



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

Present: Mayor Gina Leichty, Mike Landis, Orv Myers, Mary Nichols and Barb Swartley
Absent: None

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

The audience responded with applause.

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

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

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

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

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

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

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

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



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

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

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

On May 9, 2024, the Board approved the closure of Burdick Street from May 20 through Aug. 31, 2024 for the construction project at Goshen Stamping on the condition that Ziolkowski Construction, Inc. got permission from adjacent property owners for the closure. **Quinn** said neighbors have been informed of this request and don't object. **Clerk-Treasurer Aguirre** pointed out the written request was for Burdick Street to be closed until Sept. 30 and not Oct. 11. **Quinn** said the company wanted a longer closure to complete the work and not require another extension. **City Director of Public Works & Utilities Dustin Sailor** said he wanted the Board to be aware that there have been many street closures in this area, but his department didn't object to this request.

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

CITY OF GOSHEN STORMWATER BOARD

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

Members: Mayor Leichty, Mike Landis and Mary Nichols

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

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

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

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

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

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

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

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

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

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

CITY BOARD OF PUBLIC WORKS & SAFETY PUBLIC HEARING:

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

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



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

BACKGROUND:

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

BACKGROUND:

In a Sept. 9, 2024 memo to the Board, Assistant City Attorney Don Shuler wrote that an unsafe building review hearing was scheduled Sept. 12 for the property located at 213 Crescent Street, Goshen, Indiana. Attached to his memo was the Order of the City of Goshen Building Commissioner. Shuler noted that the matter was rescheduled from the original hearing date due to lack of service to the owner about the hearing.

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

No representative of Midwest Leasing LLC was present

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

Shuler said this week an attorney from Midwest Leasing said he didn't expect a representative would attend today's hearing and was still soliciting bids for the demolition. Shuler said the attorney indicated the company was having trouble securing bids because of the uncertainty of the condition of the neighboring property at 215 Crescent Street. **Shuler** said the owner of 215 Crescent, Cecil Bontreger, contacted the owner of 213 Crescent and they are in discussions about sharing the costs of the demolition of both properties.

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

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



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

Approval of Civil City and Utility Claims

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

Adjournment

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

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

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


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

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

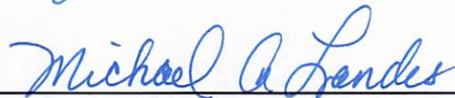
EXHIBIT #5: *A one-page memorandum to the Board, dated Sept. 9, 2024, from City Building Inspector Travis Eash about the condition of 213 Crescent Street. The memo included three pages of color photos of the home and was submitted during consideration of agenda item #12, Review of the Order of the City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




APPROVED:



Mayor Gina Leichty



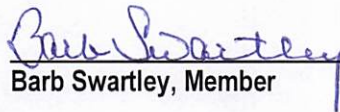
Mike Landis, Member



Orv Myers, Member

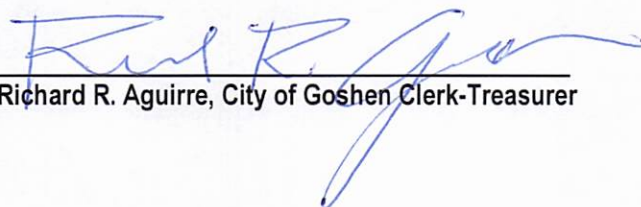


Mary Nichols, Member



Barb Swartley, Member

ATTEST:



Richard R. Aguirre, City of Goshen Clerk-Treasurer



GINA M. LEICHTY
Mayor of Goshen, Indiana
City Hall • 202 South Fifth Street, Suite 1 • Goshen, IN 46528-3714
mayor@goshencity.com • goshenindiana.org
(574) 533-9322

September 12, 2024

To the Members of the Board of Works and Public Service,

Phil Schrock Appointment Announcement

One of the greatest honors and responsibilities I have as Mayor is appointing leaders who will safeguard the well-being of our community. Today, I am proud to announce the appointment of Goshen's next Assistant Fire Chief.

Honoring Our Past, Embracing Our Future

This moment marks an important transition for our Fire Department and our city—one filled with anticipation for the future and deep respect for the foundation that has brought us here.

Thank You, Chief Sink

For over four decades, Chief Danny Sink has been at the heart of the Goshen Fire Department. His leadership, defined by kindness, humor, and unwavering service to the people of Goshen, has created a legacy that extends far beyond the firehouse walls. After 44 years of dedicated service, we will soon have the opportunity to honor him and celebrate his remarkable career as he retires on November 8, 2024.

Looking to the Future

With Chief Sink's retirement, I have appointed Chief Anthony Powell to assume the role of Fire Chief, effective November 8.

Anthony's transition leaves an important vacancy within our leadership team, and today, I am pleased to announce Captain Phil Schrock's appointment as the next Assistant Fire Chief of Goshen.

The Importance of Balanced Leadership

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

Phil's Family and Values

Phil is not only an outstanding leader but also a dedicated family man. He is the proud father of Ella and



Ava and the loving husband of Mindy. One thing that struck me when speaking with Phil and Mindy about this role was how excited they are —especially because it will give Phil more opportunities to attend the girls’ activities. Family is at the heart of everything Phil does, and it’s a value he brings to his leadership in the department – and his Fire Department Family, as well.

Bio

Captain Schrock has been a dedicated member of the Goshen Fire Department for nearly two decades, serving with distinction. His leadership style is defined by leading through example, inspiring those around him to perform at their best, and fostering strong, trusting relationships within the department. Along with his extensive experience as Captain, Phil brings a wide array of specialized skills, including expertise in fire strategy, emergency operations, and first responder leadership.

Phil firmly believes that trust is the foundation of a successful team. His leadership is centered on ensuring that every member of the fire department feels supported, empowered, and fully equipped to meet the evolving challenges of our growing community.

As we look ahead, I am confident that Captain Schrock’s leadership as Assistant Fire Chief will play a vital role in upholding the high standards of service, safety, and care that our residents depend on and deserve.

Oath of Office

On November 7, Captain Schrock will officially take the Oath of Office at 4 PM here at the Board of Works meeting. I am confident that under his leadership, our fire department will continue to thrive and serve the people of Goshen with excellence.

Congratulations, Phil, on this well-deserved appointment. We look forward to the future with you and Anthony at the helm.

Thank you, everyone, for your support as we begin this new chapter for our fire department.

Exhibit #2



St. John the Evangelist Catholic Church

422 South Main Street • Goshen, IN 46526 • 574.533.3385

September 11, 2024

City of Goshen
Board of Public Works and Safety
Goshen, IN 46526

Dear Members of the Goshen Board of Public Works and Safety:

St. John the Evangelist Catholic Church respectfully submits for your review the following request.

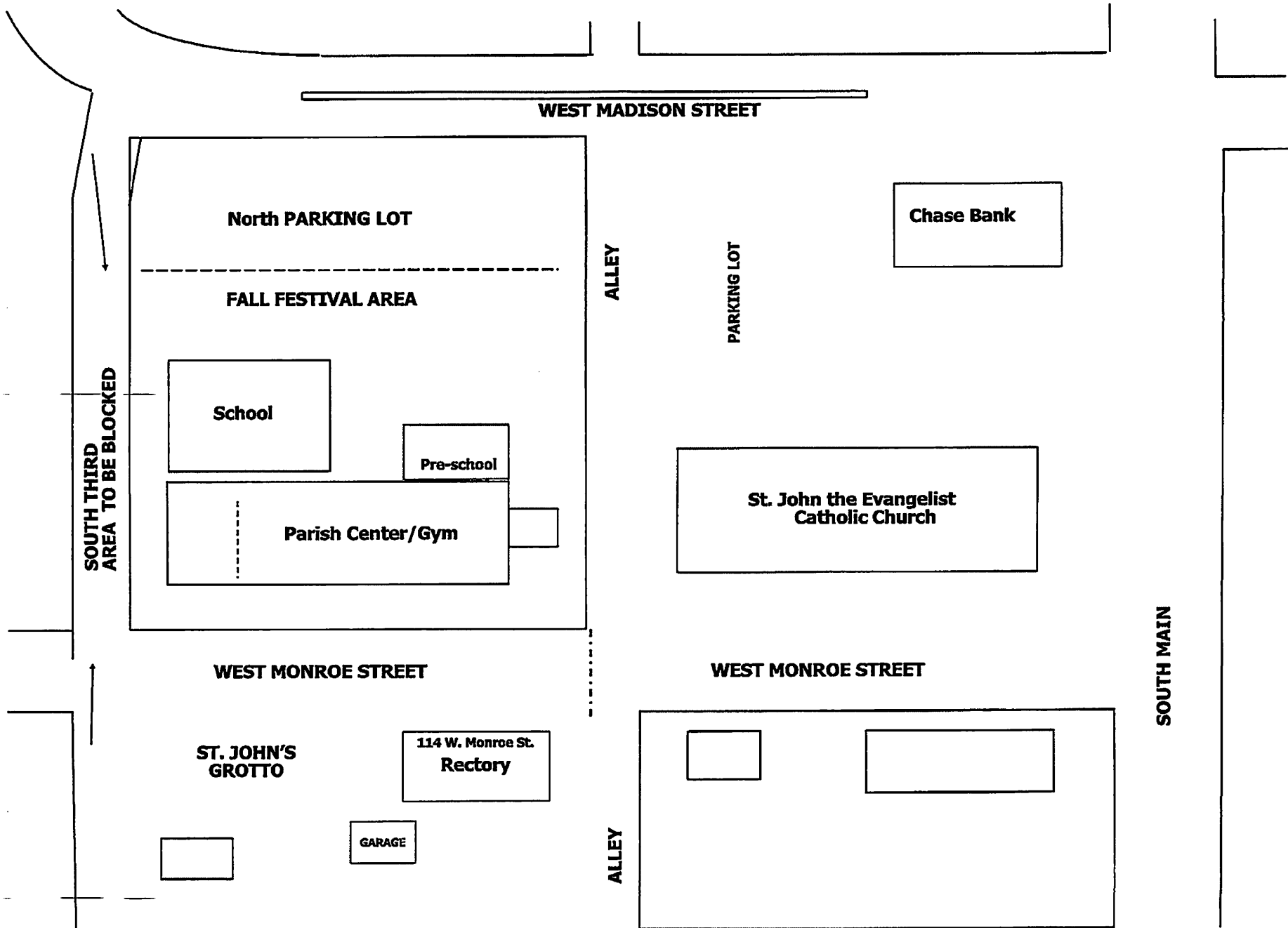
Our plans are for our annual parish festival to take place on Saturday September 21, 2024 to build fellowship, and to be held on the grounds of St. John the Evangelist Church (school parking lot). In order to safely allow our parishioners to enjoy the festival; we are requesting the Board's permission to block part of 3rd street. We ask that it be blocked from 9:00 am until 10:00p.m. when the event is completed.

I have included for your convenience a diagram of our parish grounds that indicates the area that we hope to have blocked with the Board's approval.

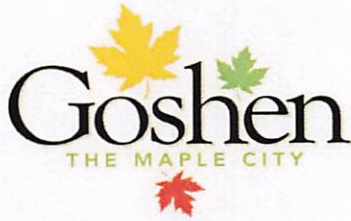
Thank you for your time and consideration.

Sincerely,

Jonathan Evangelista
Pastoral Associate
Director of Religious Education
St. John the Evangelista Catholic Church
422 S. Main St. Goshen, IN 46526
574-533-3385 ext. 1216
jevangelista@stjohncatholic.com



St. John the Evangelist Catholic Church, 422 S. Main Street, Goshen, IN 46526
PARISH FESTIVAL — September 21, 2024. 3PM-10pm



Marv Shepherd, Superintendent
Water Treatment & Sewer Collection Department
308 North Fifth Street • Goshen, IN 46528-2802

Phone (574) 534-5306 • TDD (574) 534-3185
marvshepherd@goshencity.com • www.goshenindiana.org

September 10, 2024

Goshen Utilities' fall hydrant flushing program will begin on Monday, September 30, 2024, and run through Friday, October 4, 2024, depending on the weather.

From Monday, September 30th, through Friday, October 4th, we will be flushing in the upper-pressure zone from 8:30 a.m. to 3:30 p.m. during the day. This zone includes everything northeast of U.S. 33 and the Norfolk Southern tracks.

Also, on Monday, September 30th, we will start our nighttime flushing from 9 p.m. to 6 a.m. At Madison Street & 10th Street heading south to the city limits and between the Norfolk Southern tracks and U.S. 33 to the city limits south.

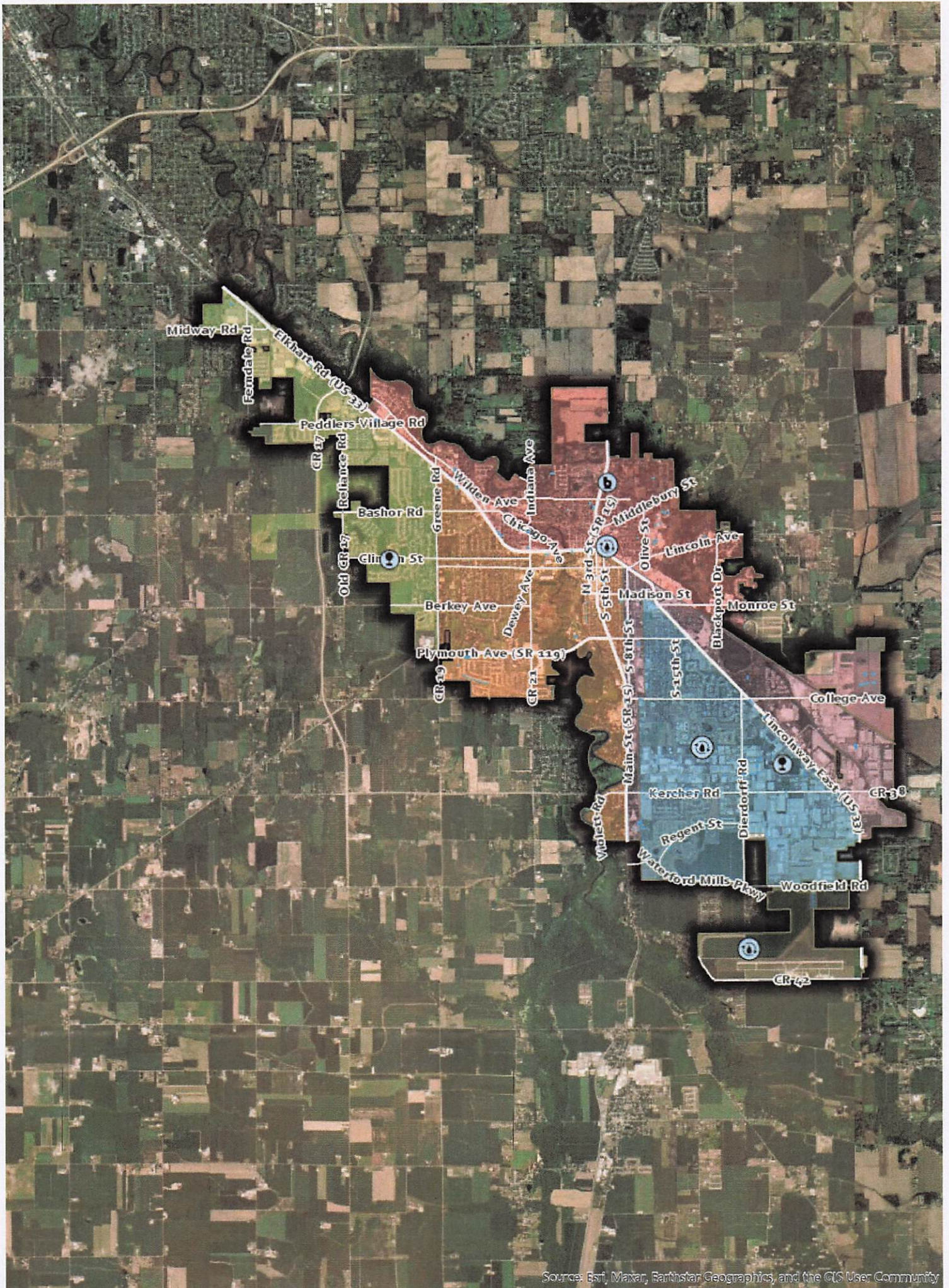
On Tuesday, October 1st, we will start flushing from 9 p.m. to 6 a.m. between Cottage Avenue and 10th Street between the Norfolk Southern tracks heading south to the city limits and between Lincolnway East and the Norfolk Southern tracks heading east to the city limits.

On Wednesday, October 2nd, we will start flushing from 9 p.m. to 6 a.m. between Pike Street and the city limits south and between N Greene Road and Cottage Avenue.

On Thursday, October 3rd, we will start flushing from 9 p.m. to 6 a.m. We will be flushing between Norfolk Southern and the city limits to the south and between N Greene Road and the city limits to the west.

We ask that you avoid doing laundry on the scheduled day your home is close to due to the rust that we are removing from the water mains. If you do have a problem with your laundry, please call us, and we will provide you with a special soap that could help remove any or all stains.

If you have any questions or concerns, please get in touch with our office at 574-534-5306.



Midway Rd
Fondale Rd
Elkhart Rd (US-33)

Peddlers Village Rd

CR 17

Balance Rd

Bashor Rd

Old CR 17

Clinton St

Berkey Ave

Plymouth Ave (SR 119)

CR 19

Dewey Ave

CR 21

Greene Rd

Wilden Ave

Chicago Ave

Indiana Ave

N 3rd St (SR 129)

S 5th St

S 8th St

Main St (SR 15)

S 15th St

CR 15

CR 15

CR 15

CR 15

CR 15

CR 15

CR 15

CR 15

CR 15

CR 15

CR 15

CR 15

CR 15

CR 15

CR 15

CR 15

CR 15

Middlebury St

Olive St

Lincoln Ave

Madison St

Blackport Dr

Monroe St

College Ave

Kercher Rd

Regent St

Waterford Mills Pkwy

Woodfield Rd

Dierdorff Rd

Lincolnway East (US-33)

CR 38

CR 42



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 12, 2024

Subject: 322 W OAKRIDGE AVE

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

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

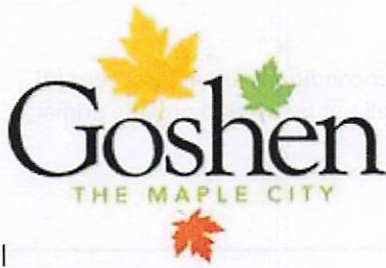
There is no operable plumbing system, heating system or electrical system in the structure. The structure has multiple broken windows and at time of inspection was easily accessible. There is evidence of animals throughout structure as well.

Since my initial inspection in May our office has been contacted by Artisan Builders who informed us and provided proof that they are in agreement to purchase the property but as of today have not closed, but should in the near future. The building departments recommendation is that the Board affirms the Demolition Order because the current condition warrants demolition, but also allow time for the new purchaser to close and give them 90 days after closing to make substantial repairs or demolish all structures (house, garage & pool) on the property.

A representative from Artisan Builder's is here and may have more to say about the purchase and possible plan moving forward.

Thank you,

Travis Eash



Building Department

City of Goshen

204 E Jefferson St • Goshen, Indiana 46528

Phone: 574-534-1811 • Fax:

building@goshencity.com • www.goshenindiana.org/building-department

June 7, 2024

Ron Davidhizar
203 Middlebury St
Goshen, IN 46528

RE: Unsafe Vacant Property at 322 W Oakridge Ave

Dear Ron Davidhizar:

The City of Goshen inspected the vacant property at 322 W Oakridge Ave on 5/22/2024. As a result of the inspection, the building has been determined to be unsafe because it is not maintained in a manner that allows human habitation. The inspection identified numerous code violations that must be corrected to bring the property into compliance with the Goshen Neighborhood Preservation Ordinance.

The following repairs need to be completed by 7/14/2024 and the property inspected on 7/15/2024 at 8:30 AM .

6.3.1.1(g)	Unpainted Surfaces - Interior
NPO	All wood and metal surfaces, including but not limited to, window frames, doors, door frames, cornices, porches and trim shall be maintained in good condition. All painted surfaces shall be properly coated and weather tight. Chipping and peeling paint throughout the interior of the structure.
<hr/>	
6.3.1.1(b)	Privacy, Weather Tight, Good Repair - Interior
NPO	Every foundation, floor, wall, ceiling, and roof shall be reasonably weather tight and rodent proof; shall be capable of affording privacy, and shall be kept in good repair. All foundation systems must be firmly supported and free from open cracks and breaks. All foundation systems must be capable of supporting all nominal loads and capable of resisting all load effects. The interior wall, ceilings and floor coverings have been removed and/or has begun to collapse
<hr/>	
6.3.1.1(d)	Windows and Doors
NPO	Every window, exterior door, and basement hatchway shall be reasonably weather tight and rodent proof, and shall be kept in sound working condition and good repair. All glazing materials shall be maintained free from cracks and holes. Multiple broken windows throughout property.
<hr/>	
6.3.1.3(e)	Heat Supply
NPO	Every dwelling shall have heating facilities which are properly installed, maintained in safe and good working condition, and are capable of safely and adequately heating all habitable rooms, bathrooms, and rooms in every dwelling unit located therein to a temperature of at least sixty-

five (65) degrees Fahrenheit, and whenever the outside winter conditions are at least zero (0) degrees Fahrenheit. Unvented fuel burning space heaters shall not be used to provide primary heating.

No working furnace or duct system.

6.3.1.2(j) Gas Water Heater

NPO

A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters

No working water heater.

6.3.1.7(a) Plumbing

NPO

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

No working plumbing system.

No plumbing fixtures installed.

Existing plumbing is not installed properly.

6.3.1.1(c) Roof

NPO

The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the building. Roof drains, gutters, and down spouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a hazard on the premises or adjacent property.

Evidence of roof leak, the exposed wood members are water logged and compromised

6.3.1.1(b) Privacy, Weather Tight, Good Repair - Exterior

NPO

Every foundation, floor, wall, ceiling, and roof shall be reasonably weather tight and rodent proof; shall be capable of affording privacy, and shall be kept in good repair. All foundation systems must be firmly supported and free from open cracks and breaks. All foundation systems must be capable of supporting all nominal loads and capable of resisting all load effects.

Areas around the foundation where cracks and holes have formed allowing water to enter the structure.

Multiple areas where siding has been damaged or is missing.

6.3.1.1(x) Unsafe Structure(s) - Fire Hazard

NPO The building or structure shall not, because of obsolescence, dilapidated condition, deterioration, damage, lack of sufficient fire resistive construction, electrical wiring, gas connection, or heating apparatus, become a fire hazard.

The structure has signs of any leak in the roof. Structural members around area have become water logged and the strength of this members have been compromised.

There is evidence of a fire as a ceiling and floor show significant charring and smoke damaged structural members throughout.

6.3.1.4(g) Properly and Safely Installed Electrical Equipment

NPO All electrical equipment, wiring and appliances shall be properly and safely installed in accordance with the provisions of any applicable Building, Plumbing or Electric Code adopted by the City of Goshen or the State of Indiana and thereafter properly maintained.

The electrical panel is completely exposed and there are exposed wires throughout.

Not a proper working electrical in the structure

6.3.1.6(b)(5) Furniture/Appliances/Bulky Items

NPO Every occupant of a dwelling or dwelling unit shall dispose of all his or her solid waste, appliances, furniture and bulky items in a sanitary manner. This provision does not relieve the owner of the responsibility to maintain his or her property in a clean and sanitary condition.

The garage and house are both used for storage for personal items and for the owner's rental business.

6.3.1.1(r) Unsafe Structure(s)

NPO The building or structure shall not be in such a condition that it is likely to partially or completely collapse due to:

- (1) dilapidation, deterioration, or decay;
- (2) faulty construction;
- (3) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; or
- (4) the deterioration, decay or inadequacy of its foundation.

The structural integrity of the garage has been compromised due to faulty construction. The roof assembly is beginning to show signs of failure.

The exterior of the outside walls on the garage were never properly weather protected and showing signs of decay

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

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

The structure is accessible to humans and animals.

Animal feces throughout structure.

Evidence of vagrants and vandals entering the property.

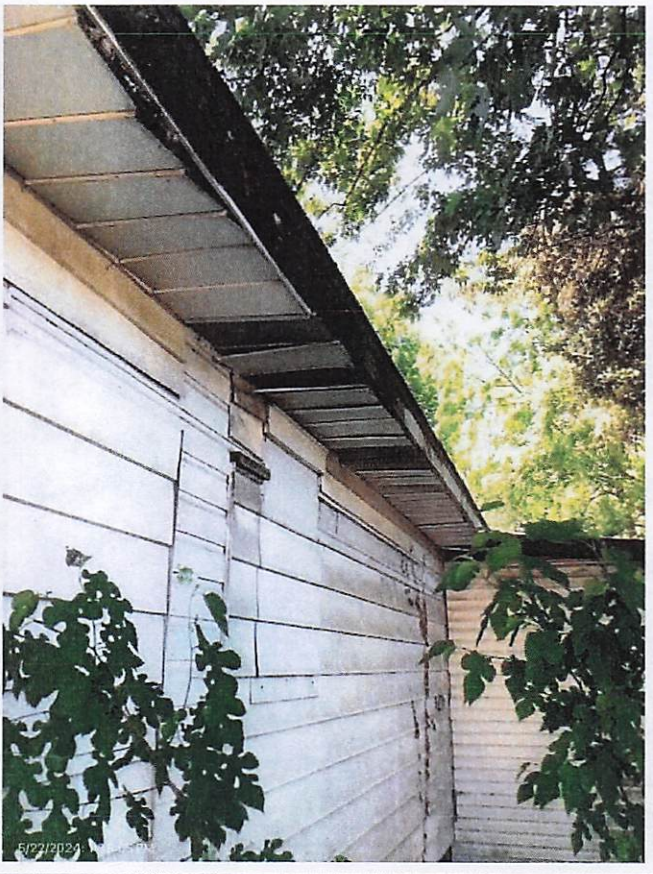
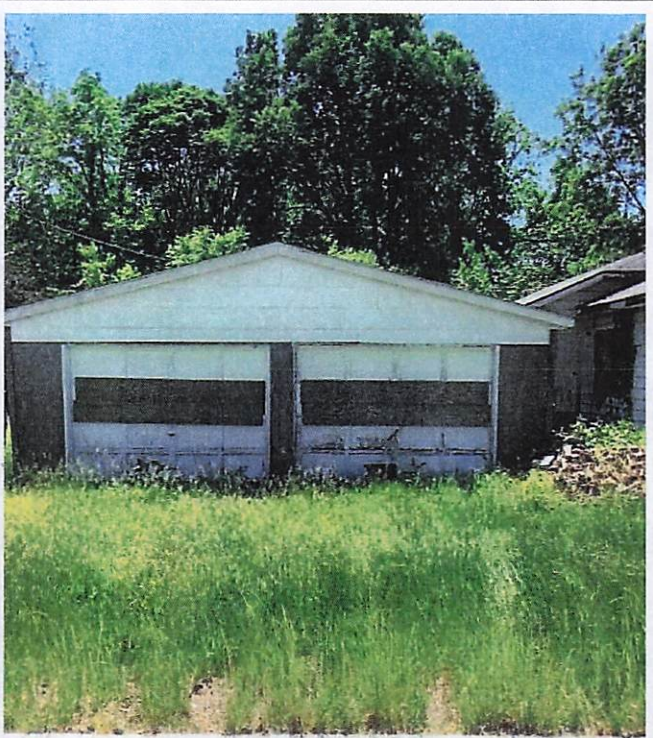
The garage is unsecured and door is broken.

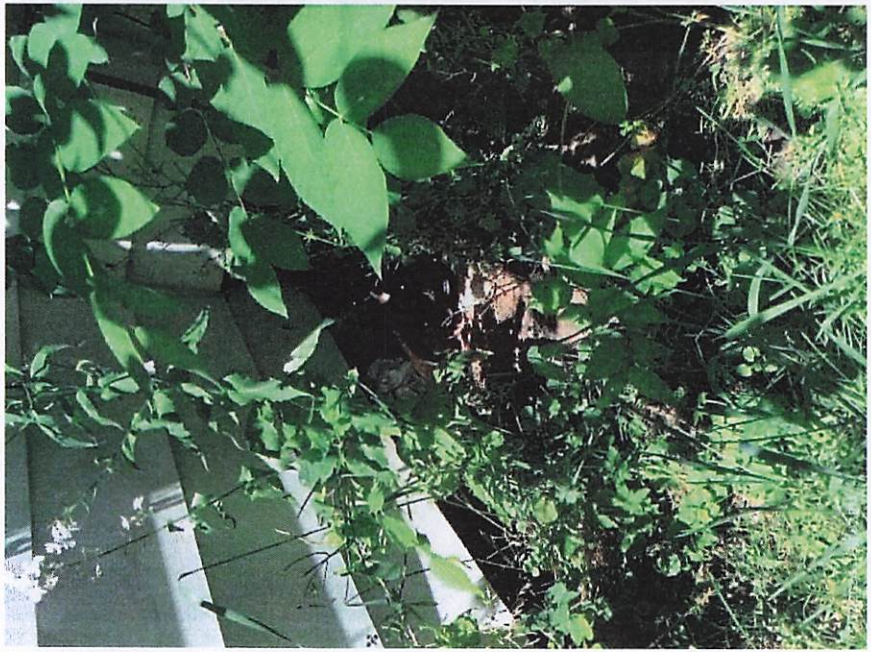
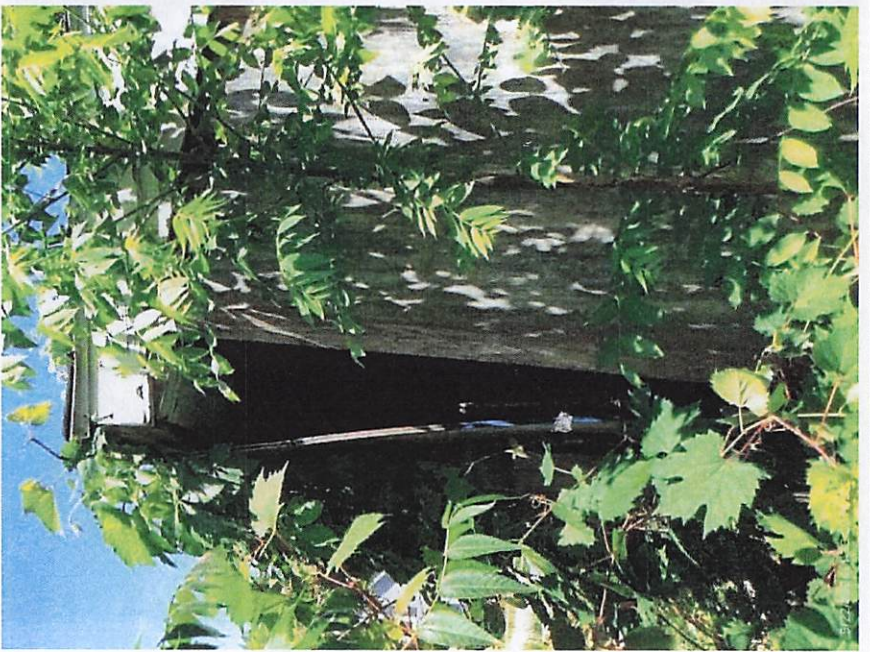
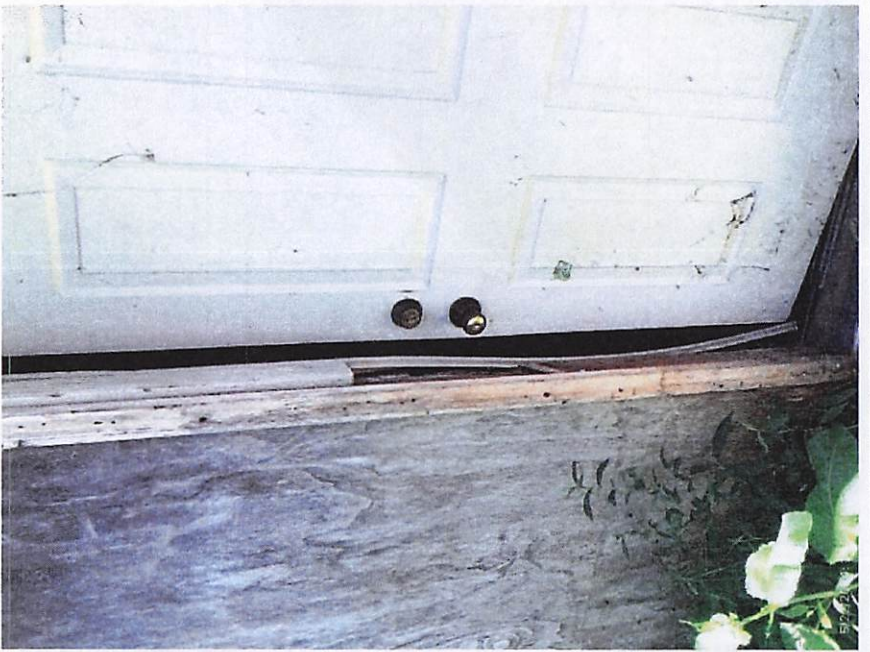
If addition, if the property is intended to be used as a rental, it will require registration with the Building Department.

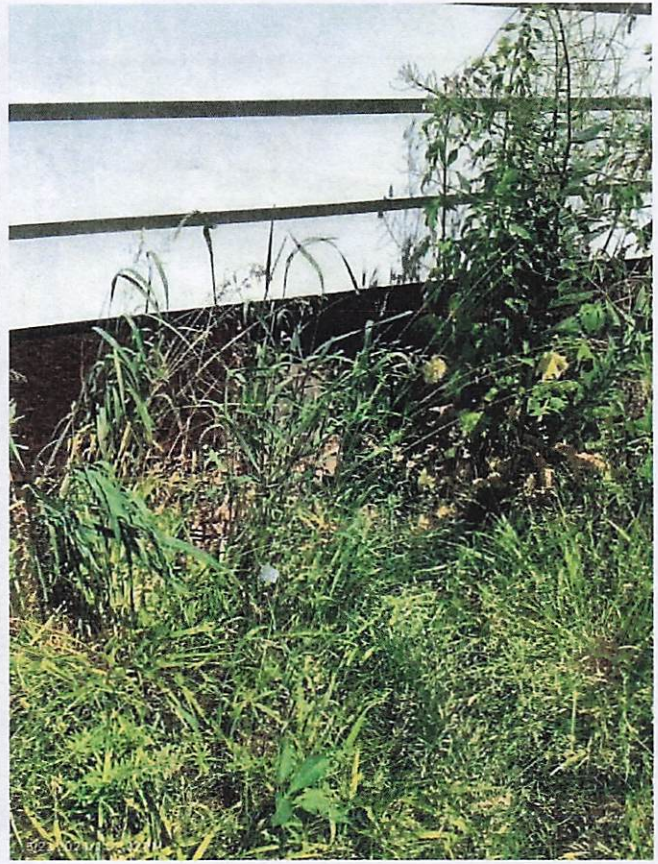
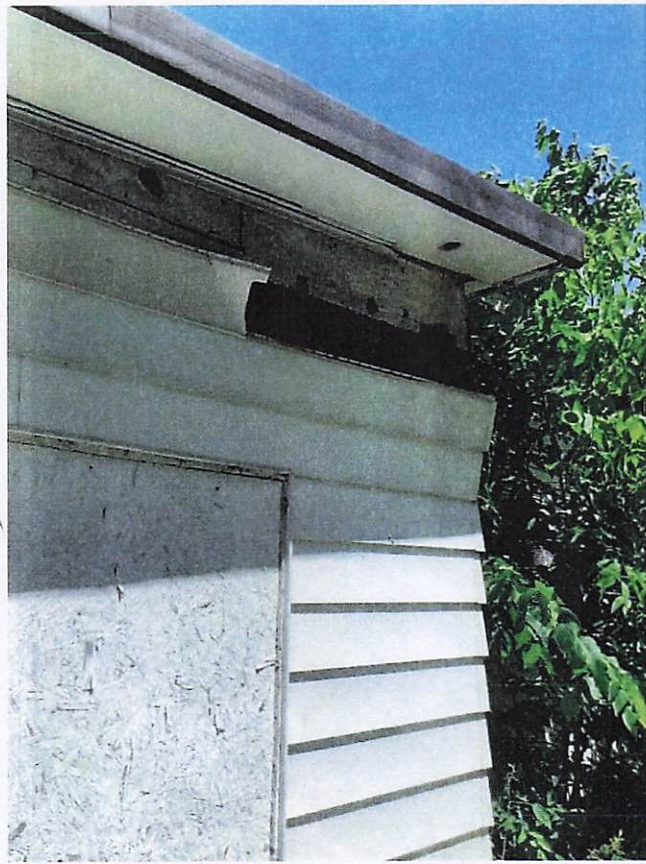
Thank you for your cooperation in allowing the City of Goshen to conduct this inspection.

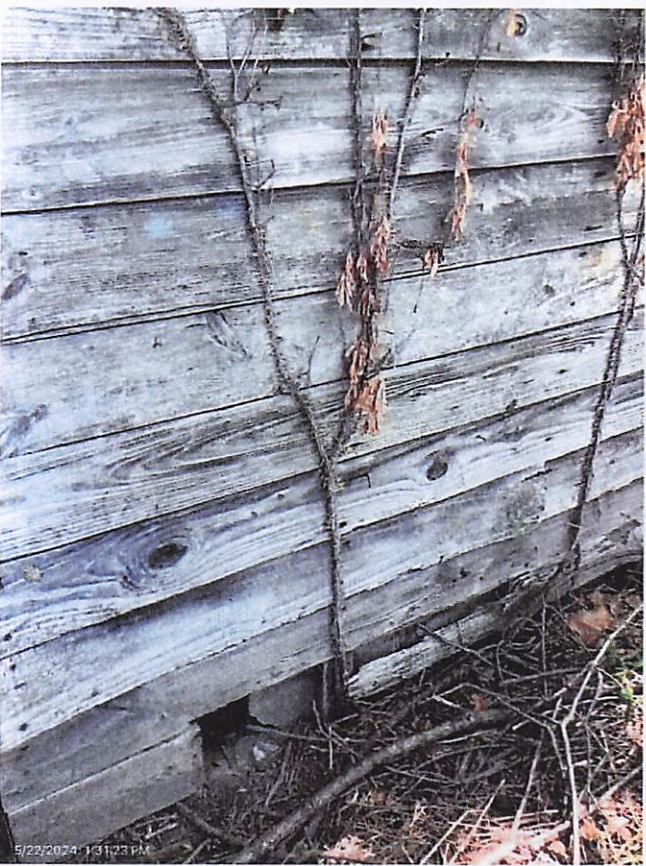
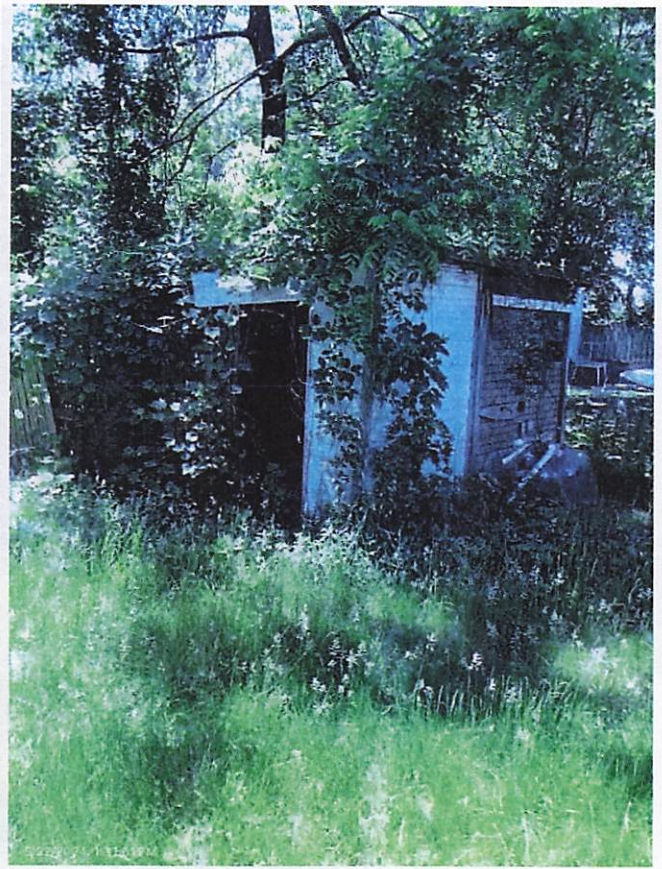
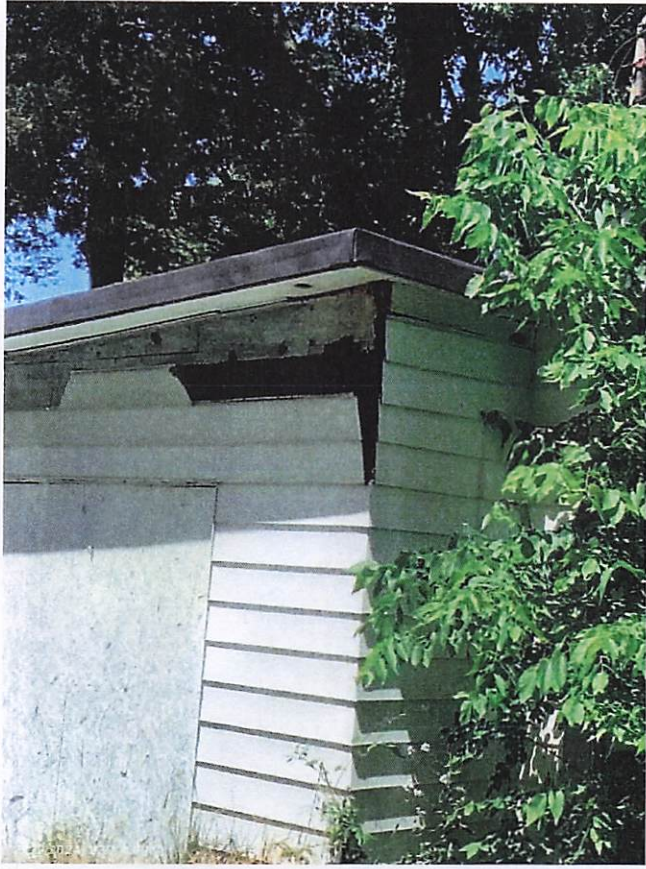
Respectfully,

Travis Eash
Code Compliance Officer



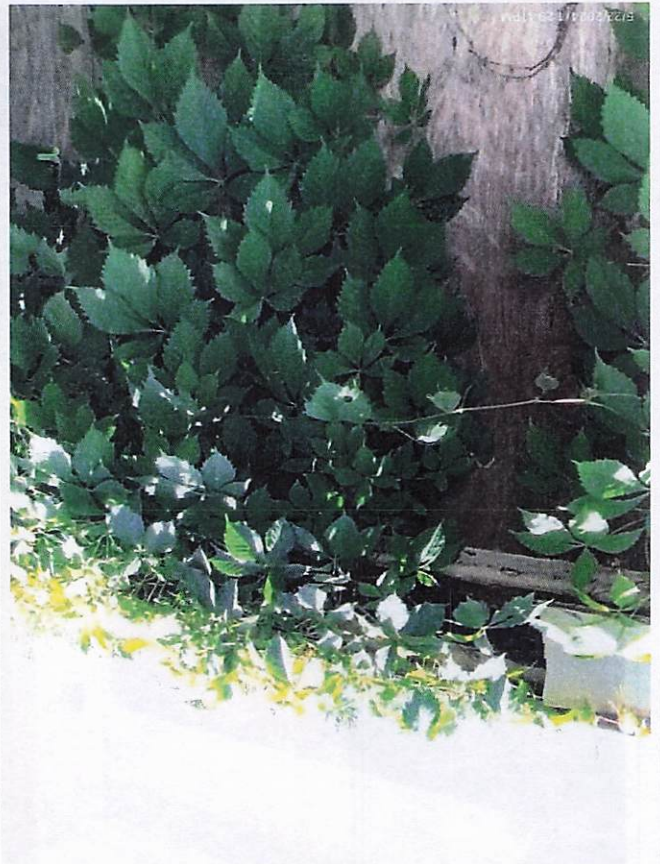
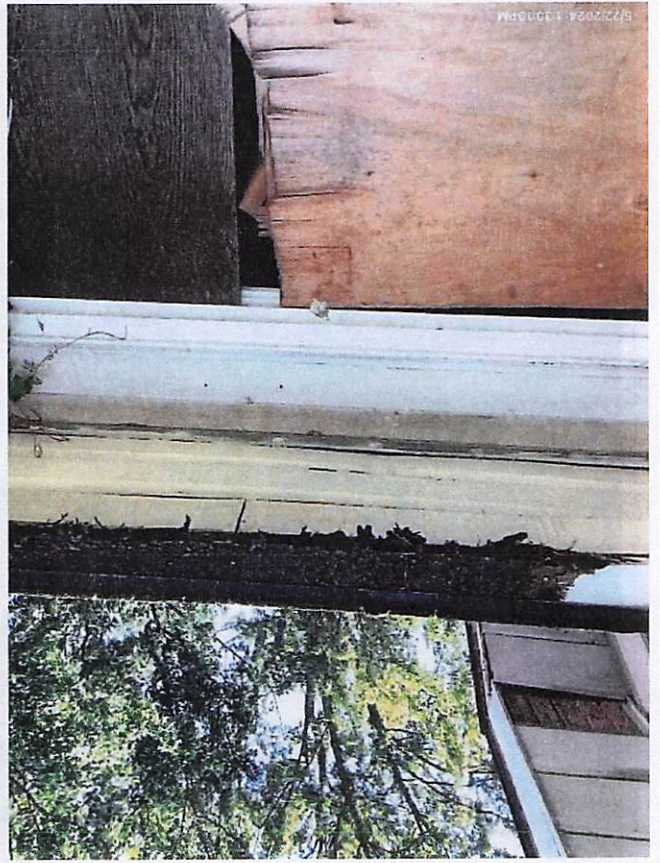


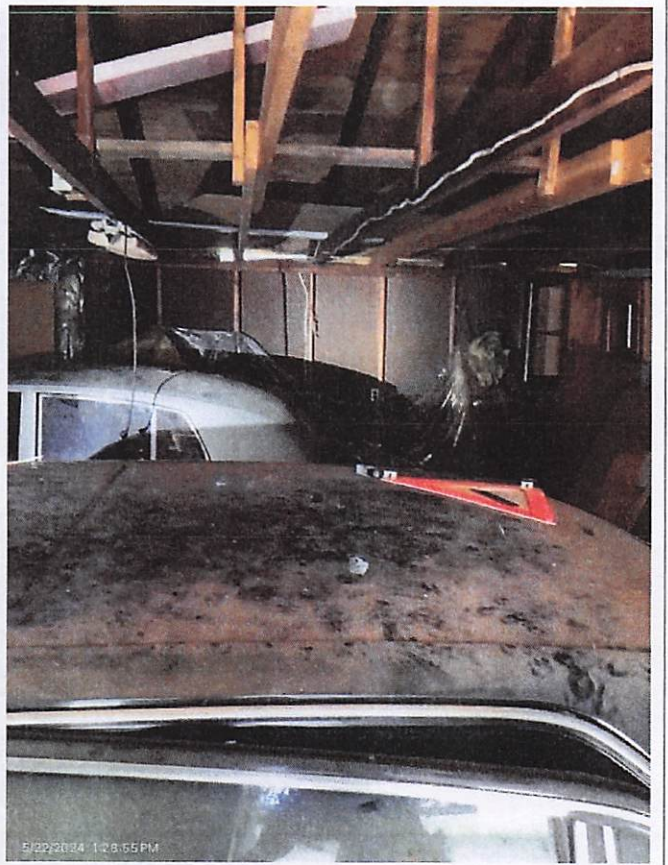


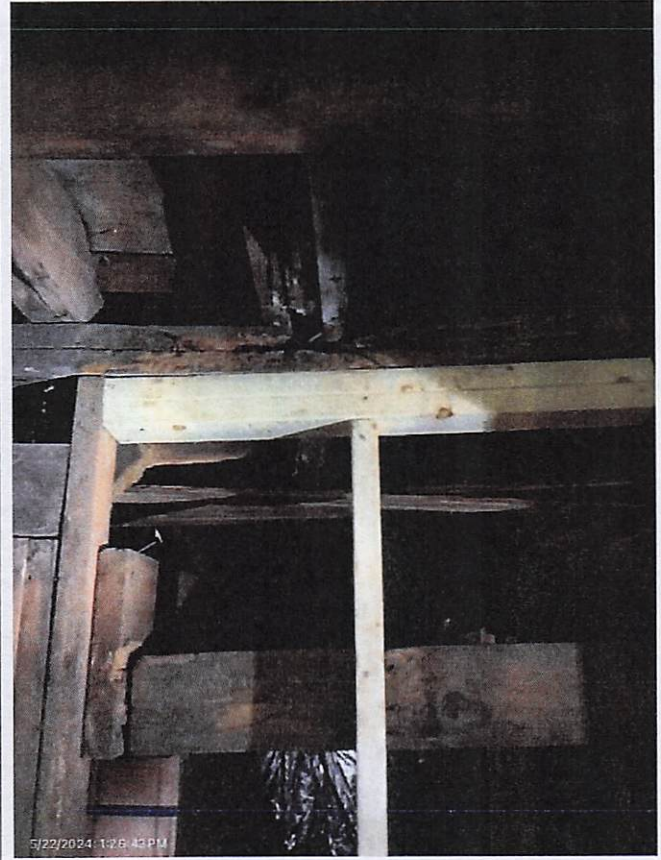
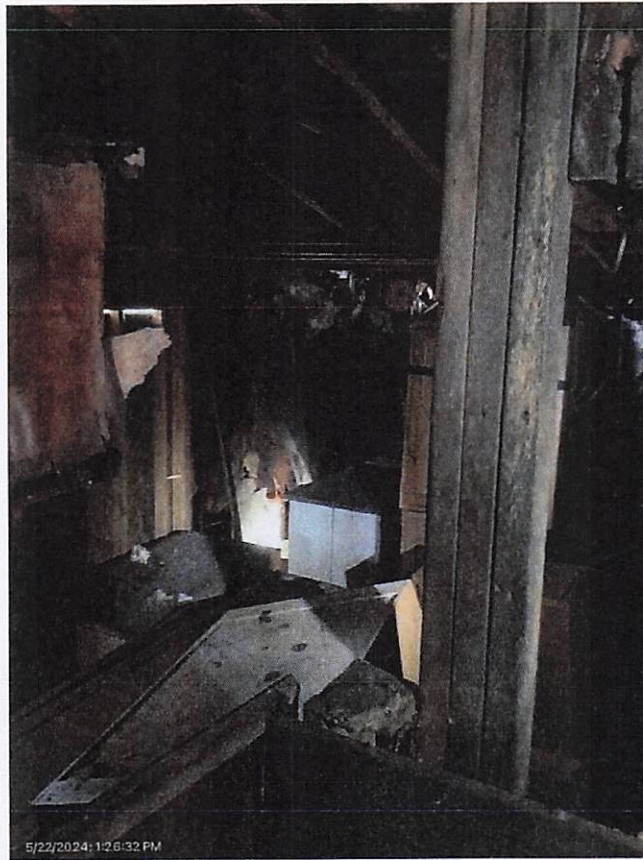
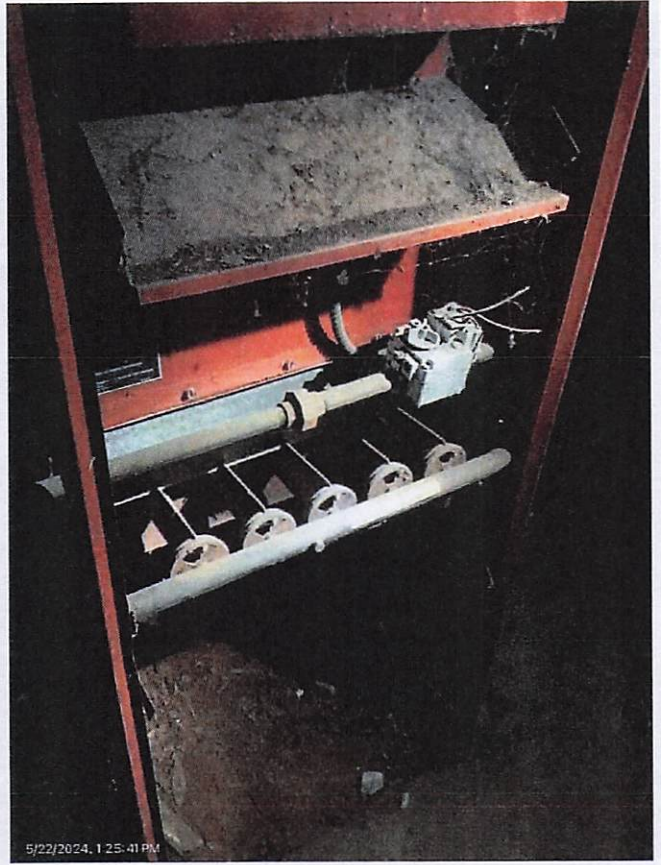
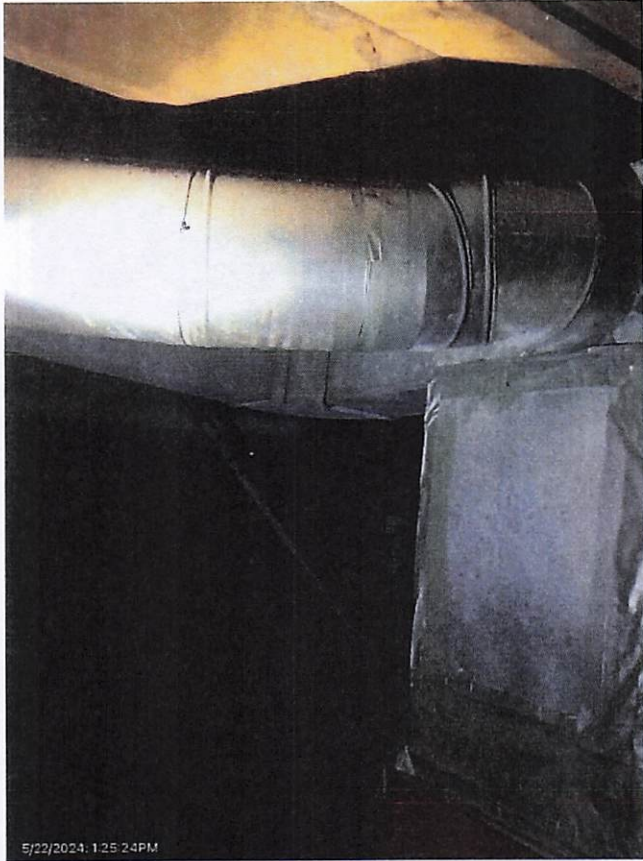


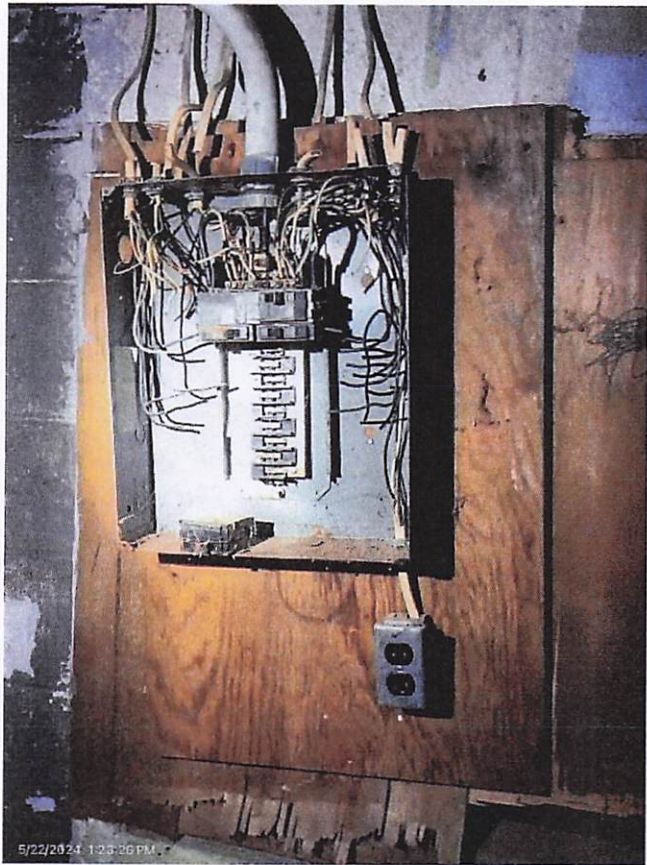
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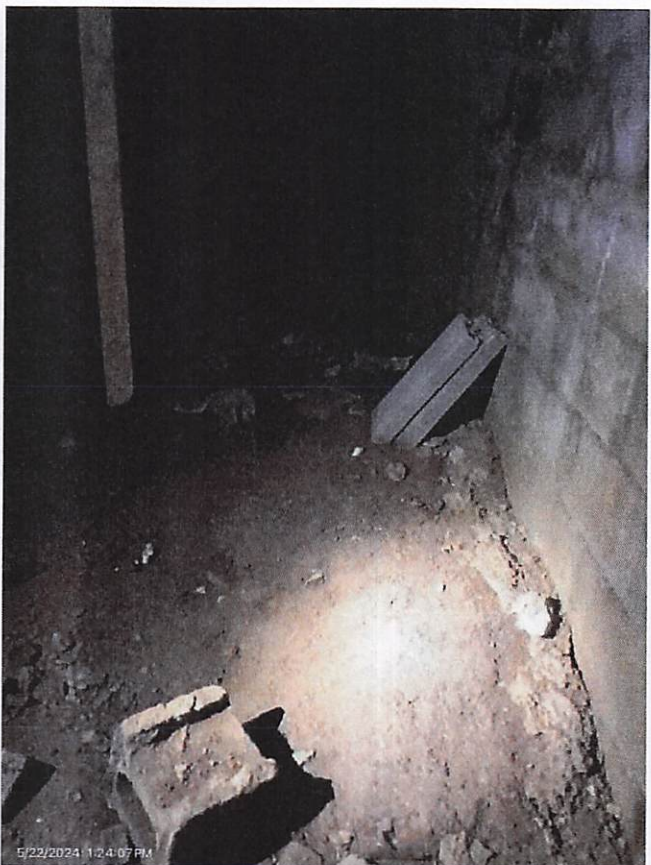








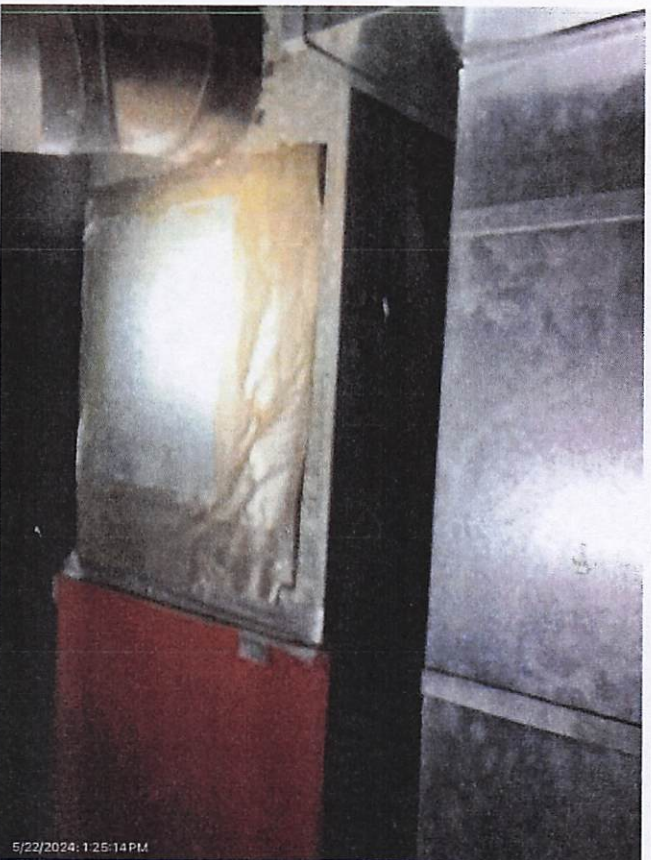
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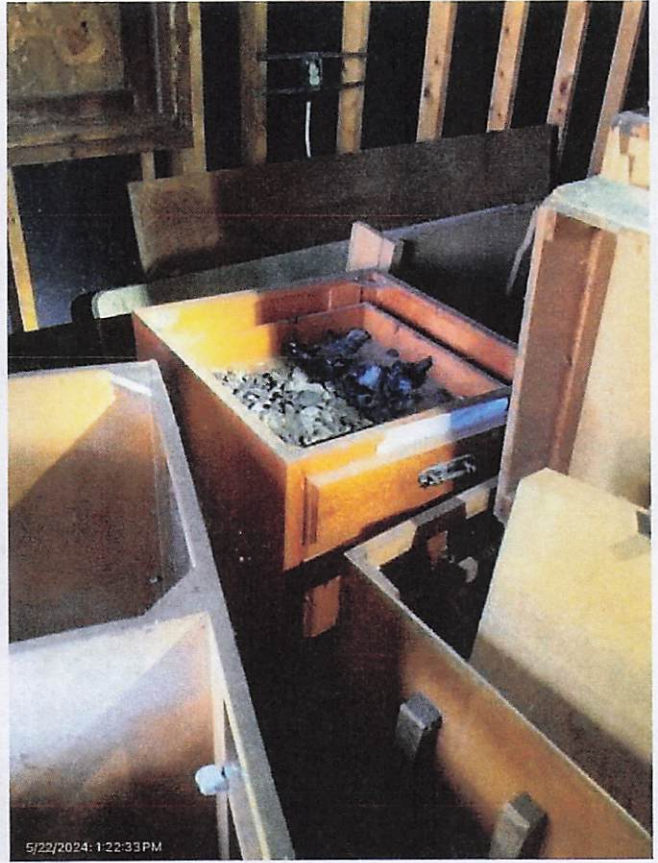
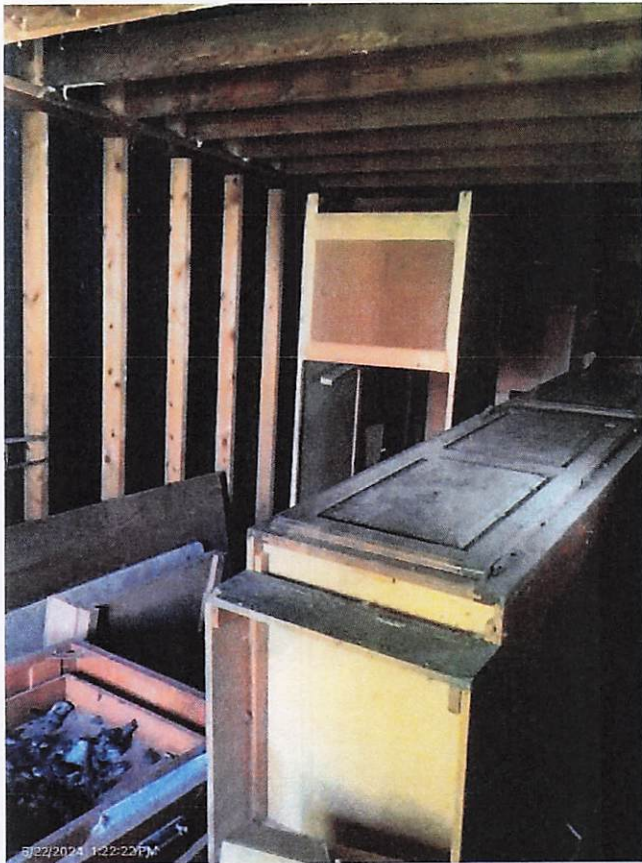
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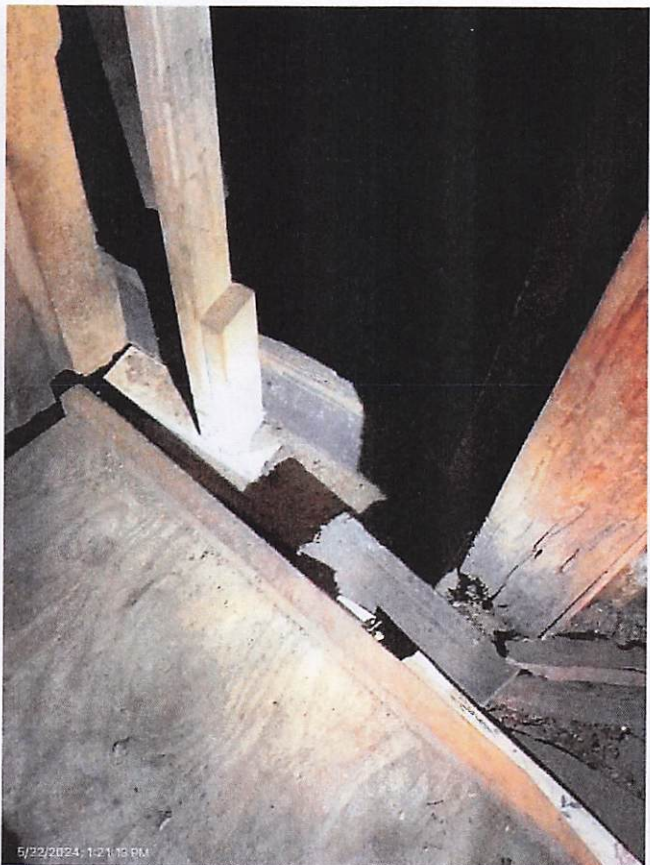
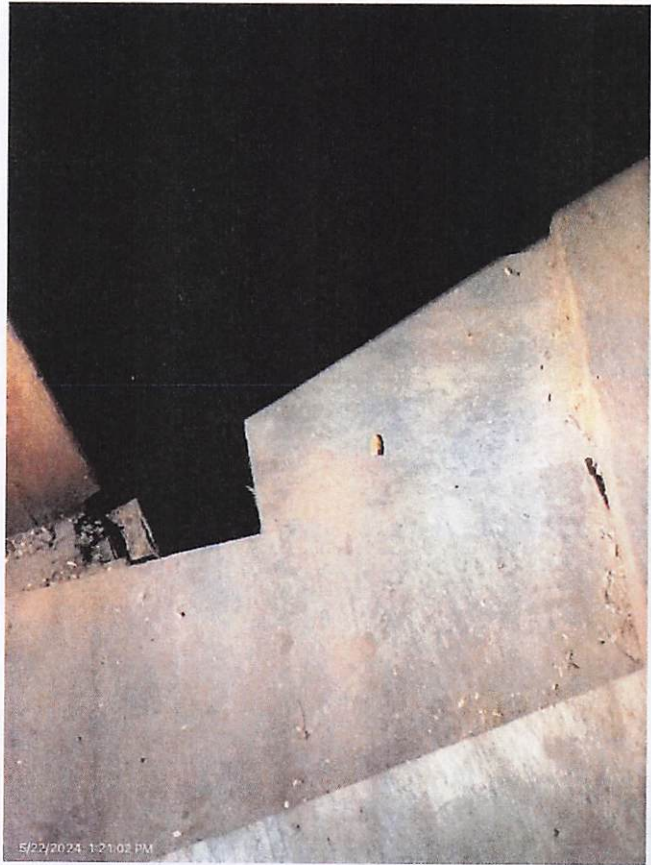


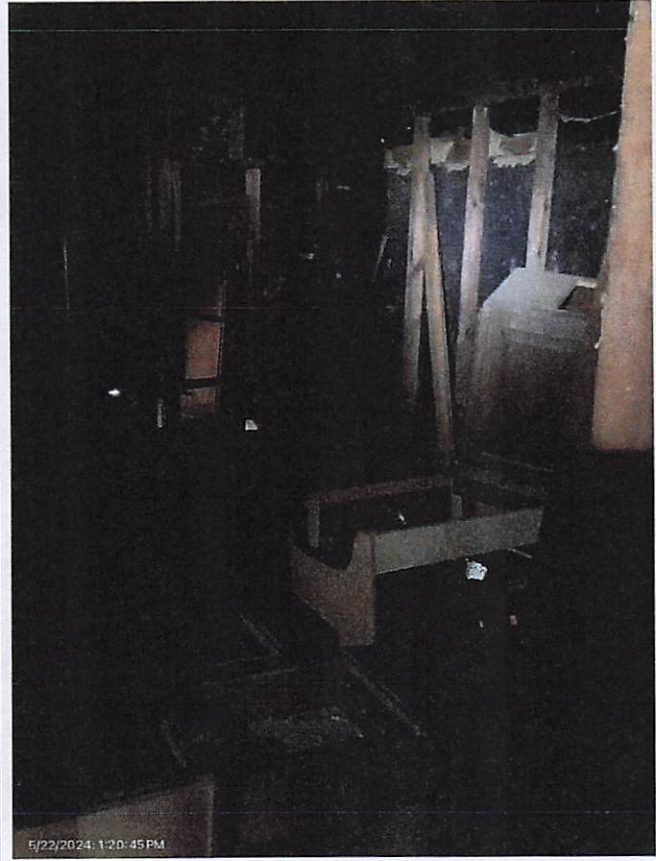
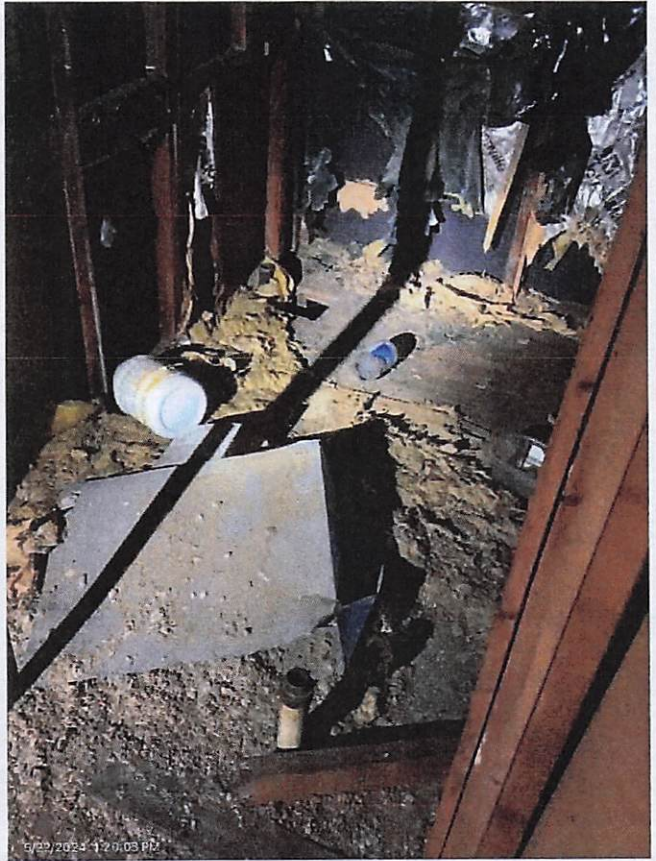
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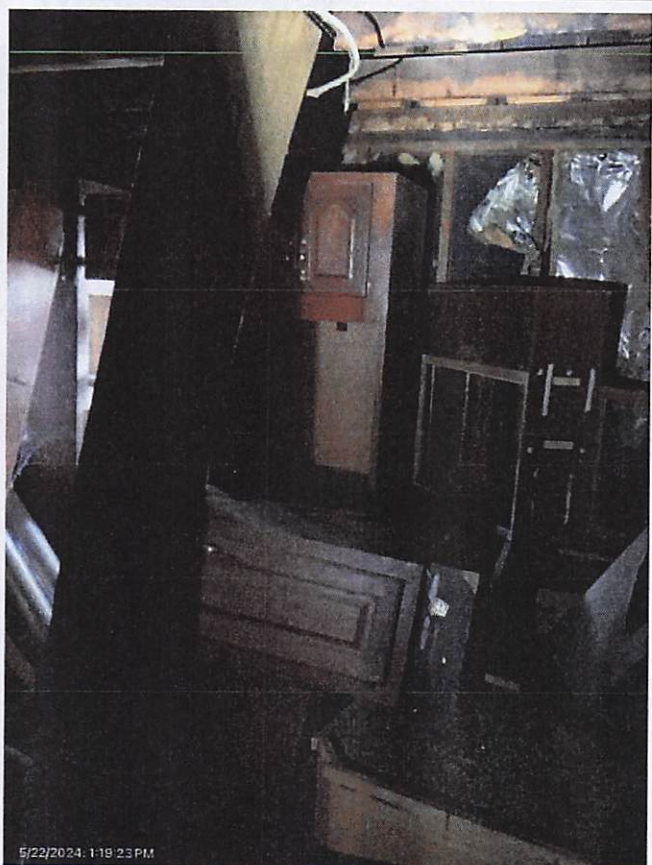
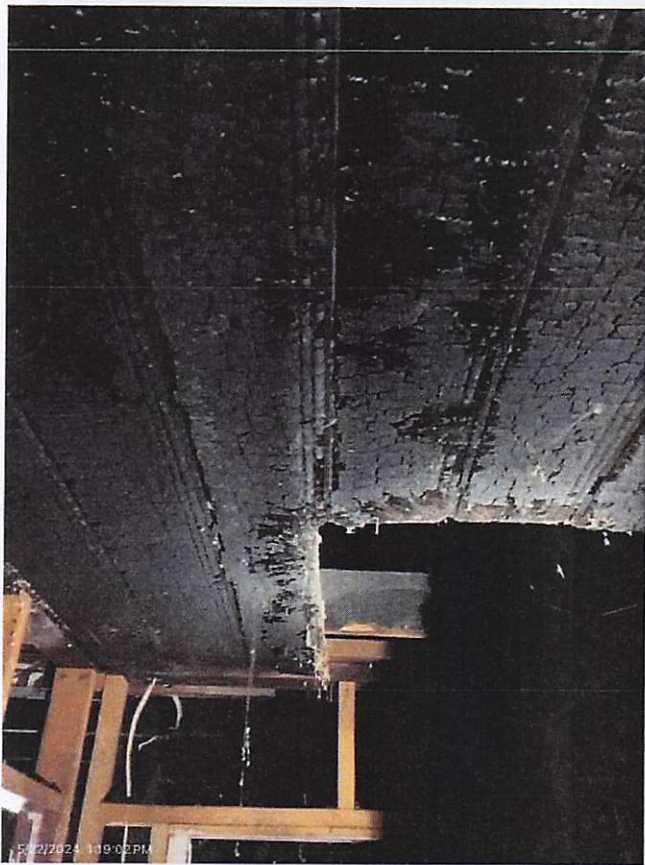
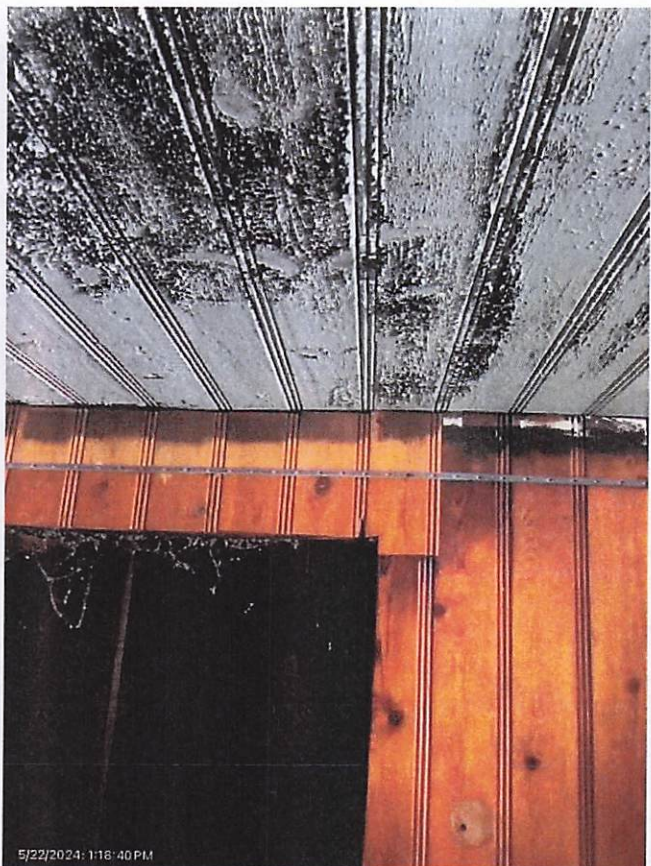


EXHIBIT #5



**Building Department
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MEMORANDUM

TO: BOARD OF PUBLIC WORKS

From: GOSHEN BUILDING DEPARTMENT (TRAVIS EASH)

Date: SEPTEMBER 12, 2024

Subject: 213 CRESCENT STREET

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

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

Thank you,

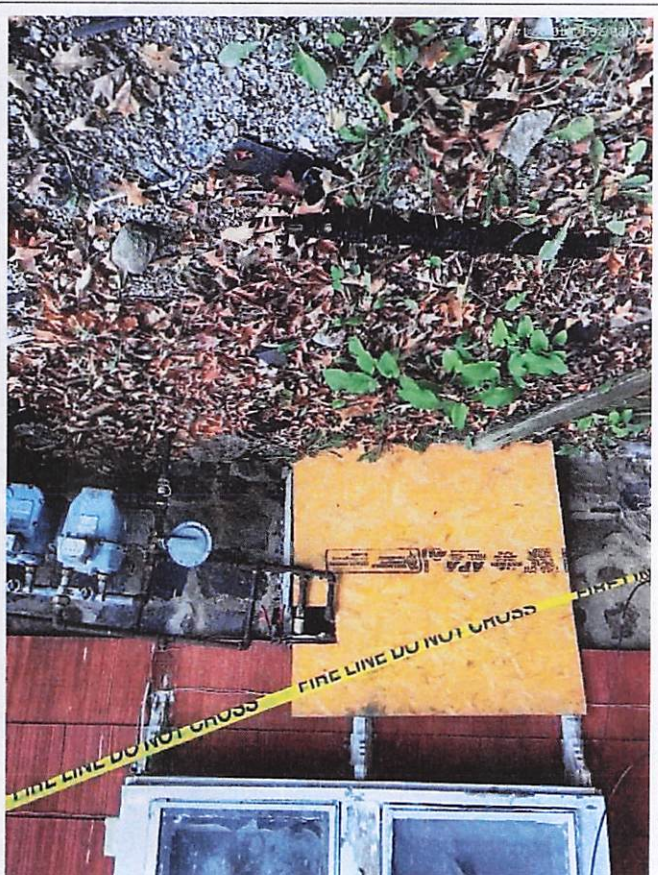
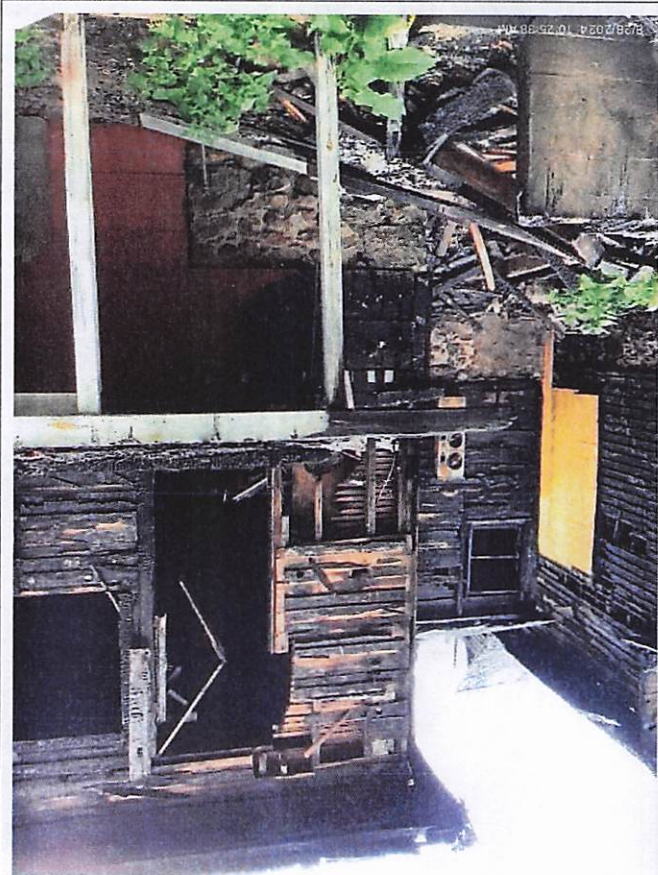
Travis Eash



8/26/2024 10:27:44AM

8/26/2024 10:27:33

NO ENTRY



10/28

