



City of Goshen Board of Public Works & Safety

Regular Meeting Agenda

4:00 p.m., October 30, 2025

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

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

Call to Order by Mayor Gina Leichty

Approval of Minutes: Oct. 9, 2025 Regular Meeting and Oct. 16 Claims Meeting

Approval of Agenda

1) Bid opportunities: Open bids received from Contractors for the Downtown Vault Closure Program, read the "Total (Estimated) Project Cost" amount and refer the bids to the City Engineering Department

2) Downtown Goshen, Inc. request: Approve the updated request and map for the Nov. 7 Light Parade

3) Cornerstone Financial Solutions request: For the replacement of awnings and to complete painting at 102-104 Main Street, approve the closure of a portion of the sidewalk

4) Dyksen & Sons Builders request: Approve the partial closure of City Parking Lot Q for two months for work on the adjacent Democrat Building

5) Legal Department request: Approve Resolution 2025-28, *Approving New City of Goshen Fire Department Policy*, effective upon passage

6) Legal Department request: Approve Resolution 2025-29, *Approving Revised City of Goshen Police Department Policies and Repealing Certain Policies*, effective Nov. 6, 2025

7) Legal Department request: Approve Resolution 2025-30, *Approving a Revised City of Goshen Police Department Policy and Repealing a Certain Policy*, effective Nov. 6, 2025

8) Legal Department request: Accept the easement for Goshen City utility purposes at 64205 CR 31 from Wesley Nisley and Rhonda Hershberger and authorize the Mayor to execute the acceptance



9) Legal Department request: Approve and authorize Fred Schafer, Technology Coordinator, to execute five renewal/upgrade Comcast contracts

10) Engineering Department request: Approve the agreement with the Michiana Area Council of Governments (MACOG) for \$2,000 for annual traffic counts

11) Stormwater Management Department request: Accept the post-construction stormwater management plan for Northern Indiana Public Service Company Elkhart River Substation as it has been found to meet the requirements of City Ordinance 5228

Privilege of the Floor

Approval of Civil City and Utility Claims

Adjournment



**CITY OF GOSHEN BOARD OF PUBLIC WORKS & SAFETY
MINUTES OF THE OCTOBER 9, 2025 REGULAR MEETING**

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

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

Absent: None

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

REVIEW/APPROVE MINUTES: Mayor Leichty presented the minutes of the Sept. 4, Sept. 11, Sept. 18 and Sept. 25, 2025 meetings as prepared by Clerk-Treasurer Aguirre. Board member Mike Landis made a motion to approve all of the minutes as presented. Board member Barb Swartley seconded the motion. The motion passed 5-0.

REVIEW/APPROVE AGENDA: Mayor Leichty presented the agenda with the following changes: Add four agenda items, **Legal Department** - Approve and authorize the Mayor to execute an agreement with Barden Heating & Cooling, LLC to allow the City to install a new Mini Split Unit at the Environmental Center; **Legal Department** - Approve and authorize the Mayor Leichty to execute an agreement with Buckeye Power Sales Co., Inc. to allow the City to enter into a one-year planned maintenance agreement for a Water & Sewer Department generator; **Fire Department** - Accept the immediate resignation of Probationary Private John Kauffman; and **Koehn Construction** - Extend the closure of parking spaces and the sidewalk at North Main and East Clinton Streets through Oct. 15 for a window-painting project at the Spohn Building, 109 East Clinton Street (original request approved Aug. 28, 2025). Also, delete the following agenda item: **Engineering Department** - Deny the request for additional safety improvements and recommend INDOT remove the crosswalk of Main Street at West Monroe Street. Board member Landis made a motion to approve the agenda as amended. Board member Swartley seconded the motion. The motion passed 5-0.

1) Bill's Heating request: Approve a partial street closure adjacent to 133 South Main Street for the replacement of two rooftop condensers

Brian Hershberger, HVAC Installation Manager for Bill's Heating Inc., sent an email informing the Board that his company needed to install two condensers on the roof of 133 South Main Street. For the work, he said the company would need to use a crane, which would have to be placed on a portion of South Main. He asked for the work to proceed for two hours on Tuesday, Oct. 14.

Hershberger was not present, but **City Director of Public Works & Utilities Dustin Sailor** made the request on behalf of **Jeremy Stutsman**, the property owner. He requested a street closure for a few hours on Oct. 14, but with some flexibility in case the crane wasn't available for a few days.

After clarifying the request, Board member made a motion to approve the partial closure of Main Street, at 133 South Main Street, for two hours next week, primarily on Tuesday, Oct. 14 or for a day following that.

Board member Swartley seconded the motion. The motion passed 5-0.

2) Legal Department request: Approve and authorize the Mayor to execute the agreement with Top Notch Service Dogs, LLC to allow the City to purchase, educate and train a facility Dog and City Handler(s) a Facility Dog for the Goshen Fire Department

City Attorney Bodie Stegelmann recommended that the Board approve and authorize Mayor Leichty to execute an agreement with Top Notch Service Dogs, LLC to allow the City to purchase a Facility Dog for the Goshen Fire Department.



Stegelmann said the agreement will allow the City to purchase, educate and train a facility Dog and City handlers. The total cost for the facility dog and training is \$15,000. Any additional handler training will be done at the normal hourly rate of \$250 per hour.

Fire Chief Anthony Powell said **Andrew Priem**, the City's Mobile Integrated Health coordinator, has already been working with the dog, which was purchased with grant funding. He said grant funding will be sought to pay future expenses.

In response to a question from the **Mayor** about the purpose of the dog, **Chief Powell** said, "It is a therapy dog, so as Andrew goes out into the community, if he's having trouble relating to someone, the dog usually calms the environment down." The Chief said the dog is a Golden Retriever named "Maple."

Landis/Swartley made a motion to approve and authorize Mayor Leichthy to execute the agreement with Top Notch Service Dogs, LLC to allow the City to purchase a Facility Dog for the Goshen Fire Department, which is more particularly described in Exhibit A – Proposal from Top Notch Service Dogs LLC to Purchase, Educate and Train a facility Dog and City Handler(s) for the Goshen Fire Department. The motion passed 5-0.

3) Legal Department request: Approve and authorize the Mayor to execute an agreement with Barden Heating & Cooling, LLC to allow the City to install a new Mini Split Unit at the Environmental Center

City Attorney Bodie Stegelmann recommended that the Board approve and authorize Mayor Leichthy to execute the agreement with Barden Heating & Cooling, LLC to allow the City to install a new Mitsubishi 15k btu heat pump mini split hyper heat unit for the Environmental Center, 20100 County Road 19, which was more particularly described in Exhibit A – Contractor's estimate dated Aug.18, 2025.

Stegelmann said the total cost for the parts and labor for the installation will be \$4,800.

Before the meeting, the Legal Department provided Board members with a memorandum, dated Oct. 9, with the written request as well as the proposed eight-page agreement and Exhibit A (**EXHIBIT #1**).

Landis/Swartley made a motion to execute the agreement with Barden Heating & Cooling, LLC to allow the City to install a new Mini Split Unit at the Environmental Center, which was further in Exhibit A – Contractor's estimate dated Aug.18, 2025. The motion passed 5-0.

4) Legal Department request: Approve and authorize the Mayor Leichthy to execute an agreement with Buckeye Power Sales Co., Inc. to allow the City to enter into a one-year planned maintenance agreement for a Water & Sewer Department generator

City Attorney Bodie Stegelmann recommended that the Board approve and authorize Mayor Leichthy to execute the agreement with Buckeye Power Sales Co., Inc. to allow the City to enter into a one-year planned maintenance agreement for the above stated generator, which is more particularly described in attached Exhibit A – Contractor's Planned Maintenance Proposal, Exhibit B – Contractor's Labor & Travel Rates and Exhibit C – Contractor's Maintenance Options.

Stegelmann said the total cost for the parts and labor for the two (2) planned maintenance events will be \$2,510.

This agreement will be in effect for a period of one (1) year beginning Sept. 1, 2025 and ending Aug. 31, 2026, unless otherwise terminated by either party in accordance with the terms and conditions of the attached agreement. The contractor will complete all duties within this time frame.

Before the meeting, the Legal Department provided Board members with a memorandum, dated Oct. 9, with the written request as well as the proposed eight-page agreement and Exhibits A, B and C (**EXHIBIT #2**).

Landis/Swartley made a motion to approve and authorize Mayor Leichthy to execute the agreement with Buckeye Power Sales Co., Inc. to allow the City to enter into a one-year planned maintenance agreement for the above stated Water& Sewer Department generator, which is more particularly described in the exhibits attached to the agreement. The motion passed 5-0.



5) Planning & Zoning Department request: Approve and authorize the Mayor to execute the agreement with Taylor Siefker Williams Design Group LLC for professional services to create a unified development ordinance

Rossa Deegan, Assistant Planning and Zoning Administrator, said he was bringing to the Board the requested approval of a contract with Taylor Siefker Williams, a consultant that specializes in zoning ordinances.

Deegan said a few months ago the City of Goshen Plan Commission granted approval for Mayor Leichthy's request to undertake the process of updating and combining the Zoning Ordinance and Subdivision Ordinance.

Both documents are approximately 40 years old, and while they have been amended many times, they are in need of updates to their structure, appearance, and substance. The Zoning and Subdivision ordinances are currently separate documents, and this process will combine them into a single document commonly termed a unified development ordinance (UDO).

Deegan said in July, a task force convened by Mayor Leichthy issued a request for proposals for professional services to perform the public outreach and drafting process for the UDO. Ten proposals were received, and after a competitive interview process, Taylor Siefker Williams Design Group LLC (TSW) was chosen to provide the services.

Deegan said it is anticipated that the process will take 12 to 18 months. During that time, the consultant will plan and execute a public outreach campaign, evaluate current standards, and draft a UDO for review by the Plan Commission and approval by the City Council. The contract includes base services in the amount of \$90,840 with options for additional services for a not-to-exceed amount of \$127,040.

Mayor Leichthy said funds for the project have already been budgeted. She added that "not only will the ordinances be updated, but they will all be digitally formatted and searchable online to make them more accessible to people who want to access that information through our website. And then they'll be maintained and kept up to date as the ordinances are updated through the planning and zoning boards."

Board member Landis asked if the consultant would be available to update the zoning ordinances. The **Mayor** and **Deegan** said at an additional cost, the consultant could provide updates as needed. Deegan also clarified the process to select the consultant.

Landis/Swartzley made a motion to approve and authorize Mayor Leichthy to execute the agreement with Taylor Siefker Williams Design Group LLC for professional services to create a unified development ordinance. The motion passed 5-0.

6) Utilities Office request: Move uncollected finaled accounts from active to collection, sewer liens and write offs – \$4,735.01 for the period through July 16, 2025

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 July 16, 2025 was \$5,785.41. Collection letters were sent out and payments of \$1,050.40 were collected.

The uncollected amount was \$4,735.01. 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, \$1,300.20 came from water accounts and \$3,434.81 came from sewer accounts.

Landis/Swartzley made a motion to move the Goshen Water and Sewer Office's \$4,735.01 in uncollected finaled accounts for this period from active to Collection, Sewer Liens and Write offs. Motion passed 5-0.

7) Fire Department request: Accept the immediate resignation of Probationary Private John Kauffman

City Fire Chief Anthony Powell informed the Board that Probationary Private **John Kauffman** submitted his resignation from the Goshen Fire Department, effective immediately, as of **Oct. 9, 2025**.

Chief Powell said "operationally, command staff has adjusted shift coverage to maintain uninterrupted service levels. Recruitment and hiring actions will proceed pursuant to established procedures and the current eligibility list."



In his letter of resignation, **Kauffman** wrote that it was difficult to resign but that “stepping away at this point is in my best interest for my mental health and overall well-being moving forward.” Still, he wrote that he was deeply grateful for the experiences, friendships and support he had.

Before the meeting, **Chief Powell** provided Board members with a memorandum, dated Oct. 9, with this request as well as a letter of resignation for added agenda item #7, Fire Department request: Accept the immediate resignation of Probationary Private John Kauffman (**EXHIBIT #3**).

Landis/Swartley made a motion to accept the resignation of Probationary Private John Kauffman effective immediately. The motion passed 5-0.

8) Koehn Construction request: Extend the closure of parking spaces and the sidewalk at North Main and East Clinton Streets through Oct. 15 for a window-painting project at the Spohn Building, 109 East Clinton Street (original request approved Aug. 28, 2025)

On behalf of Nunemaker Painting LLC of Middlebury, Vaughn Koehn of Koehn Construction of Elkhart asked for an extension of the closure of parking spaces and the sidewalk at North Main and East Clinton Streets for a window-painting project at the Spohn Building, 109 East Clinton Street.

Koehn asked for the extension of the closures until Oct. 15, 2025 for the painting of the outside windows on the second and third floors. Workers will be using a lift.

Before the meeting, Koehn Construction's written request and a map of the closure area, was provided to Board members (**EXHIBIT #4**).

Landis/Swartley made a motion to approve the continuation of the use of East Clinton and North Main streets for the painting on the Spohn Building until Oct. 15, 2025. The motion passed 5-0.

9) Engineering Department request: Approve and authorize the Mayor to sign the design services agreement with Structurepoint for a fee of \$17,900 and hourly services not to exceed \$6,500 to provide plans, specifications, and other services for the College Avenue Sanitary Encasement project

City Engineering Project Manager Andrew Lund requested approval and execution of a design services agreement with American Structurepoint for preparation of plans and specifications, as well bidding and construction services, related to the replacement of a section of sanitary sewer on College Avenue.

Lund said the sanitary sewer will be replaced within a steel casing, as the proximity of proposed NIPSCO power poles and communications utilities will prevent maintenance using traditional open-cut excavation methods. These utilities are relocating in advance of the College Avenue Phase I reconstruction project.

The Board of Works previously approved Structurepoint as the selected design consultant for this work, as well as their proposed design fee.

Landis/Swartley made a motion to approve and authorize the Mayor to sign the design services agreement with Structurepoint for a fee of \$17,900 and hourly services not to exceed \$6,500 to provide plans, specifications, and other services for the College Avenue Sanitary Encasement project. The motion passed 5-0.

10) Engineering Department request: Approve Change Order No. 2 for the Asphalt Paving Package B to undercut and remove the poor soils and backfill with No. 2's for the amount of \$21,000

City Director of Public Works & Utilities Dustin Sailor told the Board that attached to the agenda packet was Change Order No. 2 for the Asphalt Paving Package B.

Sailor said that during the full depth asphalt removal on Plymouth Avenue it was discovered that the existing soil conditions in certain areas were poor. This will require undercutting and removal of the soil and backfilling with crushed concrete No. 2s.



Sailor said the original contract amount was \$4,566,927.00. Change Order No. 2 increases the total contract by \$21,000, for a revised contract amount of \$4,654,727.00, which is an increase of 1.92% over the original contract amount.

Landis/Swartley made a motion to approve Change Order No. 2 for the Asphalt Paving Package B to undercut and remove the poor soils and backfill with No. 2's for the amount of \$21,000.00 The motion passed 5-0.

11) Engineering Department request: Approve Change Order No. 7 for the extension of new water and sewer services, the deduct due to the deletion of the snouts/downturns on the storm pipes for an increase of \$17,020.00. Also to approve the extension of time of 21 additional days bringing the completion date to Nov. 20, 2025

City Director of Public Works & Utilities Dustin Sailor said that attached to the agenda packet was Change Order No. 7 for the County Courts Consolidation Roadway Improvements project.

Sailor said it was discovered while providing locates and conducting CCTV inspection of the existing sanitary sewer that an extension of services should be considered prior to the reconstruction of the roadway. The services are for the sanitary laterals and the water services up to the Right of Way on Peddlers Village Road.

Additionally, **Sailor** said this change order will process a deduct due to the deletion of the snouts/downturns on the pipes of the storm structures on Reliance Road.

Sailor said this change order will include a request for an extension of time, establishing contract completion dates. This is due to multiple utility relocation delays throughout the length of the project. This will add 21 additional days and new contract completion date will be Nov. 20, 2025.

The original contract amount was \$4,165,762.30. This change order will increase the contract by \$17,020, for a revised contract amount of \$4,287,837.78. With approval of these changes, the total project cost will have been amended by 2.93%.

In response to a question from **Board member Landis**, **Sailor** said that instead of extending in both directions, the laterals only extended to the north side, which was the closest to the sanitary sewer. The laterals will only be extended to buildings that currently exist.

Landis/Swartley made a motion to approve Change Order No. 7 for the extension of new water and sewer services, the deduct due to the deletion of the snouts/downturns on the storm pipes for an increase of \$17,020.00, and approve the extension of time of 21 additional days bringing the completion date to November 20, 2025 The motion passed 5-0.

12) Engineering Department request: Approve the balancing Change Order No. 8 decreasing the contract by \$349,464.29, for a final contract amount of \$4,179,740.39 for the 10th Street and Douglas Street reconstruction City Director of Public Works & Utilities Dustin Sailor said attached to the agenda packet was Change Order No. 8 - A Balancing Change Order.

Sailor said Change Order No. 8 reduces the contract price by \$349,464.29, making the final contract amount \$4,179,740.39, a 1.63% decrease under the original contract of \$4,248,803.95.

Contract amount as previously amended:	\$4,529,204.68
Change Order No. 8:	\$ -349,464.29
Revised contract amount:	\$4,179,740.39

Sailor said significant reasons for the cost reduction were:

1. During the process of excavating the Douglas Street underground retention basin it was found that the soils easily caved, requiring the excavation limits to be pulled back. The basin walls at the bottom were reduced which required less No.2 stone.



2. While installing the utilities along 10th Street, the existing soils were found to be sufficient for reuse as backfill, which required less B-Borrow to be hauled in.

Board member Landis asked if anything was lost by reducing the trench size. **Sailor** said, "We lost stormwater capacity" but there was no practical way to restore it.

Landis/Swartley made a motion to approve the balancing Change Order No. 8, decreasing the contract by \$349,464.29, for a final contract amount of \$4,179,740.39. The motion passed 5-0.

13) Engineering Department public notification: On Wednesday, Oct. 15, Goshen Engineering, Stormwater, and Utilities will smoke test the storm sewer at the intersection of 9th Street and College Avenue

City Director of Public Works & Utilities Dustin Sailor said that on Wednesday Oct. 15th, Goshen Engineering, Stormwater, and Utilities will smoke test the storm sewer at the intersection of 9th Street and College Avenue. Sailor said the potentially affected area will be to the south and west of this structure in public right of way and on the campus of Goshen College. He said the tracer smoke that will be pumped into the sewer is non-toxic, but residents and business in the area are requested to check their plumbing in advance of the posted date to make sure drain traps are filled with water.

Goshen Utility and Stormwater personnel will distribute notification flyers to residents and businesses that are within the potential reach of the tracer smoke. Questions related to the smoke testing can be directed to the Goshen Engineering Department at 574-534-2201.

There was no Board action because this was an information-only agenda item.

At the Mayor's request, Sailor introduced the City's new Civil Engineer – Brad Minnick, who began work on Oct. 6. Mayor Leichty welcomed Minnick to the City of Goshen.

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. There were no comments.

APPROVAL OF CIVIL & UTILITY CLAIMS

Mayor Leichty made a motion to approve Civil City and Utility claims and adjourn the meeting. Board member Landis seconded the motion.

ADJOURNMENT

Mayor Leichty adjourned the meeting at 4:27 p.m.

EXHIBIT #1: *A City Legal Department memorandum, dated Oct. 9, along with a proposed eight-page agreement and Exhibit A for added agenda item #3 - Approve and authorize the Mayor to execute an agreement with Barden Heating & Cooling, LLC to allow the City to install a new Mini Split Unit at the Environmental Center. This information was provided to Board members before the meeting.*



EXHIBIT #2: A City Legal Department memorandum, dated Oct. 9, along with a proposed eight-page agreement and Exhibits A, B and C for added agenda item #4 - Approve and authorize the Mayor Leichthy to execute an agreement with Buckeye Power Sales Co., Inc. to allow the City to enter into a one-year planned maintenance agreement for a Water & Sewer Department generator. This information was provided to Board members before the meeting.

EXHIBIT #3: An Oct. 9, 2025 memorandum from Fire Chief Anthony Powell as well as a letter of resignation for added agenda item #7 - Fire Department request: Accept the immediate resignation of Probationary Private John Kauffman. This information was provided to Board members before the meeting.

EXHIBIT #4: A written request and a map of the proposed closure area by Koehn Construction LLC for added agenda item #8 - Koehn Construction request: Extend the closure of parking spaces and the sidewalk at North Main and East Clinton Streets through Oct. 15 for a window-painting project at the Spohn Building, 109 East Clinton Street (original request approved Aug. 28, 2025). This information was provided to Board members before the meeting.

APPROVED:

Mayor Gina Leichthy

Mike Landis, Member

Orv Myers, Member

Mary Nichols, Member



Barb Swartley, Member

ATTEST:

Richard R. Aguirre, City of Goshen Clerk-Treasurer



CITY OF GOSHEN BOARD OF PUBLIC WORKS & SAFETY

MINUTES OF THE OCTOBER 16, 2025 MEETING

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

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

Absent: Mike Landis

Call To Order: Mayor Leichty called the meeting to order at 4:00 p.m.

Review/Approve Agenda: Mayor Leichty presented the agenda as prepared by Clerk-Treasurer Aguirre. Board member Barb Swartley made a motion to approve the agenda as presented. Board member Mary Nichols seconded the motion. The motion passed 4-0.

1) Engineering Department request: Award and authorize the Mayor to execute the contract for the paving of City Parking Lot 'Q' with R&R Asphalt LLC in the amount of \$40,655

City Director of Public Works & Utilities Dustin Sailor said the Engineering Department requested quotes from six contractors for the paving of Parking Lot 'Q'. The quotes were received on Oct. 14, 2025. These were the results:

- Five Star Sealcoating - No quote received
- Milestone Construction - No quote received
- Niblock Excavating - No quote received
- **R&R Asphalt LLC - \$40,655**
- **Rieth-Riley Construction - \$66,450**
- **Walt's Paving - \$42,500**

On behalf of the Engineering Department, **Sailor** requested that the contract be awarded to the lowest responsive and responsible bidder, R&R Asphalt LLC, in the amount of \$40,655.

Mayor Leichty asked if **Sailor** was "comfortable" the bid. **Sailor** responded, "If we want to get it paved this year." The Mayor said, "It's quite the caveat."

Swartley/Nichols made a motion to award and authorize the Mayor to execute the contract for the paving of City Parking Lot Q with R&R Asphalt, LLC in the amount of \$40,655. The motion passed 4-0.

2) Engineering Department request: Approve and authorize the Mayor to sign the Financial Commitment Letter to be submitted to INDOT during CCMG application

Brad Minnick, Civil City Engineer, said the City of Goshen is preparing to apply for the Community Crossings Matching Grant (CCMG) Fund through the Indiana Department of Transportation (INDOT) in which it can be awarded up to \$1,000,000. To be eligible for the CCMG application, Minnick said a Financial Commitment Letter must be signed by Mayor Gina Leichty and submitted with the application, stating that Goshen will meet the financial match requested in the amount of \$1,000,000.

Minnick asked the Board to approve and authorize the Mayor to sign the financial commitment letter to be submitted to INDOT with the CCMG application. He said the application is due Oct. 31.

Mayor Leichty said the funds have been budgeted for this commitment.

Swartley/Nichols made a motion to approve and authorize the Mayor to sign the Financial Commitment Letter to be submitted to INDOT during the CCMG application. The motion passed 4-0.

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

At 4:03 p.m., Mayor Leichty opened the public comment period. There were no comments.



APPROVAL OF CIVIL CITY & UTILITY CLAIMS

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

ADJOURNMENT

Mayor Leichty then adjourned the meeting at 4:04 p.m.

NOTE: No audience members were present at the meeting, but as required by state statutes, the news media was notified of the meeting, the agenda was published on the City of Goshen's website and the agenda was posted before the meeting at City Hall and immediately outside the meeting place.

APPROVED:

Mayor Gina Leichty

Mike Landis, Member

Orv Myers, Member

Mary Nichols, Member



Barb Swartley, Member

ATTEST:

Richard R. Aguirre, Clerk-Treasurer



**Engineering Department
CITY OF GOSHEN**

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

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

MEMORANDUM

TO: Board of Public Works and Safety

FROM: Goshen Engineering

RE: **DOWNTOWN VAULT CLOSURE PROGRAM
PROJECT NO. 2012-0043**

DATE: October 30, 2025

The Clerk-Treasurer's Office has received bids from contractors today for the Downtown Vault Closure Program and we are requesting that the Board of Public Works and Safety open these bids at today's meeting.

Requested Motion: Open bids received from Contractors for the Downtown Vault Closure Program and read the 'Total (Estimated) Project Cost' amount and refer the bids to the Engineering Department.



324 S 5th St. Goshen, IN 46528
amanda@eyedart.com
(574) 203-2034 ext. 6

Board of Works Request
Oct 9, 2025

Downtown Goshen Inc. is requesting a change to the Light Parade closures and details on November 7th, 2025. This request will be in place of the original request for this date.

1. What parking spaces/streets do you want to close/use?

East Washington from 5th to Main from 2 to 10 closed, with no parking, for food trucks and vendors. No parking in half of the parking lot behind 130 N Main for staging from 3 p.m. to 9 p.m. No parking in the parking lot behind 215 E Lincoln for staging from 3 p.m. to 9 p.m. 5th from Clinton to Lincoln closed for staging from 3:30 p.m. to 6:45 p.m. Parade route - Starting at the corner of 5th and Clinton, the parade will head West on Clinton to Main, South on Main to Jefferson, East on Jefferson, and North on Clinton back to the staging area. No parking along the parade route from 5 to 9 p.m. The parade route closes at 6:45 p.m. and will reopen immediately following the parade with the assistance of GPD, GFD, and GSD.

2. Why do you want to close them? What activities will take place? Downtown Goshen First Fridays annual Light Parade

3. When do you want to start the closure, and when will the closure end? Please see details above.

4. Are there any affected businesses, and are they supportive of your request to close the parking spaces? There are businesses on the street affected by the closure, and they have been informed in advance.

5. Do you require any barricades from the Street Department to accomplish the closure for your event? Yes, please see the attached map.

Thank you for your consideration.

Amanda Rose
Director of First Fridays
Eyedart Creative Studios



Richard Aguirre, City Clerk-Treasurer
CITY OF GOSHEN

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

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

richardaguirre@goshencity.com • www.goshenindiana.org

To: City of Goshen Board of Public Works & Safety
From: Amy Frankenberger CPA, Cornerstone Financial Solutions LLC
Date: Oct. 30, 2025
Subject: Requested closure of a portion of the sidewalk at 102/104 South Main Street

Hello, I'm requesting a sidewalk permit so that we can get some repainting, and pressure washing of our building located at the 4 addresses above. The building is owned by the Laura Kindig Seminary Trust (Tom Leatherman, Trustee, attached hereto as well), and the costs will be split between the Trust and myself, the primary tenant at 102/104 S. Main.

We are going to be repainting the red brick building back to the same color (red brick) and repainting the white trim back to white around all the windows. At 102 and 104 S Main, we're changing the awning to just cover the entrance at 104 S Main (our primary entrance) and painting the decorative trim around the front doors at 102 and 104 back to a solid black color. The steps and railings will also be painted black.

Attached are some sketches that we had done to assist with applying for the Downtown Goshen awning grant, which I have not yet received back any confirmation or acceptance of from that organization. I was also going to apply for a grant for the painting, but that has not been done as of yet.

The current awning over 102/104 is being removed the week of October 27, 2025, and the painting will be started once a permit is issued. As I understand, we have to attend the board of public works meeting on Thursday 10/30/25 for approval of this permit, and so please kindly let me know what time that meeting is, and if it is acceptable that I attend as tenant and payor rather than my landlord.

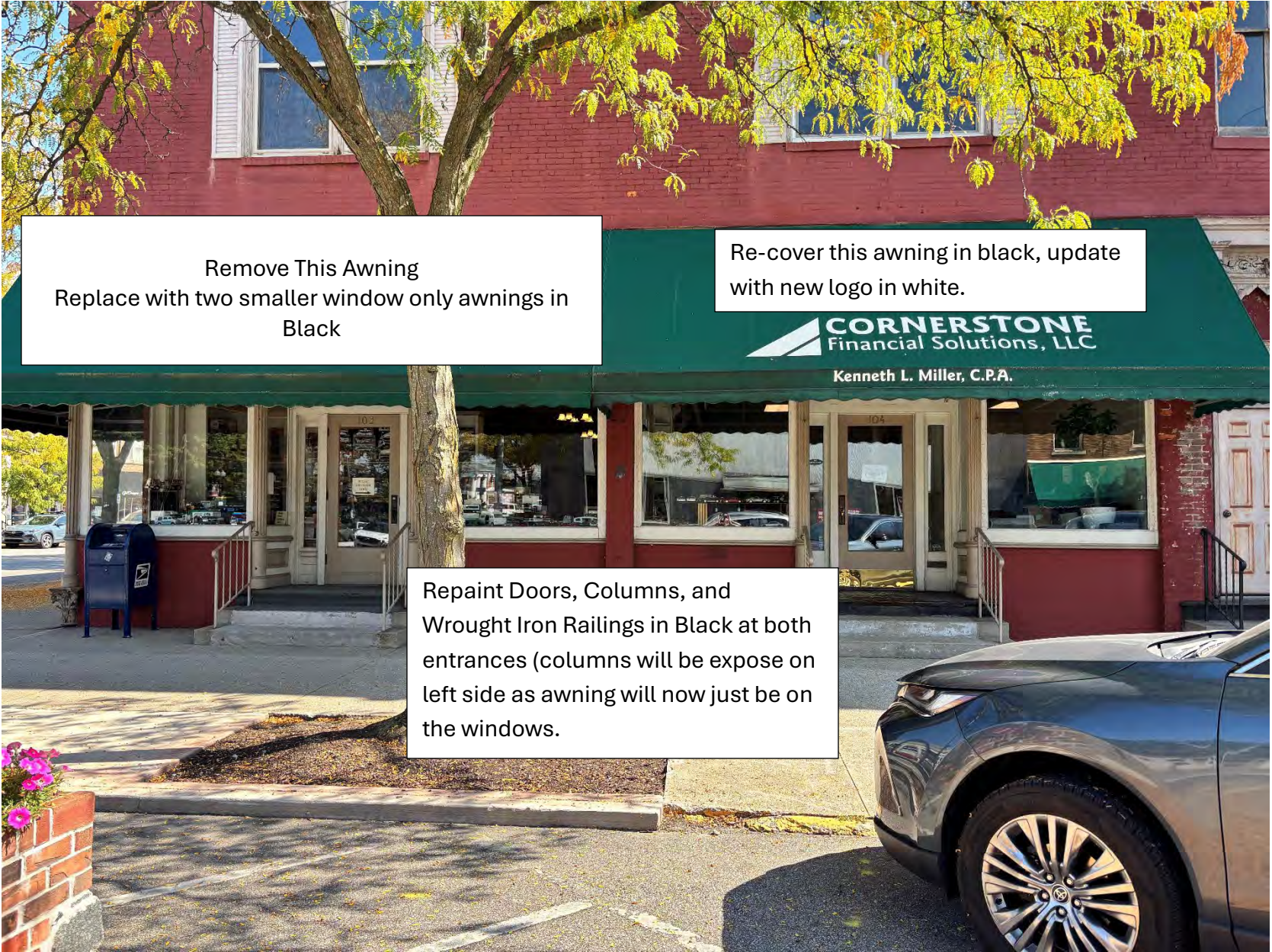
Kindly,

Amy Frankenberger CPA/Firm Owner

Cornerstone Financial Solutions LLC

PH: (574)537-9500 · FAX: (574)537-9400

EMAIL: amy@cornerstone4financial.com



Remove This Awning
Replace with two smaller window only awnings in
Black

Re-cover this awning in black, update
with new logo in white.

Repaint Doors, Columns, and
Wrought Iron Railings in Black at both
entrances (columns will be expose on
left side as awning will now just be on
the windows.



Estimate

AWNINGS UNLIMITED, INC
14844 Co Rd 8
Middlebury, IN 46540
Phone: 574-825-9768
Fax: 574-825-1237

DATE	ESTIMATE #
9/18/2025	17891

BILL TO	SHIP TO
Cornerstone Financial Solutions 104 S Main St Goshen, IN	Amy 536-401-2401 574-536-4012

DUE DATE	P.O. NUMBER
9/18/2025	

DESCRIPTION	AMOUNT
Take down Entire Wrap around awnings totalling 59' x 7' x 4'	300.00
Recover the section on main street over the main entrance: 21' x 7' x 4' using solid black Sunbrella fabric.	2,520.00
Lettering in white	260.00
Installation	160.00
1/2 down to order and secure price. Balance due upon installation. Credit card payments subject to a 3% merchant fee	
Subtotal	3,240.00
7% 7%	194.60
Total	3,434.60

Cornerstone Financial Solutions LLC
 104 S Main St
 Goshen, IN 46526

Pay to the Order of Awnings Unlimited Inc.
Two thousand & no/100

Interra Credit Union
 PO Box 727
 Goshen IN 46527-0727

For EST#17891 BAZ DUE: 1434.60 Amy Frankberger CPA

9-19-25 Date
 \$ 2,000.00 Dollars

3987
 71-9101/2712

LOOK FOR:
 3D hologram foil across top
 Holographic circle in upper-right corner

Security Features Details on back.

MP

Security Check

12003267071 3987

2712910171

LAURA A. KINDIG SEMINARY TRUST

REPLY TO: 110 S. MAIN
GOSHEN, IN 46526

TRUSTEES: THOMAS LEATHERMAN
GENE DUFFIN

September 23, 2025

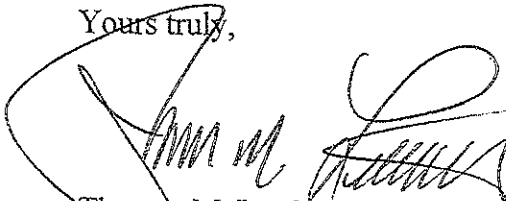
City of Goshen
Goshen, Indiana

RE: 102 & 104 S. Main Street, Goshen, In 46526

Gentlemen:

This letter serves to provide permission for Amy Frankenberger of Cornerstone Financial Solutions of Goshen to make improvements to the real estate located at 102 & 104 S. Main Street.

Yours truly,

A handwritten signature in black ink, appearing to read 'Thomas M. Leatherman', is written over a large, loopy circular flourish.

Thomas M. Leatherman
Managing Trustee
Laura A. Kindig Seminary Trust

TML/agl

Cc: Amy Frankenberger

REAL ESTATE IMPROVEMENT AGREEMENT

This agreement is made and entered into by and between Laura Kindig Trust (TRUST) and Amy Frankenkburger (Amy) The effective date of this agreement shall be the date the agreement is executed.

RECITALS

TRUST is the owner of property located at 102 and 104 South Main Street Goshen, Indiana (102 -104 property) Amy is a long time tenant.

Amy desires to make some improvements:

1. Remove and replace the Awnings.
2. Paint some trim.

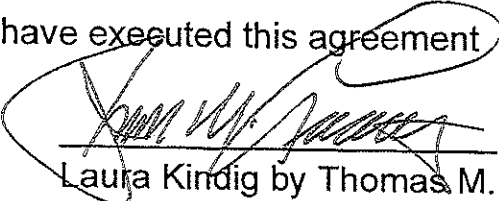
Amy would like to apply for a grant to help pay the cost of the improvements and needs the approval of the trust for that purpose.

Now, therefore, in consideration of the mutual covenants and agreements set forth herein, and for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties now agree as follows:

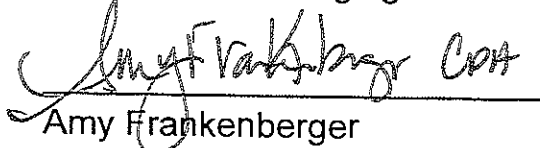
1. The Trust will give its approval.
2. Amy will pay for the costs of the improvements.
3. The improvements will become part of the building and Amy will have no ownership of the improvements and can not remove them if her lease term expires.

4. Nothing in this agreement shall be deemed to in any way create any relationship between the Parties like a partnership or joint venture, and the parties hereby disclaim the existence of any such a relationship.
5. This is the entire agreement and the parties and their Respective heirs, representatives or successors shall be bound unto.
6. if a court of competent jurisdiction shall determine that any one of the provisions is unenforceable, all other terms shall be unaffected and fully enforceable.

In witness whereof, the parties have executed this agreement
This 23 day of September, 2025.



Laura Kindig by Thomas M.
Leatherman managing member.



Amy Frankenger



Richard Aguirre, City Clerk-Treasurer
CITY OF GOSHEN

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

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

richardaguirre@goshencity.com • www.goshenindiana.org

To: City of Goshen Board of Public Works & Safety
From: Bruce Dyksen, Dyksen & Sons Builders
Date: Oct. 30, 2025
Subject: Requested closure of a portion of City Parking Lot Q

Dyksen and Sons would like to request a partial closure of City Parking Lot Q. We would like to request a "rolling" closure of the south side of the parking lot. Please see attached drawing the area in red is the area we would like to close due to working on the north side of the Democrat Building.

We have no need to close the five spaces on the north side of the parking lot. We have brick repair work due to installing a new window and installing new brick veneer. We would like to place a dumpster at the rear of the parking lot (closest to the alley).

We have talked with Bill Johnson on how to place the dumpster correctly so that we do not damage the new surface. We would like to close this side as soon as Bill Johnson and his team are done with their work. At that point, we can start back up on our work.

We would like this to be a "rolling" closure meaning we would only close of as many spaces as needed to do our work for the timeframe that we are working in the area. Bill Johnson said at the earliest he will be opening the parking lot the week of November 17 but more likely it would be November 24. So, to cover all the bases to say Nov.17,2025 to Jan. 31, 2026. We are anticipating working on this side of the building for two to three months, depending on weather.

If possible, we would like to use the city barricades to block off the spaces on the south side of the lot.

Thanks so much!

Bruce Dyksen

President and Owner, Dyksen & Sons

1825 West 400 North

Warsaw IN 46582

574.971.7916 (cell phone)

574-214-9466

dyksenandsons.com



CITY OF GOSHEN LEGAL DEPARTMENT

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

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

Date: October 30, 2025

To: Board of Public Works and Safety

From: Bodie J. Stegelmann

Subject: Resolution 2025-28, Approving New City of Goshen Fire Department Policy

The Board of Public Works and Safety previously approved City of Goshen Fire Department Policies developed in coordination with Lexipol, LLC. The Fire Department and Lexipol, LLC staff have identified a certain additional new policy deemed appropriate due to legislative or other changed circumstances.

Attached to Resolution 2025-28 is the new policy. If the Board approves Resolution 2025-28, the policy will be inserted into the Policy Manual in final form.

Suggested Motion: Move to approve Resolution 2025-28, Approving New City of Goshen Fire Department Policy, effective upon passage.

**GOSHEN BOARD OF PUBLIC WORKS AND SAFETY
RESOLUTION 2025-28**

Approving New City of Goshen Fire Department Policy

WHEREAS, on February 8th, 2021, the Board of Public Works and Safety approved an agreement with Lexipol, LLC to review, revise, and keep up-to-date the City of Goshen Fire Department's policies;

WHEREAS, the Board has previously approved Fire Department policies developed and suggested by Lexipol, LLC, as well as revisions thereto;

WHEREAS the last revision of the City of Goshen Fire Department Policies has a copyright by Lexipol, LLC of 2025/04/02;

WHEREAS, as part of the process of keeping its policies up-to-date, the Fire Department and Lexipol, LLC staff have identified a certain new policy deemed appropriate due to legislative changes or other changed circumstances; and

WHEREAS, the Goshen Board of Public Works and Safety finds that it is appropriate to approve a certain new policy identified below.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Board of Public Works and Safety that the following new City of Goshen Fire Department Policies, a copy of which is attached hereto and made a part hereof, are hereby approved, effective upon adoption:

- Policy 332 Mobile Integrated Health

PASSED and ADOPTED by the Goshen Board of Public Works and Safety on October 30, 2025.

Gina M. Leichty, Mayor

Mary Nichols, Member

Orv Myers, Member

Michael A. Landis, Member

Barb Swartley, Member

Mobile Integrated Health

332.1 PURPOSE AND SCOPE

State

The purpose of this policy is to establish the requirements and scope for the Mobile Integrated Health (MIH) / Community Paramedic Program. This program expands the role of EMS providers to deliver community-based, patient-centered healthcare in non-emergency and post-acute settings, consistent with Indiana law and the standards of the Indiana Department of Homeland Security and the EMS Commission.

332.2 DEFINITIONS

Best Practice

Definitions related to this policy include:

- Mobile Integrated Health (MIH) Program – An EMS-based program approved by the Indiana EMS Commission to provide community-based healthcare, including preventive, follow-up, or referral services, outside the traditional 9-1-1 emergency response model (IC § 16-31-12).
- Community Paramedic (CP) – A licensed paramedic or EMT who has received additional training in community-based care, chronic disease management, and preventive healthcare delivery, and is authorized to provide services under an approved MIH program.
- Emergent Patient Encounter - An interaction with an individual experiencing crisis originating from a 9-1-1 dispatch.
- Non-Emergent Patient Encounter – An interaction with an individual for preventive, follow-up, social service linkage, or health maintenance purposes, which does not involve an acute illness or life-threatening emergency.
- Referral Pathways – Pre-established agreements with healthcare providers, hospitals, clinics, behavioral health agencies, and social service organizations to ensure continuity of care and patient handoffs.

332.3 PATIENT ENCOUNTERS

The Goshen Fire Department MIH team will provide service in both Emergent and Non-Emergent Patient Encounters.

332.4 COMMUNITY/FACILITY PARTNERSHIPS

The Goshen Fire Department MIH team shall utilize Referral Pathways to provide positive Patient outcomes.

Mobile Integrated Health

332.5 POLICY

Best Practice

It is the policy of the Goshen Fire Department to provide MIH/Community Paramedic services in accordance with:

1. Indiana EMS Commission
2. County EMS Medical Director protocols and guidelines.
3. Patient privacy standards.

MIH activities shall not replace or delay emergency response services, but instead complement existing EMS operations by reducing preventable 9-1-1 utilization, improving patient outcomes, and strengthening community healthcare partnerships.



CITY OF GOSHEN LEGAL DEPARTMENT

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

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

Date: October 30, 2025
To: Board of Public Works and Safety
From: Bodie J. Stegelmann
Subject: Resolution 2025-29, Approving Revised City of Goshen Police Department Policies and Repealing Certain Policies

The Board of Public Works and Safety previously approved City of Goshen Police Department Policies developed in coordination with Lexipol, LLC. The Police Department and Lexipol, LLC staff have identified certain revisions to existing policies deemed appropriate due to legislative or other changed circumstances.

Attached to Resolution 2025-29 are redlined existing policies to show the revisions suggested. If the Board approves Resolution 2025-29, the redlines will be removed and the policies will be inserted into the Policy Manual in final form.

Suggested Motion: Move to approve Resolution 2025-29, Approving Revised City of Goshen Police Department Policies and Repealing Certain Policies, effective November 6, 2025.

**GOSHEN BOARD OF PUBLIC WORKS AND SAFETY
RESOLUTION 2025-29**

**Approving Revised City of Goshen Police Department Policies
and Repealing Certain Policies**

WHEREAS, on December 7th, 2020, the Board of Public Works and Safety approved an agreement with Lexipol, LLC to review, revise, and keep up-to-date the City of Goshen Police Department's policies;

WHEREAS, the Board has previously approved Police Department policies developed and suggested by Lexipol, LLC, as well as revisions thereto;

WHEREAS the last revision of the City of Goshen Police Department Policies has a copyright by Lexipol, LLC of 2025/09/05;

WHEREAS, as part of the process of keeping its policies up-to-date, the Police Department and Lexipol, LLC staff have identified certain revisions to existing policies deemed appropriate due to legislative changes or other changed circumstances; and

WHEREAS, the Goshen Board of Public Works and Safety finds that it is appropriate to approve certain revised policies identified below, and to repeal policies previously approved, separately identified below.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Board of Public Works and Safety that the following revised City of Goshen Police Department Policies, red-line versions of which are attached hereto and made a part hereof, are hereby approved, effective November 6, 2025:

- 314 – Child Abuse
- 335 – Off-Duty Law Enforcement Actions
- 410 – Emergency Detentions
- 414 – Immigration Violations
- 422 – Mobile Audio/Video
- 430 – Civil Disputes
- 501 – Traffic Accidents
- 602 – Asset Forfeiture
- 604 – Brady/Giglio Information
- 801 – Records Section
- 1000 – Recruitment and Selection

BE IT FURTHER RESOLVED by the Goshen Board of Public Works and Safety that, upon the approval of the above-described City of Goshen Police Department Policies, the following current City of Goshen Police Department Policies are hereby repealed, effective November 6, 2025:

- 314 – Child Abuse
- 334 – Off-Duty Law Enforcement Actions
- 410 – Emergency Detentions
- 414 – Immigration Violations
- 422 – Mobile Audio/Video
- 430 – Civil Disputes
- 501 – Traffic Accidents
- 602 – Asset Forfeiture
- 604 – Brady Information
- 801 – Records Section
- 1000 – Recruitment and Selection

PASSED and ADOPTED by the Goshen Board of Public Works and Safety on October 30, 2025.

Gina M. Leichty, Mayor

Mary Nichols, Member

Orv Myers, Member

Michael A. Landis, Member

Barb Swartley, Member

Child Abuse

314.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Goshen Police Department members are required to notify the Department of Child Services (DCS) of suspected child abuse.

314.1.1 DEFINITIONS

Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency or law enforcement.

314.2 POLICY

The Goshen Police Department will investigate all reported incidents of alleged criminal child abuse and ensure DCS is notified as required by law.

314.3 MANDATORY NOTIFICATION

Members of the Goshen Police Department shall notify DCS when there is reason to believe a child may be the victim of abuse or neglect, whether or not there exists an imminent danger to the child's health or welfare (I.C. § 31-33-5-1; I.C. § 31-33-7-7).

For purposes of notification, child abuse or neglect means a child described in I.C. § 31-34-1-1 through I.C. § 31-34-1-5, regardless of whether the child needs care, treatment, rehabilitation, or the coercive intervention of a court (I.C. § 31-9-2-14).

Members of the Goshen Police Department shall also notify DCS anytime a suspected child victim of an offense under I.C. § 35-42-3.5-1 through I.C. § 35-42-3.5-1.4 (e.g., human trafficking, sexual trafficking/conduct, forced labor, forced marriage, prostitution), or I.C. § 35-45-4-1 et seq. (e.g., indecent acts, prostitution) is detained and may be a victim of child abuse or neglect (I.C. § 35-42-3.5-4; I.C. § 35-45-4-7).

314.3.1 NOTIFICATION PROCEDURE

Notification should occur as soon as practicable as follows (I.C. § 31-33-5-4):

- (a) Members should immediately call the DCS child abuse and neglect hotline 1(800)-800-5556, code 3274357. Members may also fax or email reports of abuse or neglect to the appropriate child protective services agency. The email is dcshotlinereports@dcsc.in.gov.

Goshen Police Department

Policy Manual

Child Abuse

- (b) If an interview is needed for the child you can contact CAPS at (574) 295-2277.
- (c) If the child has died, the investigative member shall also give telephone notice to the appropriate Prosecuting Attorney (I.C. § 31-33-8-4).

314.4 QUALIFIED CHILD ABUSE INVESTIGATORS

Qualified child abuse investigators should be available for child abuse investigations. These investigators should:

- (a) Conduct interviews in child-appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Present all cases of alleged child abuse to the Prosecuting Attorney for review (I.C. § 31-33-8-10).
- (d) Coordinate with other enforcement agencies, social service agencies, and school administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians, and support for the child and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable.

314.5 INVESTIGATIONS AND REPORTING

Officers shall conduct an immediate on-site assessment with DCS or the applicable child protective services agency whenever there is reason to believe that an offense has been committed, regardless of whether the officers believe there is an imminent danger to the child's health (I.C.

§ 31-33-7-7; I.C. § 31-33-8-2).

In all reported or suspected ~~criminal~~ cases of child abuse, a report will be written. Officers shall write a report even if the allegations appear unfounded or unsubstantiated (I.C. § 31-33-8-8).

Investigations and reports related to suspected cases of child abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officers in all circumstances where a suspected child abuse victim was contacted.
- (b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.
- (c) Any relevant statements the child may have made and to whom ~~he/she~~ the child made the statements.
- (d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (e) Documentation of any visible injuries or any injuries identified by the child. This shall include photographs of such injuries, if practicable.

Goshen Police Department

Policy Manual

Child Abuse

1. Color photographs should be taken when possible (I.C. § 31-33-8-3).
- (f) Whether the child victim was transported for medical treatment or a medical examination.
- (g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- (h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (i) Previous addresses of the victim and suspect.
- (j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the ~~victim's~~ victim's environment.
- (k) Whether an institution, school, facility, organization, or agency knew about the alleged abuse and failed to report it when the alleged abuser is a staff member, youth coach, or volunteer of that entity (I.C. § 31-33-8.5-1).

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

314.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact DCS. Generally, removal of a child from his/her family, guardian, or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation (I.C. § 31-33-8-8).

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. The officer shall ensure that the child is delivered to DCS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian:

- (a) Upon a court order or warrant (I.C. § 31-33-8-8; I.C. § 31-21-6-14; I.C. § 31-34-2-1).
- (b) When the member has probable cause to believe the child is in need of services and (I.C. § 31-34-2-3):
 1. It appears that the child's physical or mental condition will be seriously impaired or seriously endangered if the child is not immediately taken into custody.
 2. There is no reasonable opportunity to obtain an order of the court.
 3. Consideration for the safety of the child precludes the immediate use of family services to prevent removal of the child.

Goshen Police Department

Policy Manual

Child Abuse

Appropriate documentation should be completed and forwarded to DCS as soon as practicable whenever an officer takes a child into custody (I.C. § 31-34-2-6).

314.6.1 SAFE HAVEN LAW

Officers shall take custody of a child who appears to be not more than ~~30~~ 60 days old who is voluntarily left with the officer by a parent without an expressed intent to return for the child. Whenever practicable and necessary, an officer who takes custody of a child under such circumstances should take appropriate steps to protect the child's physical health or safety. Any person voluntarily leaving the child is not obligated to disclose the parent's or the person's own name (I.C. § 31-34-2.5-1).

The officer taking custody of the child shall immediately notify DCS or a licensed child-placing agency to assume the care, control, and custody of the child (I.C. § 31-34-2.5-2).

314.7 INTERVIEWS

314.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

314.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

(a) Exigent circumstances exist, such as:

1. A reasonable belief that medical issues of the child need to be addressed immediately.
2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.

(b) A court order or warrant has been issued.

314.8 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian, or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility. It is preferred if a child is to be examined it be conducted by a certified pediatric SANE nurse.

Goshen Police Department

Policy Manual

Child Abuse

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

Officers should request and obtain a copy of all photographs and a summary of X-rays and other medical care provided if available (I.C. § 31-33-10-3).

314.9 DRUG-ENDANGERED CHILDREN

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking, or use of narcotics (I.C. § 31-34-1-2).

314.9.1 SUPERVISOR RESPONSIBILITIES

The Investigation Division supervisor should:

- (a) Work with professionals from the appropriate agencies, including DCS, other law enforcement agencies, medical service providers, and local prosecutors to develop community-specific procedures for responding to situations where there are children endangered by their exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Investigation Division supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives at the scene.
- (c)

314.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the supervisor so an interagency response can begin.

314.10 STATE MANDATES AND OTHER RELEVANT LAWS

This department shall investigate alleged child abuse or neglect in the same manner that the Department conducts any other criminal investigation (I.C. § 31-33-8-2).

314.10.1 PROCESSING REPORTS AND RECORDS

The ~~department shall~~ Department shall release or forward any information, including copies of reports, to DCS ~~and~~ , the appropriate juvenile court, and the appropriate prosecuting attorney, as required by state law (I.C. § 31-33-7-7; I.C. § 31-33-8-11; I.C. § 31-33-8.5-2).

314.10.2 RELEASE OF REPORTS

Goshen Police Department

Policy Manual

Child Abuse

Information related to incidents of child abuse or suspected child abuse, or the death of a child, shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (I.C. § 31-33-18-1; I.C. § 31-33-18-2).

314.10.3 CHILD FATALITY REVIEW TEAMS

This department will cooperate with, and provide documents upon request to, a local or state child death review team (I.C. § 16-49-2-1; I.C. § 16-49-2-4; I.C. § 16-49-3-5; I.C. § 16-49-6-4; I.C. § 16-49-5-2).

314.11 TRAINING

The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include (I.C. § 5-2-8-2):

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting forensic interviews.
- (c) Availability of therapy services for children and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to child abuse investigations.
- (f) Availability of victim advocate or guardian ad litem support.
- (g) Recognizing abuse that requires mandatory notification to another agency.

Off-Duty Law Enforcement Actions

335.1 PURPOSE AND SCOPE

Best Practice

This policy is intended to provide guidelines for officers of the Goshen Police Department with respect to taking law enforcement action while off-duty.

335.2 POLICY

Best Practice

MODIFIED

It is the policy of the Goshen Police Department that officers generally should not initiate law enforcement action while off-duty. Officers are not expected to place themselves in unreasonable peril and should first consider reporting and monitoring the activity. However, officers shall initiate law enforcement action while working an Outside Secondary Employment assignment if the officer becomes aware of an incident or circumstance that the officer reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage or loss. The officer shall take reasonable action to minimize or eliminate the threat.

~~any officer who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage or loss, may take reasonable action to minimize or eliminate the threat.~~

335.3 DECISION TO INTERVENE

Best Practice

There is no legal requirement for off-duty officers or special police officers to take law enforcement action. Officers should consider waiting for on-duty uniformed law enforcement personnel to arrive and while gathering as much accurate intelligence as possible, instead of immediately intervening. However, if an officer decides to intervene, he/she must evaluate whether the action is necessary or desirable, and should take into consideration:

- (a) The potential to be misidentified by other law enforcement personnel.
- (b) The potential to be misidentified by members of the public, who may be armed or who may take action.
- (c) The tactical disadvantage of being alone and the possibility of multiple or hidden suspects.
- (d) Limited off-duty firearms capabilities and ammunition.
- (e) The inability to communicate with responding law enforcement personnel.
- (f) The lack of equipment, such as body armor, handcuffs or control devices.
- (g) Unfamiliarity with the surroundings, including escape routes.
- (h) The potential for increased risk to bystanders by confronting a suspect or taking action.

Goshen Police Department

Policy Manual

Off-Duty Law Enforcement Actions

335.3.1 INTERVENTION PROCEDURE

Best Practice **MODIFIED**

If involvement is reasonably necessary, the officer should [notify dispatch, the local law enforcement agency, contact the shift officer in charge](#) ~~attempt to call~~ or have someone else call 9-1-1 to request immediate assistance. If possible, the dispatcher receiving the call should obtain a description of the off-duty officer from the caller and broadcast that information to responding officers.

Whenever practicable, the officer should loudly and repeatedly identify him/herself as an officer with the Goshen Police Department until acknowledged. Official identification should also be displayed when possible.

335.4 CONSIDERATIONS

Best Practice

When encountering a non-uniformed officer in public, uniformed officer should wait for acknowledgement by the non-uniformed officer in case he/she is working in an undercover capacity.

335.4.1 CIVILIAN RESPONSIBILITIES

Best Practice

Civilian members should not become involved in any law enforcement action while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

335.4.2 INCIDENTS OF PERSONAL INTEREST

Best Practice

Department members should refrain from handling incidents of personal interest (e.g., family or neighbor disputes) and should remain neutral. In such circumstances members should call the responsible agency to handle the matter.

335.5 REPORTING

Best Practice **MODIFIED**

If prior notification to the appropriate local law enforcement agency is not reasonably possible before taking action, the officer shall notify the agency as soon as reasonably practicable. Officers shall cooperate fully with the agency having jurisdiction by providing statements or reports as requested or as appropriate.

Officers shall notify the Shift Officer in Charge regarding any law enforcement action taken while off-duty. The Shift Officer in Charge may send a supervisor to the location. The Shift Officer in Charge shall notify the police administration of any law enforcement action taken by an officer while off-duty that can be construed as serious in nature. The supervisor may request assistance from the Police Administration if deemed appropriate.

The Shift Captain shall determine whether a criminal or administrative report should be completed by the involved officer.

Emergency Detentions

410.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may place a person under emergency detention.

410.1.1 DEFINITIONS

Definitions related to this policy include:

Emergency detention - When an individual ~~has a mental illness, is either dangerous or gravely disabled, and is in immediate need of hospitalization and treatment~~ is involuntarily detained by an officer for immediate hospitalization as provided in I.C. § 12-26-5-0.5, or ~~when~~ when an individual is involuntarily detained pursuant to a court approved petition under I.C. § 12-26-5-1.

410.2 POLICY

It is the policy of the Goshen Police Department to protect the public and individuals through legal and appropriate use of the emergency detention process.

410.3 AUTHORITY

An officer may apprehend and transport an individual to the appropriate facility in the following circumstances:

- (a) There is reasonable grounds to believe that an individual has a mental illness, is either dangerous or gravely disabled, and is in immediate need of hospitalization and treatment (I.C. § 12-26-5-0.5).
- (b) Pursuant to a court order (I.C. § 12-26-5-0.5).
- (c) Where an emergency detention petition is approved by a judge (I.C. § 12-26-5-2).

Individuals shall not be transported to a state institution (I.C. § 12-26-5-0.5).

410.4 CONSIDERATIONS AND RESPONSIBILITIES

Any officer handling a call involving a person who may qualify for emergency detention should consider, as time and circumstances reasonably permit:

- (a) Available information that might assist in determining the possible cause and nature of the person's action or stated intentions.
- (b) Community or neighborhood mediation services.
- (c) Conflict resolution and de-escalation techniques.
- (d) Community or other resources that may be readily available to assist with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

Emergency ~~detentions~~ detention should be preferred over arrest for people who have mental health issues and are suspected of committing minor crimes or creating other public safety issues.

Emergency Detentions

410.5 TRANSPORTATION

Transport for any individual for ~~involuntary~~ emergency detention shall be conducted in accordance with the Transporting Persons in Custody Policy.

Officers may transport individuals in the patrol unit and shall secure them in accordance with the Handcuffing and Restraints Policy.

410.6 TRANSFER TO APPROPRIATE FACILITY

Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member. ~~The officer shall~~ If the individual is not seeking treatment voluntarily, the officer should provide the staff member with the emergency petition or written statement containing the basis for the officer's belief the person qualifies for emergency detention and remain present to provide clarification of the grounds for detention, upon request.

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, officers will not apply facility-ordered restraints.

410.7 DOCUMENTATION

The written statement containing the basis for the conclusion that reasonable grounds exist for emergency detention shall be provided to the facility staff member assigned to the individual. A copy shall be retained for inclusion in the case report and filed with the court if any related criminal charges are filed by the officer (I.C. § 12-26-5-0.5).

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the emergency detention.

410.8 FIREARMS AND OTHER WEAPONS

Whenever a person is taken into custody for an emergency detention, the handling officers should seek to determine if the individual owns or has access to any firearm or other deadly weapon.

Officers should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent). A firearm may be seized under I.C. § 35-47-14-3 if the officer believes the person presents an imminent risk of personal injury to ~~him/herself~~ themselves or another and the officer submits to the circuit or superior court having jurisdiction over the person a written statement under oath or affirmation describing the basis for the belief that the person is dangerous.

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful warrantless entry has already been made (e.g., exigent circumstances, consent). A warrant may also be needed before searching for or seizing weapons.

Emergency Detentions

The handling officer should further advise the person of the procedure for the return of any firearm or other weapon that has been taken into custody.

410.9 TRAINING

This department will provide department-approved training on interaction with persons with a mental disability, emergency detentions, and crisis intervention (I.C. § 5-2-1-9(g)).

Immigration Violations

414.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Goshen Police Department relating to immigration and interacting with federal immigration officials.

414.2 POLICY

It is the policy of the Goshen Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

414.3 VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and not in any way that would violate the United States or Indiana constitutions (I.C. § 5-2-18.2-8).

An officer may not request verification of the citizenship or immigration status of an individual from federal immigration authorities if the individual is only reporting a crime or is a victim or witness to a crime (I.C. § 5-2-20-3).

414.4 DETENTIONS

An officer should not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant.

An officer who has been requested for assistance by a Federal Agency and who has a reasonable suspicion that an individual already lawfully contacted or detained has committed a criminal violation of federal immigration law may detain the person for a reasonable period of time in order to contact federal immigration officials to verify whether an immigration violation is a federal civil violation or a criminal violation. If the violation is a criminal violation, the officer may continue to detain the person for a reasonable period of time if requested by federal immigration officials (8 USC § 1357(g)(10)). No individual who is otherwise ready to be released should continue to be detained only because questions about the individual's status are unresolved.

If the officer has facts that establish probable cause to believe that a person already lawfully detained has committed a criminal immigration offense, he/she may continue the detention and may request a federal immigration official to respond to the location to take custody of the detained person (8 USC § 1357(g)(10)).

Immigration Violations

An officer is encouraged to forgo detentions made solely on the basis of a misdemeanor offense when time limitations, availability of personnel, issues of officer safety, communication capabilities, or the potential to obstruct a separate investigation outweigh the need for the detention.

An officer should notify a supervisor as soon as practicable whenever an individual is being detained for a criminal immigration violation.

414.4.1 SUPERVISOR RESPONSIBILITIES

When notified that an officer has detained an individual and established reasonable suspicion or probable cause to believe the person has violated a criminal immigration offense, the supervisor should determine whether it is appropriate to:

- (a) Transfer the person to federal authorities.
- (b) Lawfully arrest the person for a criminal offense or pursuant to a judicial warrant (see the Law Enforcement Authority Policy).

414.5 ARREST NOTIFICATION TO IMMIGRATION AND CUSTOMS ENFORCEMENT

Generally, an officer should not notify federal immigration officials when booking arrestees at a jail facility. Any required notification will be handled according to jail operation procedures. No individual who is otherwise ready to be released should continue to be detained solely for the purpose of notification.

414.6 FEDERAL REQUESTS FOR ASSISTANCE

Requests by federal immigration officials for assistance from this department should be directed to a supervisor. The Department may provide available support services, such as traffic control or peacekeeping efforts (I.C. § 5-2-18.2-3).

414.7 INFORMATION SHARING

No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373; I.C. § 5-2-18.2-3):

- (a) Sending information to, or requesting or receiving such information from federal immigration officials
- (b) Maintaining such information in department records
- (c) Exchanging such information with any other federal, state, or local government entity
- (d) Exercising any duty to cooperate with state or federal agencies as provided in I.C. § 5-2-18.2-7:

1. Upon arrest of an individual for a felony or misdemeanor, an officer should notify the jail staff at intake if there is probable cause to believe the person is not lawfully present in the United States.

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Immigration Violations

414.7.1 IMMIGRATION DETAINERS

No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 unless the person has been charged with a federal crime or the detainer is accompanied by a warrant, affidavit of probable cause, or removal order. Notification to the federal authority issuing the detainer should be made prior to the release.

414.8 U VISA AND T VISA NONIMMIGRANT STATUS

Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)).

Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)).

Any request for assistance in applying for U visa or T visa status shall be forwarded to the Elkhart County Prosecutors Office for review and considered per County directive issued by the Elkhart County Prosecutors Office.

Mobile Audio/Video

422.1 PURPOSE AND SCOPE

The Goshen Police Department has equipped marked law enforcement vehicles with Mobile Audio/Video (MAV) recording systems to provide records of events and to assist officers in the performance of their duties. This policy provides guidance on the use of these systems.

422.1.1 DEFINITIONS

Definitions related to this policy include:

Activate - Any process that causes the MAV system to transmit or store video or audio data in an active mode.

In-car camera system and MAV system - Synonymous terms that refer to any system that captures audio and video signals, that is capable of installation in a vehicle, and that includes at a minimum, a camera, microphone, recorder and monitor.

MAV technician - Personnel certified or trained in the operational use and repair of MAVs, duplicating methods, storage and retrieval methods and procedures, and who have a working knowledge of video forensics and evidentiary procedures.

Recorded media - Audio/video signals recorded or digitally stored on a storage device or portable media.

422.2 POLICY

It is the policy of the Goshen Police Department to use mobile audio/video technology to more effectively fulfill the mission of the Department and to ensure these systems are used securely and efficiently.

422.3 OFFICER RESPONSIBILITIES

Prior to going into service, each officer will properly equip him/herself to record audio and video in the field. At the end of the shift, each officer will follow the established procedures for providing to the Department any recordings or used media and any other related equipment. Each officer should have adequate recording media for the entire duty assignment. In the event an officer works at a remote location and reports in only periodically, additional recording media may be issued. Only Goshen Police Department identified and labeled media with tracking numbers is to be used.

At the start of each shift, officers should test the MAV system's operation in accordance with manufacturer specifications and department operating procedures and training.

422.4 ACTIVATION OF THE MAV

The MAV system is designed to turn on whenever the vehicle's emergency lights, or a series of other of officer's actions are initiated. The system remains on until it is turned off manually. The

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audio portion is independently controlled and should be activated manually by the officer whenever appropriate.

422.4.1 REQUIRED ACTIVATION OF THE MAV

This policy is not intended to describe every possible situation in which the MAV system may be used, although there are many situations where its use is appropriate. An officer may activate the system any time the officer believes it would be appropriate or valuable to document an incident.

In some circumstances it is not possible to capture images of the incident due to conditions or the location of the camera. However, the audio portion can be valuable evidence and is subject to the same activation requirements as the MAV. The MAV system should be activated in any of the following situations:

- (a) All field contacts involving actual or potential criminal conduct within video or audio range:
 - 1. Traffic stops (including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops)
 - 2. Priority responses
 - 3. Vehicle pursuits
 - 4. Suspicious vehicles
 - 5. Arrests
 - 6. Vehicle searches
 - 7. Physical or verbal confrontations or use of force
 - 8. Pedestrian checks
 - 9. Operating while intoxicated (OWI) investigations, including field sobriety tests
 - 10. Consensual encounters
 - 11. Crimes in progress
 - 12. Responding to an in-progress call
- (b) All self-initiated activity in which an officer would normally notify Elkhart County 911 Center
- (c) Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect, including:
 - 1. Domestic or family violence
 - 2. Disturbance of the peace
 - 3. Offenses involving violence or weapons

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- (d) Any other contact that becomes adversarial after the initial contact, in a situation that would not otherwise require recording
- (e) Any other circumstance where the officer believes that a recording of an incident would be appropriate

Activation of the MAV system is not required when exchanging information with other officers during breaks or lunch periods or when not in service or not actively on patrol.

422.4.2 CESSATION OF RECORDING

Once activated, the MAV system should remain on until the incident has concluded. For the purpose of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported and all witnesses and victims have been interviewed. Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive, or in other similar situations.

422.4.3 SURREPTITIOUS RECORDING

No member of this department may surreptitiously record a conversation of any other member of this department except with a court order or when lawfully authorized by the Chief of Police or the authorized designee for the purpose of conducting a criminal or administrative investigation.

422.4.4 SUPERVISOR RESPONSIBILITIES

Supervisors should determine if vehicles with non-functioning MAV systems should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made, including notification of Elkhart County 911 Center.

At reasonable intervals, supervisors should validate that:

- (a) Beginning and end-of-shift recording procedures are followed.
- (b) Logs reflect the proper chain of custody, including:
 - 1. The tracking number of the MAV system media.
 - 2. The date the media was issued.
 - 3. The name of the department member or the vehicle to which the media was issued.
 - 4. The date the media was submitted for retention.
 - 5. The name of the department member submitting the media.
 - 6. Holds for evidence indication and tagging as required.
- (c) The operation of MAV systems by new members is assessed and reviewed no less than biweekly.

When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, officer-involved shootings, department-involved traffic accidents), a supervisor shall respond to the scene and ensure that the appropriate person properly retrieves the recorded

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media. The media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media.

Supervisors may activate the MAV system remotely to monitor a developing situation, such as a chase, riot or an event that may threaten public safety, officer safety or both, when the purpose is to obtain tactical information to assist in managing the event. Supervisors shall not remotely activate the MAV system for the purpose of monitoring the conversations or actions of an officer.

422.5 REVIEW OF MAV RECORDINGS

All recording media, recorded images, and audio recordings are the property of the Department. Dissemination outside of the Department is strictly prohibited, except to the extent permitted or required by law.

To prevent damage to, or alteration of, the original recorded media, it shall not be copied, viewed, or otherwise inserted into any device not approved by the Department, MAV technician, or forensic media staff. When reasonably possible, a copy of the original media shall be used for viewing (unless otherwise directed by the courts) to preserve the original media.

Recordings may be reviewed in any of the following situations:

- (a) By officers for use when preparing reports or statements, except situations of Officer Involved Shootings or in-custody deaths.
- (b) By a supervisor investigating a specific act of ~~officer conduct~~ officer conduct
- (c) By a supervisor ~~to assess officer performance~~ to conduct documented reviews of their subordinate's MAV media at least annually to evaluate the member's performance, verify compliance with department procedures, and determine the need for additional training. The review should include a variety of event types when possible. Supervisors should review MAV media with the recording member when it would be beneficial to provide guidance or to conduct one-on-one informal training for the member.
- (d) To assess proper functioning of MAV systems
- (e) By department investigators who are participating in an official investigation, such as a personnel complaint, administrative inquiry, or a criminal investigation
- (f) By department personnel who request to review recordings
- (g) By an officer who is captured on or referenced in the video or audio data, and reviews and uses such data for any purpose relating to ~~his/her~~ their employment
- (h) By court personnel through proper process or with the permission of the Chief of Police or the authorized designee
- (i) By the media through proper process
- (j) To assess possible training value
- (k) For training purposes. If an involved officer objects to showing a recording, ~~his/her~~ their objection will be submitted to the command staff to determine if the training value outweighs the officer's objection.

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- (l) As may be directed by the Chief of Police or the authorized designee

Members desiring to view any previously uploaded or archived MAV recording should submit a request in writing to the Shift Captain. Approved requests should be forwarded to the MAV technician for processing.

In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing any member.

422.6 DOCUMENTING MAV USE

If any incident is not recorded with either the video or audio system, the failure of that recording shall be documented in the officer's report. If a citation is issued, the officer shall make a notation on the back of the records copy of the citation indicating that the incident was not recorded.

422.7 RECORDING MEDIA STORAGE AND INTEGRITY

Once submitted for storage, all recording media will be labeled and stored in a designated secure area.

All recordings shall be retained in an unaltered and unobscured condition for at least 190 days.

Recordings shall be retained for longer periods as follows (I.C. § 5-14-3-5.3):

- (a) As provided in I.C. § 5-14-3-5.1 for at least two years upon written request:
 - 1. Of a person who is depicted or whose property is depicted in the recording.
 - 2. Of a victim.
- (b) For at least two years if a formal or informal complaint is filed regarding a law enforcement activity as provided in I.C. § 5-14-3-2(j).
- (c) Until the final disposition of all appeals and an order from the court if a recording is used in a criminal, civil, or administrative proceeding.

The Goshen Police Department may retain a recording for training purposes for any length of time (I.C. § 5-14-3-5.3).

422.7.1 COPIES OF ORIGINAL RECORDING MEDIA

Original recording media shall not be used for any purpose other than for initial review by a supervisor. Upon proper request, a copy of the original recording media will be made for use as authorized in this policy.

Original recording media may only be released in response to a court order or upon approval by the Chief of Police or the authorized designee. In the event that an original recording is released to a court, a copy shall be made and placed in storage until the original is returned. Copies shall be maintained in the same manner as the original recordings.

422.7.2 MAV RECORDINGS AS EVIDENCE

Officers who reasonably believe that a MAV recording is likely to contain evidence relevant to a criminal offense or to a potential claim against the officer or against the Goshen Police Department

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should indicate this in an appropriate report. Officers should ensure relevant recordings are preserved.

422.8 SYSTEM OPERATIONAL STANDARDS

- (a) MAV system vehicle installations should be based on officer safety requirements and the vehicle and device manufacturer's recommendations.
- (b) The MAV system should be configured to minimally record for 30 seconds prior to an event.
- (c) The MAV system may not be configured to record audio data occurring prior to activation.
- (d) Unless the transmitters being used are designed for synchronized use, only one transmitter, usually the primary initiating officer's transmitter, should be activated at a scene to minimize interference or noise from other MAV transmitters.
- (e) Officers using digital transmitters that are synchronized to their individual MAVs shall activate both audio and video recordings when responding in a support capacity. This is to obtain additional perspectives of the incident scene.
- (f) With the exception of law enforcement radios or other emergency equipment, other electronic devices should not be used inside MAV-equipped law enforcement vehicles to minimize the possibility of causing electronic or noise interference with the MAV system.
- (g) Officers shall not erase, alter, reuse, modify or tamper with MAV recordings. Only a supervisor, MAV technician or other authorized designee may erase and reissue previous recordings and may only do so pursuant to the provisions of this policy.
- (h) To prevent damage, original recordings shall not be viewed or otherwise inserted into any device not approved by the Department, MAV technician or forensic media staff.

422.9 MAV TECHNICIAN RESPONSIBILITIES

The MAV technician is responsible for:

- (a) Ordering, issuing, retrieving, storing, erasing and duplicating of all recorded media.
- (b) Collecting all completed media for oversight and verification of wireless downloaded media. Once collected, the MAV technician:
 - 1. Ensures it is stored in a secure location with authorized controlled access.
 - 2. Makes the appropriate entries in the chain of custody log.
- (c) Erasing of media:
 - 1. Pursuant to a court order.

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2. In accordance with the established records retention schedule, including reissuing all other media deemed to be of no evidentiary value.
- (d) Assigning all media an identification number prior to issuance to the field:
 1. Maintaining a record of issued media.
 - (e) Ensuring that an adequate supply of recording media is available.
 - (f) Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the department evidence storage protocols and the established records retention schedule.

422.10 TRAINING

All members who are authorized to use the MAV system shall successfully complete an approved course of instruction prior to its use.

422.10 ANNUAL PROGRAM REVIEW

The MAV technician should complete an annual administrative review of the MAV program and provide it to the Chief of Police for review.

Civil Disputes

430.1 PURPOSE AND SCOPE

This policy provides members of the Goshen Police Department with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g., civil matters), with the goal of minimizing any potential for violence or criminal acts.

The Domestic or Family Violence Policy will address specific legal mandates related to domestic violence court orders. References in this policy to “court orders” apply to any order of a court that does not require arrest or enforcement by the terms of the order or by Indiana law.

430.2 POLICY

The Goshen Police Department recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, members of this department will assist at the scene of civil disputes with the primary goal of safeguarding persons and property, preventing criminal activity and maintaining the peace. When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides and refrain from giving legal or inappropriate advice.

430.3 GENERAL CONSIDERATIONS

When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While not intended to be an exhaustive list, members should give considerations to the following when handling civil disputes:

- (a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.
- (b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.
- (c) Members shall not provide legal advice, however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.
- (d) Members are reminded that they shall not enter a residence or other non-public location without legal authority.

- (e) Members should not take an unreasonable amount of time assisting in these matters and generally should contact a supervisor if it appears that peacekeeping efforts longer than 30 minutes are warranted.

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Civil Disputes

430.4 COURT ORDERS

Disputes involving court orders can be complex. Where no mandate exists for an officer to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating officer should consult a supervisor prior to making any arrest.

If a person appears to be violating the terms of a court order but is disputing the validity of the order or its applicability, the investigating officer should document the following:

- (a) The person's knowledge of the court order or whether proof of service exists.
- (b) Any specific reason or rationale the involved person offers for not complying with the terms of the order.

A copy of the court order should be attached to the report when available. The report should be forwarded to the appropriate prosecutor. The report should also be forwarded to the court issuing the order with a notice that the report was also forwarded to the prosecutor for review.

430.4.1 STANDBY REQUESTS

Officers responding to a call for standby assistance to retrieve property should meet the person requesting assistance at a neutral location to discuss the process. The person should be advised that items that are disputed will not be allowed to be removed. The member may advise the person to seek private legal advice as to the distribution of disputed property.

Members should accompany the person to the location of the property. Members should ask if the other party will allow removal of the property or whether the other party would remove the property.

If the other party is uncooperative, the person requesting standby assistance should be instructed to seek private legal advice and obtain a court order to obtain the items. Officers should not order the other party to allow entry or the removal of any items. If there is a restraining or similar order against the person requesting standby assistance, that person should be asked to leave the scene or they may be subject to arrest for violation of the order.

If the other party is not present at the location, the member will not allow entry into the location or the removal of property from the location.

430.5 VEHICLES AND PERSONAL PROPERTY

Officers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Officers may review documents provided by parties or available databases (e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, officers should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented.

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430.6 REAL PROPERTY

Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled through a person seeking a court order.

430.6.1 [EXPEDITED REMOVAL OF SQUATTERS](#)

Officers shall remove squatters from private property upon receipt of an affidavit from a property owner or a railroad employee in accordance with state law (I.C. § 32-31-12-1 et seq.). See the Homeless Persons Policy for additional guidance.

Traffic Accidents

501.1 PURPOSE AND SCOPE

This policy provides guidelines for responding to and investigating traffic accidents.

501.2 POLICY

It is the policy of the Goshen Police Department to respond to traffic accidents and render or summon aid to injured victims as needed. The Department will investigate and prepare reports according to the established minimum reporting requirements with the goal of reducing the occurrence of accidents by attempting to identify the cause of the accident and through enforcing applicable laws. Unless restricted by law, traffic accident reports will be made available to the public upon request.

501.3 RESPONSE

Upon arriving at the scene, the responding member should assess the need for additional resources and summon assistance as appropriate. Generally, the member initially dispatched to the scene will be responsible for the investigation and report, if required, unless responsibility is reassigned by a supervisor.

A supervisor should be called to the scene when the incident:

- (a) Is within the jurisdiction of this department and there is:
 - 1. A life-threatening injury.
 - 2. A fatality.
 - 3. A City vehicle involved.
 - 4. A City official or employee involved.
 - 5. Involvement of an on- or off-duty member of this department.
- (b) Is within another jurisdiction and there is:
 - 1. A City of Goshen vehicle involved.
 - 2. A City of Goshen official involved.
 - 3. Involvement of an on-duty member of this department.

501.3.1 MEMBER RESPONSIBILITIES

Upon arriving at the scene, the responding member should consider and appropriately address:

- (a) Traffic direction and control.
- (b) Proper placement of emergency vehicles, cones, roadway flares, or other devices if available to provide protection for members, the public, and the scene.

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- (c) First aid for any injured parties if it can be done safely.
- (d) The potential for involvement of hazardous materials.
- (e) The need for additional support as necessary (e.g., traffic control, [Emergency Medical Services \(EMS\)](#), fire department, hazardous materials response, tow vehicles).
- (f) Clearance and cleanup of the roadway.

501.3.2 [YELLOW DOT MEDICAL INFORMATION PROGRAM](#)

[The Yellow Dot Motor Vehicle Medical Information Program allows responding members to access medical information of a program participant who is involved in a traffic accident or emergency situation.](#)

[Participants in this program are issued a yellow dot decal to attach to the rear window of their vehicle indicating that a folder containing medical information may be found in the glovebox. When encountering such a vehicle in an emergency, officers are authorized to \(I.C. § 12-9.1-6-9\):](#)

- (a) [Retrieve the folder.](#)
- (b) [Determine whether the participant has a medical condition that may impede communication.](#)
- (c) [Communicate with the participant's emergency contact about the location and general condition of the person.](#)
- (d) [Consider the participant's current medications and preexisting medical conditions when administering treatment when appropriate and consistent with the officer medical training and current certification levels \(see the Medical Aid and Response Policy for additional guidance\).](#)
- (e) [Share medical information with EMS once they arrive on-scene.](#) _

501.4 NOTIFICATION

If a traffic accident involves a life-threatening injury or fatality, the responding officer shall notify a supervisor or, if unavailable, the on-call detective. The supervisor may contact the measurement team, the Elkhart County Homicide Unit or other appropriate personnel to investigate the incident. The Officer in Charge will ensure notification is made to the Patrol Division Chief, department command staff and the on-call detective will notify the Elkhart County Homicide Unit if it is believed the cause of the crash was intentional in accordance with the Major Incident Notification Policy.

501.4.1 NOTIFICATION OF FAMILY

In the event of a life-threatening injury or fatality, the supervisor responsible for the incident should ensure notification of the victim's immediate family or coordinate such notification with the Elkhart County Homicide Unit, department chaplain or another suitable person. Notification should be made as soon as practicable following positive identification of the victim.

The identity of any person seriously injured or deceased in a traffic accident should not be released until notification is made to the victim's immediate family.

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501.5 MINIMUM REPORTING REQUIREMENTS

An accident report should be taken when:

- (a) A fatality, any injury (including complaint of pain), operating while intoxicated, or a hit and-run is involved (I.C. § 9-26-2-1).
- (b) The accident results in a collision with an unattended vehicle and/or damage to property other than a vehicle and the owner of that vehicle or property cannot be located.
- (c) An on-duty member of the City of Goshen is involved.
- (d) The accident results in any damage to any City-owned or leased vehicle.
- (e) The accident involves any other public agency driver or vehicle.
- (f) There is damage to public property.
- (g) There is damage to any vehicle to the extent that towing is required.
- (h) There is property damage of at least \$2,500 (I.C. § 9-26-2-1).
- (i) Prosecution or follow-up investigation is contemplated.
- (j) Directed by a supervisor.

501.5.1 PRIVATE PROPERTY

Generally, reports should not be taken when a traffic accident occurs on private property unless the accident occurs on property that is open to the public and involves personal injury or death or property damage of at least \$2,500 (I.C. § 9-26-2-4).

501.5.2 CITY VEHICLE INVOLVED

A traffic accident report shall be taken when a City vehicle is involved in a traffic accident that results in property damage or injury.

A general information report may be taken in lieu of a traffic accident report at the direction of a supervisor when the incident occurs entirely on private property or does not involve another vehicle.

Whenever there is damage to a City vehicle, a vehicle damage report shall be completed and forwarded to the appropriate Division Chief. The traffic investigator or supervisor at the scene should determine what photographs should be taken of the scene and the vehicle damage.

501.5.3 INJURED ANIMALS

Department members should refer to the Animal Control Policy when a traffic accident involves the disposition of an injured animal.

501.5.4 MOTOR VEHICLE CRASHES INVOLVING DEPARTMENT OWNED VEHICLES

- (a) The driver of a department owned vehicle must immediately notify the shift Officer-inCharge and any member of the Administration should they be involved in a crash.

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- (b) The officer involved in the crash must submit to a certified breath test by a certified breath test operator or a preliminary breath test depending on the crash as specified below.
 - 1. Goshen City Limits
 - (a) The officer will need to submit to a certified breath test by a certified breath test operator as soon as possible under the circumstance.
 - (b) The officer in charge should respond and complete the Indiana Crash Report, or, depending on the severity of the crash, notify another agency to work the crash. Statements shall be obtained from any passengers or witnesses of the crash and attached to the paperwork according to procedures.
 - (c) Both the officer involved and the officer in charge shall complete an intradepartmental report of the crash and provide it to the administration through the chain of command.
 - 2. Outside Goshen City Limits
- (c) Property damage accidents occurring outside of the city limits will follow our normal guidelines with the exception of the certified breath test.
 - 1. When officers outside of the city call upon another agency to investigate a crash, a preliminary breath test can be administered by the investigating officer. A report from the investigating officer is required confirming a breath test was administered and the results of the test. If alcohol was detected, the officer shall notify the on-duty supervisor for GPD who will make arrangements for an immediate certified breath test.
- (d) If a crash occurs and an off-duty officer was not engaged in any of the outlined acceptable off-duty responses, the officer will be considered as “off-duty” and responsible for all medical expenses for any crash resulting in personal injury.
- (e) The Shift Captain and/or Administration will review crashes involving department owned vehicles to determine if the crash was a “Minor” or “Major” crash. The determination between “Minor” or “Major” crashes will be determined by factors to include but not be limited to:
 - 1. amount of damage,
 - 2. repair costs,
 - 3. contributing environmental factors,
 - 4. involvement with other vehicles,
 - 5. driving behaviors,
 - 6. injuries,
 - 7. witness statements, and

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8. any sustainable facts known from the totality of the circumstances.
- (f) Minor crashes in which the department employee is at fault:
1. 1st offense – the watch captain will give a coaching session to the officer and if deemed necessary, recommend training.
 2. 2nd offense - (within consecutive two year period from first crash) the officer will receive a **Formal Action Notice and be subject to Disciplinary Procedures under Department Directives** ~~written reprimand~~. In addition the officer may temporarily lose the privileges of a take home car or a specific pool car if no take home vehicle is assigned.
 3. ~~3rd offense – (within consecutive two year period from first crash) the officer may be suspended without pay; or in lieu of suspension without pay, the Chief of Police may authorize the use of the officer's accrued leave time.~~^[AR1]
- (g) Major crashes in which the department employee may be at fault:
1. A panel will be picked by the police Executive Staff which will act as an accident review board. The panel will consist of current supervisors and at least one (1) Emergency Vehicle Operations (EVOC) instructor.
 2. will review the specific facts surrounding a crash and recommend the level of discipline to the Executive Staff.
 3. The panel may review and recommend findings to the Chief. The Chief of Police will review the panel's findings and impose discipline unless the discipline proposed requires Board of Public Works and Safety approval.

501.6 INVESTIGATION

When a traffic accident meets minimum reporting requirements the investigation should include, at a minimum:

- (a) Identification and interview of all involved parties.
- (b) Identification and interview of any witnesses.
- (c) A determination of whether a violation of law has occurred and the appropriate enforcement action.
- (d) Identification and protection of items of apparent evidentiary value.
- (e) Documentation of the incident as necessary (e.g., statements, measurements, photographs, collection of evidence and reporting) on the appropriate forms.

501.6.1 INVESTIGATION BY OUTSIDE LAW ENFORCEMENT AGENCY

The Patrol Division Chief or on-duty Officer in Charge should request that the Indiana State Police or other outside law enforcement agency investigate and complete a traffic accident investigation when a life-threatening injury or fatal traffic accident occurs within the jurisdiction of the Goshen Police Department and involves:

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- (a) An on- or off-duty member of the Department.
- (b) An on- or off-duty official or employee of the City of Goshen.

Department members shall promptly notify a supervisor when any department vehicle is involved in a traffic accident. The accident investigation and report shall be completed by the assisting agency.

501.6.2 REMOVAL FROM LINE DUTY ASSIGNMENT

When an on-duty member is involved in a traffic accident that involves a life-threatening injury or fatality, the member should be placed in a temporary administrative assignment pending an administrative review. The Chief of Police may exercise discretion and choose not to place a member in an administrative assignment.

501.7 ACTION WHEN A REPORT IS NOT REQUIRED

When a traffic accident does not meet the minimum reporting requirements, a responding member should verify that each involved driver present has complied with the requirements of I.C. § 9-26-1-1.1 (I.C. § 9-26-2-1; I.C. § 9-26-2-4).

501.8 ENFORCEMENT ACTION

After a thorough investigation in which physical evidence or independent witness statements indicate that a violation of a traffic law contributed to the accident, authorized members should issue a summons or arrest the offending driver, as appropriate.

More serious violations, such as driving under the influence of drugs or alcohol, vehicular manslaughter or other felonies, shall be enforced. If a driver who is subject to enforcement action is admitted to a hospital, a supervisor shall be contacted to determine the best enforcement option.

501.9 REPORTS

Department members shall utilize forms approved by the Indiana State Police as required for the reporting of traffic accidents. All such reports shall be forwarded to the Patrol Division for approval and filing (I.C. § 9-26-2-2).

501.9.1 REPORT MODIFICATION

A change or modification of a written report that alters a material fact in the report may be made only by the member who prepared the report, and only prior to its approval and distribution. Once a report has been approved and distributed, corrections shall only be made by way of a written supplemental report. A written supplemental report may be made by any authorized member with approval from a supervisor.

Asset Forfeiture

602.1 PURPOSE AND SCOPE

Best Practice

This policy describes the authority and procedure for the seizure, forfeiture and liquidation of property associated with designated offenses.

602.1.1 DEFINITIONS

State MODIFIED

Definitions related to this policy include:

Fiscal agent - The Elkhart County Prosecutors Office approves and coordinates the responsibilities in securing and maintaining seized assets and distributing any proceeds realized from any forfeiture proceedings. This includes any time the Goshen Police Department seizes property for forfeiture or when the Goshen Police Department is acting as the fiscal agent pursuant to a multi-agency agreement.

Forfeiture - The process by which legal ownership of an asset is transferred to a government or other authority.

Forfeiture reviewer - The department member assigned by the Chief of Police who is responsible for reviewing all forfeiture cases and acting as the liaison between the Department and the forfeiture counsel.

Property subject to forfeiture - Property that may be subject to forfeiture includes (I.C. § 34-24-1-1):

- (a) A vehicle used or intended for use to transport or facilitate the transportation of:
 - 1. A controlled substance used to commit specific offenses.
 - 2. Stolen or converted property if the retail or repurchase value of that property is \$100 or more.
 - 3. Hazardous waste to an unpermitted treatment, storage, or disposal facility.
 - 4. A bomb or weapon of mass destruction used to commit or attempt an act of terrorism.
- (b) Money, weapons, cell phones, or other property used to commit, attempt to commit, or conspire to commit an act of terrorism or a weapons offense committed to further an act of terrorism.
- (c) Money, weapons, cell phones, or other property used as consideration to commit certain offenses relating to controlled substances.

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- (d) Real or personal property purchased with money that is traceable as a proceed of a violation of a criminal statute.
- (e) A vehicle that is used to commit, attempt to commit, or conspire to commit or escape from: murder, dealing in a controlled substance resulting in death, kidnapping, criminal confinement, rape, child molesting, child exploitation, or terrorism.
- (f) Real property owned by a person who has used it to commit specified controlled substance felonies involving controlled substance offenses.
- (g) Equipment and recordings used by a person to commit fraud in violation of I.C. § 35-43-5-0.1 et seq.
- (h) "Bootlegged" recordings sold, rented, transported, or possessed by a person.
- (i) Property or an enterprise that is the object of a corrupt business influence violation.
- (j) Unlawful telecommunications devices and plans, instructions, or publications used to commit an unauthorized use of telecommunications services.
- (k) Equipment, including computer equipment and cellular telephones, used for or intended for use in preparing, photographing, recording, videotaping, digitizing, printing, copying, or disseminating matter to commit specific sex crimes.
- (l) Destructive devices used, possessed, transported, or sold in violation of I.C. § 35-47.5-5-2.
- (m) Tobacco products that are sold or attempted to be sold in violation of Indiana law, and other personal property owned and used to facilitate such violation.
- (n) Property used by a person to commit counterfeiting or forgery.
- (o) Property used or intended to be used to commit, facilitate, or promote the commission of a prescription drug offense or facilitate such an offense, and where there has been a conviction pursuant to I.C. § 25-26-14-26(b), I.C. § 35-43-10-3, or I.C. § 35-43-10-4.
- (p) A vehicle operated by the owner or spouse of the owner while intoxicated or with suspended driving privileges after being convicted of two or more driving-while intoxicated offenses within the previous five years.
- (q) Real or personal property used or intended to be used to commit or derived from fraud related to the provision of funeral or cemetery services.
- (r) Real or personal property, including a vehicle, used or intended to be used to commit, facilitate, or escape from a violation of human trafficking or promoting prostitution.
- (s) [A signal jammer used in violation of I.C. § 35-45-2-6.](#)

Seizure - The act of law enforcement officials taking property, cash, or assets that have been used in connection with or acquired by specified illegal activities.

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602.2 POLICY

Best Practice

The Goshen Police Department recognizes that appropriately applied forfeiture laws are helpful to enforce the law, deter crime and reduce the economic incentive of crime. However, the potential of revenue shall not be allowed to jeopardize the effective investigation and prosecution of criminal offenses, officer safety, the integrity of ongoing investigations or any person's due process rights.

It is the policy of the Goshen Police Department that all members, including those assigned to internal or external law enforcement task force operations, shall comply with all state and federal laws pertaining to forfeitures.

602.3 ASSET SEIZURE

State

The following property may be seized for forfeiture as provided in this policy:

602.3.1 PROPERTY SUBJECT TO SEIZURE

State

The following property may be seized upon review and approval of a supervisor and in conjunction with the forfeiture reviewer (I.C. § 34-24-1-2):

- (a) Property subject to seizure as identified in a court order
- (b) Property that is not identified in a court order when an officer has probable cause to believe there is a nexus between the property and the underlying offense, and the seizure is incident to a lawful arrest, search, or administrative inspection

Whenever practicable, obtaining a search warrant or court order for seizure prior to making a seizure is the preferred method.

A large amount of money standing alone is insufficient to establish the probable cause required to make a seizure.

602.3.2 PROPERTY NOT SUBJECT TO SEIZURE

State

The following property should not be seized for forfeiture:

- (a) Cash and property that does not meet the forfeiture counsel's current minimum forfeiture thresholds.
- (b) Property, when there is reason to suspect that the owner did not knowingly permit the property to be used in a way that subjects it to seizure (i.e., "innocent owner") (I.C. § 34-24-1-1).

602.4 PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS

Best Practice

When property or cash subject to this policy is seized, the officer making the seizure should ensure compliance with the following:

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- (a) Complete the applicable seizure forms and present the appropriate copy to the person from whom the property is seized. If cash or property is seized from more than one person, a separate copy must be provided to each person, specifying the items seized. When property is seized and no one claims an interest in the property, the officer must leave the copy in the place where the property was found, if it is reasonable to do so.
- (b) Complete and submit a report and original seizure forms within 24 hours of the seizure, if practicable.
- (c) Forward the original seizure forms and related reports to the forfeiture reviewer within 24 hours of the seizure, if practicable.

The officer will book seized property as evidence with the notation in the comment section of the property form, "Seized Subject to Forfeiture." Property seized subject to forfeiture should be booked on a separate property form. No other evidence from the case should be booked on this form.

Photographs should be taken of items seized, particularly cash, jewelry and other valuable items.

Officers who suspect property may be subject to seizure but are not able to seize the property (e.g., the property is located elsewhere; the whereabouts of the property is unknown; it is real estate, bank accounts, non-tangible assets) should document and forward the information in the appropriate report to the forfeiture reviewer.

602.5 MAINTAINING SEIZED PROPERTY

Best Practice [REDACTED]

The Evidence Room supervisor is responsible for ensuring compliance with the following:

- (a) All property received for forfeiture is reasonably secured and properly stored to prevent waste and preserve its condition.
- (b) All property received for forfeiture is checked to determine whether the property has been stolen.
- (c) All property received for forfeiture is retained in the same manner as evidence until forfeiture is finalized or the property is returned to the claimant or the person with an ownership interest.
- (d) Property received for forfeiture is not used unless the forfeiture action has been completed.
- (e) Forfeitable property is retained until such time as its use as evidence is no longer required.

602.6 FORFEITURE REVIEWER

Best Practice **MODIFIED**

The Elkhart County Prosecutor's Office will act as the forfeiture reviewer. Prior to assuming duties, or as soon as practicable thereafter, the forfeiture reviewer should attend a course approved by the Department on asset forfeiture.

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The responsibilities of the forfeiture reviewer include:

- (a) Remaining familiar with forfeiture laws, particularly I.C. § 34-24-1-1 et seq., and the forfeiture policies of forfeiture counsel.
- (b) Serving as the liaison between the Department and the forfeiture counsel and ensuring prompt legal review of all seizures.
- (c) Making reasonable efforts to obtain annual training that includes best practices in pursuing, seizing and tracking forfeitures.
- (d) Reviewing each seizure-related case and deciding whether the seizure is more appropriately made under state or federal seizure laws. The forfeiture reviewer should contact federal authorities when appropriate.
- (e) Ensuring that responsibilities, including the designation of a fiscal agent, are clearly established whenever multiple agencies are cooperating in a forfeiture case.
- (f) Ensuring that seizure forms are available and appropriate for department use. These should include notice forms, a receipt form and a checklist that provides relevant guidance to officers. The forms should be available in languages appropriate for the region and should contain spaces for:
 - 1. Names and contact information for all relevant persons and law enforcement officers involved.
 - 2. Information as to how ownership or other property interests may have been determined (e.g., verbal claims of ownership, titles, public records).
 - 3. A space for the signature of the person from whom cash or property is being seized.
 - 4. A tear-off portion or copy, which should be given to the person from whom cash or property is being seized, that includes the legal authority for the seizure, information regarding the process to contest the seizure and a detailed description of the items seized.
- (g) Ensuring that officers who may be involved in asset forfeiture receive training in the proper use of the seizure forms and the forfeiture process. The training should be developed in consultation with the appropriate legal counsel and may be accomplished through traditional classroom education, electronic media, Daily Training Bulletins (DTBs) or Standing Orders. The training should cover this policy and address any relevant statutory changes and court decisions.
- (h) Reviewing each asset forfeiture case to ensure that:
 - 1. Written documentation of the seizure and the items seized is in the case file.
 - 2. Independent legal review of the circumstances and propriety of the seizure is made in a timely manner.
 - 3. Notice of seizure has been given in a timely manner to those who hold an interest in the seized property.

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4. Property is promptly released to those entitled to its return.
 5. All changes to forfeiture status are forwarded to any supervisor who initiates a forfeiture case.
 6. Any cash received is deposited with the fiscal agent.
 7. Assistance with the resolution of ownership claims and the release of property to those entitled is provided.
 8. Current minimum forfeiture thresholds are communicated appropriately to officers.
 9. This policy and any related policies are periodically reviewed and updated to reflect current federal and state statutes and case law.
- (i) Ensuring that a written plan is available that enables the Chief of Police to address any extended absence of the forfeiture reviewer, thereby ensuring that contact information for other law enforcement personnel and attorneys who may assist in these matters is available.
 - (j) Ensuring that the process of selling or adding forfeited property to Department inventory is in accordance with all applicable laws and consistent with the use and disposition of similar property.
 - (k) Upon completion of any forfeiture process, ensuring that no property is retained by the Goshen Police Department unless the Chief of Police authorizes in writing the retention of the property for official use.

Forfeiture proceeds should be maintained in a separate fund or account subject to appropriate accounting control, with regular reviews or audits of all deposits and expenditures.

Forfeiture reporting and expenditures should be completed in the manner prescribed by the law and City financial directives.

602.7 DISPOSITION OF FORFEITED PROPERTY

State

Court orders may permit the Goshen Police Department to use the forfeited property for up to three years and then be put up for public sale. No property shall be used in any way or kept longer than allowed by any associated court order (I.C. § 34-24-1-4).

Federal forfeiture funds received by the Goshen Police Department are required to be deposited in a non-reverting fund and expended only with proper approval (I.C. § 34-24-1-9).

No member of this department may use property that has been seized for forfeiture until the forfeiture action has been completed and the Chief of Police has given written authorization to retain the property for official use. No department member involved in the decision to seize property should be involved in any decision regarding the disposition of the property.

Brady/Giglio Information

604.1 PURPOSE AND SCOPE

~~This~~ This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called "~~Brady information~~" "Brady or Giglio information") to a prosecuting attorney.

604.1.1 DEFINITIONS

Definitions related to this policy include:

Brady/Giglio information - Information known or possessed by the Goshen Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

604.2 POLICY

The Goshen Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Goshen Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

604.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor's office.

If information is believed to be privileged or confidential (e.g., informant or attorney-client information, attorney work product), the officer should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure, the officer should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the department case file.

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604.4 BRADY/Giglio PROCESS

The Chief of Police shall select a member of the Department to coordinate requests for *Brady/Giglio* information. This person shall be directly responsible to the Chief of Police or the authorized designee.

The responsibilities of the coordinator include but are not limited to (I.C. § 33-39-12):

- (a) Working with the appropriate ~~prosecutors'~~ prosecutors' offices and the City ~~Attorney's~~ Attorney's office to establish systems and processes to determine what constitutes *Brady/Giglio* information and the method for notification and disclosure.
- (b) Maintaining a current list of members who have *Brady/Giglio* information in their files or backgrounds.
 - 1. Updating this list whenever potential *Brady/Giglio* information concerning any department member becomes known to the Department or is placed into a personnel or internal affairs file.
- (c) Notifying the appropriate prosecutors' office if an officer is found to have committed, been disciplined for, or been criminally charged with a qualifying offense as required by law.

604.5 DISCLOSURE OF REQUESTED INFORMATION

If *Brady/Giglio* information is located, the following procedure shall apply:

- (a) In the event that a motion has not already been filed by the criminal defendant or other party, the prosecuting attorney and department member whose file is related to the motion shall be notified of the potential presence of *Brady/Giglio* information in the member's personnel file.
- (b) The prosecuting attorney or City Attorney should be requested to file a motion in order to initiate an in-camera review by the court.
 - 1. If no motion is filed, the Custodian of Records should work with the appropriate counsel to determine whether the records should be disclosed to the prosecutor.
- (c) The Custodian of Records shall accompany all relevant personnel files during any in-camera inspection and address any issues or questions raised by the court in determining whether any information contained in the files is both material and favorable to the criminal defendant.
- (d) If the court determines that there is relevant *Brady/Giglio* information contained in the files, only that information ordered released will be copied and released to the parties filing the motion.
 - 1. Prior to the release of any information pursuant to this process, a protective order should be requested from the court limiting the use of such information to the involved case and requiring the return of all copies upon completion of the case.
- (e) If a court has determined that relevant *Brady/Giglio* information is contained in a ~~member's~~ member's file in any case, the prosecutor should be notified of that fact in all future cases involving that member.

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Brady

- (f) If the department member receives notice from the prosecutor that an officer has been placed on a *Brady/Giglio* list, the officer shall be notified in writing (I.C. § 33-39-12).

604.6 INVESTIGATING BRADY/*GIGLIO* ISSUES

If the Department receives information from any source that a member may have issues of credibility or dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

Discipline related to the underlying facts resulting in a member being placed on a *Brady/Giglio* list shall be as provided by law (I.C. § 33-39-12).

604.7 SUBPOENA PROCESSING

The individual processing subpoenas (or the supervisor of the subpoenaed member) shall check the subpoenaed ~~member's~~ member's name against the current list of those who are known to have *Brady/Giglio* information in their files or background , and shall alert the coordinator if a person on the list is subpoenaed.

604.8 TRAINING

Department personnel should receive periodic training on the requirements of this policy.

Records Section

801.1 PURPOSE AND SCOPE

This policy establishes the guidelines for the operational functions of the Goshen Police Department Records Section. The policy addresses department file access and internal requests for case reports.

801.2 POLICY

It is the policy of the Goshen Police Department to maintain department records securely, professionally and efficiently.

801.3 RESPONSIBILITIES

801.3.1 ADMINISTRATIVE ASSISTANT

The Chief of Police shall appoint and delegate certain responsibilities to a Administrative Assistant. The Administrative Assistant shall be directly responsible to the Administration Division Chief or the authorized designee.

The responsibilities of the Administrative Assistant include, but are not limited to:

- (a) Overseeing the efficient and effective operation of the Records Section.
- (b) Scheduling and maintaining Records Section time records.
- (c) Supervising, training and evaluating Records Section staff.
- (d) Maintaining and updating a Records Section procedure manual.
- (e) Ensuring compliance with established policies and procedures.
- (f) Supervising the access, use and release of protected information (see the Protected Information Policy).
- (g) Establishing security and access protocols for case reports designated as sensitive, where additional restrictions to access have been implemented. Sensitive reports may include, but are not limited to:
 - 1. Homicides
 - 2. Cases involving department members or public officials
 - 3. Any case where restricted access is prudent

801.3.2 RECORDS SECTION

The responsibilities of the Records Section include but are not limited to:

- (a) Maintaining a records management system for case reports.
 - 1. The records management system should include a process for numbering, identifying, tracking, and retrieving case reports.

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- (b) Entering case report information into the records management system.
 - 1. Modification of case reports shall only be made when authorized by a supervisor.
- (c) Providing members of the Department with access to case reports when needed for investigation or court proceedings.
- (d) Maintaining compliance with federal, state, and local regulations regarding reporting requirements of crime statistics (I.C. § 10-13-2-6).
- (e) Maintaining compliance with federal, state, and local regulations regarding criminal history reports and auditing (I.C. § 10-13-2-6).
- (f) Identifying missing case reports and notifying the responsible member's supervisor.
- (g) Establishing a process for collecting and submitting data to appropriate federal data collection authorities (e.g., FBI National Use-of-Force Data Collection, ~~U.S. Department of Justice's National Law Enforcement Accountability Database~~), as applicable, for the following types of occurrences:
 - 1. Officer suicides
 - 2. Officer misconduct
 - 3. Uses of force
 - 4. Officer deaths or assaults
 - 5. Crime incidents, including bias (hate) crimes
 - 6. Deaths in custody

801.3.3 WARRANT AND WANTED PERSONS FILES

If the Department is responsible for maintaining a warrant and wanted persons file, the Administrative Assistant should also develop procedures for establishing warrant service files.

This includes:

- (a) Criteria for entering warrants in regional, state or federal information systems.
- (b) Criteria for receiving information from other jurisdictions.
- (c) Recording information into department files.
- (d) Verifying information.
- (e) Canceling information.
- (f) Ensuring 24-hour access to warrants.

801.4 FILE ACCESS AND SECURITY

The security of files in the Records Section must be a high priority and shall be maintained as mandated by state or federal law. All case reports including but not limited to initial, supplemental,

follow-up, evidence, and any other reports related to a police department case, including field interview (FI) cards, criminal history records, and publicly accessible logs, shall be maintained in a secure area within the Records Section, accessible only by authorized members of the Records

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Section. Access to case reports or files when Records Section staff is not available may be obtained through the Shift Captain.

The Records Section will also maintain a secure file for case reports and records (e.g., juvenile, confidential) deemed by the Chief of Police as sensitive or otherwise requiring extraordinary access restrictions.

801.5 CONFIDENTIALITY

Records Section staff has access to information that may be confidential or sensitive in nature. Records Section staff shall not access, view or distribute, or allow anyone else to access, view or distribute any record, file or report, whether in hard copy or electronic file format, or any other confidential, protected or sensitive information except in accordance with the Records Maintenance and Release and Protected Information policies and the Records Section procedure manual.

Recruitment and Selection

1000.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Goshen Police Department and that are promulgated and maintained by the Human Resources.

1000.2 POLICY

In accordance with applicable federal, state, and local law, the Goshen Police Department provides equal opportunities for applicants and employees regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The Department does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

1000.3 RECRUITMENT

The Assistant Chief or designee should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy should include, when feasible:

- (a) Identification of racially and culturally diverse target markets.
- (b) Use of marketing strategies to target diverse applicant pools.
- (c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.
- (d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities and the military.
- (e) Employee referral and recruitment incentive programs.

The Assistant Chief or designee shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools or screen applicants in a discriminatory manner.

The Department should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of his/her status in the recruiting process.

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Recruitment and Selection

1000.4 SELECTION PROCESS

The Department shall actively strive to identify a diverse group of candidates that have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department shall employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- (a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
- (b) Driving record
- (c) Personal and professional reference checks, including at least three personal references
- (d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.
- (e) Information obtained from public internet sites:
 - 1. This review should include the identification of any activity that promotes or supports unlawful violence or unlawful bias against persons based on protected characteristics (e.g., race, ethnicity, national origin, religion, gender, gender identity, sexual orientation, disability).
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- (g) Local, state, and federal criminal history record checks (including a fingerprint check for criminal records)
- (h) Polygraph or voice stress analyzer examination (when legally permissible)
- (i) Medical and psychological examination (may only be given after a conditional offer of employment)
- (j) Review board or selection committee assessment
- (k) Entire employment file from law enforcement agencies that have employed, or currently employ, a law enforcement officer candidate, including findings and orders related to prior disciplinary action or internal investigations (I.C. § 36-8-2-2)
- (l) Checks against the Indiana Protection Order Registry
- (m) Relevant national and state decertification records, if available, [including the National Decertification Index](#)

1000.4.1 EXAMINER AND INVESTIGATOR QUALIFICATIONS

If a polygraph/voice stress analyzer examination is administered, the examiner should be appropriately licensed or certified and a copy of the license or certification should be maintained by the Investigations Division Chief.

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Recruitment and Selection

Medical and psychological examinations should be administered by appropriately licensed professionals. Examination results should be securely maintained in accordance with Indiana state law and the established records retention schedule (see the Personnel Records and the Records Maintenance and Release policies).

1000.4.2 HIRING PREFERENCE

The Department will provide preference as required by I.C. § 36-8-10-10.4.

1000.5 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Goshen Police Department.

1000.5.1 INVESTIGATOR TRAINING

Members who conduct background investigations shall receive department-approved training in collecting the required information.

1000.5.2 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA (15 USC § 1681d).

1000.5.3 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private or protected information, the Assistant Chief or designee should not require candidates to provide passwords, account information or access to password-protected social media accounts.

The Assistant Chief or designee should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches and/or review information from social media sites to ensure that:

- (a) The legal rights of candidates are protected.
- (b) Material and information to be considered are verified, accurate and validated.
- (c) The Department fully complies with applicable privacy protections and local, state and federal law.

Regardless of whether a third party is used, the Assistant Chief or designee should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

1000.5.4 DOCUMENTING AND REPORTING

The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions.

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The report and all supporting documentation shall be included in the candidate's background investigation file.

1000.5.5 RECORDS RETENTION

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

1000.6 DISQUALIFICATION GUIDELINES

As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

1000.7 EMPLOYMENT STANDARDS

All candidates shall meet the minimum standards required by state law. Candidates will be evaluated based on merit, ability, competence and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community.

Validated, job-related and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Human Resources should maintain validated standards for all positions.

1000.7.1 STANDARDS FOR OFFICERS

Candidates shall meet minimum standards established by Indiana law, including the following (I.C.

§ 36-8-3.5-12; 250 IAC 2-3-1 et seq.):

- (a) Be a citizen of the United States.

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- (b) Be at least 21 years of age, but less than the maximum age as established by law when applicable.
 - 1. Veterans are exempt from the maximum age restriction when applicable (I.C. § 36-8-4.7-5).
- (c) Have obtained a high school degree or a recognized equivalent.
- (d) Be free from any felony convictions or any other crime or series of crimes that would indicate to a reasonable person that the applicant is potentially dangerous, violent, or has the propensity to break the law.
- (e) Demonstrate successful completion of minimum agility and aptitude tests.
- (f) Be free from any physical, emotional, or mental condition that might adversely affect the exercise of police powers.
 - 1. Before a candidate may be selected as an officer, they shall be examined by a licensed medical doctor according to the requirements in I.C. § 36-8-8-19, which must include the following:
 - (a) A general medical history.
 - (b) A determination of the candidate's ability to perform the essential functions of the position of officer.
 - 2. Before a candidate may be selected as an officer, they must obtain a positive recommendation of emotional and mental fitness.
- (g) Be of good moral character as determined by a thorough background investigation and criminal history investigation.
- (h) Possess a valid driver's license.
- (i) Be fingerprinted for both a state and federal criminal records check.
- (j) The Goshen Police Department may establish additional standards for selection of a candidate for the position of officer pursuant to I.C. § 36-8-3.2-6.

1000.8 PROBATIONARY PERIODS

The Assistant Chief or designee should coordinate with the Training Lieutenant and Field Training Coordinator to identify positions subject to probationary periods and procedures for (I.C. § 36-8-3.5-12):

- (a) Appraising performance during probation.
- (b) Assessing the level of performance required to complete probation.
- (c) Documenting successful or unsuccessful completion of probation.



CITY OF GOSHEN LEGAL DEPARTMENT

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Date: October 30, 2025
To: Board of Public Works and Safety
From: Bodie J. Stegelmann
Subject: Resolution 2025-30, Approving a Revised City of Goshen Police Department Policy and Repealing a Certain Policy

The Board of Public Works and Safety previously approved City of Goshen Police Department Policies developed in coordination with Lexipol, LLC. The Police Department and Lexipol, LLC staff have identified certain revisions to existing policies deemed appropriate due to legislative or other changed circumstances.

Attached to Resolution 2025-30 is the revised Policy 307 – Vehicle Pursuits. If the Board approves Resolution 2025-30, the revised Policy 307 – Vehicle Pursuits will be inserted into the Policy Manual, replacing the current Vehicle Pursuits policy.

Suggested Motion: Move to approve Resolution 2025-30, Approving a Revised City of Goshen Police Department Policy and Repealing a Certain Policy, effective November 6, 2025.

**GOSHEN BOARD OF PUBLIC WORKS AND SAFETY
RESOLUTION 2025-30**

**Approving a Revised City of Goshen Police Department Policy
and Repealing a Certain Policy**

WHEREAS, on December 7th, 2020, the Board of Public Works and Safety approved an agreement with Lexipol, LLC to review, revise, and keep up-to-date the City of Goshen Police Department's policies;

WHEREAS, the Board has previously approved Police Department policies developed and suggested by Lexipol, LLC, as well as revisions thereto;

WHEREAS the last revision of the City of Goshen Police Department Policies has a copyright by Lexipol, LLC of 2025/09/05;

WHEREAS, as part of the process of keeping its policies up-to-date, the Police Department and Lexipol, LLC staff have identified certain revisions to existing policies deemed appropriate due to legislative changes or other changed circumstances; and

WHEREAS, the Goshen Board of Public Works and Safety finds that it is appropriate to approve a certain revised policy identified below, and to repeal a policy previously approved, separately identified below.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Board of Public Works and Safety that the following revised City of Goshen Police Department Policy is hereby approved, effective November 6, 2025:

- 307 – Vehicle Pursuits

BE IT FURTHER RESOLVED by the Goshen Board of Public Works and Safety that, upon the approval of the above-described City of Goshen Police Department Policy, the following current City of Goshen Police Department Policy is hereby repealed, effective November 6, 2025:

- 308 – Vehicle Pursuits

PASSED and ADOPTED by the Goshen Board of Public Works and Safety on October 30, 2025.

Gina M. Leichty, Mayor

Mary Nichols, Member

Orv Myers, Member

Michael A. Landis, Member

Barb Swartley, Member

Vehicle Pursuits

307.1 PURPOSE AND SCOPE

Best Practice **MODIFIED**

This policy provides guidelines for vehicle pursuits in order to protect the safety of involved officers, the public, and fleeing suspects.

307.1.1 DEFINITIONS

State

Definitions related to this policy include:

Authorized emergency vehicle or emergency vehicle - Vehicles operated by a police agency, department, or office, or the Department of Corrections, that are designated and used as an authorized emergency vehicle in accordance with I.C. § 9-21-20 and properly equipped with red and blue signal lamps and/or a siren, whistle, or bell as required/permitted by I.C. § 9-19.

Boxing-in - A low-speed tactic designed to stop a fleeing vehicle by surrounding it with emergency vehicles and then slowing all vehicles to a stop.

Lawful intervention technique or pursuit intervention - An attempt to stop the suspect's ability to continue to flee in a vehicle through tactical application of technology, tire deflation devices, blocking or vehicle intercept, boxing-in, the precision immobilization technique (PIT), ramming, or roadblock procedures (I.C. § 9-21-1-0.5).

Primary pursuing officer - The officer in the lead police vehicle during a pursuit.

Pursuit Intervention Technique (PIT) - A low-speed technique designed to apply lateral pressure to the rear quarter panel of a fleeing vehicle, causing it to spin out, stall, and come to a stop (also known as a Precision Immobilization Technique).

Ramming - The deliberate act of impacting a fleeing vehicle with another vehicle to functionally damage or otherwise force the fleeing vehicle to stop.

Roadblock - A tactic designed to stop a fleeing vehicle by intentionally placing an emergency vehicle or other immovable object in the path of the fleeing vehicle.

Terminate - To discontinue a pursuit or stop chasing fleeing vehicles in compliance with this policy.

Tire deflation device - A device designed to be placed on the roadway and puncture the tires of a fleeing vehicle, sometimes referred to as spike strips.

Vehicle pursuit - An attempt by one or more law enforcement officers to apprehend a suspect in a motor vehicle who, having been given a visual and audible signal to stop, fails to yield or uses high-speed driving or other evasive tactics (e.g., driving off a highway, turning suddenly) in an attempt to avoid detention, apprehension, or arrest by an identified law enforcement officer.

Goshen Police Department

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Vehicle Pursuits

307.2 POLICY

Best Practice

It is the policy of this department to balance the need to apprehend a fleeing suspect with the risks associated with vehicle pursuits.

307.3 INITIATING A PURSUIT

Best Practice

Officers who have received appropriate training are authorized to initiate a vehicle pursuit when the need to apprehend a fleeing suspect clearly outweighs the risks a vehicle pursuit poses for officers and the public (I.C. § 35-44.1-3-1).

When balancing the risk of a pursuit with the need to apprehend the suspect, officers shall consider:

- (a) The seriousness of the known or reasonably suspected crime committed by the suspect and the threat to the safety of the public if the suspect remains at large.
- (b) Whether the identity of the suspect is known with enough certainty to enable apprehension at a later time.
- (c) The speed of the vehicles relative to the conditions of the area, such as the population density, amount of vehicular and pedestrian traffic (e.g., school zones), time of day, and road and weather conditions.
- (d) The pursuing officer's driving capabilities, familiarity with the area, and quality of radio communications with the communications operator/supervisor.
- (e) The nature of the pursuing unit (e.g., marked vs. unmarked) and its speed and performance capabilities in relation to the fleeing vehicle (e.g., performance motorcycle).
- (f) Whether there are other persons in or on the fleeing vehicle and their relationship to the situation (e.g., passengers, co-offenders, hostages).
- (g) Whether the pursuing unit is carrying passengers other than on-duty police officers. Pursuits should not be undertaken with an arrestee in the pursuit vehicle unless exigent circumstances exist.
- (h) The availability of other resources such as air support or vehicle locator/deactivation technology.

307.4 PURSUIT UNITS

Best Practice

Vehicle pursuits should be limited to three police department emergency vehicles (two pursuit units and a 3rd unit may be a Canine unit only). However, an officer or supervisor may request that additional units join a pursuit if, after assessing the factors outlined above, it reasonably appears that the number of officers involved may be insufficient to safely arrest the number of suspects.

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Vehicle Pursuits

307.4.1 EMERGENCY EQUIPMENT

State

Vehicle pursuits shall only be conducted using authorized police department vehicles that are equipped with emergency lighting and sirens as required by law. Each pursuit unit's emergency lights and sirens shall remain activated throughout the unit's participation in the pursuit (I.C. § 9-13-2-6).

Officers operating vehicles not equipped with emergency lights and siren are prohibited from pursuing a fleeing vehicle or joining a pursuit (I.C. § 9-19-5-3; I.C. § 9-19-14-5). Officers in such vehicles may provide support to pursuing units when needed but should operate the vehicle in compliance with all traffic laws and should discontinue such support immediately upon arrival of a sufficient number of authorized emergency vehicles or any air support.

307.4.2 MOTORCYCLES AND UNMARKED UNITS

Best Practice

When involved in a pursuit, police department motorcycles and unmarked vehicles should be replaced by marked four-wheel emergency vehicles as soon as practicable.

307.4.3 PRIMARY UNIT

Best Practice

The initial pursuing officer should be designated as the primary unit and will be responsible for the conduct of the pursuit unless that unit is unable to remain reasonably close to the suspect's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspect without unreasonable danger to themselves or others.

As soon as practicable, the primary unit should notify Elkhart County 911 Center of the pursuit, request priority radio traffic, and provide appropriate information including:

- (a) The location, direction of travel, and estimated speed of the pursuit.
- (b) The description of the fleeing vehicle, including the license plate number, if known.
- (c) The reason for the pursuit.
- (d) A description of the fleeing vehicle's evasive driving behavior (e.g., rapid lane changes, no headlights, driving on the wrong side of the road).
- (e) Known or suspected weapons, threat of force, violence, injuries, hostages, or other unusual hazards.
- (f) The suspected number of occupants and their identities or descriptions.
- (g) The weather, road, and traffic conditions.
- (h) The need for any additional resources or equipment.
- (i) The identities of other law enforcement agencies involved in the pursuit.

The primary unit is responsible for broadcasting the progress of the pursuit until a secondary or air unit joins the pursuit. Once an additional unit joins the pursuit, the primary unit should relinquish

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the responsibility of broadcasting the progress to the secondary or air unit unless circumstances reasonably indicate otherwise.

307.4.4 SECONDARY UNIT

Best Practice

The second officer in the pursuit should be designated as the secondary unit and is responsible for: (a) Notifying Elkhart County 911 Center of their entry into the pursuit.

- (b) Broadcasting the progress of the pursuit, updating known or critical information, and providing changes in the pursuit, unless the situation indicates otherwise.
- (c) Identifying the need for and requesting additional resources or equipment as appropriate.
- (d) Serving as backup to the primary unit once the fleeing vehicle has been stopped.

307.4.5 AIR UNITS

Best Practice

When available, air unit assistance should be requested. The air unit should assume responsibility of broadcasting the pursuit once they have established visual contact with the fleeing vehicle. Ground units should maintain operational control and consider whether the continued close proximity and/or involvement in the pursuit is warranted.

The air unit should coordinate the activities of resources on the ground, report progress of the pursuit, and provide pursuing units with details of upcoming traffic congestion, road hazards, or other information pertinent to evaluating whether to continue the pursuit. If ground units are not within visual contact of the fleeing vehicle and the air unit determines that it is unsafe to continue the pursuit, the air unit should recommend termination.

307.5 PURSUIT DRIVING

Best Practice

The decision to use specific driving tactics requires consideration of the same factors as initiating a pursuit. In addition, officers involved in the pursuit should adhere to the following:

- (a) Pursuing units should space themselves far enough from other involved vehicles to be able to see and avoid hazards and react safely to maneuvers by the fleeing vehicle.
- (b) Pursuing units should exercise caution and slow down as necessary when proceeding through intersections.
- (c) Pursuing units should not follow a fleeing vehicle driving against traffic (wrong way) and should instead:
 - 1. Request assistance from available air support.
 - 2. Maintain visual contact with the fleeing vehicle by paralleling it on the correct side of the roadway.
 - 3. Request other units to observe exits available to the fleeing vehicle.

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- (d) Pursuing units should request that Elkhart County 911 Center notify Indiana State Police and/or another law enforcement agency if it appears that the pursuit may enter its jurisdiction.
- (e) Pursuing units should not attempt to pass other pursuit units unless the situation indicates otherwise, or they are requested to do so. Passing another pursuit unit should only be attempted with a clear understanding of the maneuver.

307.5.1 RULES OF THE ROAD

State

Officers shall drive with due regard for the safety of all persons and property. However, when in pursuit, if there is no unreasonable risk to persons and property, officers may (I.C. § 9-21-1-8):

- (a) Proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation.
- (b) Exceed the speed limit.
- (c) Disregard regulations governing direction of movement or turning in specified directions.

307.5.2 OFFICERS NOT INVOLVED IN THE PURSUIT

Best Practice

Officers not directly involved in the pursuit should stay alert to its progress and location and may proceed safely to intersections ahead of the pursuit to warn cross traffic. When clearing intersections along the pursuit path, officers are authorized to use emergency equipment and should attempt to place their vehicles in locations that provide some safety or an escape route in the event of an unintended accident or a suspect intentionally trying to ram the police department vehicle.

Other than clearing intersections along the pursuit path, uninvolved officers should avoid operating under emergency conditions (emergency lights and siren) and should remain in their assigned areas unless directed otherwise by a supervisor.

When needed, non-pursuing officers and officers who have dropped out of the pursuit should respond to the pursuit termination point in a non-emergency manner, observing the rules of the road. Officers should not parallel the pursuit route.

307.6 SUPERVISORY CONTROL AND RESPONSIBILITIES

Best Practice

The field supervisor of the officer initiating the pursuit, or if unavailable, the nearest field supervisor, will be responsible for:

- (a) Immediately notifying the involved units and the communications operator of supervisory presence and ascertaining all reasonably available information in order to continuously assess the situation and risk factors associated with the pursuit.
- (b) Exercising management and control of the pursuit and, when appropriate, engaging in the pursuit to provide on-scene supervision.

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- (c) Confirming that no more pursuing units than required are involved in the pursuit.
- (d) Directing that the pursuit be terminated if, in the supervisor's judgment, continuing the pursuit is not justified under the guidelines of this policy.
- (e) Assessing the emotional state of the officers involved and directing an officer to disengage from the pursuit if it appears they are unable to control their emotions.
- (f) Requesting additional assistance from air support, canines, or other resources, if available and appropriate.
- (g) Verifying that the proper radio channel is being used.
- (h) Confirming the Shift Captain has been notified of the pursuit.
- (i) Overseeing the notification and/or coordination of outside agencies if the pursuit leaves or is likely to leave the jurisdiction of this department.
- (j) Continuing the management and control of Goshen Police Department units when a pursuit enters another jurisdiction.
- (k) Preparing documentation of the pursuit and conducting a post-pursuit review, as required.

307.6.1 SHIFT CAPTAIN RESPONSIBILITIES

Best Practice

Upon becoming aware that a pursuit has been initiated, the Shift Captain should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Shift Captain has the final responsibility for the coordination, control, and termination of a vehicle pursuit and shall be in overall command.

307.7 ELKHART COUNTY 911 CENTER

Best Practice

Radio communications during a pursuit should be conducted on the primary channel unless instructed otherwise by a supervisor or communications operator. If the pursuit leaves the jurisdiction of this department or such is imminent, involved units should, whenever available, switch radio communications to a tactical or emergency channel most accessible by participating agencies.

307.7.1 ELKHART COUNTY 911 CENTER RESPONSIBILITIES

Best Practice

Upon notification or becoming aware that a pursuit has been initiated, the communications operator is responsible for:

- (a) Clearing the radio channel of non-emergency traffic.
- (b) Coordinating pursuit communications of the involved units and personnel.
- (c) Broadcasting pursuit updates as well as other pertinent information as necessary.
- (d) Ensuring that a field supervisor is notified of the pursuit.

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- (e) Notifying and coordinating with other involved or affected agencies as practicable.
- (f) Notifying the Shift Captain as soon as practicable.
- (g) Assigning an incident number and logging all pursuit activities.

307.8 INTERJURISDICTIONAL CONSIDERATIONS

Best Practice

Unless entry into another jurisdiction is expected to be brief, the primary unit or supervisor should ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether such jurisdiction is expected to assist.

307.8.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

Best Practice

When a pursuit enters another agency's jurisdiction, the primary unit or the supervisor should determine whether to request the other agency assume the pursuit, taking into consideration the distance traveled, familiarity with the area, and other pertinent facts.

Once another agency has agreed to assume the pursuit, pursuing units should relinquish control and discontinue participation unless the continued assistance of the Goshen Police Department is requested by the agency assuming the pursuit. Upon relinquishing control of the pursuit, the involved officers may, with supervisory approval, proceed to the termination point in order to provide information and assistance for the arrest of the suspect and reporting of the incident. The supervisor should coordinate such assistance with the assuming agency and obtain any information that is necessary for department reports.

307.8.2 PURSUITS EXTENDING INTO THIS JURISDICTION

Best Practice

Officers from this department should not join a pursuit being conducted by another agency unless specifically requested to do so by that agency and with approval from a supervisor.

When a request is made for this department to assist or take over a pursuit that has entered the jurisdiction of the Goshen Police Department, the Shift Captain or supervisor should review the request as soon as practicable, taking into consideration:

- (a) Whether the need to apprehend the fleeing suspect outweighs the risks of the pursuit to officers and the public.
- (b) Whether there is adequate staffing to continue the pursuit.
- (c) The available units' capabilities to maintain the pursuit.
- (d) The number of available units and other resources of the pursuing agency.

Assistance to a pursuing agency by officers of this department should terminate at the City limits, provided that the pursuing agency has sufficient assistance from other sources. Ongoing participation from this department should continue only until sufficient assistance is present.

In the event that a pursuit from another agency terminates within this jurisdiction, officers should provide appropriate assistance to the pursuing agency such as scene control, inter-agency

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coordination, completion of supplemental reports, and any other reasonable assistance requested or needed.

307.9 PURSUIT INTERVENTION

Best Practice

Pursuit interventions should only be used when it reasonably appears that using the intervention will contain or prevent the pursuit, and the need to immediately stop the fleeing vehicle outweighs the risks of injury or death to officers and others.

Pursuit interventions may be construed as a use of force, including deadly force, and are subject to the policies guiding such use. Officers should consider the guidelines for the use of force when deciding how, when, where, and if a pursuit intervention should be employed (I.C. § 35-41-3-3). Refer to the Use of Force Policy for additional guidance.

Whenever practicable, an officer should seek approval from a supervisor before employing any pursuit intervention to stop a fleeing vehicle. Officers should not attempt a pursuit intervention unless they have received the appropriate training for the intervention being used.

307.9.1 TIRE DEFLATION DEVICE

Best Practice

Before deploying a tire deflation device, officers should consider factors such as:

- (a) Speed of the fleeing vehicle - Traveling at high speeds increases the risk the suspect will lose control of the vehicle after driving over or swerving to avoid a tire deflation device.
- (b) Weather and visibility - Tire deflation devices should only be deployed when the location, weather, and other conditions allow the deploying officer to clearly see the fleeing vehicle, pursuit units, and other approaching traffic.
- (c) Cover - Deployment should occur in a location that provides the deploying officer adequate cover and escape from intentional or unintentional exposure to the approaching vehicles.
- (d) Road conditions - Soft or loose material such as dirt or gravel may prevent a tire deflation device from puncturing the vehicle's tire. Deploying the device on loose pavement or icy or wet roads increases the risk of the suspect losing control of the vehicle.
- (e) Characteristics of the deployment area - A tire deflation device should not be deployed in areas that are heavily populated with pedestrians, at times of heavy traffic, or at a location where there is a heightened chance of striking a fixed object.
- (f) Characteristics of the fleeing vehicle - Except in extraordinary circumstances, a tire deflation device should not be used when the fleeing vehicle is a motorcycle or other vehicle with fewer than four wheels, an ATV, a vehicle transporting hazardous materials, or a school bus transporting children.

Because of the risks to deploying officers, the intent to deploy a tire deflation device and its location should be clearly communicated to the communications operator and all involved units.

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307.9.2 BOXING-IN

Best Practice

Boxing-in should only be used when the fleeing vehicle is stopped or traveling at a low speed.

Boxing-in requires the participation of multiple units and therefore must be carefully coordinated with all involved.

307.9.3 RAMMING AND ROADBLOCKS

Best Practice

Ramming and roadblocks shall only be used when deadly force is warranted and all other reasonable alternatives have been exhausted or reasonably appear ineffective.

307.9.4 FIREARMS

Best Practice

Specific guidance on the use of a firearm during a vehicle pursuit is addressed in the Use of Force Policy.

307.10 TERMINATING A PURSUIT

Best Practice

The factors considered when initiating a pursuit should be continually re-evaluated by pursuing units during the pursuit, as the circumstances and conditions change, and as new information becomes available. If at any time the risk of continuing the pursuit outweighs the need to immediately apprehend the suspect, the pursuit should be terminated (I.C. § 9-21-1-8).

In addition, a pursuit should be terminated when:

- (a) A supervisor directs the pursuit to be terminated.
- (b) The location of the fleeing vehicle is no longer known.
- (c) The distance between the pursuing units and the fleeing vehicle is so great that further pursuit would be futile or would continue for an unreasonable time and/or distance.
- (d) The pursuing unit sustains damage or a mechanical failure that makes it unsafe to drive or renders the emergency lighting and sirens partially or completely inoperable and there are no additional units readily available to take over the pursuit (I.C. § 9-21-1-8).

When a pursuit terminates for any reason, all pursuit units should verbally acknowledge termination, turn off emergency lights and sirens, reduce their speed, and obey all traffic laws.

307.10.1 LOSS OF PURSUED VEHICLE

Best Practice

When a pursuit is terminated because the location of the fleeing vehicle is no longer known, the primary unit should broadcast pertinent information for other units to assist in locating the suspect. The primary unit or supervisor will be responsible for coordinating any further search for the pursued vehicle.

307.10.2 REINSTATING A TERMINATED PURSUIT

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Best Practice

An officer may reinstate a previously terminated vehicle pursuit only if authorized by a supervisor and conducted in accordance with the guidelines for initiating a vehicle pursuit.

307.10.3 APPREHENSION OF SUSPECTS

Best Practice

At the conclusion of a vehicle pursuit, including after the use of a pursuit intervention tactic, officers should follow the applicable procedures for conducting a high-risk traffic stop.

Officers should exercise proper self-discipline and sound professional judgment while apprehending the suspect.

Unless otherwise directed by a supervisor, an officer other than the primary unit should coordinate efforts to apprehend the suspect following the pursuit and transport the suspect to jail.

Any use of force necessary to apprehend the suspect shall be consistent with the Use of Force Policy.

307.11 NOTIFICATION REQUIREMENTS

State

After completion of a pursuit, the primary pursuing officer shall immediately notify Elkhart County 911 Center and a supervisor if:

- (a) The pursuit was ended through implementation of a lawful intervention technique.
- (b) The pursuit involves an injury or death.

After a voluntary or ordered termination of a pursuit, the primary pursuing officer shall immediately notify Elkhart County 911 Center:

- (a) That all emergency equipment (lights and sirens) has been deactivated.
- (b) Of the location where the pursuit was terminated.
- (c) Of the suspect's last known location and direction of travel.
- (d) What actions officers took to terminate the pursuit (e.g., stationary, turned in the opposite direction).

307.12 DEBRIEFING

Best Practice

Participating officers should return to the Department as soon as practical following a pursuit to debrief with a supervisor.

307.13 REPORTING REQUIREMENTS

Best Practice

Appropriate reports should be completed as required by applicable laws, policies, and procedures.

- (a) Pursuing officers should complete appropriate crime/arrest and pursuit reports.

Goshen Police Department

Policy Manual

Vehicle Pursuits

- (b) Officers who deployed tire deflation devices, set up roadblocks, or applied other lawful intervention techniques shall report that information to the primary pursuing officer for documentation.
- (c) The involved supervisor, or if unavailable, the on-duty field supervisor, shall obtain available information and promptly complete appropriate written notification to the Chief of Police or the authorized designee. The notification should briefly summarize the pursuit and include, at a minimum:
 - 1. Date and time of the pursuit.
 - 2. Reason and circumstances surrounding the pursuit (e.g., seriousness of the crime, road and traffic conditions, speed and driving behavior of the fleeing vehicle) that warranted initiation and continuation of the pursuit.
 - 3. Length of pursuit in distance and time, including the starting and termination points.
 - 4. Involved vehicles and officers.
 - 5. Alleged offenses.
 - 6. Whether a suspect was apprehended, as well as the means and methods used.
 - (a) Any use of force shall be reported and documented in compliance with the Use of Force Policy and the Indiana Law Enforcement Training Board (LETB) Uniform Statewide Policy on Deadly Force.
 - 7. Arrestee information, if applicable.
 - 8. Any injuries and/or medical treatment.
 - 9. Any property or equipment damage.
 - 10. Name of supervisor at the scene or who handled the incident.

After receiving copies of the written notification, reports, and other pertinent information, the Chief of Police or the authorized designee shall conduct or assign a post-pursuit review, as appropriate.

The Chief of Police shall direct an annual documented review and analysis of department vehicle pursuits to minimally include policy suitability, policy compliance, and training or equipment needs. The review should not contain the names of officers, suspects, or case numbers.

307.14 PURSUIT TRAINING

Best Practice

The Training Lieutenant should ensure that members of this department receive initial and annual training on this policy and vehicle pursuits relevant to their role (e.g., officers, supervisors, air units, communications operators).

Officer training should address decision-making involved in initiating, continuing, and terminating a pursuit by balancing the need to apprehend the suspect with the risk of a pursuit. Subject to available resources, training on pursuit driving and the deployment of pursuit intervention tactics

Goshen Police Department

Policy Manual

Vehicle Pursuits

should include scenario-based training and behind-the-wheel practice, in addition to classroom instruction.

307.14.1 STATE-SPECIFIC TRAINING REQUIREMENTS

State

The Training Lieutenant shall make available annual training on any additional vehicle pursuit procedures, regulations, and rules of the Department, and the uniform statewide minimum standard for vehicle pursuits adopted by the LETB.



CITY OF GOSHEN LEGAL DEPARTMENT
Donald R. Shuler, Assistant City Attorney

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

donshuler@goshencity.com • www.goshenindiana.org
Phone (574) 537-3855 • Fax (574) 533-8626 • TDD (574) 534-3185

October 30, 2025

To: Board of Public Works and Safety

From: Don Shuler, Assistant City Attorney

Subject: Acceptance of Easement for 64205 CR 31, Goshen

It is recommended that the Board accept the attached Easement from Wesley Nisley and Rhonda Hershberger and authorize the Mayor to execute the acceptance. This easement is for Goshen City utility purposes at 64205 CR 31, Goshen, Indiana.

Suggested Motion:

Move to accept the Easement for Goshen City utility purposes at 64205 CR 31 from Wesley Nisley and Rhonda Hershberger, and authorize the Mayor to execute the Acceptance.

EASEMENT

Wesley Nisley and Rhonda Hershberger, as Joint Tenants with Rights of Survivorship ("Grantor"), grants and conveys to City of Goshen, Indiana, a municipal corporation and political subdivision of the State of Indiana ("City"), whose mailing address is 202 South Fifth Street, Goshen, Indiana 46528, for good and valuable consideration, the receipt whereof is hereby acknowledged, an easement over, across, and through real estate situated in Elkhart County, State of Indiana, as more particularly described in the legal description attached as Exhibit A and depicted upon the drawing attached as Exhibit B. The area so described and depicted is hereinafter referred to as "Easement."

The Easement is part of the real estate more commonly known as 64205 County Road 31, Goshen, Indiana, and part of Parcel Number 20-11-24-226-008.000-014. Grantor obtained title to the real estate by Warranty Deed dated January 13, 2025, and recorded January 15, 2025 in the Office of the Recorder of Elkhart County, as Instrument No. 2025-00783.

The Easement is granted and conveyed to City for Goshen City utilities purposes. Grantor grants City access to the Easement for the purposes of accessing, installing, operating and maintaining Goshen City utility facilities, including any appurtenances as may be required.

City shall restore the surface of the Easement after any entry by City to as good as or better condition than it was prior to the entry. City shall promptly pay for or otherwise rectify any damage caused by City to Grantor's adjoining real estate.

City is not obligated to replace any improvements extending over or into the Easement that may be damaged or removed during any subsequent entry.

Grantor may use, occupy and possess the Easement in a manner that is consistent with and does not interfere with City's rights contained in this Easement.

The terms of this Easement shall run with the land and shall be binding upon and inure to the benefit of the heirs, assigns and successors in interest of the parties.

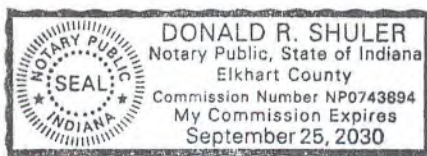
IN WITNESS WHEREOF, the undersigned has executed this Easement on October 22, 2025.

Wesley Nisley
Wesley Nisley

Rhonda Hersberger
Rhonda Hersberger

STATE OF INDIANA)
) SS:
COUNTY OF ELKHART)

Before me, the undersigned Notary Public, on October 22, 2025, personally appeared Wesley Nisley and Rhonda Hersberger, Joint Tenants with Rights of Survivorship, being known to me or whose identity has been authenticated by me to be the person who acknowledged the execution of the foregoing instrument as the person's voluntary act for the purpose stated therein.



Donald R. Shuler
Printed Name: Donald R. Shuler
Notary Public of Elkhart County, IN
My Commission Expires: 9/25/2030
Commission Number: NP0743894

EXHIBIT "A"

EASEMENT DESCRIPTION

EASEMENT #4

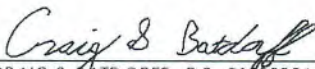
A PART OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT A HARRISON MONUMENT MARKING THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 49 MINUTES 20 SECONDS EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 996.80 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 49 MINUTES 20 SECONDS EAST ALONG SAID EAST LINE, 10.00 FEET; THENCE SOUTH 89 DEGREES 10 MINUTES 40 SECONDS WEST, 30.00 FEET; THENCE NORTH 00 DEGREES 49 MINUTES 30 SECONDS WEST, 10.00 FEET; THENCE NORTH 89 DEGREES 10 MINUTES 40 SECONDS EAST, 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 300 SQUARE FEET, MORE OR LESS.

BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS OR RIGHTS OF WAY OF RECORD.

LAST DEED OF RECORD: 2018-25395


CRAIG S. BATDORFF P.S. 21200006

3/31/22
DATE



 **ABONMARCHE**

PREPARED FOR:
LAST DANCE, LLC

DATE: 3/31/22 ACI JOB #: 21-0453 SHT 1 OF 2

COPYRIGHT 2022 - ABONMARCHE CONSULTANTS, INC.

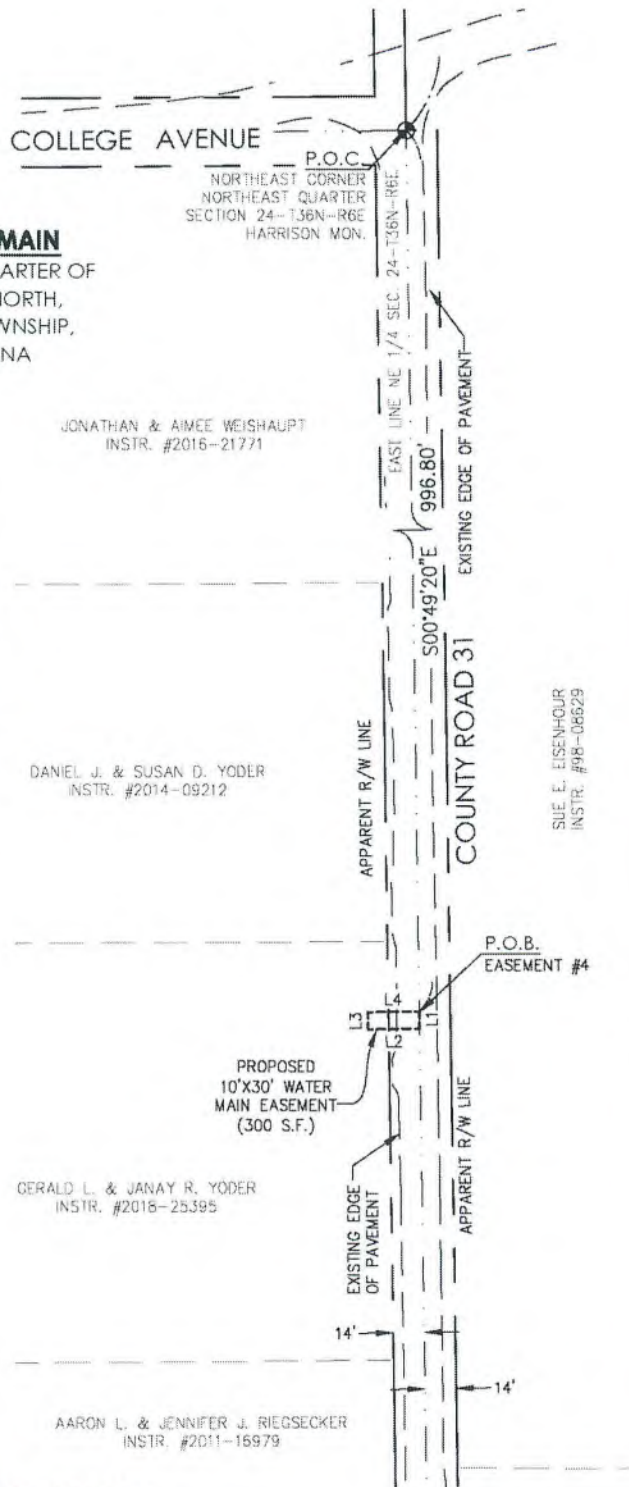
Engineering - Architecture - Land Surveying

EXHIBIT "B"

EASEMENT FOR WATER MAIN

A PART OF THE NORTHEAST QUARTER OF
SECTION 24 TOWNSHIP 36 NORTH,
RANGE 6 EAST, ELKHART TOWNSHIP,
ELKHART COUNTY, INDIANA

Line Table		
Line #	Bearing	Length
L1	S0°49'20"E	10.00'
L2	S89°10'40"W	30.00'
L3	N0°49'20"W	10.00'
L4	N89°10'40"E	30.00'



ABONMARCHE

303 River Road Drive, Unit 206
Goshen, IN 46526
1-574-533-9913
F-574-533-9911
abonmarche.com

Benton Harbor
Ellettsville
Goshen
Grand Haven
Hobart

Lafayette
Portage
South Bend
Valparaiso

PREPARED FOR:

LAST DANCE

COPYRIGHT 2022 - ABONMARCHE CONSULTANTS, INC.

SCALE: 1" = 80'

JOB #: 21-0453

SHEET 2 OF 2

ACCEPTANCE

The City of Goshen, Indiana, by the Goshen Board of Public Works and Safety, acknowledges the receipt of this Easement from Wesley Nisley and Rhonda Hershberger, Joint Tenants with Rights of Survivorship, and accepts the Easement on _____, 2025

Gina M. Leichty, Mayor

STATE OF INDIANA)
) SS:
COUNTY OF ELKHART)

Before me, the undersigned Notary Public, on _____, 2025, personally appeared Gina M. Leichty, Mayor of the City of Goshen, Indiana on behalf of the Goshen Board of Public Works and Safety, being known to me or whose identity has been authenticated by me to be the person who acknowledged the execution of the foregoing instrument as the person's voluntary act for the purpose stated therein.

Printed Name: _____
Notary Public of _____ County, IN
My Commission Expires: _____
Commission Number: _____

This instrument was prepared by Donald R. Shuler, Attorney No. 26587-71, City of Goshen Legal Department, 204 East Jefferson Street, Suite 2, Goshen, Indiana 46528, (574) 537-3820.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law (Donald R. Shuler).



CITY OF GOSHEN LEGAL DEPARTMENT

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

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

October 30, 2025

To: Board of Public Works and Safety

From: Christina M. Bonham, Paralegal

Subject: Renewal/Upgrade Contracts for Five (5) Locations with Comcast Internet Access

It is recommended that the Board approve and authorize Fred Schafer, Technology Coordinator, to execute the attached five (5) renewal/upgrade Comcast contracts for the following locations:

- 111 E Jefferson St.;
- 1424 Lincolnway E.;
- 1728 Reliance Rd.;
- 209 N. 3rd St.; and
- 201 S. 22nd St.

These renewal/upgrade contracts extend the current Comcast contracts for the above-referenced locations by twenty-four (24) months and provide higher speeds at lower prices.

Suggested Motion:

Approve and authorize Fred Schafer, Technology Coordinator, to execute the attached five (5) renewal/upgrade Comcast contracts.



COMCAST BUSINESS SERVICE ORDER

Company Name:

City of Goshen

Order #

43306712

Service Location:		Billing Location:	
Address 1	111 E JEFFERSON ST	Address 1	202 S 5TH ST
Address 2	OFC	Address 2	
City	GOSHEN	City	GOSHEN
State	IN	State	IN
Zip	46528	Zip	46528
Primary Contact Name	Fred Schafer	Billing Contact Name	Fred Schafer
Primary Contact Phone	(574) 533-9369	Billing Contact Phone	(574) 533-9369
Primary Contact Email	fredschafer@goshencity.com	Billing Contact Email	fredschafer@goshencity.com
Service Term	24 Months	Tax Exempt	Yes
Package Code:	\$170Data_SE_GigabitExtrapkg_2yr		
Promo Code:			

Package & Promotion Details

Data, SecurityEdge Package for discounted rate of \$170 for months 1-24, increasing to then regular rate in month 25. Equipment, installation, taxes and applicable fees, including Broadcast TV Fee, Regional Sports Fee, regulatory recovery fee and other charges extra and subject to change. Package includes Business Internet Gigabit Extra (download speed up to 1.25 Gbps) and SecurityEdge. 2 year term agreement required. Additional \$10 monthly discount with enrollment in both paperless billing and automatic payments with bank account via <https://business.comcast.com/myaccount> within 30 days of service installation. If either paperless billing or automatic payment service is cancelled, or automatic payment method is changed to credit or debit card, the monthly service charge automatically increases by \$10.00. \$40 mobile discount limited to customers with Comcast Business Internet Standard service or higher who activate new Comcast Business Mobile service with minimum one Mobile Unlimited line. Mobile discount applied to Comcast Business Internet bill for 12 months. Limit one discount per account. Mobile Unlimited line must be added to account within 30 days of Internet installation and activated within 90 days of Internet installation to qualify for the mobile discount. After 12 months, or if any of the required services are cancelled or downgraded, the mobile discount will be removed. Comcast Business Internet must be installed by 10/16/2025 to qualify for the mobile discount.

Customer Initials

Package	Services Included	Qty	Package Monthly Service Charge ¹	Package Non-Recurring Charge ²
Data, SecurityEdge Package	Business Internet Gigabit Extra (download speeds up to 1.25 Gbps)	1	\$ 170.00	\$ 0.00
	SecurityEdge	1		

Equipment and Additional Service(s)	Qty	Additional Monthly Service Charge ¹	Additional Non-Recurring Charge ²
Business Internet Additional Services			
Static IP -13	1	\$ 44.95	
Business Internet & Add Svc Sub Total		\$ 44.95	
Equipment Fee			
Package Equipment Fee	1	\$ 24.95	
Equipment Sub Total		\$ 24.95	
Additional Fees			
Standard Installation Fee / Change of Service Fee	1		\$ 69.95
Total Additional Charge		\$ 69.90	\$ 69.95



COMCAST BUSINESS SERVICE ORDER

Company Name: City of Goshen Order # 43306712

	Monthly Service Charge ¹	Non-Recurring Charge ²
Total Charge for Service Order	\$ 239.90	\$ 69.95

¹ Charges identified in the Service Order Agreement are exclusive of maintenance and repair charges, and applicable federal, state, and local taxes, fees, surcharges and recoupments (however designated).

² Non-Recurring Charges in the Service Order Agreement reflect activation and installation fees for this order. This excludes any custom installation fees.

General Special Instructions

AGREEMENT

1. This Comcast Business Service Order Agreement ("Agreement") sets forth the terms and conditions under which Comcast Cable Communications Management, LLC and its operating affiliates ("Comcast") will provide the Services to the above-named customer ("Customer"). This Agreement consists of this document (this "SOA"), the Business Services Customer Terms and Conditions (the "Terms and Conditions"), and any jointly executed amendments ("Amendments") entered under the Agreement. In the event of inconsistency among these documents, the order of precedence will be as follows: (1) Amendments, (2) Terms and Conditions, and (3) this SOA. This Agreement shall commence and become a legally binding agreement upon Customer's execution of the SOA. The Agreement shall terminate as set forth in the Terms and Conditions. The Terms and Conditions are located at <https://business.comcast.com/terms-conditions-smb>. Capitalized terms not otherwise defined in this SOA shall have the meaning ascribed to them in the Terms and Conditions. Use of the Services is also subject to the then-current Acceptable Use Policy for High-Speed Internet Services (the "AUP") located at <https://business.comcast.com/customer-notifications/acceptable-use-policy> (or any successor URL), and the then-current Privacy Statement (the "Privacy Policy") located at <https://business.comcast.com/privacy-statement> (or any successor URL), both of which Comcast may update from time to time.
2. Each Comcast Business Service ("Service") carries a thirty (30) day money back guarantee. If within the first thirty (30) days following installation of a new Service, Customer is not completely satisfied, Customer may cancel the Service and Comcast will issue a refund for the monthly recurring charge paid for the first thirty (30) days of Service, excluding any custom installation fees, voice usage charges, fees, taxes, surcharges and optional service fees. Customer will be charged for any non-refundable fees and other charges. In order to be eligible for the refund, Customer must cancel the new Service within thirty (30) days of installation and return any Comcast-provided equipment in good working order. In no event shall the refund exceed \$500.00. If Customer uses the Service in the first thirty (30) days, Customer will be refunded its subscription fees, but charged the applicable one-time fee. For the avoidance of doubt, this money back guarantee does not apply to renewals of an existing Service.
3. Modifications: All modifications to the Agreement, if any, must be captured in a written Amendment, executed by an authorized Comcast Vice President and the Customer. All other attempts to modify the Agreement shall be void and non-binding on Comcast. Customer by signing below, agrees and accepts the Terms and Conditions of this Agreement.
4. Once your service appointment is scheduled, you must provide Comcast with 24-hours' notice if you need to cancel. If you fail to cancel at least 24 hours before your scheduled appointment and miss your appointment, a missed appointment fee will apply unless otherwise prohibited.

CUSTOMER SIGNATURE	
By signing below, Customer agrees and accepts the Terms and Conditions of this Agreement. General Terms and Conditions can be found at http://business.comcast.com/terms-conditions/index.aspx	
Signature	
Name Fred Schafer	
Title	Technology Coordinator
Date	

FOR COMCAST USE ONLY	
Sales Representative	Piotr Lukasik
Sales Representative Code	
Sales Manager Name	Edgar Garcia
Sales Manager Approval	
Division	Central



COMCAST BUSINESS SERVICE ORDER

Company Name: City of Goshen Order # 43306712

BUSINESS INTERNET CONFIGURATION DETAILS

Transfer Existing Comcast.net	No	Equipment	Comcast Owned
Number of Static Ips	13	Business Web	No

In Process



COMCAST BUSINESS SERVICE ORDER

Company Name:City of Goshen

Order #43310474

Service Location:

Address 11424 LINCOLNWAY E

Address 2

CityGOSHEN

StateIN

Zip46526

Primary Contact NameFred Schafer

Primary Contact Phone(574) 533-9369

Primary Contact Emailfredschafer@goshencity.com

Billing Location:

Address 1525 E JACKSON ST

Address 2

CityGOSHEN

StateIN

Zip46526

Billing Contact NameFred Schafer

Billing Contact Phone(574) 533-9369

Billing Contact Emailfredschafer@goshencity.com

Tax ExemptYes

Promo Code:

Service Term24 Months

Package Code:\$120Data_SE_PerformancePkg_2yr

Package & Promotion Details	
Data, SecurityEdge Package for discounted rate of \$120 for months 1-24, increasing to then regular rate in month 25. Equipment, installation, taxes and applicable fees, including Broadcast TV Fee, Regional Sports Fee, regulatory recovery fee and other charges extra and subject to change. Package includes Business Internet Performance (download speed up to 500 Mbps) and SecurityEdge. 2 year term agreement required. Additional \$10 monthly discount with enrollment in both paperless billing and automatic payments with bank account via https://business.comcast.com/myaccount within 30 days of service installation. If either paperless billing or automatic payment service is cancelled, or automatic payment method is changed to credit or debit card, the monthly service charge automatically increases by \$10.00. \$20 mobile discount limited to customers with Comcast Business Internet Standard service or higher who activate new Comcast Business Mobile service with minimum one Mobile Unlimited line. Mobile discount applied to Comcast Business Internet bill for 12 months. Limit one discount per account. Mobile Unlimited line must be added to account within 30 days of Internet installation and activated within 90 days of Internet installation to qualify for the mobile discount. After 12 months, or if any of the required services are cancelled or downgraded, the mobile discount will be removed. Comcast Business Internet must be installed by 1/7/2026 to qualify for the mobile discount.	
Customer Initials	

Package	Services Included	Qty	Package Monthly Service Charge ¹	Package Non-Recurring Charge ²
Data, SecurityEdge Package	Business Internet Performance (download speeds up to 500 Mbps)	1	\$ 120.00	\$ 0.00
	SecurityEdge	1		

Equipment and Additional Service(s)	Qty	Additional Monthly Service Charge ¹	Additional Non-Recurring Charge ²
Business Internet Additional Services			
Static IP -1	1	\$ 34.95	
Business Internet & Add Svc Sub Total		\$ 34.95	
Equipment Fee			
Package Equipment Fee	1	\$ 27.95	
Equipment Sub Total		\$ 27.95	
Additional Fees			
Standard Installation Fee / Change of Service Fee	1		\$ 69.95
Total Additional Charge		\$ 62.90	\$ 69.95



COMCAST BUSINESS SERVICE ORDER

Company Name: City of Goshen Order # 43310474

	Monthly Service Charge ¹	Non-Recurring Charge ²
Total Charge for Service Order	\$ 182.90	\$ 69.95

¹ Charges identified in the Service Order Agreement are exclusive of maintenance and repair charges, and applicable federal, state, and local taxes, fees, surcharges and recoupments (however designated).

² Non-Recurring Charges in the Service Order Agreement reflect activation and installation fees for this order. This excludes any custom installation fees.

General Special Instructions

AGREEMENT

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2. Each Comcast Business Service ("Service") carries a thirty (30) day money back guarantee. If within the first thirty (30) days following installation of a new Service, Customer is not completely satisfied, Customer may cancel the Service and Comcast will issue a refund for the monthly recurring charge paid for the first thirty (30) days of Service, excluding any custom installation fees, voice usage charges, fees, taxes, surcharges and optional service fees. Customer will be charged for any non-refundable fees and other charges. In order to be eligible for the refund, Customer must cancel the new Service within thirty (30) days of installation and return any Comcast-provided equipment in good working order. In no event shall the refund exceed \$500.00. If Customer uses the Service in the first thirty (30) days, Customer will be refunded its subscription fees, but charged the applicable one-time fee. For the avoidance of doubt, this money back guarantee does not apply to renewals of an existing Service.
3. Modifications: All modifications to the Agreement, if any, must be captured in a written Amendment, executed by an authorized Comcast Vice President and the Customer. All other attempts to modify the Agreement shall be void and non-binding on Comcast. Customer by signing below, agrees and accepts the Terms and Conditions of this Agreement.
4. Once your service appointment is scheduled, you must provide Comcast with 24-hours' notice if you need to cancel. If you fail to cancel at least 24 hours before your scheduled appointment and miss your appointment, a missed appointment fee will apply unless otherwise prohibited.

CUSTOMER SIGNATURE	FOR COMCAST USE ONLY
By signing below, Customer agrees and accepts the Terms and Conditions of this Agreement. General Terms and Conditions can be found at http://business.comcast.com/terms-conditions/index.aspx	Sales Representative <u>Piotr Lukasik</u>
Signature	Sales Representative Code
Name	Sales Manager Name <u>Edgar Garcia</u>
Title	Sales Manager Approval
Date	Division <u>Central</u>



COMCAST BUSINESS SERVICE ORDER

Company Name: City of Goshen Order # 43310474

BUSINESS INTERNET CONFIGURATION DETAILS

Transfer Existing Comcast.net	No	Equipment	Comcast Owned
Number of Static Ips	1	Business Web	No



COMCAST BUSINESS SERVICE ORDER

Company Name:

City of Goshen

Order #

43304103

Service Location:

Address 1

1728 RELIANCE RD

Address 2

UNIT HMOFC

City

GOSHEN

State

IN

Zip

46526

Primary Contact Name

Fred Schafer

Primary Contact Phone

(574) 533-9369

Primary Contact Email

fredschafer@goshencity.com

Billing Location:

Address 1

209 N 3RD ST

Address 2

City

GOSHEN

State

IN

Zip

46526

Billing Contact Name

Kim Whitehead

Billing Contact Phone

(574) 533-7878

Billing Contact Email

irelandmontoya@goshencity.com

Tax Exempt

Yes

Promo Code:

Service Term

12 Months

Package Code:

\$135BIGigabitExtra_SE_CBMPkg_1yr

Package & Promotion Details
Data, SecurityEdge Package for discounted rate of \$135 for months 1-12, increasing to then regular rate in month 13. Equipment, installation, taxes and applicable fees, including Broadcast TV Fee, Regional Sports Fee, regulatory recovery fee and other charges extra and subject to change. Package includes Business Internet Gigabit Extra (download speed up to 1.25 Gbps) and SecurityEdge. 1 year term agreement required. Additional \$10 monthly discount with enrollment in both paperless billing and automatic payments with bank account via https://business.comcast.com/myaccount within 30 days of service installation. If either paperless billing or automatic payment service is cancelled, or automatic payment method is changed to credit or debit card, the monthly service charge automatically increases by \$10.00. \$40 mobile discount limited to customers with Comcast Business Internet Standard service or higher who activate new Comcast Business Mobile service with minimum one Mobile Unlimited line. Mobile discount applied to Comcast Business Internet bill for 12 months. Limit one discount per account. Mobile Unlimited line must be added to account within 30 days of Internet installation and activated within 90 days of Internet installation to qualify for the mobile discount. After 12 months, or if any of the required services are cancelled or downgraded, the mobile discount will be removed. Comcast Business Internet must be installed by 10/28/2025 to qualify for the mobile discount.

Customer Initials

Package	Services Included	Qty	Package Monthly Service Charge ¹	Package Non-Recurring Charge ²
Data, SecurityEdge Package	Business Internet Gigabit Extra (download speeds up to 1.25 Gbps)	1	\$ 135.00	\$ 0.00
	SecurityEdge	1		

Equipment and Additional Service(s)	Qty	Additional Monthly Service Charge ¹	Additional Non-Recurring Charge ²
Business Internet Additional Services			
Static IP -1	1	\$ 29.95	
Business Internet & Add Svc Sub Total		\$ 29.95	
Equipment Fee			
Package Equipment Fee	1	\$ 24.95	
Equipment Sub Total		\$ 24.95	
Additional Fees			
Standard Installation Fee / Change of Service Fee	1		\$ 29.95
Total Additional Charge		\$ 54.90	\$ 29.95

OrderForm Version v8

Page 1 of 3



COMCAST BUSINESS SERVICE ORDER

Company Name: City of Goshen Order # 43304103

	Monthly Service Charge ¹	Non-Recurring Charge ²
Total Charge for Service Order	\$ 189.90	\$ 29.95

¹ Charges identified in the Service Order Agreement are exclusive of maintenance and repair charges, and applicable federal, state, and local taxes, fees, surcharges and recoupments (however designated).

² Non-Recurring Charges in the Service Order Agreement reflect activation and installation fees for this order. This excludes any custom installation fees.

General Special Instructions

AGREEMENT

1. This Comcast Business Service Order Agreement ("Agreement") sets forth the terms and conditions under which Comcast Cable Communications Management, LLC and its operating affiliates ("Comcast") will provide the Services to the above-named customer ("Customer"). This Agreement consists of this document (this "SOA"), the Business Services Customer Terms and Conditions (the "Terms and Conditions"), and any jointly executed amendments ("Amendments") entered under the Agreement. In the event of inconsistency among these documents, the order of precedence will be as follows: (1) Amendments, (2) Terms and Conditions, and (3) this SOA. This Agreement shall commence and become a legally binding agreement upon Customer's execution of the SOA. The Agreement shall terminate as set forth in the Terms and Conditions. The Terms and Conditions are located at <https://business.comcast.com/terms-conditions-smb>. Capitalized terms not otherwise defined in this SOA shall have the meaning ascribed to them in the Terms and Conditions. Use of the Services is also subject to the then-current Acceptable Use Policy for High-Speed Internet Services (the "AUP") located at <https://business.comcast.com/customer-notifications/acceptable-use-policy> (or any successor URL), and the then-current Privacy Statement (the "Privacy Policy") located at <https://business.comcast.com/privacy-statement> (or any successor URL), both of which Comcast may update from time to time.
2. Each Comcast Business Service ("Service") carries a thirty (30) day money back guarantee. If within the first thirty (30) days following installation of a new Service, Customer is not completely satisfied, Customer may cancel the Service and Comcast will issue a refund for the monthly recurring charge paid for the first thirty (30) days of Service, excluding any custom installation fees, voice usage charges, fees, taxes, surcharges and optional service fees. Customer will be charged for any non-refundable fees and other charges. In order to be eligible for the refund, Customer must cancel the new Service within thirty (30) days of installation and return any Comcast-provided equipment in good working order. In no event shall the refund exceed \$500.00. If Customer uses the Service in the first thirty (30) days, Customer will be refunded its subscription fees, but charged the applicable one-time fee. For the avoidance of doubt, this money back guarantee does not apply to renewals of an existing Service.
3. Modifications: All modifications to the Agreement, if any, must be captured in a written Amendment, executed by an authorized Comcast Vice President and the Customer. All other attempts to modify the Agreement shall be void and non-binding on Comcast. Customer by signing below, agrees and accepts the Terms and Conditions of this Agreement.
4. Once your service appointment is scheduled, you must provide Comcast with 24-hours' notice if you need to cancel. If you fail to cancel at least 24 hours before your scheduled appointment and miss your appointment, a missed appointment fee will apply unless otherwise prohibited.

CUSTOMER SIGNATURE
By signing below, Customer agrees and accepts the Terms and Conditions of this Agreement. General Terms and Conditions can be found at http://business.comcast.com/terms-conditions/index.aspx
Signature
Name
Title
Date

FOR COMCAST USE ONLY	
Sales Representative	<u>Piotr Lukasik</u>
Sales Representative Code	
Sales Manager Name	<u>Edgar Garcia</u>
Sales Manager Approval	
Division	<u>Central</u>



COMCAST BUSINESS SERVICE ORDER

Company Name: City of Goshen Order # 43304103

BUSINESS INTERNET CONFIGURATION DETAILS

Transfer Existing Comcast.net	No	Equipment	Comcast Owned
Number of Static Ips	1	Business Web	No



COMCAST BUSINESS SERVICE ORDER

Company Name:

City of Goshen

Order #

43305009

Service Location:

Address 1

209 N 3RD ST

Address 2

DEPT CITY-FIRE

City

GOSHEN

State

IN

Zip

46526

Primary Contact Name

Fred Schafer

Primary Contact Phone

(574) 533-9369

Primary Contact Email

fredschafer@goshencity.com

Billing Location:

Address 1

202 S 5TH ST

Address 2

City

GOSHEN

State

IN

Zip

46528

Billing Contact Name

Fred Schafer

Billing Contact Phone

(574) 533-9369

Billing Contact Email

fredschafer@goshencity.com

Tax Exempt

Yes

Promo Code:

Service Term

24 Months

Package Code:

\$170Data_SE_GigabitExtrapkg_2yr

Package & Promotion Details

Data, SecurityEdge Package for discounted rate of \$170 for months 1-24, increasing to then regular rate in month 25. Equipment, installation, taxes and applicable fees, including Broadcast TV Fee, Regional Sports Fee, regulatory recovery fee and other charges extra and subject to change. Package includes Business Internet Gigabit Extra (download speed up to 1.25 Gbps) and SecurityEdge. 2 year term agreement required. Additional \$10 monthly discount with enrollment in both paperless billing and automatic payments with bank account via <https://business.comcast.com/myaccount> within 30 days of service installation. If either paperless billing or automatic payment service is cancelled, or automatic payment method is changed to credit or debit card, the monthly service charge automatically increases by \$10.00. \$40 mobile discount limited to customers with Comcast Business Internet Standard service or higher who activate new Comcast Business Mobile service with minimum one Mobile Unlimited line. Mobile discount applied to Comcast Business Internet bill for 12 months. Limit one discount per account. Mobile Unlimited line must be added to account within 30 days of Internet installation and activated within 90 days of Internet installation to qualify for the mobile discount. After 12 months, or if any of the required services are cancelled or downgraded, the mobile discount will be removed. Comcast Business Internet must be installed by 10/16/2025 to qualify for the mobile discount.

Customer Initials

Package	Services Included	Qty	Package Monthly Service Charge ¹	Package Non-Recurring Charge ²
Data, SecurityEdge Package	Business Internet Gigabit Extra (download speeds up to 1.25 Gbps)	1	\$ 170.00	\$ 0.00
	SecurityEdge	1		

Equipment and Additional Service(s)	Qty	Additional Monthly Service Charge ¹	Additional Non-Recurring Charge ²
Equipment Fee			
Package Equipment Fee	1	\$ 24.95	
Equipment Sub Total		\$ 24.95	
Additional Fees			
Standard Installation Fee / Change of Service Fee	1		\$ 69.95
Total Additional Charge		\$ 24.95	\$ 69.95

	Monthly Service Charge ¹	Non-Recurring Charge ²
Total Charge for Service Order	\$ 194.95	\$ 69.95

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Page 1 of 3



COMCAST BUSINESS SERVICE ORDER

Company Name: City of Goshen Order # 43305009

¹ Charges identified in the Service Order Agreement are exclusive of maintenance and repair charges, and applicable federal, state, and local taxes, fees, surcharges and recoupments (however designated).

² Non-Recurring Charges in the Service Order Agreement reflect activation and installation fees for this order. This excludes any custom installation fees.

General Special Instructions

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CUSTOMER SIGNATURE	
By signing below, Customer agrees and accepts the Terms and Conditions of this Agreement. General Terms and Conditions can be found at http://business.comcast.com/terms-conditions/index.aspx	
Signature	
Name	Fred Schafer
Title	Technology Coordinator
Date	

FOR COMCAST USE ONLY	
Sales Representative	Piotr Lukasik
Sales Representative Code	
Sales Manager Name	Edgar Garcia
Sales Manager Approval	
Division	Central



COMCAST BUSINESS SERVICE ORDER

Company Name: City of Goshen Order # 43305009

BUSINESS INTERNET CONFIGURATION DETAILS

Transfer Existing Comcast.net	No	Equipment	Comcast Owned
Number of Static Ips	0	Business Web	No

In Process



COMCAST BUSINESS SERVICE ORDER

Company Name:

City of Goshen

Order #

43313469

Service Location:

Address 1

201 S 22ND ST

Address 2

City

GOSHEN

State

IN

Zip

46528

Primary Contact Name

Fred Schafer

Primary Contact Phone

(574) 533-9369

Primary Contact Email

fredschafer@goshencity.com

Billing Location:

Address 1

209 N 3RD ST

Address 2

City

GOSHEN

State

IN

Zip

46526

Billing Contact Name

Ireland Montoya

Billing Contact Phone

(574) 533-7878

Billing Contact Email

irelandmontoya@goshencity.com

Tax Exempt

Yes

Service Term

24 Months

Promo Code:

Package Code:

\$180Data_MOB_SE_GigabitExtraPk
g_2yr

Package & Promotion Details
Data, Voice, SecurityEdge Package for discounted rate of \$180 for months 1-24, increasing to then regular rate in month 25. Equipment, installation, taxes and applicable fees, including Broadcast TV Fee, Regional Sports Fee, regulatory recovery fee and other charges extra and subject to change. Package includes Business Internet Gigabit Extra (download speed up to 1.25 Gbps), 1 Mobility Line, and SecurityEdge. 2 year term agreement required. Additional Mobility Lines can be added at discounted rate of \$25 each for months 1-24, increasing to regular rate in month 25. Additional \$10 monthly discount with enrollment in both paperless billing and automatic payments with bank account via https://business.comcast.com/myaccount within 30 days of service installation. If either paperless billing or automatic payment service is cancelled, or automatic payment method is changed to credit or debit card, the monthly service charge automatically increases by \$10.00. \$40 mobile discount limited to customers with Comcast Business Internet Standard service or higher who activate new Comcast Business Mobile service with minimum one Mobile Unlimited line. Mobile discount applied to Comcast Business Internet bill for 12 months. Limit one discount per account. Mobile Unlimited line must be added to account within 30 days of Internet installation and activated within 90 days of Internet installation to qualify for the mobile discount. After 12 months, or if any of the required services are cancelled or downgraded, the mobile discount will be removed. Comcast Business Internet must be installed by 10/16/2025 to qualify for the mobile discount.
Customer Initials

Package	Services Included	Qty	Package Monthly Service Charge ¹	Package Non-Recurring Charge ²
Data, Voice, SecurityEdge Package	Business Internet Gigabit Extra (download speeds up to 1.25 Gbps)	1	\$ 180.00	\$ 0.00
	SecurityEdge	1		
	Mobility Lines	1		

Equipment and Additional Service(s)	Qty	Additional Monthly Service Charge ¹	Additional Non-Recurring Charge ²
Equipment Fee			
Package Equipment Fee	1	\$ 24.95	
Equipment Sub Total		\$ 24.95	
Additional Fees			
Standard Installation Fee / Change of Service Fee	1		\$ 29.95
Total Additional Charge		\$ 24.95	\$ 29.95
		Monthly Service Charge ¹	Non-Recurring Charge ²
Total Charge for Service Order		\$ 204.95	\$ 29.95

OrderForm Version v8

Page 1 of 5



COMCAST BUSINESS SERVICE ORDER

Company Name: City of Goshen Order # 43313469

¹ Charges identified in the Service Order Agreement are exclusive of maintenance and repair charges, and applicable federal, state, and local taxes, fees, surcharges and recoupments (however designated).

² Non-Recurring Charges in the Service Order Agreement reflect activation and installation fees for this order. This excludes any custom installation fees.

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- 3.To complete a Voice order, Customer must execute a Comcast Letter or Authorization ("LOA") and submit it to Comcast, or Comcast's third party order entry integrator, as directed by Comcast.
4. New telephone numbers are subject to change prior to the install. Customers should not print their new number on stationery or cards until after the install is complete.
5. Modifications: All modifications to the Agreement, if any, must be captured in a written Amendment, executed by an authorized Comcast Vice President and the Customer. All other attempts to modify the Agreement shall be void and non-binding on Comcast. Customer by signing below, agrees and accepts the Terms and Conditions of this Agreement.
6. Once your service appointment is scheduled, you must provide Comcast with 24-hours' notice if you need to cancel. If you fail to cancel at least 24 hours before your scheduled appointment and miss your appointment, a missed appointment fee will apply unless otherwise prohibited.
7. IF CUSTOMER IS SUBSCRIBING TO COMCAST'S BUSINESS DIGITAL VOICE SERVICE, CUSTOMER, BY SIGNING BELOW, ACKNOWLEDGES RECEIPT AND UNDERSTANDING OF THE FOLLOWING 911 NOTICE:

911 Notice

911 Email Notification- If 911 is dialed using the Voice Service, Comcast will send a notification to the Customer designated email address, unless the Customer has opted out of receiving such notifications. Each notification will include the telephone number from which 911 was dialed, location information, and the time the call was placed. After installation of the Voice Service, Customer may change the designated email address and/or decision to receive notifications by calling Comcast at 1-888-824-8104.

Your Comcast voice service ("Voice Service") may have the following 911 limitations:

- For 911 calls to be properly directed to emergency services using the Voice Service, Customer must provide the correct address information ("Registered Service Location") for each telephone number used by Customer. The Registered Service Location may also include information such as floor and office number.
- If the Voice Service or any Voice Service device is moved to a different location without Customer providing an updated Registered Service Location, 911 calls may be directed to the wrong emergency authority, may transmit the wrong address, and/or the Voice Service (including 911) may fail altogether. Customer's use of a telephone number not associated with its geographic location, or a failure to allot sufficient time for a Registered Service Location change to be processed, may increase these risks.
- If a Registered Service Location is deemed to be in an area that is not supported for 911 calls, Customer 911 calls will be sent to an emergency call center where a trained agent will ask for the caller's name, telephone number, and location, and then will contact the local emergency authority.



COMCAST BUSINESS SERVICE ORDER

Company Name: City of Goshen Order # 43313469

- The Voice Service uses electrical power in the Customer’s premises. If there is an electrical power outage, 911 calling may be interrupted if back-up power is not installed, fails, or is exhausted. Voice Services that rely on a broadband connection may also be interrupted if the broadband service fails.
- Calls using the Voice Service, including calls to 911, may not be completed if there is a problem with network facilities, including network congestion, network equipment, and/or power failure, a broadband connection failure, or another technical problem.

Registered Service Location Updates- The Registered Service Location will be provided to Public Safety Answering Points to assist in responding to a 911 call. Customer may update or otherwise customize the Registered Service Location by:

- Calling Comcast at 1-888-824-8104

BY SIGNING BELOW, CUSTOMER ACKNOWLEDGES THAT IT HAS READ AND UNDERSTANDS THE FOREGOING 911 NOTICE AND THE 911 LIMITATIONS OF THE VOICE SERVICE.

CUSTOMER SIGNATURE	
By signing below, Customer agrees and accepts the Terms and Conditions of this Agreement. General Terms and Conditions can be found at http://business.comcast.com/terms-conditions/index.aspx	
Signature	
Name	Fred Schafer
Title	Technology Coordinator
Date	

FOR COMCAST USE ONLY	
Sales Representative	Piotr Lukasik
Sales Representative Code	
Sales Manager Name	Edgar Garcia
Sales Manager Approval	
Division	Central

In Process



COMCAST BUSINESS SERVICE ORDER

Company Name: City of Goshen Order # 43313469

BUSINESS INTERNET CONFIGURATION DETAILS

Transfer Existing Comcast.net	No	Equipment	Comcast Owned
Number of Static Ips	0	Business Web	No

BUSINESS VOICE CONFIGURATION DETAILS

Directory Listing Details	
Directory Listing (Published, Non-Published, Unlisted)	Published
Directory Listing Phone Number	5749715061
Directory Listing Display Name	City of Goshen
DA/DL Header Text Information	CITY & TOWN PLANNERS
DA/DL Header Code Information	004693
Standard Industry Code	8748

Additional Voice Details	
Caller ID (Yes/No)	Yes
Caller ID Display Name(max 15 char.)	City of Goshen
International Dialing (Yes/No)	No
Call Blocking (Yes/No)	No
Auto Attendant (Yes/No)	No

Hunt Group Configuration Details	
Hunt Group Features Requested	No
Hunt Group 1 Configuration Type	
Hunt Group 2 Configuration Type	
Hunt Group 1 Pilot Number	
Hunt Group 2 Pilot Number	



**Engineering Department
CITY OF GOSHEN**

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

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

MEMORANDUM

TO: Board of Public Works and Safety

FROM: Goshen Engineering

RE: **AGREEMENT WITH MACOG FOR TRAFFIC COUNTS
PROJECT NO. 2026-0010**

DATE: October 30, 2025

Attached is the annual Agreement with MACOG to supply the City of Goshen with Traffic Counts at locations listed in the Agreement.

MACOG will also complete two (2) intersection analyses of our choice, which will include collecting traffic counts at the intersection, turn movements, signal timing data, digital photography, accident data, GPS data and a geometric layout of the intersection. Engineering is still determining which intersections we will ask to be done.

The Agreement is in the amount of \$2,000.00.

Requested Motion: Approve the Agreement with MACOG for \$2,000.00 for annual traffic counts.

MEMORANDUM OF UNDERSTANDING

THIS AGREEMENT is made and entered into by and between the City of Goshen by and through the Board of Public Works and Safety, hereinafter referred to as "City", and the Michiana Area Council of Governments, hereinafter referred to as "MACOG".

WITNESSETH:

WHEREAS, the City, has previously maintained an annual traffic counting program for the purposes of planning and project development and seeks to cooperate with the MACOG to obtain the traffic count data using MACOG staff,

WHEREAS, MACOG currently maintains an annual traffic counting program for the purpose of developing Vehicle Miles of Travel (VMT), Annual Average Daily Traffic (AADT), project selection, planning and other traffic related statistics.

WHEREAS, MACOG also maintains a four county, state traffic counting program, completes the HPMS counts for the state and collects other traffic counts in the region,

WHEREAS, MACOG has professional staff that collects and maintains traffic count database program throughout the region,

WHEREAS, MACOG working in partnership with its member cities, towns and counties is the data repository for the regions reporting and traffic statistics and as traffic count data is a major factor in the selection of projects for federal, state and local road projects it mutually benefits both parties that the traffic count program be consistently completed on a three year count cycle.

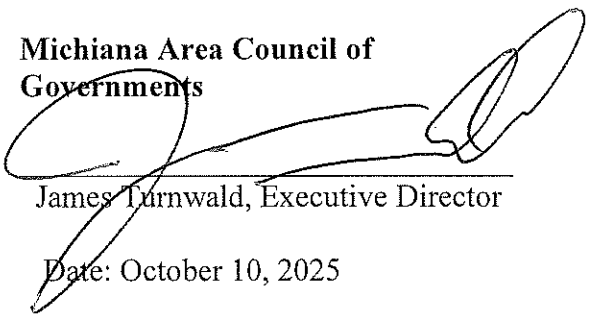
IT IS THEREFORE AGREED by and between the City and MACOG:

1. MACOG will collect traffic count data for the City at those sites within the county as listed on attachment A of this MOU and herein agreed to by both parties.
2. This MOU is renewable each year upon the signing of a similar agreement to provide traffic counting services,
3. MACOG, in partnership with the City will develop a mutually agreeable schedule of counting activities in such manner that all agreed sites will be counted in their entirety within a three (3) year cycle, (contingent upon this program being continued for a full three years).
4. Data to be collected shall be classification counts based on the thirteen (13) vehicle types as defined within the Federal Highway Administration's "Traffic Monitoring Guide". The counts shall be hourly, per direction, for a minimum of forty-eight (48) hours.

5. Data collected will be posted to the macoggis.com website.
6. MACOG further agrees to complete up to two (2) 12hr turning movement counts. MACOG will annually provide the Transportation Technical Advisory Council with a list of congested roads, however the City is responsible for identifying the intersections to be studied in writing to the MACOG Director.
7. Under this MOU, the City agrees to provide the MACOG **\$2,000**, which may be used by the MACOG as local technical assistance and planning, matching funds. These funds will be paid to the MACOG within 30 days of the effective date (July 1, 2025) of this agreement.
8. This memorandum of understanding may be declared null and void if:
 - A. Either party fails to abide by the intent of this Memorandum of Understanding or;
 - B. Both parties mutually agree to end this data partnering.
9. The effective dates for this Memorandum of Understanding will be July 1, 2025 through June 30, 2026 with provision for annual renewal.

IN WITNESS WHEREOF, City and MACOG, through the undersigned officials, have hereunto affixed their signatures.

**Michiana Area Council of
Governments**


James Turnwald, Executive Director

Date: October 10, 2025

City of Goshen

Date: _____

FY 2026 Counts - City of Goshen

30 Counts

Site	Street	Location	Latitude	Longitude
6047	11TH STREET	N OF COLLEGE AVENUE	41.566769	-85.823269
6049	15TH STREET	N OF COLLEGE AVENUE	41.567751	-85.818214
6193	16TH STREET	N OF COLLEGE AVENUE	41.566683	-85.816941
6060	1ST STREET	N OF PIKE STREET	41.589506	-85.84001
6190	2ND STREET	N OF US 33 (PIKE STREET)	41.589793	-85.837751
6056	5TH STREET	S OF MADISON STREET	41.581731	-85.832911
6045	8TH STREET	S OF LINCOLN AVENUE	41.585525	-85.828164
6046	8TH STREET	S OF MADISON STREET	41.581359	-85.828068
6048	8TH STREET	S OF PLYMOUTH AVENUE	41.574942	-85.827949
6004	BEAVER LANE	S OF WILDEN AVENUE	41.596879	-85.85803
6014	CLINTON STREET	E OF GREENE ROAD	41.587889	-85.866222
30028	COLLEGE AVENUE	W OF 15TH STREET	41.566132	-85.819769
6020	COLLEGE AVENUE	E OF SR 15 (MAIN STREET)	41.566148	-85.828324
6023	COLLEGE AVENUE	E OF GREENCROFT BOULEVARD	41.566138	-85.810937
6026	COTTAGE AVENUE	N OF LINCOLN AVENUE	41.586744	-85.829048
6030	CR 19	W OF INDIANA AVENUE	41.600261	-85.849702
6209	CR 40	W OF SR 15	41.543112	-85.828611
6064	GREENE ROAD	S OF BASHOR ROAD	41.59375	-85.867647
6066	GREENE ROAD	S OF CLINTON STREET	41.587388	-85.867538
6076	INDIANA AVENUE (CR 21)	N OF SR 119 (PLYMOUTH AVENUE)	41.57357	-85.84807
6106	LINCOLN AVENUE	E OF 3RD STREET	41.586456	-85.835329
6144	MIDDLEBURY STREET	E OF MAIN STREET	41.592306	-85.834152
6159	NEW YORK STREET	E OF 9TH STREET	41.570961	-85.825593
6162	OAKRIDGE AVENUE	W OF SR 15 (MAIN STREET)	41.595289	-85.835202
6034	PEDDLERS VILLAGE ROAD	NE OF US 33	41.609363	-85.878237
6184	PURL STREET	E OF 9TH STREET	41.579722	-85.826247
6161	REGENT STREET	S OF WATERFORD MILLS PARKWAY	41.538971	-85.822304
6163	REGENT STREET	N OF WATERFORD MILLS PARKWAY	41.5419	-85.821053
6186	REYNOLDS STREET	E OF 9TH STREET	41.578344	-85.825297
6206	WASHINGTON STREET	E OF 6TH STREET	41.585088	-85.830982



STORMWATER DEPARTMENT
CITY OF GOSHEN
204 East Jefferson Street, Suite 1 • Goshen, IN 46528-3405
Phone (574) 534-2201 • Fax (574) 533-8626
stormwater@goshencity.com • www.goshenindiana.org

MEMORANDUM

TO: City of Goshen Board of Public Works and Safety

FROM: Stormwater Management Department

**RE: POST-CONSTRUCTION STORMWATER MANAGEMENT PLAN APPROVAL
NORTHERN INDIANA PUBLIC SERVICE COMPANY ELKHART RIVER
SUBSTATION (JN: 2023-2033)**

DATE: October 30, 2025

The developer of the Northern Indiana Public Service Company Elkhart River Substation, affecting one (1) or more acres of land and located at 1915 Hemlock Court, has submitted a sufficient post-construction stormwater management plan that is compliant with Ordinance 5228, "Stormwater Management."

The Stormwater Management Department requests the Board of Public Works and Safety's acceptance of the post-construction stormwater management plan.

This post-construction stormwater management plan was prepared and accepted by the Stormwater Management Department prior to the passage of Ordinance 5227 where the control of the City of Goshen's stormwater facilities was transferred from the Board of Directors of the Department of Stormwater Management (Stormwater Board) to the Board of Public Works and Safety. Thus, the signatory pages are still in the previous format.

Full document available upon request.

Requested Motion: Accept the post-construction stormwater management plan for Northern Indiana Public Service Company Elkhart River Substation as it has been found to meet the requirements of City Ordinance 5228.
