



**CITY OF GOSHEN BOARD OF PUBLIC WORKS & SAFETY
MINUTES OF THE JANUARY 8, 2026 REGULAR MEETING**

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

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

Absent: None

CALL TO ORDER: Mayor Leichty called the meeting to order at 3:58 p.m.

REVIEW/APPROVE MINUTES: Mayor Leichty presented the minutes of the Dec. 18, 2025 meeting as prepared by the Clerk-Treasurer. Board member Barb Swartley made a motion to approve the minutes as presented. Board member Mike Landis seconded the motion. The motion passed 5-0.

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

1) Kindred Wool Co. request: Permit the encroachment of a projecting sign in the sidewalk right of way for the business at 108 West Washington Street

Roxanne Miller, co-owner of Kindred Wool Co., asked the Board for permission to install a sign – mounted perpendicular to a building and projecting out four feet – at her business, 108 West Washington St. She indicated the purpose of the sign was to identify the business location and improve visibility for customers.

In a letter to the Board, Miller wrote that the sign would be installed about 11-12 feet above ground level, ensuring adequate clearance for pedestrian traffic and compliance with safety considerations. Signtech would mount the sign. City Civil Engineer Brad Minnick said the Engineering Department reviewed the request and had no concerns. However, if the City needs the sign removed at a later date for right of way purposes, Minnick recommended a provision be added that the costs should be paid by the owner. Miller agreed to the provision.

Swartley/Landis made a motion to permit the encroachment of a projecting sign in the sidewalk right-of-way for the business at 108 West Washington St. with the provision that if at some point the City would need to have it removed for the use of the right-of-way that removal would be done at the owner's expense. The motion passed 5-0.

2) Planning & Zoning Department request: Deny a subordination request for a CDBG-owner-occupied rehab project from Activity #267, Program Year 2018

Community Development Specialist Theresa Cummings told the Board that a subordination request was submitted for a CDBG owner-occupied rehab project from Activity #267, Program Year 2018. The subordination was requested to refinance an existing mortgage, including consolidating debt and cash out for home improvements. Cummings explained the CDBG mortgage is a deferred payment loan in the amount of \$15,289.73 and is payable upon conveyance, death of owner, or foreclosure. The CDBG mortgage is currently in second position and will remain in second position after the refinancing.

Cummings said the existing mortgage has a balance of \$40,437 with an interest rate of 4.625% and a term of 30 years which began in 2019. She said the proposed new mortgage will be in the amount of \$85,000 with an interest rate of 6.75% and a term of 30 years. Monthly payments will increase from \$516 a month to \$722. And closing costs of \$3,780 and discount points of \$1,934 are being charged, totaling \$5,714.

Cummings said an official appraisal was not done for the refinance. The mortgage company supplied a PIW (property inspection waiver) and valued the home at \$150,000.



Based on Elkhart County records, Cummings said the improvement value of the home was approximately \$89,100. The discrepancy between the two values was \$60,900.

Cummings recommended that the subordination request be denied for the following reasons:

1. The interest rate is increasing from 4.625% to 6.75%
2. The monthly payment is increasing from \$516 to \$722 a month
3. The mortgage term is increasing from the remaining 24 years to 30 years
4. The assessed value, based on Elkhart County records of \$89,100, does not provide adequate equity to cover the cost of the new mortgage at \$85,000 plus the CDBG mortgage of \$15,289.73, a total of \$100,289.73.

Cummings said the homeowner intends to use approximately \$11,600 towards debt consolidation and \$27,200 toward home improvements such as replacing the furnace, siding, remodeling the kitchen and updating paint. If the Board decided to approve the subordination request, the requestor would be required to prepare and record the subordination document and provide a recorded copy to the Community Development Specialist.

Mayor Leichty asked about the alternatives for the family if the subordination request was denied.

Cummings said she can only analyze the request that the mortgage company provided. She said she didn't know if she could legally reach out to the owner. She added, "I've just been working with the mortgage company that they're going through but I know who the person is, where they live, and I do have some ideas on some different programs that could help them."

Cummings said the homeowners would be paying a high interest rate and closing costs and there could be more affordable alternatives they could apply for. He said they could qualify for more CDBG assistance.

Board member Swartley said she questioned the home being valued at \$89,000 value saying, "That must be a pretty derelict home in Goshen if it's only worth \$89,000." Cummings said the City estimated the value between the two estimates of \$89,100 and \$150,000.

Board member Swartley suggested the homeowners get an appraisal, which she said could be done for \$375 or less. The Mayor and Cummings agreed. They also discussed the proposed loan interest rate.

Mayor Leichty asked Cummings about the time frame and wondered whether there was time for a new appraisal.

Cummings said the homeowners wanted to close on the new mortgage on Jan. 10, which is with Rocket Mortgage.

Board member Landis said it would be good if the homeowner could have a more affordable option.

Mayor Leichty asked City Attorney Bodie Stegelmann if there was anything prohibiting Cummings from reaching out to the applicant to recommend alternatives. Stegelmann said he didn't know of any reason Cummings could not talk to the property owner.

In response to Board member Swartley's question about alternatives, Cummings said Lacasa has a match savings program to pay for home improvements or if the property owner was eligible for the CDBG program the property owner could obtain a low-interest loan to make home improvements.

Mayor Leichty said, "I would be inclined to try to buy us more time to work with the homeowner, so it would be my suggestion that we table a decision, which would unfortunately delay her closing if she had contractors lined up (for repairs) ... but it would give you an opportunity to have some conversations and see whether or not there's some alternatives that are available."

Board members and Cummings then discussed when the matter could come before the Board again as well as issues facing the property owner.

Swartley/Landis then made a motion to table the subordination request for a CDBG owner-occupied rehab project for two weeks, which would be Jan. 22, 2026. The motion passed 5-0.

3) Legal Department request: Adopt Resolution 2026-02, A Resolution approving and adopting a Vacant House Inspection Program



Assistant City Attorney Don Shuler said the City maintains a program to inspect vacant residential properties pursuant to the Neighborhood Preservation Ordinance (NPO) and the Indiana Unsafe Building Law. Working with the City Building Department, Shuler said the Legal Department reviewed and updated the program document, which had not been revised since it was adopted in 2016.

Primary updates in the draft ordinance included:

- Vacancy threshold lowered to two (2) years, with clear exceptions permitting earlier inspection (prior enforcement, unsecured, complaints)
- Streamlines re-inspections to one (previously two), and ties next steps to Neighborhood Preservation Ordinance (NPO) procedures following that re-inspection
- Clarifies that appeals are handled under the NPO/Unsafe Building Law framework
- Confirms program is guidance, not a legal prerequisite to enforcement

Shuler said a track-changed version of the program document was provided to the Board for reference, with the proposed resolution adopting the revised version.

Mayor Leichty asked if there were any prohibition to the City lowering the vacancy threshold to one year. Shuler said there was not but in discussion with the City Building Department it seemed sufficient to lower the rate from three years to two years with the included exceptions and with an allowance based on the extent of renovations.

Mayor said it would depend on the property "whether it's a problematic vacant property or just an under-construction property." Shuler agreed, adding, "I think that's where, providing the exception, if the City's receiving complaints about a property for activity that's occurring there because it's vacant, we don't necessarily have to abide by that two-year (period)."

Swartley/Landis made a motion to move to adopt Resolution 2026-02, *A Resolution Approving and Adopting a Vacant House Inspection Program*. The motion passed 5-0.

4) Legal Department request: Ratify the Mayor's execution of the renewal print subscription with West Publishing Corporation for West Indiana Code books and updates

City Attorney Bodie Stegelmann recommended that the Board ratify the Mayor's execution of the 60-month renewal print subscription with West Publishing Corporation for printed West Indiana Code books and updates for the Legal Department. The cost is \$383.95 per month for 2026 with a 4% increase each of the following four years.

Swartley/Landis made a motion to ratify the Mayor's execution of the attached renewal print subscription with West Publishing Corporation for printed West Indiana Code books and updates. The motion passed 5-0.

5) Legal Department request: Accept the easement for City water utility purposes at 815 S. 10th Street from AP CYCLEWORKS LLC, and authorize the Mayor to execute the acceptance

City Attorney Bodie Stegelmann recommended that the Board accept the proposed easement from AP CYCLEWORKS LLC. He said this easement is for Goshen City water utility purposes at 815 South Tenth Street. A depiction of the easement area was provided in the agenda packet for the Board.

Swartley/Landis made a motion to accept the easement for Goshen City water utility purposes at 815 South Tenth St. from AP CYCLEWORKS LLC, and authorize the Mayor to execute the acceptance. The motion passed 5-0.

6) Legal Department request: Pass Resolution 2026-01, Documenting the Submission of the 2025 Annual Certifications by City of Goshen Elected Officers

City Attorney Bodie Stegelmann informed the Board that the accompanying resolution documented the submission of the annual Certifications by all City of Goshen elected officers related to the state statutes and City policies regarding the employment of relatives by the City and contracting with the City.



Signed certifications were provided by the City's 10 elected officers – Mayor Gina Leichty, Clerk-Treasurer Richard R. Aguirre, City Judge Richard Mehl and Common Council members Linda Gerber, Phil Lederach, Douglas Nisley, Megan Peel, Don Riegsecker, Matt Schrock and Brett Weddell.

Swartley/Landis made a motion to pass Resolution 2026-01, *Documenting the Submission of the 2025 Annual Certifications by City of Goshen Elected Officers*. The motion passed 5-0.

7) Legal Department request: Approve and authorize Mayor Leichty to execute the attached agreement with Abonmarche Consultants, Inc. to allow the City to enter into an agreement for Madison Street Bank Repair Permitting

City Attorney Bodie recommended that the Board approve and authorize Mayor Leichty to execute an agreement with Abonmarche Consultants, Inc. to allow the City to enter into an agreement for Madison Street Bank Repair Permitting. This was more particularly described in Exhibit A of the agreement – Contractor's Proposal. The total cost for obtaining "after-the-fact" permits for necessary repair(s) due to damage(s) caused by beaver activity will be \$5,200 for performing all duties.

Abonmarche's work plan described the project as follows:

The proposed project includes repairing the bank and road adjacent to the bridge over the Mill Race Canal due to beaver activity that has caused a sinkhole to appear and undermine the curb and portion of the roadway. The intent is to fill the sinkhole void below the roadway, stabilize and reinforce the bank adjacent to the bridge, and reconstruct the roadway affected by the sinkhole. Other major objectives for this project include:

1. A coordination meeting was held on Sept. 17, 2024, with the City of Goshen, Indiana Department of Natural Resources (DNR), Indiana Department of Environmental Management, and the U.S. Army Corps of Engineers to discuss the project.
 - a. A permit is not needed from the DNR since the proposed project is located outside the published floodway.
 - b. Permits from IDEM and the U.S. Army Corps of Engineers will need to be obtained since the bank reinforcement will extend below the ordinary high-water mark (OHWM) of the Mill Race Canal. Filling the sinkhole and repairing the roadway are located above the OHWM and permits are not required for those tasks.
 - c. With the project being a public safety concern, "after-the-fact" permit applications can be submitted to the agencies.

2. The work has already been completed by City Staff, and several site photographs were taken to incorporate into the permit applications.

This task includes preparing permit applications for the constructed project (after-the-fact) using site photographs provided by the City supplemented with a description of the work completed. Our office will lead communication and coordination with the agencies during the permit application review process. The following permits are anticipated for the project:

1. IDEM – Section 401 WQC Regional General Permit Notification
2. U.S. Army Corps of Engineers Permit – Section 404

Swartley/Landis made a motion to approve and authorize Mayor Leichty to execute the agreement with Abonmarche Consultants, Inc. to allow the City to enter into an agreement for Madison Street Bank Repair Permitting. The motion passed 5-0.

8) Legal Department request: Approve and authorize the Mayor to execute the agreement with Abonmarche Consultants, Inc. to enter into an agreement for Carter Road Drainage Ditch Outfall Reconstruction

City Attorney Bodie Stegelmann recommended that the Board approve and authorize Mayor Leichty to execute an agreement with Abonmarche Consultants, Inc. to enter into an agreement for the Carter Road Drainage Ditch Outfall Reconstruction. It was more particularly described in Exhibit A of the agreement – Contractor's Proposal.



The total cost for reconstruction will be \$59,800 for performing all duties. However, if alternate task of Construction Stormwater General Permit must be done, this will add an additional \$3,600 to the prior stated total.

Abonmarche's work plan described the project as follows:

The proposed project consists of performing maintenance to the Carter Road Ditch (previously known as the Elkhart Township Ditch) located along the north side of Carter Road, south of Witmer Woods, and situated between South Main Street (SR 15) and the Elkhart River. The Carter Road drain consists of an open ditch about 1,000 feet long that transitions into a 54"± diameter pipe for the remaining 400 feet to the outfall at the river. Major objectives for this project include:

1. Since the last maintenance in 2008, there are several large trees growing within the banks and bottom that need to be cut flush with the ditch bottom and removed along with the sediment deposition at the east end of the ditch. It is our understanding that the City will be managing the clearing and maintenance of the drainage ditch and at the outfall.
 2. At the riverbank outfall, the City previously fixed two sinkholes and collapsed piping but another sinkhole and pipe collapse have recently been discovered. The City would like to replace and reconstruct the entire outfall at the riverbank which is anticipated to include removing and replacing one or two segments of pipe upstream.
 3. Challenges at the existing outfall include:
 - a. The outfall is submerged about halfway, and it is anticipated a coffer dam is needed to hold water back from the work zone.
 - b. There is significant flow during rainfall events, so existing flows will need to be managed during construction.
 - c. With the sinkhole and significant settlement of the adjacent area, a headwall or permanent riverbank reinforcement will need to be evaluated at the new outfall.
 - d. The existing outfall is adjacent to a large stump and large birch tree that are anticipated to need removed to reshape and stabilize the riverbank.
 - e. With close proximity to an existing residential home, there is concern for possible settlement of the foundation, therefore, the City would like to monitor the elevation of the home during construction. The monitoring is proposed to be performed weekly once construction activities commence.
 - f. With the close proximity to the existing home, the City would like to evaluate the outfall location with a possible shift to the north within the existing easement by adding a manhole to transition the pipe alignment.
 - g. Access for construction equipment and materials will need to be determined during the design phase and a temporary construction easement may be needed from Goshen College.
 4. To perform maintenance and to reconstruct the outfall at the riverbank, a coordination meeting was held on Sept. 17, 2024, with the City of Goshen, Indiana Department of Natural Resources (DNR), Indiana Department of Environmental Management, and the U.S. Army Corps of Engineers.
 - a. A Construction in a Floodway Permit is required by the DNR for the outfall reconstruction. The ditch dredging does not require this permit. Dam leveling review may be required during the permitting of the outfall reconstruction.
 - b. Permits from IDEM and the U.S. Army Corps of Engineers will need to be obtained for the outfall reconstruction. No permits will be required from either agency for the dredging work so long the stumps are left in place and removed sediment is placed upland (not in any wetlands) during the maintenance cleaning.
 5. With the reconstruction of the outfall being under one acre of land disturbance, a Construction Stormwater General Permit is not anticipated. We included this permit as an Alternate task if the City foresees a permit is needed for the ditch maintenance project and wishes to utilize our assistance.
 6. It is anticipated that the City of Goshen will publicly bid the proposed work to Contractors.
- Swartley/Landis made a motion to approve and authorize Mayor Leichty to execute an agreement with Abonmarche Consultants, Inc. to allow the City to enter into an agreement for Carter Road Drainage Ditch Outfall Reconstruction. The motion passed 5-0.**



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

At 4:23 p.m., Mayor Leichthy opened Privilege of the Floor. There were no comments.

APPROVAL OF CIVIL & UTILITY CLAIMS

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

ADJOURNMENT

Mayor Leichthy adjourned the meeting at 4:23 p.m.

APPROVED:

A blue ink signature of Gina Leichthy, written in a cursive style, is positioned above a horizontal line.

Mayor Gina Leichthy

A blue ink signature of Mike Landis, written in a cursive style, is positioned above a horizontal line.

Mike Landis, Member

A black ink signature of Orr Myers, written in a cursive style, is positioned above a horizontal line.

Orr Myers, Member

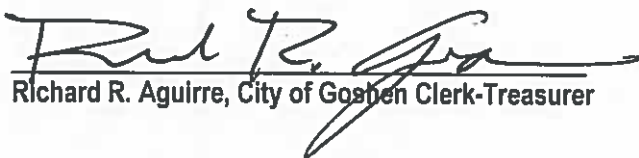
A black ink signature of Mary Nichols, written in a cursive style, is positioned above a horizontal line.

Mary Nichols, Member




Barb Swartley, Member

ATTEST:


Richard R. Aguirre, City of Goshen Clerk-Treasurer