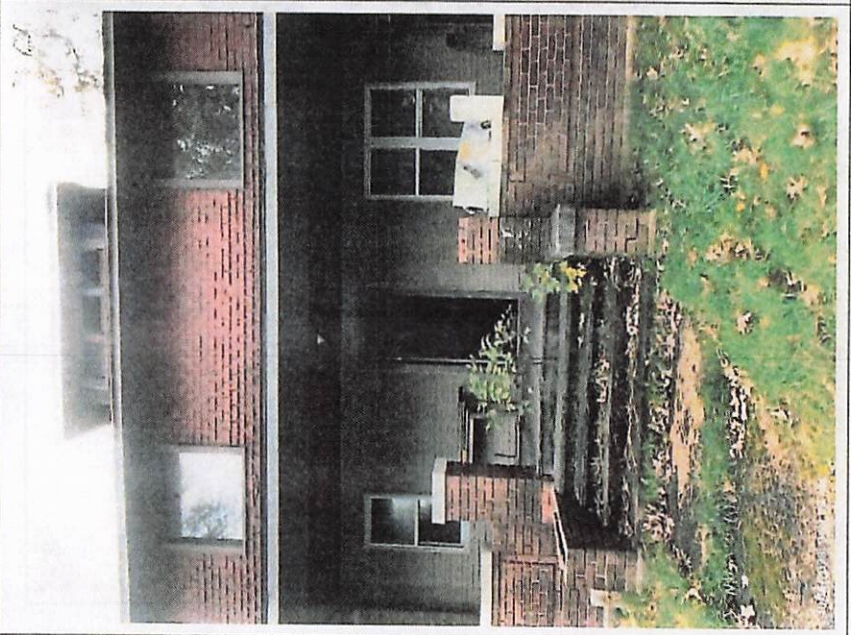
The original inspection of the property at 702 N 6<sup>TH</sup> Street was conducted while under different ownership. Since the new owner has taken possession, they have pulled all the proper permits and have passed all inspections other than a final inspection. They have been aggressive in getting this property into a habitable condition and is just a couple weeks short of being finished and calling for final inspection.

During a walk-through inspection yesterday, I took recent photos which are attached in this packet along with photos from my initial inspection conducted in October of 2023, to show the progress that has been made.

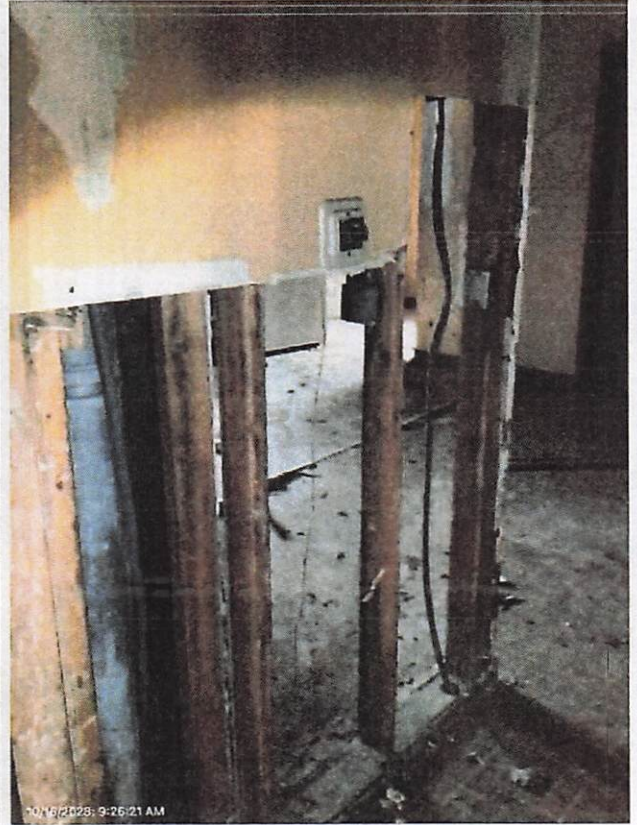
The building department recommends that the Board tables the repair Order until October 3<sup>rd</sup> to allow the property owners to schedule a final inspection, and if the final inspection is passed prior to the October 3<sup>rd</sup> hearing the Board gives the authority to the Building Commissioner to rescind the repair Order.

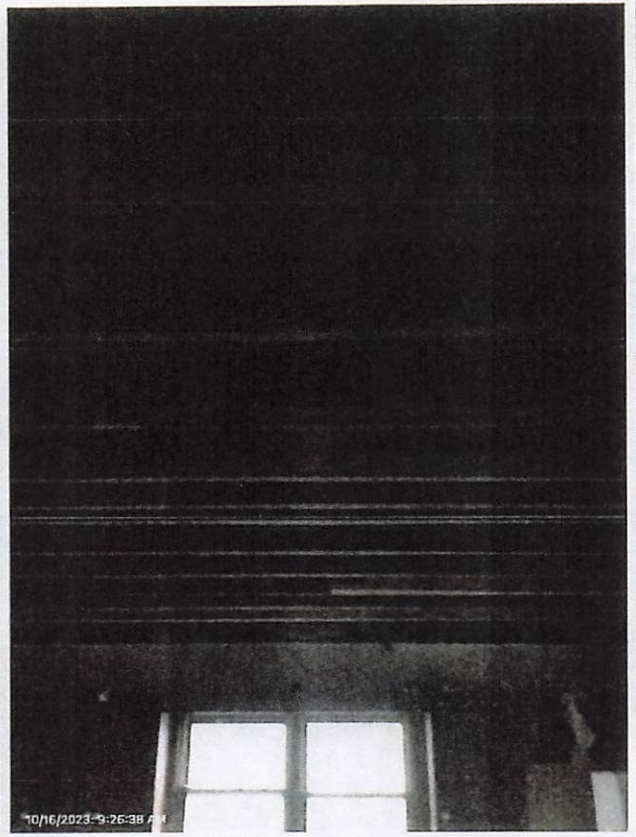
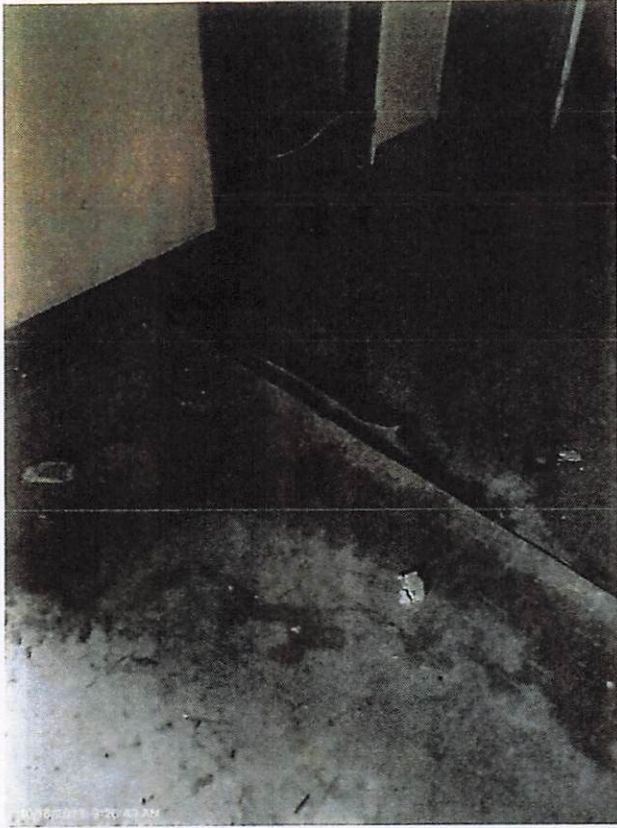
Thank you,

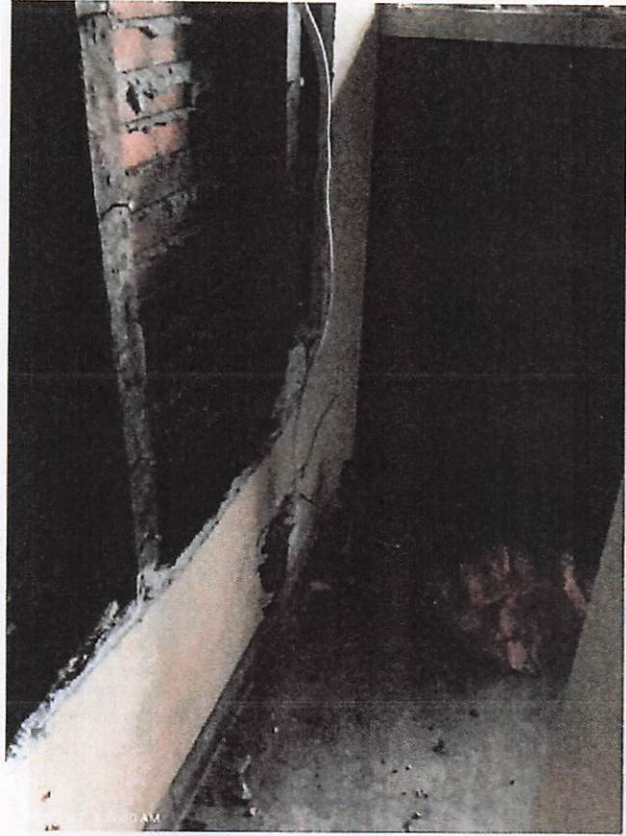
Travis Eash



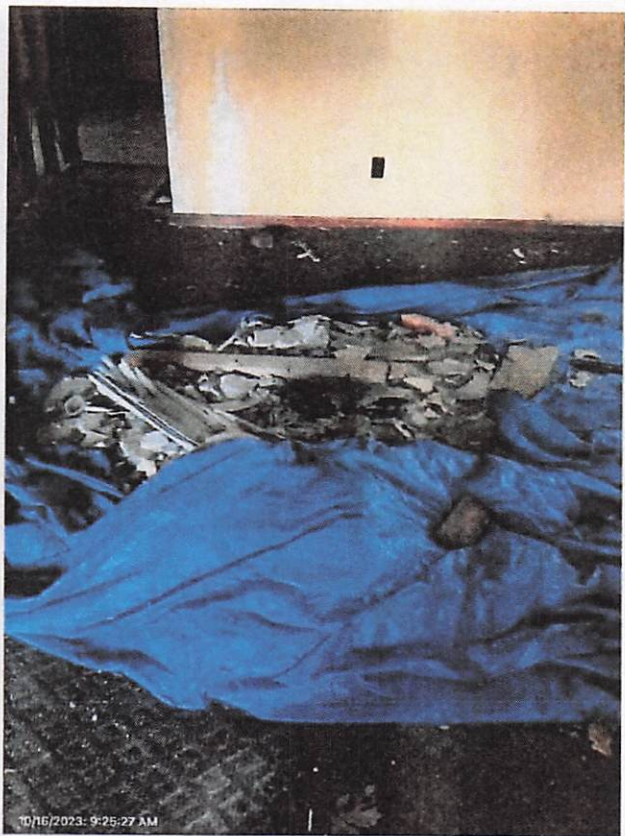








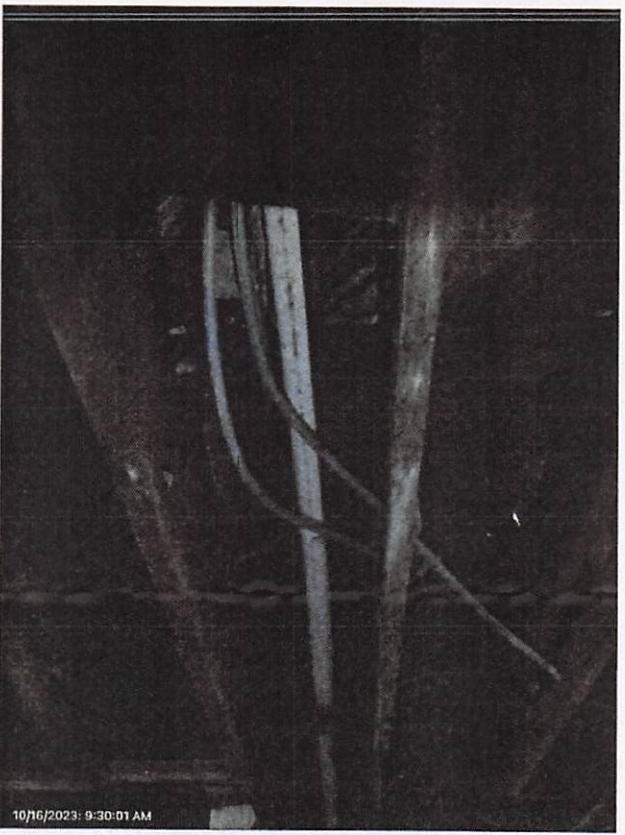
10/16/2023: 9:25:27 AM



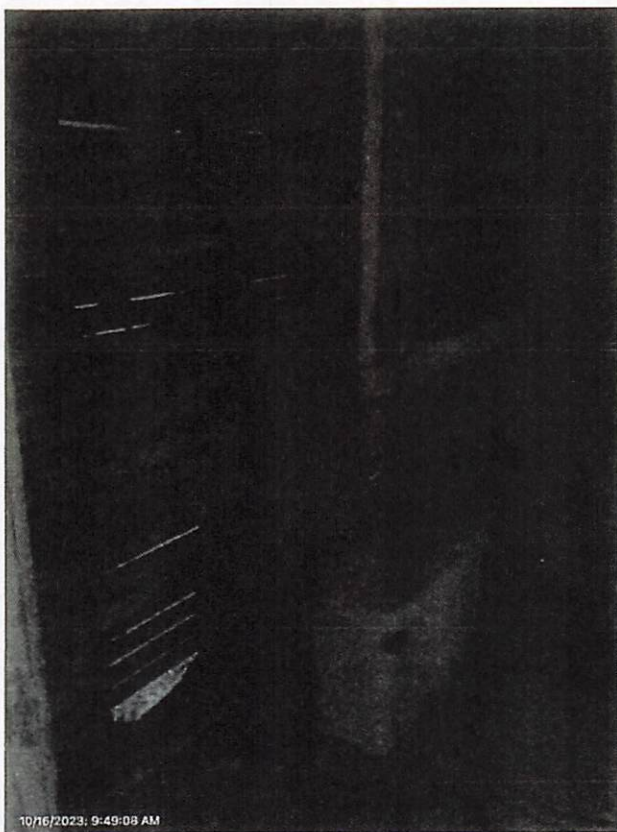
10/16/2023: 9:25:27 AM



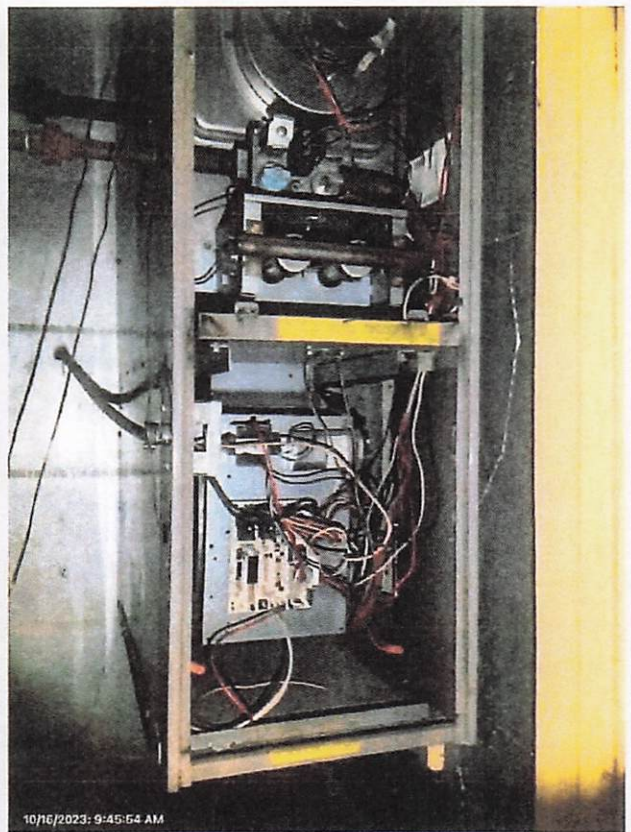
10/16/2023: 9:30:01 AM



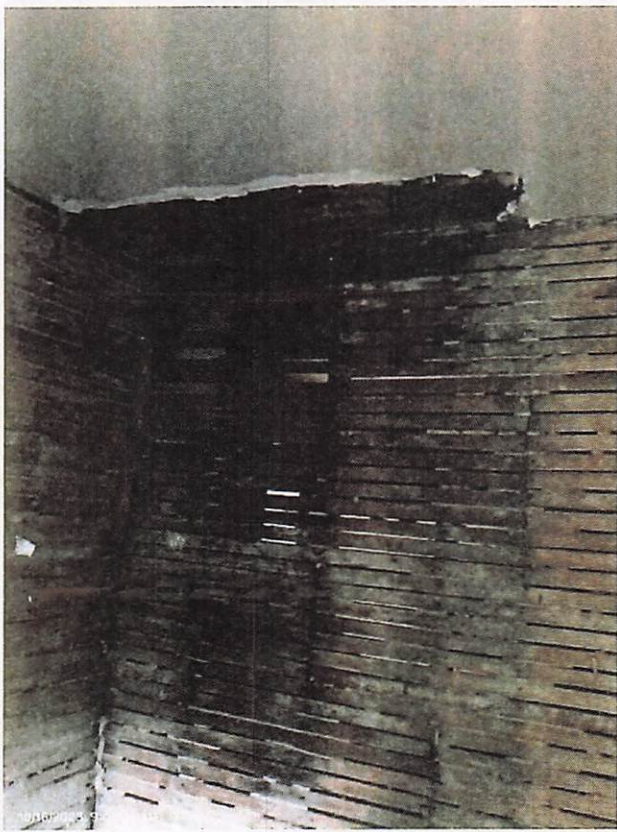
10/16/2023: 9:30:01 AM



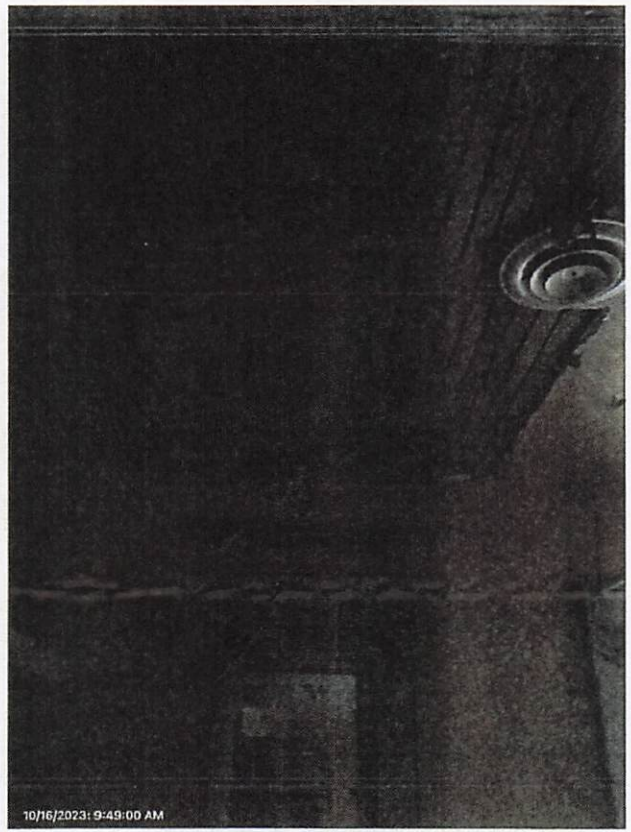
10/16/2023: 9:49:08 AM



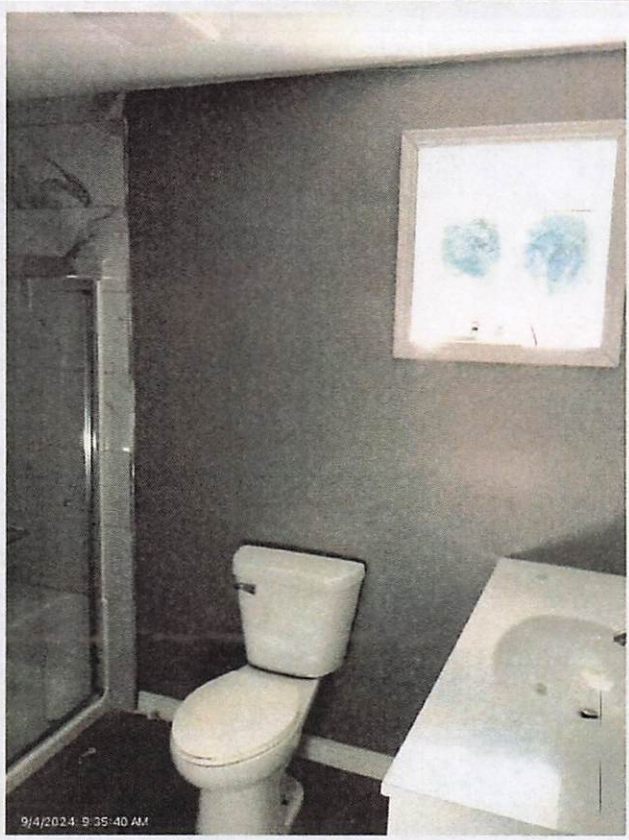
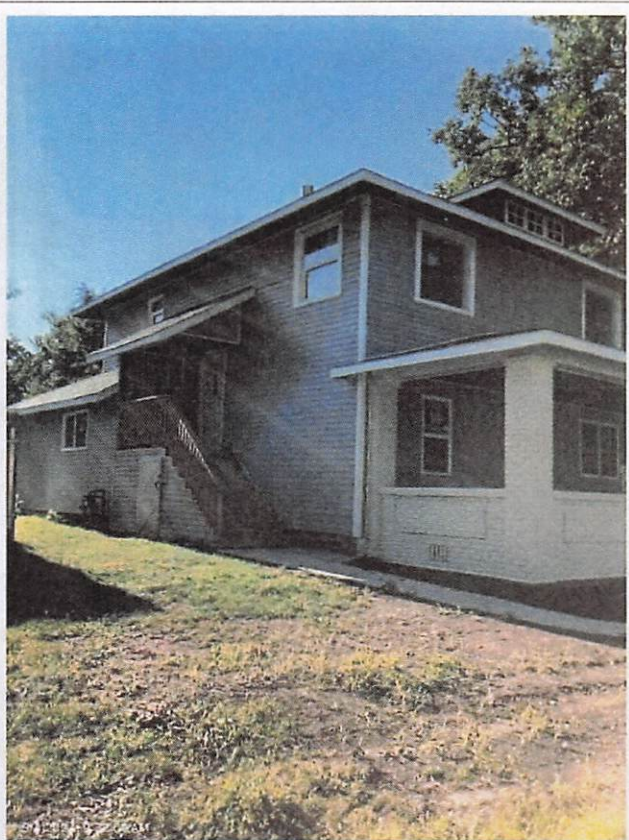
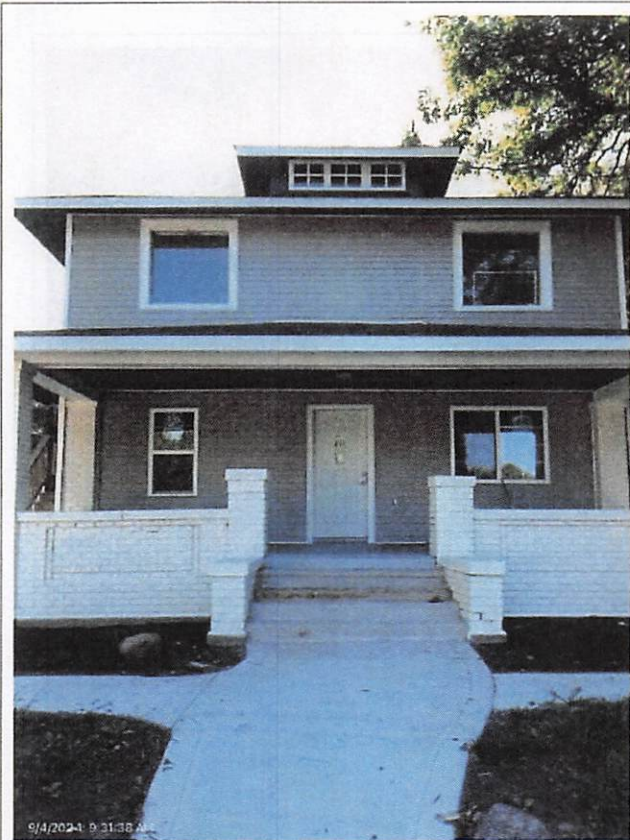
10/16/2023: 9:45:54 AM



10/16/2023: 9:49:00 AM

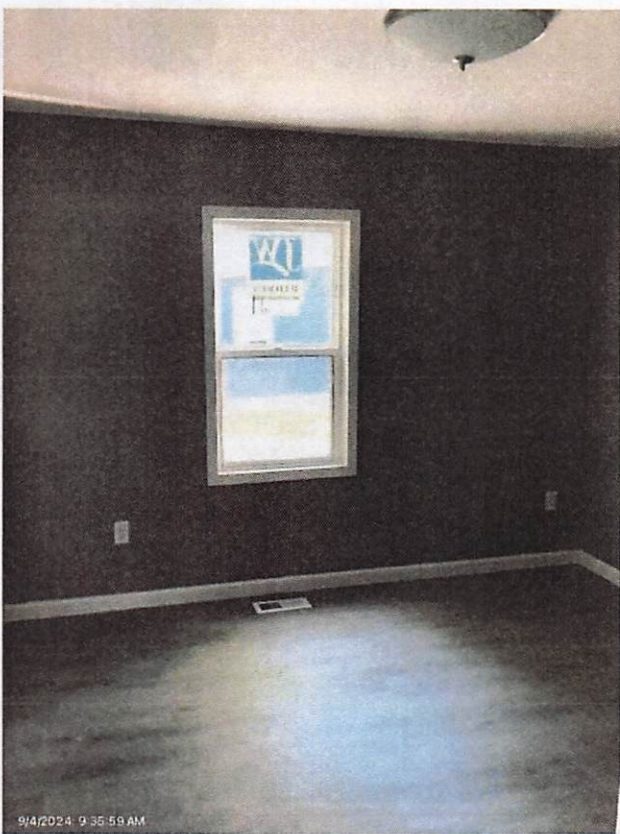


10/16/2023: 9:49:00 AM





9/4/2024: 9:35:49 AM



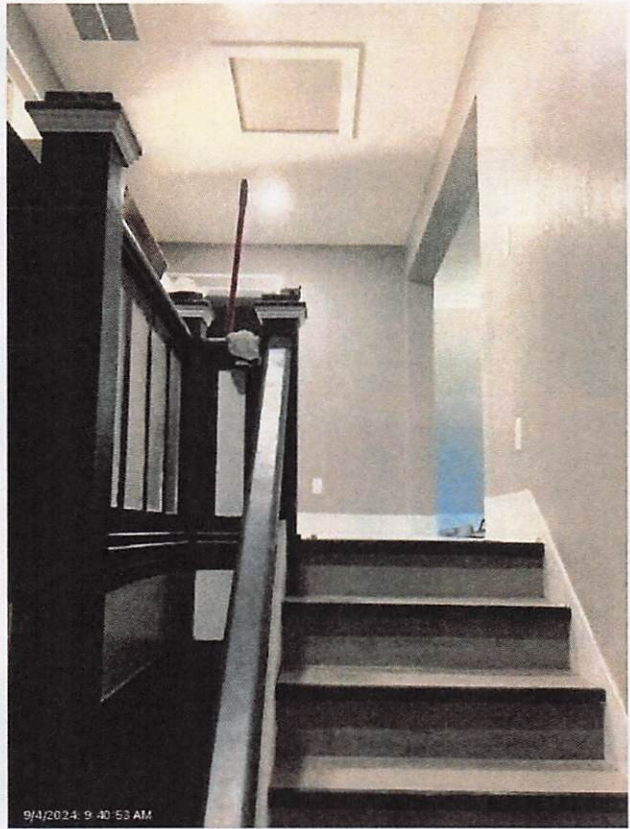
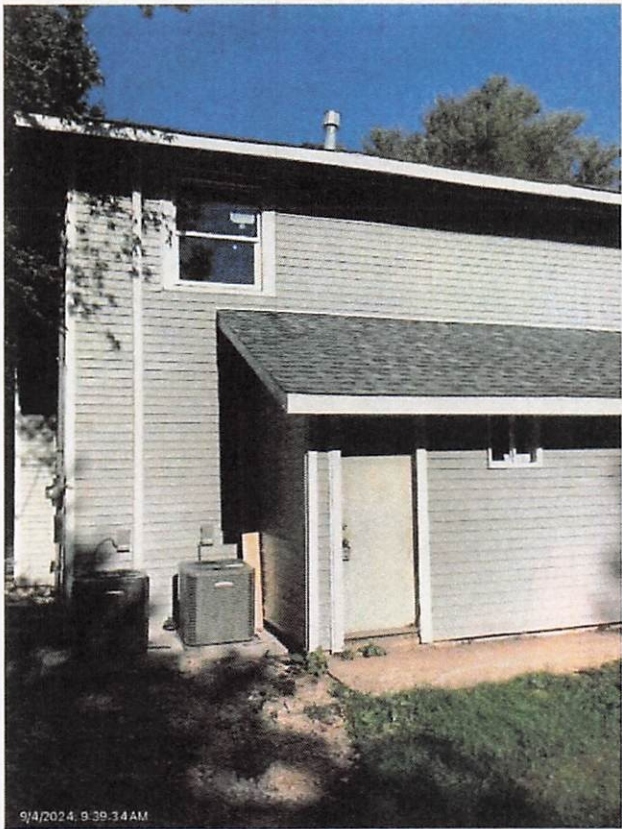
9/4/2024: 9:35:59 AM

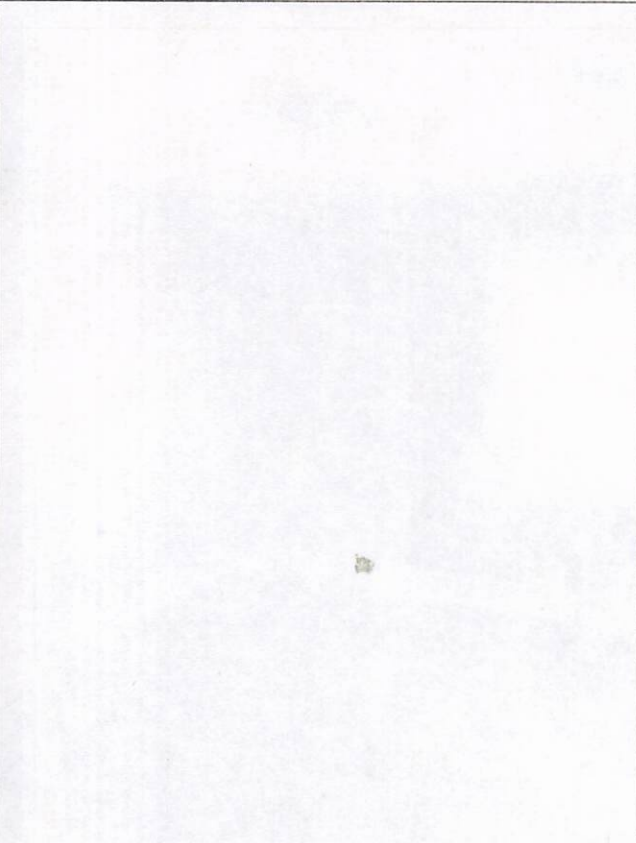
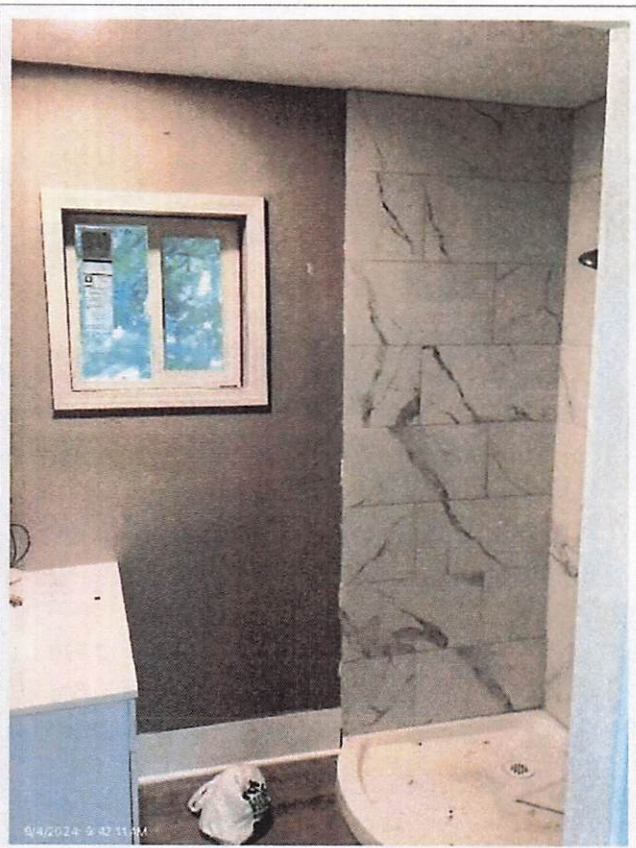


9/4/2024: 9:36:32 AM



9/4/2024: 9:37:04 AM









Building Department  
CITY OF GOSHEN

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

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

## MEMORANDUM

**TO: BOARD OF PUBLIC WORKS**

**From: GOSHEN BUILDING DEPARTMENT (TRAVIS EASH)**

**Date: SEPTEMBER 5, 2024**

**Subject: 208 QUEEN STREET**

The property at 208 Queen Street originally came to the Board of Works on February 8, 2024. Just a couple of weeks after a new owner purchased the property. At that time the new owner was ordered to substantially repair the property or demolish within 90 days.

This property again came before the Board of Works on May 23, 2024 for another hearing after the initial 90-day timeframe had passed. At that hearing I testified that the start of work was delayed for a couple of different reasons, but that those issues had been resolved and felt that the owner was beginning to make progress at the time. He had also pulled a remodel, window and roof permit.

With all that being said the building department requested that the Board allow 90 more days for the owner to complete all repairs and pass all required inspections including a final inspection. The 2<sup>nd</sup> 90-day timeframe has passed.

Since the hearing in May the owner hasn't had any subcontractors pull permits for electrical, plumbing or HVAC. The owner hasn't called for any inspections or any questions or concerns. Some windows have been installed and a roof has been installed on a portion of the property without proper inspections. There is only a portion of the framing done throughout the house and that portion would not pass inspection as constructed.

I have photos attached in this packet that I took during a walk through yesterday to show the current condition of the property which in the building departments opinion is still unsafe and still warrants demolition. All violations from original order still besides the windows still exist on the property.

In speaking with the owner yesterday at the property he stated that he could get it completed in 6 months. At the rate it's going now I don't see how that's possible without hiring help and getting licensed contractors in to help do the work. The building department is very reluctant to allow any more time, especially 6 months with how things have progressed over the first 6 months.



Building Department  
CITY OF GOSHEN

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

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

The building departments recommendation is that the order remains a demolition order because the current condition warrants demolition, but allow the owner 30 days to determine if he wants to continue with repairs and bring an updated timeline to this Board or demolish the property.

Thank you,

Travis Eash

