

BOARD OF PUBLIC WORKS & SAFETY & STORMWATER BOARD MINUTES OF THE MAY 22, 2025 REGULAR MEETING

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

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

Absent: Barb Swartley

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

<u>REVIEW/APPROVE MINUTES:</u> Mayor Leichty presented the minutes of the May 15, 2025 Claims Meeting as prepared by Clerk-Treasurer Aguirre. Board member Mary Nichols made a motion to approve the minutes as presented. Board member Orv Myers seconded the motion. The motion passed 4-0.

<u>REVIEW/APPROVE AGENDA:</u> Mayor Leichty presented the agenda as prepared by the Clerk-Treasurer with these proposed modifications: Combine items #1-5 into one request and items #6 and #7 into one request and add the following item immediately before Privilege of the Floor – *Engineering Department request: Approve the blocking of three more parking spaces for the Annex Re-Roofing Project.* Board member Nichols made a motion to approve the agenda as amended. Board member Myers seconded the motion. The motion passed 4-0.

1-5) Fire Department requests: Approve the promotions of Probationary Privates Travis Snethen, Allison Eagan, Mathew Borton, Derick Schmucker and Jon Lehman to the position of Private 1st Class Firefighter, retroactive to May 17, 2025

City Fire Chief Anthony Powell asked the Board to approve the promotions of Probationary Privates Travis Snethen, Allison Eagan, Mathew Borton, Derick Schmucker and Jon Lehman to the position of Private 1st Class Firefighter, retroactive to May 17, 2025.

Of the firefighters, Chief Powell said, "They have been tremendous additions to the Goshen Fire Department. They have consistently demonstrated integrity, dedication, and a strong commitment to service. Their conduct and performance reflect the values of our department, and leave a positive legacy within the community we serve." Nichols/Myers made a motion to approve the promotions of Travis Snethen, Allison Eagan, Mathew Borton, Derick Schmucker and Jon Lehman to the position of Private 1st Class Firefighter, retroactive to May 17, 2025. The motion passed 4-0.

After the Board's approval, the Mayor swore Travis Snethen, Allison Eagan, Derick Schmucker and Jon Lehman into office as Private 1st Class Firefighters, retroactive to May 17, 2025. Mathew Borton was not present and could not be sworn in at this time.

6 & 7) Police Department request: Approve the terms and conditions and ratify the execution of the Conditional Offer of Employment Agreements with Jared A. Ellison and Mitchell H. Garrett and approve their hiring as Probationary Patrol Officers, retroactive to Monday, May 12, 2025

City Police Chief José Miller asked the Board to approve the terms and conditions and ratify the execution of the Conditional Offer of Employment Agreements with Jared A. Ellison and Mitchell H. Garrett and approve their hiring as Probationary Patrol Officers, retroactive to Monday, May 12, 2025.

Chief Miller said Officer Ellison was a certified full-time police officer working for the City of Goshen as a Lieutenant until his resignation on Dec. 23, 2023. Previously, he was hired at the Goshen Police Department in September 2017. He moved up through the ranks as a Patrol Officer, Sergeant, and Lieutenant. He served on the Elkhart County SWAT Team as a member of the team and as a supervisor.



Chief Miller added, "Lt. Ellison has served this community with high integrity and was a great mentor and supervisor. We are thrilled to have Jared back on the department serving our community."

Officer Mitchell is a graduate of the Indiana Law Enforcement Academy.

Nichols/Myers made a motion to approve the terms and conditions and ratify the execution of the Conditional Offer of Employment Agreements with Jared A. Ellison and Mitchell H. Garrett and approve their hiring as Probationary Patrol Officers, retroactive to Monday, May 12, 2025. Motion passed 4-0. After the Board's approval, the Mayor swore Jared A. Ellison and Mitchell H. Garrett into office as Probationary Patrol Officers.

8) Police Department request: Accept the retirement of Detective H. William Hubbard III, badge #130, effective May 31, 2025

City Police Chief José Miller asked the Board to accept the retirement of Detective H. William Hubbard III, badge #130, effective May 31, 2025. His final active day on the books will be May 30, 2025.

Chief Miller said Detective Hubbard began his full-time service with the Goshen Police Department on Sept. 3, 1999, and over the past 25-plus years, "he has demonstrated unwavering dedication to our department and to the citizens of Goshen. Throughout his career, Detective Hubbard has served in numerous roles."

Chief Miller said Detective Hubbard "began as a patrol officer and rose to the rank of patrol lieutenant. He later joined the Detective Bureau, where he was instrumental in the resolution of numerous critical cases impacting our community. His contributions extended into administrative leadership when he served as the Division Chief of Patrol." Chief Miller said Detective Hubbard has also been "deeply involved in officer development and department readiness. He served as a departmental trainer on multiple subjects, playing a key role in preparing new recruits. He was a member of the Emergency Response Team (E.R.T.), and he retires while serving with the Proactive Investigation Team (P.I.T.)."

Chief Miller added that Detective Hubbard's "compassion and leadership are evident through his work on the Peer Support Team. Officers like Detective Hubbard are foundational to the strength and integrity of our department. His impact will continue to be felt long after his retirement. I want to personally thank Detective Hubbard for his exemplary service, leadership, and dedication. On behalf of the entire Goshen Police Department, I wish him nothing but the best in his well-earned retirement and future endeavors."

Mayor Leichty said at some future point the City Council will recognize Detective Hubbard for his service to the City. Nichols/Myers made a motion to accept the retirement of Detective H. William Hubbard III, badge #130, effective May 31, 2025. Motion passed 4-0.

9) Police Department request: Accept the retirement of Officer Benjamin Thomas (Tommy) Steele, badge #143, effective June 1, 2025

City Police Chief José Miller asked the Board to accept the retirement of Officer Tommy Steele, #143, effective June 1, 2025. His last day working will be May 31, 2025.

Chief Miller said Officer Steele has chosen to retire and accept a position as an athletic director for Goshen Middle School. Officer Steele started his full-time career at the Goshen Police Department on March 19, 2004, and has given this community over 21 years of service.

Chief Miller said that while at Goshen, Officer Steele worked as a patrol officer and then later a School Resource Officer (SRO). Officer Steele has dedicated most of his career to the SRO position and to the young adults and staff of the school system.

Chief Miller added that Officer Steele has "many years of experience that will truly be missed on the Goshen Police Department. I would like to personally thank Officer Steele for his many years of service and commitment to this department and our community. I wish him the absolute best in his next chapter of life."



In his letter of retirement, Officer Steele wrote that "Serving this department, this community, and especially the students and staff at Goshen Junior High over the past 21 years, has been the greatest honor of my professional life. What started as a commitment to protect and serve became a mission deeply rooted in connection, mentorship, and care during my time as a Patrolman and a School Resource Officer.

Officer Steele continued, "I have had the privilege of watching young people grow, face challenges, overcome obstacles, and turn into leaders. I've stood beside families through both celebration and crisis. I've worked with an incredible team of educators, administrators, and fellow officers-people who lead with both courage and heart. "Throughout the years, I've worn many hats: protector, counselor, hallway peacekeeper, National Junior Honor Society speaker, coach, and sometimes even dance chaperone. But above all, I've tried to be a steady presence that kids and colleagues could count on. The relationships I've built during this time are ones I will carry with me always." Nichols/Myers made a motion to accept the retirement of Officer Tommy Steele, #143, effective June 1, 2025. His last day working will be May 31, 2025. Motion passed 4-0.

10) Police Department request: Approve the voluntary demotion of Manuel Aldana from the rank of Sergeant to the rank of Patrol Officer, retroactive to May 7, 2025

City Police Chief José Miller asked the Board to approve the voluntary demotion of Manuel Aldana from the rank of Sergeant to the rank of Patrol Officer, retroactive to Wednesday, May 7, 2025.

Chief Miller said Officer Aldana submitted a letter on May 7, 2025 requesting the voluntary demotion. Officer Aldana had served in a leadership role as Sergeant since January of 2024.

Nichols/Myers made a motion to approve the voluntary demotion of Manuel Aldana from the rank of Sergeant to the rank of Patrol Officer, retroactive to May 7, 2025. Motion passed 4-0.

- 11) Downtown Goshen Inc. requests: Approve more street closures and signage for First Friday activities Amanda Rose, Director of First Fridays for Downtown Goshen, Inc, asked the Board to approve additions to the previously requested 2025 street closures for the year First Friday activities. Rose requested the following:
- June 6, 2025 In addition to the original request: Close East Washington Street from Main to 5th streets from 1 p.m. to 11 p.m. and change the orange fencing area as indicated on a map attached to her written request.
- July 4, 2025 Addendum to original request: "We'd like to request a change to the closure time to noon to 5 p.m." She also requested additional Street Department signage to mark the open half of the parking lot with signs that state 'Reserved for Goshen Brewing patrons only' to eliminate car show attendees from taking up business parking.
- August 1, 2025 In addition to the original request: Close West Washington Street from Main Street to the alley west from 1 to 11 p.m.

Nichols/Myers made a motion to approve the requested additions and closures for 2025 First Friday activities as outlined in Downtown Goshen Inc.'s memorandum to the Board. Motion passed 4-0.

12) Common Spirits request: For a celebration, approve the temporary closure of the alley between Main and 5th streets, in the 100 block of East Lincoln Avenue, between noon and 10 p.m. on June 14, 2025 Ryan Hawkins, owner of Common Spirits, 111 East Lincoln Ave. in downtown Goshen, asked the Board for permission to temporarily close the alley north of East Lincoln Avenue, between Main and 5th streets, on Saturday, June 14, 2025 between noon and 10 p.m. to celebrate the 9th anniversary of the business. He also requested barricades on both sides of the alley.

Hawkins said that as in past years, all affected neighbors have been notified and have no objections to the closure. Nichols/Myers moved to approve closure of the alley north of Lincoln Avenue, between Main and 5th streets, from noon to 10 p.m. on June 14, 2025. Motion passed 4-0.



13) Legal Department request: Approve the Memorandum of Understanding with the Goshen Firefighters Association Local No. 1443 and authorize the Mayor to execute the MOU

Assistant City Attorney Don Shuler requested approval of a Memorandum of Understanding (MOU) between the City and the Goshen Firefighters Association Local No. 1443.

Shuler said the MOU would revise the ambulance staffing requirements outlined in Article XVII, Section One of the existing Collective Bargaining Agreement. The purpose of these adjustments was to increase operational flexibility by modifying staffing requirements for frontline and reserve ambulances.

The exact language of the new provision of the new ambulance staffing requirement is as follows:

"(A) Each frontline ambulance shall respond to calls with not less than one (1) active EMT-B or higher and one (1) active paramedic. Any additional reserve ambulance called into service, in addition to all three (3) frontline ambulances, shall respond to calls with staff determined by the administration. If a reserve ambulance is called into service to replace a primary frontline ambulance, then the reserve ambulance shall respond to calls with not less than one (1) active EMT-B or higher and one (1) active paramedic."

Shuler said the revised requirements in the MOU will be effective through the expiration of the current Collective Bargaining Agreement on Dec. 31, 2026. He said the Union has approved and agreed to these changes. Nichols/Myers made a motion to approve the Memorandum of Understanding between the City and Goshen Firefighters Association Local No. 1443 and authorize the Mayor to execute the MOU. Motion passed 4-0.

14) Legal Department request: Approve Memorandum of Understanding with MACOG for Assistance in Enhancing Bicycle and Pedestrian Mobility and Safety

Shannon Marks, the Legal Compliance Administrator for the City Legal Department, asked the Board to approve and authorize the Mayor to execute a Memorandum of Understanding with the Michiana Council of Governments (MACOG) to furnish technical and professional assistance in enhancing bicycle and pedestrian mobility and safety as part of MACOG's Active Transportation Plan.

Marks said the City will pay MACOG \$5,000 per year on June 30, 2025, 2026 and 2027, for a total of \$15,000. Board member Landis asked about the work MACOG will be performing. City Engineering Project Manager Andrew Lund said MACOG will assist as requested, including helping with pedestrian and trail counts. Nichols/Myers made a motion to approve and authorize the Mayor to execute the Memorandum of Understanding with Michiana Council of Governments for assistance in enhancing bicycle and pedestrian mobility and safety. Motion passed 4-0.

15) Legal Department request: Adopt Resolution 2025-09, Resolution of the Goshen Board of Public Works and Safety Adopting a Policy to Provide Public Notice of Meetings

Shannon Marks, the Legal Compliance Administrator for the City Legal Department, told the Board that attached to the agenda packet for the Board's consideration was Resolution 2025-09, *A Resolution of the Goshen Board of Public Works and Safety Adopting a Policy to Provide Public Notice of Meetings.* All other City boards and commissions are considering a substantially similar resolution.

Marks said Resolution 2025-09 revises a policy adopted Feb. 23, 2013 by Resolution 2013-B. This revised policy sets forth the statutory requirements for providing the public notice of meetings, including the method in which the Board will provide notice to all news media and to any person (other than news media) submitting an annual written request for such meeting notices.

Marks said the public notice must be given at least 48 hours (excluding Saturdays, Sundays, and legal holidays) before the meeting. A new requirement is that the notice must also include the website address for live transmissions and archived copies of the live transmissions of meetings. The notice shall be given by posting a copy at City Hall, publishing the notice on the City's website, and emailing the notice to all news media



Mayor Leichty said, "Essentially, we're just making sure that there's a link shared in addition to all of our other notification information ... everything else is the same."

Nichols/Myers made a motion to adopt Resolution 2025-09, A Resolution of the Goshen Board of Public Works and Safety Adopting a Policy to Provide Public Notice of Meetings. Motion passed 4-0.

16) Legal Department request: Adopt Resolution 2025-10, Resolution of the Goshen Board of Public Works & Safety Adopting an Electronic Meetings Policy to Allow Members of the Board to Participate in Meetings by an Electronic Means of Communication

Shannon Marks, the Legal Compliance Administrator for the City Legal Department, told the Board that attached to the meeting packet was Resolution 2025-10, A Resolution of the Goshen Board of Public Works and Safety Adopting an Electronic Meetings Policy to Allow Members of the Board of Public Works and Safety to Participate in Meetings by an Electronic Means of Communication.

Marks said all other City boards and commissions are considering a substantially similar resolution, and the Electronic Meetings Policy is similar to the policy adopted by the Goshen Common Council in January 2025.

Marks said this policy sets forth the procedures that apply to a member's participation in a meeting by an electronic means of communication. The electronic means of communication must allow all participating members of the Board to simultaneously communicate with each other, and it must allow the public to simultaneously attend and observe the meeting (excluding an executive session).

Mayor Leichty asked the Board to adopt this same policy as approved by Council and other City boards. Nichols/Myers made a motion to adopt Resolution 2025-10, A Resolution of the Goshen Board of Public Works and Safety Adopting an Electronic Meetings Policy to Allow Members of the Board of Public Works and Safety to Participate in Meetings by an Electronic Means of Communication. Motion passed 4-0.

17) Legal Department requests: Approve agreements with the following organizations to support the projects outlined in submitted applications and authorize Mayor Leichty to execute the agreements with: Chamber of Commerce of Goshen, \$50,000; Downtown Goshen, Inc. – Administrative, \$5,000; Downtown Goshen, Inc. – Façade Program, \$20,000; Downtown Goshen, Inc. – First Fridays, \$50,000; Economic Development Corporation of Elkhart County, \$25,000; Elkhart County Symphony Association, \$10,000; First In Chaplain Crisis Response Team, \$10,000; First Light Mission, \$30,000; Goshen Historical Society, \$15,000; South Bend Elkhart Regional Partnership, \$2,750; and Warsaw Housing Authority, \$35,000.

Assistant City Attorney Don Shuler told the Board the City of Goshen has many community service organizations that provide services or programs to its residents in a manner more efficient than what the City could provide. The City has supported these organizations with funds in the past and wishes to continue to do so.

Shuler said these organizations were subject to an application process requiring specific documentation regarding their organizations, a detailed description of how these funds will be used, and the organizations will need to account for how the funds were used. As such, before the Board today were 11 Community Service Partnership Agreements.

Mayor Leichty said all applicants made presentations to the City Community Relations Commission (CRC), which recommended that all be approved by the Board. She said some were not funded fully. She added that all of the groups funded have strategic partnerships with the City to help meet critical community needs.

Nichols/Myers made a motion to approve the agreements with the various community service organizations listed in the memo along with the grant amount listed in the memo and authorize Mayor Liechty to execute the agreements accordingly.

Before a vote could be taken, **Councilor Matt Schrock** said more than \$300,000 was going to be spent on these agreements despite a need to tighten budgets because of upcoming property tax reductions and a revenue loss.



Councilor Schrock asked if the City would be spending the bare minimums necessary, adding that this seemed like a lot of money to spend. As an example, he mentioned the \$50,000 going to the Goshen Chamber of Commerce.

Mayor Leichty said she would make sure Councilor Schrock got an invitation to future Community Relations Commission presentations on the community organizations. She also said, "One of the services that the Goshen Chamber provides is business counseling services to anybody. It's not just to Chamber members, so they're providing education and support to assist small businesses."

The **Mayor** said that is one of the only ways that the City provides support to small businesses. She also said the amounts provided to the organizations has not increased over the years, adding that the City has been judicious in its spending on the organizations.

Mayor Leichty also reminded Councilor Schrock that this spending was previously approved by the Common Council and that the partnerships will provide meaningful support to worthy activities, such as management of housing vouchers through the Warsaw Housing Authority.

The Board then voted 4-0 to approve the motion by Nichols and Myers.

18) Legal Department request: Approve and authorize Mayor Leichty to execute the agreement with Baker Tilly Advisory Group, LP for the City's Annual Accounting, Reporting, Long-Term Planning, Budgeting, and Appropriations Support at an annual cost not to exceed \$71,200 with both parties understanding each has the right to terminate at any time after reasonable advance written notice

Assistant City Attorney Don Shuler recommended that the Board approve and authorize Mayor Leichty to execute an agreement with Baker Tilly Advisory Group, LP for City's Annual Accounting, Reporting, Long-Term Planning, Budgeting, and Appropriations Support.

Shuler said Baker Tilly's total annual compensation under this agreement will not exceed \$71,200 with both Parties understanding each has the right to terminate at any time after reasonable advance written notice.

Nichols/Myers made a motion to approve and authorize Mayor Leichty to execute the agreement with Baker Tilly Advisory Group, LP for City's Annual Accounting, Reporting, Long-Term Planning, Budgeting, and Appropriations Support at an annual cost not to exceed \$71,200 with both Parties understanding each has the right to terminate at any time after reasonable advance written notice Motion passed 4-0.

19) Engineering Department request: Approve the Annual Operational Report and authorize the Mayor to sign the certification

City Engineering Project Manager Andrew Lund told the Board that the City of Goshen is required to submit an Annual Operational Report for Local Roads and Streets and Bridges to the State Board of Accounts (SBOA) by June 1 following the operational report year through the Local Technical Assistance Program (LTAP) at Purdue. Lund said a completed Annual Operational Report prepared by the Clerk-Treasurer's Office and Street Department

was attached to the meeting agenda.

The final page of the report was a certification required to be signed by the City Engineer, the Street Commissioner, and the Mayor. The Board of Public Works and Safety was asked to approve the Annual Operational Report and authorize the Mayor to sign the certification.

Nichols/Myers made a motion to approve the Annual Operational Report and authorize the Mayor to sign the certification. Motion passed 4-0.

20) Engineering Department request: Approve Change Order No. 1 for \$158,581.50 to increase the work scope for Wilden Avenue, a part of the 2024 Asphalt Paving Package A

City Director of Public Works & Utilities Dustin Sailor told the Board that the City's contractor is prepping to begin work on this year's Asphalt Paving Package A and was suggesting some changes.



Sailor said a review of the road conditions from November 2024 to April 2025, showed that the Wilden Avenue stretch of roadway between the Elkhart River Bridge and the Rock Run Creek Bridge has deteriorated beyond the effectiveness of the originally specified roadway treatment. After evaluating the alternatives, it was determined that deeper milling combined with a geosynthetic reinforcing paving mat would improve the roadways longevity by resisting reflect cracks from the concrete road bed remaining in place.

Sailor said Niblock Excavating has offered a change in project quantities and one new line item for the work associated with deeper milling. Goshen Engineering asked the Board's approval of Change Order No. 1 in the amount of \$158,581.50, increasing the total project from \$2,055,649.40 to \$2,214,230.90, which represents a 7.71% increase in project costs.

Nichols/Myers made a motion to approve Change Order No. 1 in the amount of \$158,581.50 to increase the work scope for Wilden Avenue, a part of the 2024 Asphalt Paving Package A. Motion passed 4-0.

21) Engineering Department request: Approve a westbound lane restriction on College Avenue, from Century Drive to approximately 1,100 feet west of CR 31, for May 23 and May 27

City Engineering Project Manager Andrew Lund told the Board told the Board that Terracon Consultants has requested permission to implement a westbound lane restriction with flaggers on College Avenue, extending from Century Drive to approximately 1,100 feet west of County Road 31 (at the city limit line). He said the purpose of this restriction is to conduct soil borings as part of the preliminary geotechnical investigation for Phase II of the College Avenue Reconstruction project.

Lund said the lane restriction is expected to be in place two non-consecutive days on Friday, May 23 and Tuesday, May 27, 2025.

Nichols/Myers made a motion to approve a westbound lane restriction on College Avenue, extending from Century Drive to approximately 1,100 feet west of CR 31 for May 23 and May 27, 2025. Motion passed 4-0.

22) Engineering Department request: Approve the road closure on Wilden Avenue, between the Rock Run Creek bridge and the Elkhart River bridge, for the work of milling, geosynthetic reinforcing paving mat, and to rebuild the asphalt roadway work from Monday, June 2 thru Friday, June 13, 2025

City Director of Public Works & Utilities Dustin Sailor told the Board that Niblock Excavating requested a road closure on Wilden Avenue, between the Rock Run Creek bridge through the intersection of Indiana Avenue, and to the west to the Elkhart River bridge near the wastewater treatment plant.

Sailor said Niblock will be performing work to mill 4 inches, add a geosynthetic reinforcing paving mat and rebuild the asphalt roadway. This work will start Monday, June 2, and go through Friday, June 13. Niblock will maintain access to residents, and the wastewater treatment plant and have all the traffic control devices in place.

In response to a question from Councilor Matt Schrock, Sailor clarified the extent of the closure.

Nichols/Myers made a motion to approve a road closure on Wilden Avenue between the Rock Run Creek bridge and the Elkhart River bridge for the work of milling, geosynthetic reinforcing paving mat, and to rebuild the asphalt roadway work from Monday June 2 thru Friday June 13, 2025. Motion passed 4-0.

23) Engineering Department request: Approve the road closure on Wakefield Circle for full depth removal of the roadway and to rebuild the asphalt roadway from Monday, June 2 thru Friday, June 6, 2025

City Director of Public Works & Utilities Dustin Sailor told the Board that Niblock Excavating requested a road closure on Wakefield Circle. He said Niblock will be performing work to remove the roadway at full depth and then rebuild the asphalt roadway.

Sailor said this work will start Monday June 2, and go through Friday June 6. Niblock will maintain access to the residents, and have all the traffic control devices in place.



Nichols/Myers made a motion to approve the road closure on Wakefield Circle for full-depth removal of the roadway and to rebuild the asphalt roadway from Monday, June 2 thru Friday June 6, 2025. The motion passed 4-0.

ADDED AGENDA ITEM:

24) Engineering Department request: Approve the blocking of three more parking spaces for the Annex Re-Roofing Project

City Director of Public Works & Utilities Dustin Sailor reminded the Board that on April 24 it authorized E. Lee Construction to close six parking spaces along the southside of Jefferson Street, between Fifth Street and the first alley to the east, for the storage of equipment and trailers.

Sailor said that on May 21, the company mobilized on site and has now requested three more parking spaces for the storage of equipment and trailers. So, Sailor said he was asking he Bard to reserve the three parking spaces on the northside of Jefferson Street, immediately west of the alley that is east of Fifth Street.

The parking spaces would be reserved from Tuesday, May 29 through Friday, Nov. 28. However, the closure may be shortened or lengthened depending on the project's progress.

For the record, **Mayor Leichty** thanked Restor Church for offering to provide parking for City staff, who normally park along the Annex space, during this construction project.

Nichols/Myers made a motion to approve the closure of three additional parking spaces on the north side of Jefferson Street for the re-roofing of the Annex Building. The motion passed 4-0.

NOTE: In support of this request, Sailor presented the Board with a one-page memorandum dated May 22, 2025 (EXHIBIT #1).

<u>Privilege of the Floor (opportunity for public comment for matters not on the agenda):</u>
Mayor Leichty opened Privilege of the Floor at 4:53 p.m.

Marvin Shepherd, Superintendent of the City Water Treatment and Sewer Department, said City workers are preparing to ready to do some work on County Road 19. He said they will replace a culvert next to the Goshen Environmental Center, 20100 County Road 19, where asphalt is starting to cave in.

Shepherd said staff will replace a pipe ordered. He requested that the road would be closed from June 2 to June 13 and said the work will take place in conjunction with the work on Wilden Avenue.

Nichols/Myers made a motion to approve the requested closure of County Road 19 from June 2 to June 13, 2025. The motion passed 4-0.

Mayor Leichty closed the public comment period at 4:55 p.m.

At 4:55 p.m., Mayor Leichty recessed the Board of Public Works & Safety meeting and convened a meeting of the City of Goshen Stormwater Board.

CITY OF GOSHEN STORMWATER BOARD

Goshen Police & Court Building, 111 East Jefferson Street, Goshen, Indiana
4:00 p.m., May 22, 2025

Members: Mayor Leichty, Mike Landis and Mary Nichols



25 & 26) Legal Department requests: Adopt Resolution 2025-01, A Resolution of the Goshen Stormwater Board Adopting a Policy to Provide Public Notice of Meetings and adopt Resolution 2025-02, a Resolution of the Goshen Stormwater Board Adopting an Electronic Meetings Policy to Allow Members of the Stormwater Board to Participate in Meetings by an Electronic Means of Communication

Shannon Marks, the Legal Compliance Administrator for the City Legal Department, told the Board that Resolution 2025-01 was a Resolution of the Goshen Stormwater Board Adopting a Policy to Provide Public Notice of Meetings and Resolution 2025-10, was a Resolution of the Stormwater Board Adopting an Electronic Meetings Policy to Allow Members of the Stormwater Board to Participate in Meetings by an Electronic Means of Communication.

Marks said essentially similar resolutions were approved earlier in the meeting by and for the Board of Public Works and Safety. She said all other City boards and commissions were passing substantially similar resolutions.

Nichols/Landis made a motion to adopt Resolution 2025-01, A Resolution of the Goshen Stormwater Board Adopting a Policy to Provide Public Notice of Meetings and adopt Resolution 2025-10, A Resolution of the Stormwater Board to Participate in Meetings by an Electronic Means of Communication. Motion passed 3-0.

27-30) Stormwater Department request: Accept the post-construction stormwater management plans for The Crossing Second & Third project, the East College Avenue Industrial Park Amendment #4 project, the Hyundai of Goshen Auto Dealership project and the Maplecrest Country Club Parking Expansion because all have been found to meet the requirements of City Ordinance 5209

City Director of Public Works & Utilities Dustin Sailor told the Board that:

- The developer of The Crossing Second & Third project, affecting one (1) or more acres of land and located on the east side of 1740 Lighthouse Lane;
- The developer of the Brinkley RV Temporary Storage Lot (JN: 2024-2027) and the Brinkley RV Building #8
 Site Preparation (JN: 2025-2003) projects, affecting one (1) or more acres of land and located at 1365
 Brinkley Way East and 1360 Brinkley Way West respectively (which combined have created the fourth
 amendment to the East College Avenue Industrial Park post-construction stormwater management plan);
- The developer of the developer of the Hyundai of Goshen Auto Dealership project, affecting one (1) or more acres of land and located at 3202 Elkhart Road, and:
- The developer of the Maplecrest Country Club Parking Expansion project, affecting one (1) or more acres of land and located at 611 Hackett Road

have all submitted sufficient post-construction plans that are compliant with Ordinance 5209, "Stormwater Management." So, the Stormwater Department asked the Stormwater Board to accept all four plans. Councilor Matt Schrock asked if Maplecrest was required to secure any permits to remove trees for its project. Sailor said for the stormwater and site plan there no requirements for permits for trees to be removed. Nichols/Landis made a motion to accept the post-construction stormwater management plans for The Crossing Second & Third project, the East College Avenue Industrial Park Amendment #4 project, the Hyundai of Goshen Auto Dealership project and the Maplecrest Country Club Parking Expansion as all have been found to meet the requirements of City Ordinance 5209. Motion passed 3-0.

At 4:59 p.m., Mayor Leichty adjourned the meeting of the City of Goshen Stormwater Board and resumed the Board of Public Works & Safety meeting.



REVIEW/COMPLIANCE HEARINGS ON BUILDING COMMISSIONER ORDERS: May 22, 2025

Goshen Police & Court Building, 111 East Jefferson Street, Goshen, Indiana Members present: Mayor Leichty, Mike Landis, Orv Myers and Mary Nichols

31) Compliance Review Hearing for 322 W. Oakridge Avenue (Eduardo Pizana & Abel Pizana, property owners)

At 4:59 p.m., Mayor Leichty convened a compliance review hearing for 322 W. Oakridge Avenue

BACKGROUND

In a May 22, 2025 memorandum to the Board, **Assistant City Attorney Don Shuler** wrote that the Board last held a hearing on this property on Feb. 13, 2025.

The Board, noting a recent change in ownership, issued an order for completion of substantial repairs and renovations to the Unsafe Building at the property to bring the property into substantial compliance with Goshen City Code by May 15, 2025. The Board also set the matter for a compliance review hearing for May 22, 2025. The Board's February 13, 2025 Order was attached to Shuler's memorandum.

Shuler said the Board has continuing jurisdiction over enforcement of its Orders. Therefore, for the hearing, the Board may receive reports, evidence, and arguments from the Building Department, the property owner, City staff, and anyone else wishing to speak to the property.

Based on the findings the Board makes, Shuler wrote that the Board may:

- 1. Continue the matter for further review.
- 2. Modify the Order (e.g., formally remove the demolition order status, extend deadlines, require a performance bond, etc.).
- Rescind the Order.
- 4. Issue an Order of Non-Compliance and, if warranted, impose a civil penalty if the Board specifically finds there has been a willful failure to comply.
- 5. Take any other action permitted by law to address the unsafe premises.

For any action resulting in an Order, Shuler wrote that the Board should make specific findings in support.

On Feb. 13, 2025, the Board of Public Works and Safety issued the following review order:

The Order of the City of Goshen Building Commissioner dated July 1 7, 2024, and the Hearing Authority Record of Action and Continuous Enforcement Order dated Sept. 12, 2024 (hereinafter, collectively, the "Order"), all came before the Hearing Authority on February. 13, 2025, for a hearing and a decision as to whether the Order should be affirmed, rescinded, or modified, all in accordance with the provisions of the Indiana Unsafe Building Law and the City of Goshen Neighborhood Preservation Ordinance.

The Hearing Authority received testimony and evidence from the City of Goshen Building Department, through Travis Eash, as well as the property owner. Based on that testimony and evidence, the Hearing Authority makes the following findings:

- 1. The Unsafe Building at the Real Estate is still unsafe, is still in a condition that warrants demolition, and has not been demolished.
- 2. The current owner, Eduardo Pizana and Abel Pizana (hereinafter "Pizana"), recently purchased and obtained title to the Real Estate on Jan. 28, 2025.
- 3. Pizana obtained a Remodel Permit from the Goshen Building Department on January 29, 2025.
- 4. No significant improvements to the Unsafe Building at the Real Estate have been made.



- 5. The Unsafe Building at the Real Estate has not passed any inspections.
- 6. The property owner, Pizana, has a desire to repair and renovate the Unsafe Building at the Real Estate, and has already began work to accomplish those plans. Specifically, Pizana believes that in ninety (90) days substantial progress on repairs will be made and the condition of the Unsafe Building will no longer warrant demolition.

 Considering these findings, the Hearing Authority now ORDERS:
- 1. The current owner, Pizana, is ordered to complete substantial repairs and renovations to the Unsafe Building on the Real Estate in order to bring the Unsafe Building into substantial compliance with the requirements of Goshen City Code, with substantial work and progress to be completed on or before May 15, 2025. This order does not rescind the existing demolition order for the Unsafe Building at the Real Estate, which remains in effect and applicable to the Real Estate.
- 2. This matter is set for further hearing to review compliance with this Order and whether said Order should be affirmed, rescinded, or further modified, before the Goshen Board of Public Works and Safety on May 22, 2025 at 4:00 p.m. (local time), or as soon thereafter as this matter may be heard, in the Court Room / Council Chambers at 111 East Jefferson Street, Goshen, Indiana.
- 3. The Property Owner, Pizana, is permitted to pull permits for the remodel work, regardless of the existing demolition order, in coordination with the Goshen Building Department.
- 4. Should Property Owner fail to meet the above-stated requirements, the Hearing Authority will affirm the Order requiring demolition without the option of repair of the Unsafe Building of the Real Estate at the next scheduled hearing.

SO ORDERED on February 13, 2025, and signed this Feb. 13, 2025.

DISCUSSION AND OUTCOME OF BOARD COMPLIANCE REVIEW HEARING ON MAY 22, 2025:

At 4:49 p.m., Mayor Leichty convened a compliance review hearing for 322 W. Oakridge Avenue (Eduardo Pizana & Abel Pizana, property owners)

Present: Board members Leichty, Landis, Myers, and Nichols; Assistant City Attorney Don Shuler; City Building Commissioner Myron Grise; City Building Inspector Travis Eash, and Eduardo Pizana, the property owner.

Assistant City Attorney Don Shuler provided the background of the matter as was presented in his memorandum to the Board. He then introduced a staff report (EXHIBIT #2) from City Building Inspector Travis Eash, who was sworn in by the Mayor to provide truthful testimony.

Eash said, "This property has long been an issue for the Building Department for quite a while, due primarily to a former owner's unwillingness to make repairs to the property or cooperate with the City.

"The current owner, Mr. Pizana, obtained ownership earlier this year. He immediately pulled all permits and began working on the property as soon as he was able. A recent inspection confirmed that the property has passed all rough-in inspections and as of last week the drywall was almost finished."

Included in Eash's report ,and shown to Board members through a PowerPoint presentation, were photographs showing the condition of the property from a year ago, and then from an inspection last week. Eash said the difference was clear. "I mean, it's night and day."

Eash concluded, "Due to his work and willingness, staff recommends, based on the substantial progress made and the cooperation of the current owner, is to modify the demolition order to a repair order giving the owner 90 more days to pass the final inspection. Staff would also recommend that the matter only be set for hearing at the request of the Building Commissioner should there be noncompliance with the Board's Order."

Eash said the owner has made more progress repairing the home over the past four or five months than has been made over the past 20 years. He invited Pizana to address the Board.

Mayor Leichty swore in Eduardo Pizana to give truthful and complete testimony.



Mayor Leichty thanked Pizana "for the extraordinary work that you've done in transforming this property from something that was blighted and completely unusable to something that's a positive contributor to the community." Pizana responded, "Thank you guys as well. Thank you to Travis (Eash) and (Building Commissioner) Myron (Grise) for helping us out. We're not done yet, but we know we're getting there."

Mayor Leichty said Board members were looking forward to seeing the final pictures of the renovation and would like to be invited to the open house. Pizana said he would invite them. Board member Myers called it a "great improvement." Pizana said he has devoted many hours to the renovation since January.

Assistant City Attorney Shuler said the staff's recommendation was to rescind the demolition order and approve a modified repair order and allow 90 more days for repairs, but only bring the matter back to the Board if the Building Commissioner requests it. Shuler recommended that the Board adopt the staff report as its findings, accept staff's conclusion, and enter that as its order.

Mayor Leichty said, "I would be willing to adopt that, but I would ask for some final photos of the final completion of the project ... the Board has been working hard with a lot of the community members to make significant improvements on blighted properties and it's nice to see the final summation of those projects. So, if the owner is willing to provide a couple photos for the Board's review at the completion of that project, I would certainly be open to that."

Nichols/Landis then made a motion to adopt the Building Department's recommendation to rescind the demolition order and move it to a repair order with the request that some photos be provided to the Board at the end of the renovation The motion passed 4-0.

After the vote, Councilor Matt Schrock said, "I just wanted to say thank you to Mr. Pizana as well as (Building Commissioner) Myron Grise and his team and you all." He added that the home has been transformed. He added, "It makes the whole neighborhood look much better."

32) Compliance Review Hearing for 214 E. Clinton Street (Alvarez Renovation, LLC, property owner) At 5:07 p.m., Mayor Leichty convened a compliance review hearing for 214 E. Clinton Street.

BACKGROUND

In a May 22, 2025 memorandum to the Board, **Assistant City Attorney Don Shuler** wrote that the Board last held a hearing on this property on Feb. 13, 2025.

The Board, noting a recent change in ownership, issued an order for completion of substantial repairs and renovations to the Unsafe Building at the property to bring the property into substantial compliance with Goshen City Code by May 15, 2025. The Board also set the matter for a compliance review hearing for May 22, 2025.

The Board's February 13, 2025 Order was attached to Shuler's memorandum.

Shuler said the Board has continuing jurisdiction over enforcement of its Orders. Therefore, for the hearing, the Board may receive reports, evidence, and arguments from the Building Department, the property owner, City staff, and anyone else wishing to speak to the property.

Based on the findings the Board makes, Shuler wrote that the Board may:

- 1. Continue the matter for further review.
- 2. Modify the Order (e.g., formally remove the demolition order status, extend deadlines, require a performance bond, etc.).
- 3. Rescind the Order.
- 4. Issue an Order of Non-Compliance and, if warranted, impose a civil penalty if the Board specifically finds there has been a willful failure to comply.
- 5. Take any other action permitted by law to address the unsafe premises.

For any action resulting in an Order, Shuler wrote that the Board should make specific findings in support.



On Feb. 13, 2025, the Board of Public Works and Safety issued the following review order:

The Order of the City of Goshen Building Commissioner dated Nov. 16, 2021, the Order of the City of Goshen Board of Public Works and Safety dated Jan. 26, 2022, and the Order of the City of Goshen Board of Public Works and Safety dated May 6, 2022 (hereinafter collectively, the "Order"), all came before the Hearing Authority on Feb. 13, 2025, for a hearing and a decision as to whether the Order should be affirmed, rescinded, or modified, all in accordance with the provisions of the Indiana Unsafe Building Law and the City of Goshen Neighborhood Preservation Ordinance.

The Hearing Authority received testimony and evidence from the City of Goshen Building Department, through Travis Eash, as well as the property owner. Based on that testimony and evidence, the Hearing Authority makes the following findings:

- 1. The Unsafe Building at the Real Estate is still unsafe, is still in a condition that warrants demolition, and has not been demolished.
- 2. The current owner, Alvarez Restoration, LLC (hereinafter "Alvarez"), recently purchased and obtained title to the Real Estate on Jan. 22, 2025.
- 3. Alvarez obtained permits for Remodel, Electrical, Mechanical, Siding, and Windows from the Goshen Building Department on February 5, 2025.
- 4. No significant improvements to the Unsafe Building at the Real Estate have been made.
- 5. The Unsafe Building at the Real Estate has not passed any inspections.
- 6. The property owner, Alvarez, has a desire to repair and renovate the Unsafe Building at the Real Estate, and has already began work to accomplish those plans. Specifically, Alvarez believes that in ninety (90) days substantial progress on repairs will be made and the condition of the Unsafe Building will no longer warrant demolition.

Considering these findings, the Hearing Authority now ORDERS:

- 1. The current owner, Alvarez, is ordered to complete substantial repairs and renovations to the Unsafe Building on the Real Estate in order to bring the Unsafe Building into substantial compliance with the requirements of Goshen City Code, with substantial work and progress to be completed on or before May 15, 2025 This order does not rescind the existing demolition order for the Unsafe Building at the Real Estate, which remains in effect and applicable to the Real Estate.
- 2. This matter is set for further hearing to review compliance with this Order and whether said Order should be affirmed, rescinded, or further modified, before the Goshen Board of Public Works and Safety on May 22, 2025 at 4:00 p.m. (local time), or as soon thereafter as this matter may be heard, in the Court Room / Council Chambers at 111 East Jefferson Street, Goshen, Indiana.
- 3. The Property Owner, Alvarez, is permitted to pull permits for the remodel work, regardless of the existing demolition order, in coordination with the Goshen Building Department.
- 4. Should Property Owner fail to meet the above-stated requirements, the Hearing Authority will affirm the Order requiring demolition without the option of repair of the Unsafe Building of the Real Estate at the next scheduled hearing.

SO ORDERED on February 13, 2025, and signed this February 13, 2025.

DISCUSSION AND OUTCOME OF BOARD COMPLIANCE REVIEW HEARING ON MAY 22, 2025: At 5:07 p.m., Mayor Leichty convened a compliance review hearing for 214 E. Clinton Street (Alvarez Renovation, LLC, property owner).

Present: Board members Leichty, Landis, Myers, and Nichols; Assistant City Attorney Don Shuler; City Building Commissioner Myron Grise; City Building Inspector Travis Eash, and Gabriel Alvarez, the property owner.



Assistant City Attorney Don Shuler provided the background of the matter as was presented in his memorandum to the Board. He then introduced a staff report (EXHIBIT #3) from City Building Inspector Travis Eash, who was previously sworn in by the Mayor to provide truthful testimony.

Eash said, "This property sustained a fire in 2019 and has remained unsafe through a couple different owners the past couple of years. Prior to the current owner, there was little attempt to fix the property by its longstanding former owner and then only after it was ordered demolished did the previous owner do anything at all.

"Since the current owner, **Mr. Alvarez**, obtained ownership earlier this year, he has pulled all required permits and began working on the property as soon as he was able. A recent inspection confirmed that the property has passed all rough-in inspections and as of earlier this week drywall was almost finished."

Included in Eash's report, and displayed for the Board via a PowerPoint presentation, were photographs showing the condition of the property from several year ago, shortly after the fire. He said, "The property stayed in relatively the same shape until Mr. Alvarez took ownership." Eash said the photographs taken earlier this week demonstrate the significant progress made at the property, adding that squatters no longer use the property.

In his written report, **Eash** concluded, "Staff's recommendation, based on the substantial progress made and the cooperation of the current owner, is to modify the demolition order to a repair order giving the property 90 more days to pass final inspection. Staff would also recommend that the matter only be set for hearing at the request of the Building Commissioner should there be noncompliance with the Board's order."

Mayor Leichty said she remembered that the previous owner "attempted to cover up the fire by throwing up drywall over burned out parts of this house, and it was just an absolute disaster." Eash responded, "I believe you are correct. There are certain areas where he agreed that it needed to be replaced, and others he was arguing that it was fine, and they just needed to cover it."

Mayor Leichty swore in Gabriel Alvarez, the property owner, to give truthful and complete testimony.

Mayor Leichty said, "On behalf of the city. I just want to offer my thanks to you for your investment in this home and in the community, and for transforming what was once a detriment to the City into something that is productive and useful, and will be a lovely home for families for a long time to come. So, thank you for all of your energy, time and investment in the City."

In response to a question from **Board member Landis**, **Alvarez** said the property used to be a duplex but he is transforming it into a single-family home, which will be much better. He added, "We've been working hard trying to get everything (done).

"And I just want to thank, as well, **Travis (Eash)** and **Myron (Grise)** for all the help that they gave us to work on this house. And we are on the pretty much, 65 to 70% done. We are trying to get done the outside as well, but the weather doesn't let us do much this week. But we are trying to get finished, at least in a couple more weeks, and then we are ready for paint inside, and just the final touches on the inside as well."

Board member Myers said, "It looks great compared to what it was. That's what we need – to get rid of the blighted properties, so they become something that's useful instead of just sitting there."

Mayor Leichty swore in Councilor Matt Schrock to give truthful and complete testimony.

Councilor Schrock said, "I just want to mention that this home used to be in my district. It's not anymore and through all the years that I was on Council for past four years that house was an eyesore for everybody, including everybody on the bypass that went on U.S. 33. All you had to do is look off to the south, and there it was."

Councilor Schrock added, "Less blight is good, just like, Orv (Myers) said. Make these houses usable if you're going to sell and make them affordable and everybody profits from that. So, thanks, again, to everybody involved and Myron (Grise) and his team as well."

Assistant City Attorney Shuler summarized the staff recommendation to replace the demolition order with a repair order and only return the matter to the Board if there was noncompliance. He endorsed the recommendation of adopting the staff report with the added condition of providing photos to the Board after the renovation is complete.



In response to a question from the Mayor, Shuler said the expectation would be full compliance in 90 days

Nichols/Myers made a motion to adopt the City staff's recommendation to rescind the demolition order and return the matter to the Board with updates and photographs upon completion. Motion passed 4-0.

At 5:17 p.m., Mayor Leichty adjourned the Building Commissioner Compliance Hearings and reconvened the Board of Public Works & Safety meeting.

APPROVAL OF CIVIL & UTILITY CLAIMS

Mayor Leichty made a motion to approve Civil City and Utility claims and adjourn the meeting. Board member Nichols seconded the motion. The motion passed 4-0.

ADJOURNMENT

Mayor Leichty adjourned the meeting at 5:17 p.m.

EXHIBIT #1: A one-page memorandum, dated May 22, 2025, submitted to the Board by City Director of Public Works & Utilities Dustin Sailor requesting that the Board approve the blocking of three more parking spaces on the northside of Jefferson Street, immediately west of the alley that is east of Fifth Street, for the Annex Re-Roofing Project from Tuesday, May 29 through Friday, Nov. 28, 2025.

EXHIBIT #2: A two-page "Unsafe Building Hearing Staff Report," with 13 pages of color photographs, prepared by and provided to the Board by City Building Inspector Travis Eash regarding 322 West Oakridge Avenue (Eduardo and Abel Pizana, property owners). The report was provided during an unsafe building hearing on the property.

EXHIBIT #3: A two-page "Unsafe Building Hearing Staff Report," with 13 pages of color photographs, prepared by and provided to the Board by City Building Inspector Travis Eash regarding 214 East Clinton Street (Alvarez Restoration, LLC, property owners). The report was provided during an unsafe building hearing on the property.

APPROVED:

Mayor Gina Leichty



Michael a Francis Mike Landis, Member	
Orv Myers, Member	
Mary Nichols, Member	
mary hypros, member	
Barb Swartley, Member	

4

ATTEST:

Richard R. Aguirre, City of Goshen Clerk-Treasurer

Exhibital



Engineering Department

204 East Jefferson Street, Suite I . Goshen, IN 46528-3405

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

MEMORANDUM

TO: Board of Works and Safety and Stormwater Board

FROM: Dustin Sailor, P.E., Director of Public Works & Utilities

ANNEX RE-ROOFING PROJECT – PERMISSION TO BLOCK ADDITIONAL

PARKING SPACES (JN: 2024-0017)

DATE: May 22, 2025

RE:

At the Board of Works meeting on April 24, 2025, the Board authorized E. Lee Construction to close six (6) parking spaces along the along the southside of Jefferson Street, between Fifth Street and the first alley to the east, for storage of equipment and storage trailers.

On Wednesday, May 21, E. Lee Construction mobilized on site and requested three (3) addition parking spaces for storage of equipment and trailers. Goshen Engineering is requesting the Board's approval to reserve the three parking spaces on the northside of Jefferson Street immediately west of the alley that is east of Fifth Street. The period the parking spaces will be reserved is from Tuesday, May 29, 2025 through Friday, November 28, 2025. This period may be shortened or lengthened depending on the project's progress. The project's completion date is set for March 1, 2026.



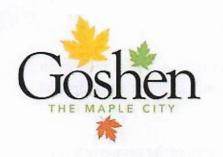
May 22, 2025 Annex Re-roofing Project Page 2

Requested Motion: Move to approve the temporary closure of three (3) additional parking spaces along the northside of Jefferson Street, between Fifth Street and the first alley to the east, from May 29, 2025 through November 28, 2025, for use by the City's roofing contractor.

City of Goshen Board of Works & Safety

Gina Leichty, Mayor	Mike Landis, Board Member
Mary Nichols, Board Member	Barb Swartley, Board Member
Orv Myers, Board Member	

Exhibit #2



Building Department CITY OF GOSHEN

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

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UNSAFE BUILDING HEARING – STAFF REPORT

Subject Property: 322 W. Oakridge Avenue, Goshen Property Owner: Eduardo Pizana & Abel Pizana

Date of Hearing: May 22, 2025

Background Summary:

An Order of the City of Goshen Building Commissioner finding the residential structure and garage at 322 W. Oakridge Avenue, Goshen, Indiana (the "Property") to be unsafe buildings and requiring demolition was issued on June 17, 2024. The Hearing Authority held a hearing as to the Order on September 12, 2024; the Hearing Authority affirmed the Building Commissioner's Order, but due to a pending change of ownership from Ronald Davidhizar to Artisan Investment Group, provided the opportunity to make repairs. The review hearing was initially scheduled for December 12, 2024; however, due to an additional change of ownership – from Artisan Investment Group to Eduardo Pizana and Abel Pizana – the hearing was reset for February 13, 2025.

At the February 13, 2025 hearing, the Hearing Authority, noting that the new Property Owner had obtained permits and started repair work on the Property, and based on the recommendation of the Building Department, issued an Order requiring completion of substantial repairs and renovations to bring the Property into substantial compliance by May 15, 2025. The Order also scheduled a compliance review hearing for May 22, 2025.

Building Department Findings:

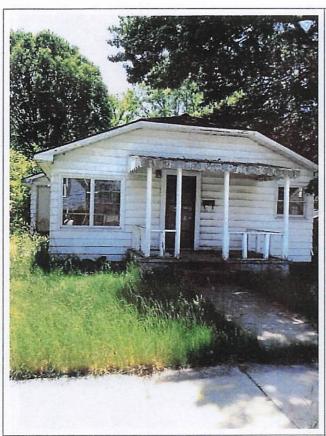
This property has long been an issue for the Building Department, due primarily to a former owner's unwillingness to make repairs to the property or cooperate with the City. The current owner, Mr. Pizana, obtained ownership earlier this year. He immediately pulled all

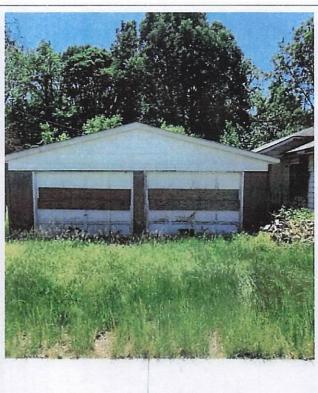
permits and began working on the property as soon as he was able. A recent inspection confirmed that the property has passed all rough-in inspections and as of last week drywall was almost finished.

Included in this report are photographs showing the condition of the property from a year ago, and then from last week's inspection. The difference is night and day.

Staff Analysis & Recommendations:

Staff recommendation, based on the substantial progress made and the cooperation of the current owner, is to modify the demolition order to a repair order giving the property ninety (90) more days to pass final inspection. Staff would also recommend that the matter only be set for hearing at the request of the Building Commissioner should there be non-compliance with the Board's Order.

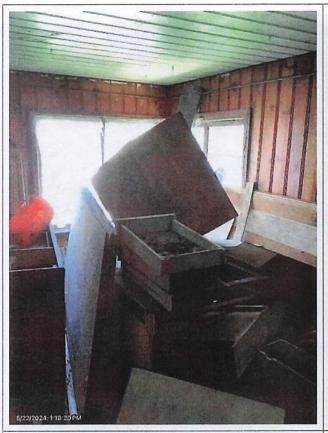


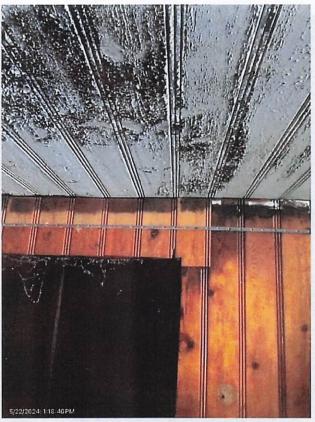


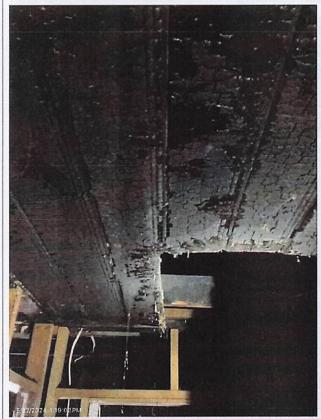




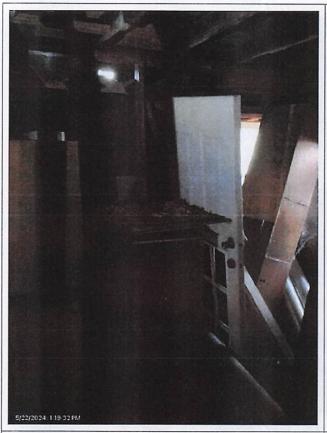


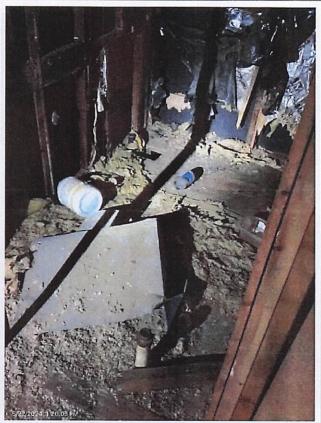


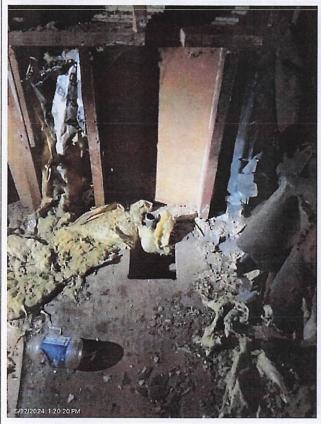




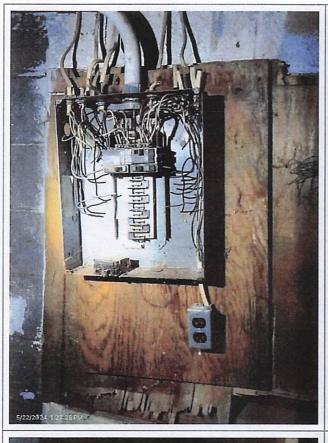


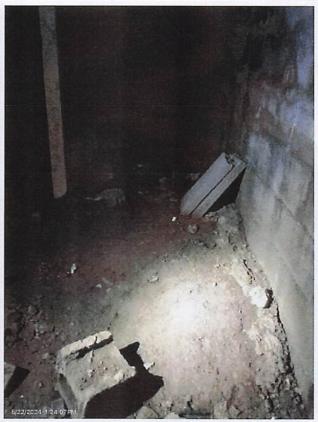






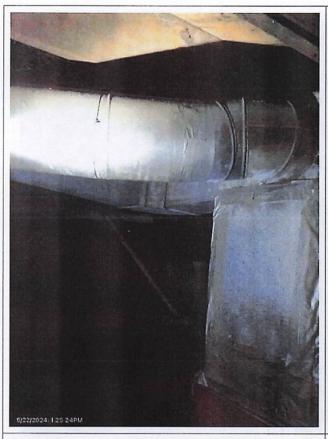


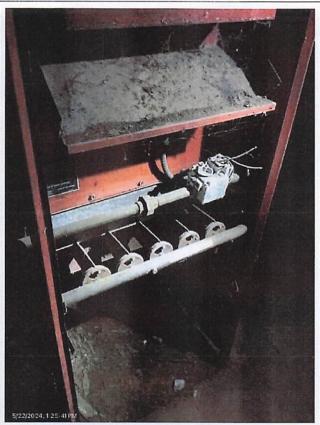


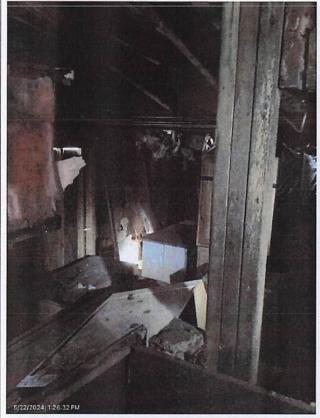


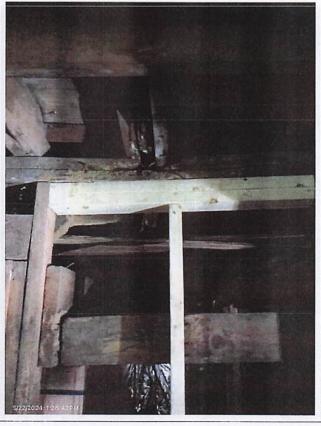


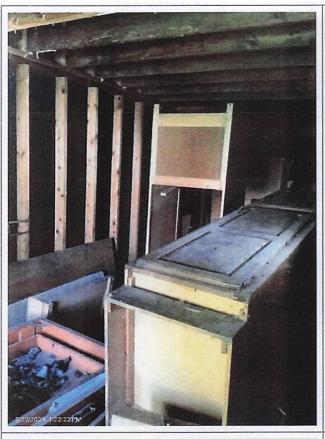


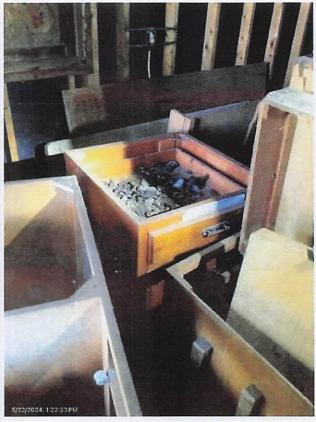






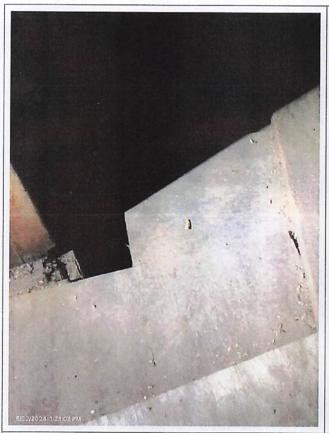


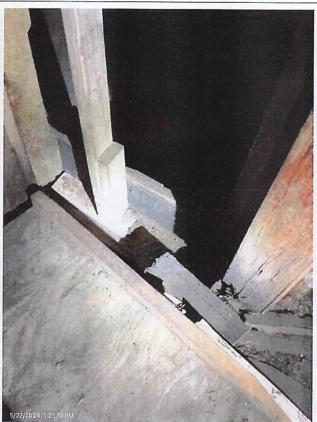




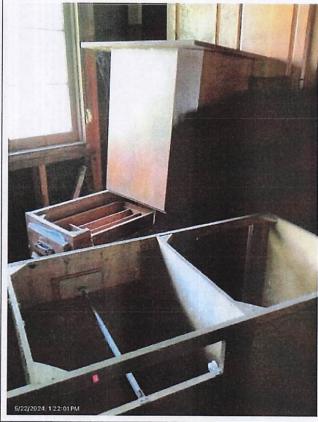


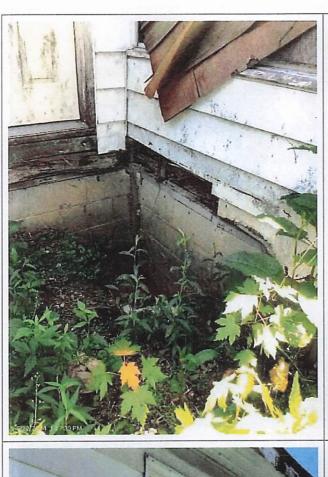






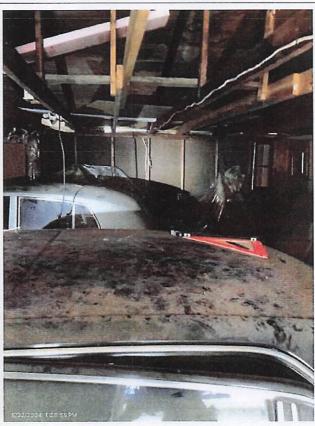


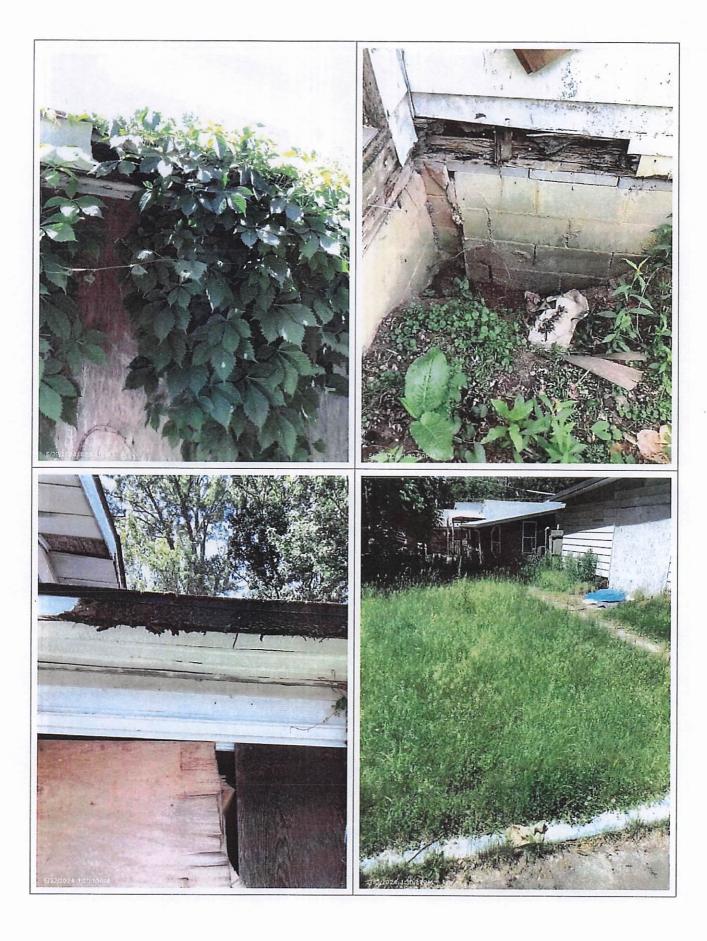


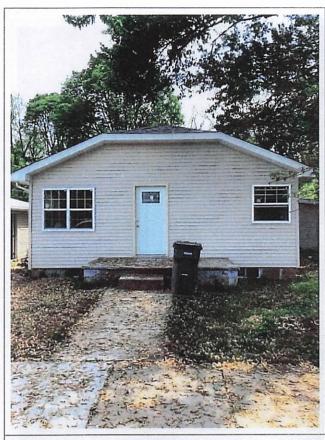








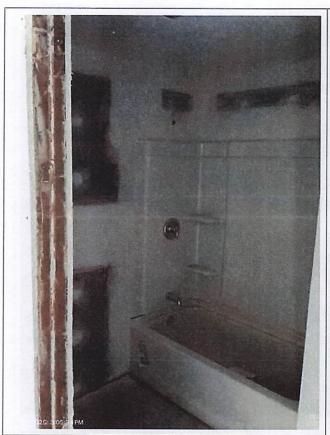


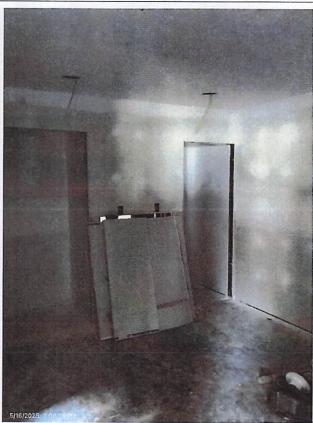


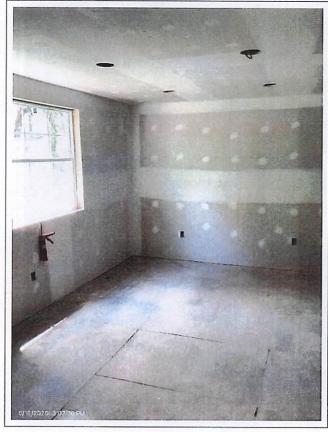




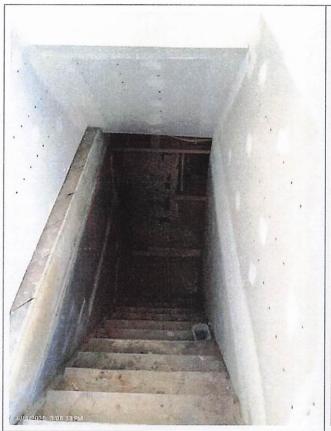














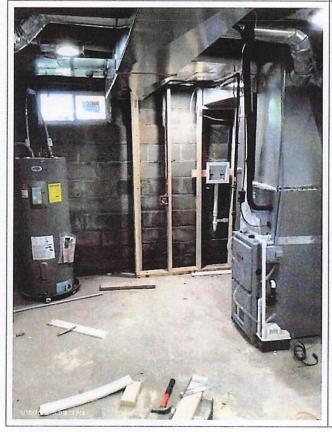


Exhibit #3



Building Department CITY OF GOSHEN

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

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UNSAFE BUILDING HEARING - STAFF REPORT

Subject Property:

214 E. Clinton Street, Goshen

Property Owner:

Alvarez Restoration, LLC

Date of Hearing:

May 22, 2025

Background Summary:

An Order of the City of Goshen Building Commissioner finding the residential structure at 214 E. Clinton Street, Goshen, Indiana (the "Property") to be an unsafe building and requiring demolition was issued on November 16, 2021. The Hearing Authority held several hearings for the Property, affirming the finding of the Property as unsafe on December 6, 2021, and affirming the Order of demolition on January 26, 2022. Following multiple legal challenges to the Order for demolition, all of which were upheld, the Building Commissioner requested a review hearing for February 13, 2025 due to changes in ownership of the Property. The Property had been owned by Ronald Davidhizar, who sold the Property in October 2024 to Artisan Investment Group; Artisan later sold the Property to Alvarez Restoration, LLC.

At the February 13, 2025 hearing, the Hearing Authority, noting that the new Property Owner had obtained permits and started repair work on the Property, and based on the recommendation of the Building Department, issued an Order requiring completion of substantial repairs and renovations to bring the Property into substantial compliance by May 15, 2025. The Order also scheduled a compliance review hearing for May 22, 2025.

Building Department Findings:

This property sustained a fire in 2019 and has remained unsafe through a couple different owners the past couple of years. Prior to the current owner, there was little attempt

to fix the property by its longstanding former owner and then only after it was ordered demolished. Since the current owner, Mr. Alvarez, obtained ownership earlier this year, he has pulled all required permits and began working on the property as soon as he was able. A recent inspection confirmed that the property has passed all rough-in inspections and as of earlier this week drywall was almost finished.

Included in this report are photographs showing the condition of the property from several year ago, shortly after the fire. The property stayed in relatively the same shape until Mr. Alvarez took ownership. The photographs from earlier this week demonstrate the significant progress made at the property.

Staff Analysis & Recommendations:

Staff recommendation, based on the substantial progress made and the cooperation of the current owner, is to modify the demolition order to a repair order giving the property ninety (90) more days to pass final inspection. Staff would also recommend that the matter only be set for hearing at the request of the Building Commissioner should there be non-compliance with the Board's Order.

