



## **City of Goshen Board of Public Works & Safety**

Regular Meeting Agenda

**4:00 p.m., November 6, 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:** Unavailable

### **Approval of Agenda**

**1) Bid opportunities:** Open bids received from contractors for the WWTP Digester Cover Replacement project, read the Base Proposal amount and refer the bids to the Engineering Department for further review

**2) Police Department request:** Approve the promotion of Officer Tyler Smoker #222 from the position of Probationary Patrol Officer to Patrol Officer, effective Nov. 11, 2025

**3) Legal Department request:** Approve Resolution 2025-31, *Declaring Surplus and Authorizing Disposal of Radios and Miscellaneous Equipment*

**4) Engineering Department request:** Approve the balancing Change Order No. 4, reducing the contract by \$36,896.69, for a final contract amount of \$2,232,810.01 for the Asphalt Paving Project

**5) Engineering Department request:** Award the contract for the Downtown Vault Closure Program to Yaw Construction in the amount of \$190,600

### **Privilege of the Floor**

**REVIEW/COMPLIANCE HEARINGS ON BUILDING COMMISSIONER ORDERS:**

**4:00 p.m., November 6, 2025**

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

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

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**Link to the archived recordings – organized in a playlist by meeting:**  
**<https://www.youtube.com/@cityofgoshenindiana2605/playlists>**



**6) Review/compliance hearing for the City Building Commissioner's order for 1615 West Wilden Avenue (T Capital Group, LCC, property owner)**

**7) Review/compliance hearing for the City Building Commissioner's order for 2613 South Main Street (Thaly Silvestre, property owner)**

**Approval of Civil City and Utility Claims**

***Adjournment***



**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: **WWTP ANAEROBIC DIGESTER NO. 1 DUAL MEMBRANE COVER  
REPLACEMENT PROJECT - PROJECT NO. 2024-0025**

DATE: November 6, 2025

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The Clerk-Treasurer's Office has received bids from contractors today for the WWTP Anaerobic Digester No. 1 Dual Membrane Cover project and we are requesting that the Board of Public Works and Safety open these bids at today's meeting and read the Base Proposal Amount.

**Requested Motion:** **Open bids received from Contractors for the WWTP Digester Cover Replacement project and read the Base Proposal amount and refer the bids to the Engineering Department.**



**Jose' D. Miller**

**Chief of Police**

111 E Jefferson St  
Goshen, Indiana 46528

TO: Goshen Board of Public Works & Safety  
Mayor Gina Leichty  
Member Mike Landis  
Member Mary Nichols  
Member Barb Swartley  
Member Orv Myers

Date: November 6, 2025

From: Jose' Miller, Chief of Police

Reference: The Promotion of Officer Tyler Smoker #222 from Probationary Patrol Officer to Patrol Officer

I respectfully request the Board of Public Works and Safety approve the promotion of Officer Tyler Smoker #222 from the position of Probationary Patrol Officer to the rank of Patrol Officer, effective to November 11, 2025.

Over the past twelve (12) months, Officer Smoker has successfully completed his probationary period. During this time, he has consistently demonstrated a strong work ethic, sound judgment, and a clear commitment to the mission of the Goshen Police Department. His professional conduct and reliable performance have proven that he will continue to serve as a valuable asset to both the department and the community we protect.

Respectfully,

Jose' Miller #116

Chief of Police

Goshen City Police Department  
111 E. Jefferson Street  
Goshen, IN. 46528

**Telephone: (574) 533-8661**

**Hearing Impaired: (574) 533-1826**

**FAX: (574) 533-1826**



**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](http://www.goshenindiana.org)

November 6, 2025

To: Goshen Board of Public Works and Safety

From: Shannon Marks

Subject: Resolution 2025-31 - Declaring Surplus and Authorizing the Disposal of Radios and Miscellaneous Equipment

The Street Department wishes to dispose of radios and other miscellaneous equipment that are no longer needed. The estimated total value of the property is less than \$5,000, some items of which are worthless or of no market value.

Resolution 2025-31 is to declare the property as surplus and authorize its disposal in accordance with the provisions of Indiana Code § 5-22-22-6 by transferring the property without advertising, and Indiana Code § 5-22-22-8 by junking property that is worthless or of no market value.

**Suggested Motion:**

Move to pass Resolution 2025-31 - Declaring Surplus and Authorizing the Disposal of Radios and Miscellaneous Equipment.

**Goshen Board of Public Works and Safety  
Resolution 2025-31**

**Declaring Surplus and Authorizing the Disposal of Radios and Miscellaneous Equipment**

WHEREAS the Street Department has radios and other miscellaneous equipment that are no longer needed and wishes to dispose of the personal property.

WHEREAS the estimated total value of the personal property is less than \$5,000, some items of which are worthless or of no market value.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Board of Public Works and Safety that:

1. The personal property set forth in Exhibit A is declared as surplus property, hereinafter collectively referred to as “Surplus Property.”
2. Authorization is given to dispose of the Surplus Property in accordance with the provisions of Indiana Code § 5-22-22-6 by transferring the Surplus Property without advertising, and Indiana Code § 5-22-22-8 by junking the Surplus Property that is worthless or of no market value. Further, the Street Department shall donate the Surplus Property, or components of the property, for recycling where possible.

PASSED by the Goshen Board of Public Works and Safety on November \_\_\_\_, 2025.

\_\_\_\_\_  
Gina M. Leichthy, Mayor

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

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

\_\_\_\_\_  
Michael A. Landis, Member

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

**EXHIBIT A**  
**Surplus Property**  
**(Resolution 2025-31)**

	<b>Equipment Type</b>	<b>Model Number</b>	<b>Serial Number</b>	<b>Brand</b>	<b>Battery Included</b>	<b>Original Vehicle</b>	<b>Microphone Model #</b>
1	Personal Radio	AAH55QDH9LA1AN	037TMNU766	Motorola	Y	N/A	N/A
2	Personal Radio	AAH55QDC9LA1AN	977TMN4188	Motorola	Y	N/A	N/A
3	Personal Radio	AAH55QDC9LA1AN	977TMN4192	Motorola	Y	N/A	N/A
4	Personal Radio	AAH55QDC9LA1AN	977TNNY081	Motorola	Y	N/A	N/A
5	Personal Radio	AAH55QDC9LA1AN	977TNNX672	Motorola	Y	N/A	N/A
6	Personal Radio	AAH55QDC9LA1AN	977TNNY076	Motorola	Y	N/A	N/A
7	Personal Radio	AAH55QDC9LA1AN	977TNNX675	Motorola	Y	N/A	N/A
8	Personal Radio	AA5QDH9LA1AN	037TMZ1003				
9	Personal Radio	AAH55QDC9LA1AN	977TMN4056	Motorola	Y	N/A	N/A
10	Personal Radio	AAH55QDC9LA1AN	977TNNX681	Motorola	Y	N/A	N/A
11	Personal Radio	AAH55QDC9LA1AN	977TNNX679	Motorola	Y	N/A	N/A
12	Personal Radio	AAH55QDC9LA1AN	977TMQ7186	Motorola	Y	N/A	N/A
13	Personal Radio	AAH55QDC9LA1AN	977TNNY068	Motorola	Y	N/A	N/A
14	Personal Radio	AAH55QDC9LA1AN	977TMQ7167	Motorola	Y	N/A	N/A
15	Personal Radio	AAH55QDC9LA1AN	977TNNW466	Motorola	Y	N/A	N/A
16	Personal Radio	AAH55QDC9LA1AN	977TNNX066	Motorola	Y	N/A	N/A
17	Personal Radio	AAH55QDC9LA1AN	037TMZ1003	Motorola	Y	N/A	N/A
18	Radio Battery Charger	WPLN4243A	N/A	Motorola	N/A	N/A	N/A
19	Microphone	RMN5052A	N/A	Motorola	N/A	N/A	QTY:1
20	Microphone	RMN5053A	N/A	Motorola	N/A	N/A	QTY:5
21	Microphone	PMMN4024A	N/A	Motorola	N/A	N/A	QTY:3
22	Headset Microphone	PMLN5275B	N/A	Motorola	N/A	N/A	N/A
23	Radio Battery	PMNN4077C	N/A	Motorola	N/A	N/A	QTY:7
24	Radio Battery	PMNN4066	N/A	Motorola	N/A	N/A	QTY:5
25	Truck Radio	AAM27QPC9LA1AN	563TNL7037	Motorola	N/A	325	RMN5052A
26	Truck Radio	AAM27QPC9LA1AN	563TMS0814	Motorola	N/A	362	RMN5053A
27	Truck Radio	AAM27QPC9LA1AN	563TMS0930	Motorola	N/A	384	RMN5053A
28	Truck Radio	AAM28TRN9RA1AN	511TVD5431	Motorola	N/A	360	RMN5052A
29	Truck Radio	AAM27QPH9LA1AN	038TLQ1872	Motorola	N/A	363	RMN5053A
30	Truck Radio	AAM27QPC9LA1AN	563TMS0682	Motorola	N/A	323	RMN5052A
31	Truck Radio	AAM28TRN9RA1AN	511TTHA210	Motorola	N/A	356	RMN5052A
32	Truck Radio	AAM27QPC9LA1AN	563TMS0924	Motorola	N/A	338	RMN5053A
33	Truck Radio	AAM27QPC9LA1AN	563TMS0816	Motorola	N/A	361	RMN5065A
34	Truck Radio	AAM27QPH9LA1AN	038TLS028	Motorola	N/A	314	RMN5052A
35	Truck Radio	AAM27QPC9LA1AN	563TMS0673	Motorola	N/A	302	RMN5053A

**EXHIBIT A**  
**Surplus Property**  
**(Resolution 2025-31)**

	<b>Equipment Type</b>	<b>Model Number</b>	<b>Serial Number</b>	<b>Brand</b>	<b>Battery Included</b>	<b>Original Vehicle</b>	<b>Microphone Model #</b>
36	Truck Radio	AAM27QPC9LA1AN	563TMS0927	Motorola	N/A	322	RMN5053A
37	Truck Radio	AAM27QPH9LA1AN	038TLQ1669	Motorola	N/A	340	RMN5052A
38	Truck Radio	AAM27QPC9LA1AN	563TMS0817	Motorola	N/A	330	RMN5053A
39	Truck Radio	AAM28QPN9KA1AN	511IRU2345	Motorola	N/A	345	RMN5052A
40	Truck Radio	AAM27QPH9LA1AN	038TMS0769	Motorola	N/A	343	RMN5053A
41	Truck Radio	AAM27QPC9LA1AN	563TMS0676	Motorola	N/A	321	RMN5053A
42	Truck Radio	AAM27QPC9LA1AN	563TMS0928	Motorola	N/A	378	RMN5053A
43	Truck Radio	AAM27QPC9LA1AN	563TMS0926	Motorola	N/A	344	RMN5053A
44	Truck Radio	AAM27QPC9LA1AN	563TMS0680	Motorola	N/A	307	RMN5053A
45	Truck Radio	AAM27QPH9LA1AN	038TMS0765	Motorola	N/A	331	RMN5065A
46	Truck Radio	AAM27QPC9LA1AN	563TMS0674	Motorola	N/A	339	RMN5053A
47	Truck Radio	AAM27QPC9LA1AN	563TMS0937	Motorola	N/A	327	RMN5053A
48	Truck Radio	AAM27QPC9LA1AN	563TMS0675	Motorola	N/A	359	RMN5053A
49	Truck Radio	AAM27QPC9LA1AN	563TMS0923	Motorola	N/A	336	RMN5053A
50	Truck Radio	AAM27QPC9LA1AN	563TMS0926	Motorola	N/A	343	RMN5053A
51	Truck Radio	AAM27QPC9LA1AN	563TMS0684	Motorola	N/A	319	RMN5053A
52	Truck Radio	AAM28TRN9RA1AN	511UA0454	Motorola	N/A	346	RMN5053A
53	Truck Radio	AAM27QPC9LA1AN	563TMS0811	Motorola	N/A	317	RMN5052A
54	Truck Radio	AAM27QPH9LA1AN	038TLQ5860	Motorola	N/A	303	RMN5052A
55	Truck Radio	AAM27QPC9LA1AN	563TMS0812	Motorola	N/A	383	RMN5052A
56	Truck Radio	AAM27QPC9LA1AN	563TMS0813	Motorola	N/A	342	RMN5053A
57	Truck Radio	AAM27QPC9LA1AN	563TMS0921	Motorola	N/A	358	RMN5053A
58	Truck Radio	AAM27QPC9LA1AN	563TMS0922	Motorola	N/A	335	RMN5053A
59	Truck Radio	AAM27QPH9LA1AN	038TMS0759	Motorola	N/A	301	RMN5056A
60	Truck Radio	AAM27QPH9LA1AN	038TMS0761	Motorola	N/A	304	RMN5053A
61	Truck Radio	AAM27QNH9LA1AN	038TMS0470	Motorola	N/A	N/A	N/A
62	Truck Radio	AAM27QPH9LA1AN	038TLQ7273	Motorola	N/A	N/A	N/A
63	Truck Radio	AAM27QPC9LA1AN	563TMS0681	Motorola	N/A	N/A	N/A
64	Truck Radio			Motorola	N/A	320	
65	Truck Radio			Motorola	N/A	326	
66	Truck Radio	AAAM28TRN9RA1AN	511TTPC391	Motorola	N/A	357	RMN5052A
67	Desktop Speaker	Z130	N/A	Logitech	N/A	N/A	QTY:4
68	Desktop Speaker	N/A	N/A	Micro	N/A	N/A	N/A
69	Desktop Microphone	RMN5050A	3523	Motorola	N/A	N/A	N/A
70	Desktop Microphone	RMN5068A	N/A	Motorola	N/A	N/A	QTY:3

**EXHIBIT A**  
**Surplus Property**  
**(Resolution 2025-31)**

	<b>Equipment Type</b>	<b>Model Number</b>	<b>Serial Number</b>	<b>Brand</b>	<b>Battery Included</b>	<b>Original Vehicle</b>	<b>Microphone Model #</b>
71	Desktop Microphone	N/A	N/A	N/A	N/A	N/A	N/A
72	Computer Mouse	N/A	N/A	HP and Microsoft	N/A	N/A	N/A
73	Power Supply	SEC-1212	03051-2430-0591	samlexpower	N/A	Breakroom	N/A
74	Computer Monitor	V193W	ETLC10814721802F724203	Acer	N/A	N/A	N/A
75	Computer Monitor	V193W	ETLBY0817803506A654233	Acer	N/A	N/A	N/A
76	Keyboard	PR1101U	N/A	HP	N/A	N/A	QTY:3
77	Keyboard	KB216T	N/A	DELL	N/A	N/A	N/A
78	Keyboard	K120	1245MG00K188	Logitech	N/A	N/A	N/A
79	Keyboard	1048	Serial: 7687607754996	Microsoft	N/A	N/A	N/A
80	Keyboard	X800468-208	Serial: 6968201449187	Microsoft	N/A	N/A	N/A
81	Keyboard	KPQEA4ZA	50*KPQEA4ZA7CVF0103*7577	MITSUMI	N/A	N/A	N/A
82	Phone and Receiver	D3097S	BZ60059085	Uniden	N/A	N/A	N/A
83	Phone and Receiver	CL84100	KD502796524	AT&T	N/A	N/A	N/A
84	Phone and Receiver	MN:30522	SN:80002385	General Electric	N/A	N/A	N/A
85	Wireless Router	WRT54GL	CL7C1GA14780	LINKSYS	N/A	N/A	N/A
86	Computer Calculator	DR-250HD	Q2065510	CASIO	N/A	N/A	N/A
87	Photocopier	C4200	N/A	HP	N/A	N/A	N/A
88	Photocopier	C7730A	CN0B61A0S3	HP	N/A	N/A	N/A
89	Photocopier	Q5911A	CNBK829872	HP	N/A	N/A	N/A
90	Photocopier	C6431A	MYT24167160	HP	N/A	N/A	N/A
91	Photocopier	MFC-5860CN	U61591G8F822249	Brother	N/A	N/A	N/A
92	Camera	MVC-FD83	SN: 164018	SONY	N/A	N/A	N/A
93	Security DVR	HEN08161	Y019002040	Honeywell	N/A	N/A	N/A
94	Heater	BHF 3U	9530012	DeLonghi	N/A	N/A	N/A
95	Ice maker	DIM1524W	S/N: 106073200975	Danby	N/A	N/A	N/A
96	Time Clock	N/A	H97477JP	Simplex	N/A	N/A	N/A
97	Copier	MX-CSX1	0A001301	SHARP	N/A	N/A	N/A
98	Personal Radio	AAH55QDC9LA1AN	977TNNX059	Motorola	Y	N/A	N/A
99	Personal Radio	AAH55QDC9LA1AN	911TMN4194	Motorola	Y	N/A	N/A
100	Personal Radio	AAH55QDC9LA1AN	977TNNY082	Motorola	N/A	N/A	N/A
101	Personal Radio	AAH55QDC9LA1AN	977TMN4055	Motorola	N/A	N/A	N/A
102	Personal Radio	AAM27QPH9LA1AN	038TQL1871	Motorola	N/A	320	RMN5053A
103	Personal Radio	AAM27QPC9LA1AN	563TMS0815	Motorola	N/A	326	RMN5053A



**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 Works and Safety and Stormwater Board

FROM: Goshen Engineering

RE: **ASPHALT PAVING PROJECT  
(JN: 2024-0002)**

DATE: November 6, 2025

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Attached please find Change Order No. 4 – A Balancing Change Order.

Change Order No. 4 reduces the amended contract price by \$36,896.69 making the final contract amount \$2,232,810.01. This amount is 8.62% over the bid amount of \$2,055,649.40 due to the previous change orders.

<b>Contract amount as previously amended</b>	<b>\$2,269,706.70</b>
<b>Change Order No. 4</b>	<b>\$ -36,896.69</b>
<hr/>	
<b>Revised contract amount</b>	<b>\$2,232,810.01</b>

**Suggested Motion: Move to approve the balancing Change Order No. 4 reducing the contract by \$36,896.69, for a final contract amount of \$2,232,810.01.**

**CHANGE ORDER FORM**

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Change Order No. 4  
Date: 11/6/2025

**CITY OF GOSHEN, INDIANA  
OFFICE OF THE CITY ENGINEER  
204 E. Jefferson Street, Suite 1  
Goshen, IN 46528**

OWNER: City of Goshen  
PROJECT NAME: Asphalt Paving Project  
PROJECT NUMBER: 2024-0002 A  
CONTRACTOR: Niblock Excavating

**I. DESCRIPTION OF WORK INVOLVED (Use additional sheets if needed)**

Line item adjustments to serve as a balancing change order to close the project.

7	Common Excavation (Note: This balances the line item out)	-300.0 CYD	@ \$37.50	-----	-\$11,250.00
10	Milling, 3.0" (Note: This balances the line item out)	-408.0 SYD	@ \$4.00	-----	-\$1,632.00
11	Milling, 2.0" (Note: This balances the line item out)	-1307 SYD	@ \$3.00	-----	-\$3,921.00
13	HMA, Type B, Surface, 9.5mm (Note: This balances the line item out)	-459.41 TON	@ \$105.50	-----	-\$48,467.76
14	HMA, Type B, Binder, 12.5mm (Note: This balances the line item out)	211.48 TON	@ \$91.00	-----	\$19,244.68
15	HMA, Type B, Base, 19.0mm (Note: This balances the line item out)	-434.78 TON	@ \$82.00	-----	-\$35,651.96
16	Tack Coat (Note: This balances the line item out)	-6 TON	@ \$825.00	-----	-\$4,950.00
17	No. 53 Crushed/Recycled Concrete (Note: This balances the line item out)	-370 TON	@ \$45.50	-----	-\$16,835.00
18	Geosynthetic Reinforcing Paving Mat (Note: This balances the line item out)	-408 SYD	@ \$7.00	-----	-\$2,856.00
19	Full Depth Patching (Note: This balances the line item out)	413 SYD	@ \$59.00	-----	\$24,367.00
20	Manhole Chimney Reconstruction (Note: This balances the line item out)	-7 EA	@ \$2,250.00	-----	-\$15,750.00
22	Thermoplastic, White, Stop Bar, 24" (Note: This balances the line item out)	-50 LFT	@ \$20.00	-----	-\$1,000.00
23	Thermoplastic, White, Single Line, 4" (Note: This balances the line item out)	1228 LFT	@ \$0.85	-----	\$1,043.80
24	Thermoplastic, Yellow, Single Line, 4" (Note: This balances the line item out)	2510 LFT	@ \$0.85	-----	\$2,133.50

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**CHANGE ORDER FORM**

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Change Order No. 4  
Date: 11/6/2025

25	Thermoplastic, White, Single Line, 6" (Note: This balances the line item out)	-200 LFT	@	\$1.20	-----	-\$240.00
A8	Sidewalk Removal (All Types) (Note: This balances the line item out)	-33 SYD	@	\$45.00	-----	-\$1,485.00
A9	Drive Approach Removal (All Types) (Note: This balances the line item out)	13 SYD	@	\$21.50	-----	\$279.50
A10	Concrete Removal, Curb & Gutter (Note: This balances the line item out)	141.5 LFT	@	\$17.00	-----	\$2,405.50
A11	Flowable Mortar Pipe Abandonment (Note: This balances the line item out)	-3 CYD	@	\$350.00	-----	-\$1,050.00
A13	Concrete Curb & Gutter (Note: This balances the line item out)	141.5 LFT	@	\$45.00	-----	\$6,367.50
A14	Concrete Drive Approach (Commercial), 9" (Note: This balances the line item out)	78.2 TON	@	\$155.00	-----	\$12,121.00
A15	Concrete Sidewalk, 4" (Note: This balances the line item out)	24.97 SYD	@	\$130.00	-----	\$3,246.10
A16	ADA Ramp with Truncated Domes, 4" (Note: This balances the line item out)	4.4 SYD	@	\$175.00	-----	\$770.00
A17	Storm Manhole, 4' (Note: This balances the line item out)	3 EA	@	\$4,000.00	-----	\$12,000.00
A18	Storm Catch Basin & Casting, 30" diameter (Note: This balances the line item out)	-1 EA	@	\$3,250.00	-----	-\$3,250.00
A19	Manhole Chimney Reconstruction (Note: This balances the line item out)	-2 EA	@	\$2,425.00	-----	-\$4,850.00
A20	PVC Pipe, 6" SDR 35 Solid Wall (Note: This balances the line item out)	-4 LFT	@	\$118.00	-----	-\$472.00
A21	PVC Pipe, 6" SDR 35 Perforated (Note: This balances the line item out)	45 LFT	@	\$57.00	-----	\$2,565.00
A22	PVC Fitting, 6" Cap (Note: This balances the line item out)	3 EA	@	\$75.00	-----	\$225.00
A23	PVC Fitting, 6", 45 degree, Elbow (Note: This balances the line item out)	5 LFT	@	\$80.00	-----	\$400.00
A24	PVC Fitting, 12"x12"x6" Sweeping Wye (Note: This balances the line item out)	3 LFT	@	\$400.00	-----	\$1,200.00
A25	PVC, 12" SDR 35 Solid Wall (Note: This balances the line item out)	364 LFT	@	\$70.00	-----	\$25,480.00
A27	HMA, Type B, Base, 19.0 mm (Note: This balances the line item out)	-68.89 TON	@	\$85.00	-----	-\$5,855.65

This Page = \$49,856.95

**CHANGE ORDER FORM**

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Change Order No. 4  
Date: 11/6/2025

A29	Aggregate, INDOT No. 53 Limestone (Note: This balances the line item out)	287.05 TON	@ \$54.00	-----	\$15,500.70
A30	Aggregate, INDOT No. 8 (Clean) (Note: This balances the line item out)	-35.52 TON	@ \$64.00	-----	-\$2,273.28
A31	TENSAR NX750-FG (Note: This balances the line item out)	-100 LFT	@ \$10.00	-----	-\$1,000.00
A32	Thermoplastic, White, Stop Bar, 24" (Note: This balances the line item out)	11.00 LFT	@ \$20.00	-----	\$220.00
A33	Themoplastic, White, Line, 4" (Note: This balances the line item out)	4.00 LFT	@ \$0.85	-----	\$3.40
A34	Thermoplastic, White, Line, 6" (Note: This balances the line item out)	47 LFT	@ \$0.85	-----	\$39.95
A35	Thermoplastic, Yellow, Line, 6" (Note: This balances the line item out)	3.00 LFT	@ \$1.20	-----	\$3.60
A36	Thermoplastic, Yellow, Line, 12" (Note: This balances the line item out)	-47.00 LFT	@ \$10.50	-----	-\$493.50
CO2.2	Grooving for Pavement Markings (Note: This balances the line item out)	5037 LFT	@ \$0.80	-----	\$4,029.60
CO2.3	Removal of Temp. Markings, 4" (Note: This balances the line item out)	-640 LFT	@ \$1.44	-----	-\$921.60
CO2.4	Removal of Temp. Markings, 5" (Note: This balances the line item out)	-140 LFT	@ \$1.97	-----	-\$275.80
CO2.7	Import Clean Fill Borrow (Johnston & Hackett) (Note: This balances the line item out)	88.13 CYD	@ \$19.00	-----	\$1,674.47
CO2.8	Export Clay Spoils (Note: This balances the line item out)	88.13 CYD	@ \$12.00	-----	\$1,057.56
CO3.2	Milling (Note: This balances the line item out)	-4397 SYD	@ \$2.00	-----	-\$8,794.00

**Total of Pages 1-3      -\$36,896.69**

**CHANGE ORDER FORM**

Pg 4 of 5

Change Order No. 4

Date: 11/6/2025

**II. ADJUSTMENTS IN AMOUNT OF CONTRACT**

1. Amount of original contract		\$2,055,649.40
2. Net ( <del>Addition/Reduction</del> ) due to all Previous Contract Supplements Numbers 1 to <u>3</u>		\$214,057.30
3. Amount of Contract, not including this supplement		\$2,269,706.70
4. <del>Addition/Reduction</del> to Contract due to this supplement		(\$36,896.69)
5. Amount of Contract, including this supplemental		\$2,232,810.01
6. Total ( <del>Addition/Reduction</del> ) due to all Change Orders (Line 2 + Line 4)		\$177,160.62
7. Total percent of change in the original contract price Includes Change Order No. 4 to <u>4</u> (Line 6 divided by Line 1)		8.62%

**III. CONTRACT SUPPLEMENT CONDITIONS**

1. The contract completion date established in the original contract or as modified by previous Contract Supplement(s) is hereby ~~extended/reduced~~ by 0 calendar days, making the final completion date N/A.

2. Any additional work to be performed under this Contract supplement will be carried out in compliance with the specifications included in the preceding Description of Work Involved, with the supplemental contract drawing designed as \_\_\_\_\_, and under the provisions of the original contract including compliance with applicable equipment specifications, general specifications and project specifications for the same type of work.

3. This Contract Supplement, unless otherwise provided herein, does not relieve the contractor from strict compliance with the guarantee provisions of the original contract, particularly those pertaining to performance and operation of equipment.

4. The contractor expressly agrees that he will place under coverage of his Performance and Payment Bonds and contractor's insurance, all work covered by this Contract Supplement. The contractor will furnished to the owner evidence of increased coverage of this Performance and Payments bonds for the accrued value of all contract supplements, which exceed the original contract price by twenty (20) percent.


CHANGE ORDER FORM

Pg. 5 of 5

Change Order No. 4

Date: 11/6/2025

RECOMMENDED FOR ACCEPTANCE

 11.04.25  
Dustin Sailor, PE

ACCEPTED: BOARD OF PUBLIC WORKS  
CITY OF GOSHEN, INDIANA

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

ACCEPTED: CONTRACTOR

\_\_\_\_\_  
Niblock Excavating

BY: \_\_\_\_\_  
Signature of authorized representative

\_\_\_\_\_  
Printed

\_\_\_\_\_  
Title



**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: Goshen Board of Works and Safety

From: Dustin K. Sailor, Director of Public Works & Utilities

**RE: DOWNTOWN VAULT CLOSURE PROGRAM  
(JN: 2012-0043)**

Date: November 4, 2025

On Thursday, October 30, the City received quotes for the Downtown Vault Closure Program. Yaw Construction was the only quoter that responded to the City’s solicitation. Yaw Construction’s bid amount was \$274,500.00, which was over the engineer’s estimate. Following the bid, Goshen Engineering discussed Yaw Construction’s bid approach and determined the bid included additional cost to provide coverage for unforeseens. Through a negotiation process, Goshen Engineering worked to share some of the construction risk with Yaw Construction by offering to provide the pedestrian traffic control measures, and adding breakout bid items for:

- Removal of Demolition Debris
- Demolition of Foundations Wall
- Temporary Business Access

Through the negotiation process, the original quoted price of \$274,500.00 was reduced to a final bid amount of \$190,600.00.

Item No	Description	Estimated Unit	Unit Cost	Total
1	Traffic Control & Accessibility	10 Sites	150	\$ 1,500.00
1a	Removal of Demolition Debris	155 CYD	200	\$ 31,000.00
1b	Demolition of Foundation Wall	210 LFT	10	\$ 2,100.00
1c	Temporary Business Access	10 Site	150	\$ 1,500.00
2	Course Aggregate, No. 8, Class A or Higher	800 CYD	80	\$ 64,000.00
3	Compacted Aggregate for Base, No. 53, Undistributed	50 CYD	100	\$ 5,000.00
4	Remove and Replace Sidewalk	300 SYD	225	\$ 67,500.00
5	Remove and Replace Curb Ramp, Undistributed	60 SYD	300	\$ 18,000.00
				<b>\$190,600.00</b>

Based on the negotiated price, Goshen Engineering recommends the Board of Works and Safety award the contract to Yaw Construction for the quoted price of \$190,600.00.

***Suggested Motion: Move to award the contract for the Downtown Vault Closure Program to Yaw Construction in the amount of \$190,600.00.***



**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

November 6, 2025

To: Board of Public Works and Safety – Unsafe Building Hearing Authority

From: Don Shuler, Assistant City Attorney

Subject: 1615 W. Wilden Avenue, Goshen, Indiana

---

This matter is before the Board in its capacity as the City's Unsafe Building Hearing Authority. An Order of the City of Goshen Building Commissioner was issued this property on September 26, 2025, requiring various repairs to be made within thirty (30) days. A copy of that Order is attached.

The Building Commissioner Order also set a review/compliance hearing. Therefore, at the hearing, the Board may receive reports, evidence, and arguments from the Building Department, the property owner, City staff, and anyone else wishing to speak to the property. Based on the findings the Board makes, the Board may:

1. Continue the matter for further review.
2. Modify the Order (e.g., extend deadlines, require a performance bond).
3. Rescind the Order.
4. Affirm the Order and, if warranted, impose a civil penalty if the Board specifically finds there has been a willful failure to comply.
5. Take any other action permitted by law to address the unsafe premises, such as authorizing action for receivership or other legal action.

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

**CITY OF GOSHEN BUILDING COMMISSIONER  
UNSAFE BUILDING ENFORCEMENT AUTHORITY  
ORDER**

September 26, 2025

IN RE: Violation of Goshen City Code

Property Address: 1615 W. Wilden Avenue

Property Tax Code: 20-11-05-377-001.000-015

Property Owner: T Capital Group LLC

Substantial Property Interest of Record: Lima One Capital, LLC

---

**Section 1.**

You are hereby notified that you are in violation of the City of Goshen Building Code and Neighborhood Preservation Ordinance, codified at Goshen City Code §§ 6.1.1 and 6.3.1. The violations exist at property owned by you, as evidenced by the tax records of the Elkhart County Auditor, property tax code number 20-11-05-377-001.000-015; commonly known as 1615 W. Wilden Avenue, Goshen, Indiana, said real estate more particularly described in **Exhibit A.**

**Section 2.**

The following violations of Goshen City Code Title 6, Article 3, Chapter 1 exist at the residential unit within the structure at the real estate identified in Section 1:

1. Failure to maintain all facilities, equipment, and utilities in safe working condition, as required by Code § 6.3.1.1(a).
  - a. There is no working plumbing system.
  - b. There is no working electrical system.
  - c. There is no working furnace or heating and ventilation system; the duct work is not properly installed.
  - d. There is no working water heater.

2. Failure to main all foundations, floors, walls, ceilings, and roof in a condition that is reasonably weather tight and rodent proof, and in good repair, as required by Code § 6.3.1.1(b).
  - a. Areas of the garage roof have collapsed.
  - b. House roof has loose shingles in need of repair.
  - c. There are areas of soffit and fascia that are missing and need replacement, or loose and need repair.
3. Failure to maintain all windows and doors in a condition that is reasonably weather tight, rodent proof, in sound working condition, and in good repair, as required by Code § 6.3.1.1(d).
  - a. There are multiple broken windows in both the house and garage located on the real estate.
4. Failure to properly secure all exterior doors, exterior windows, and exterior basement entrances for a vacant structure, as required by Code § 6.3.1.1(ff).
  - a. There are multiple areas of accessibility to the interior of the house and garage located on the real estate, through missing or broken windows and open doors.
  - b. There is evidence of multiple squatters.
5. Failure to maintain all painted surfaces as properly coated and weather tight, as required by Code § 6.3.1.1(g).
  - a. Areas around the house and garage have chipping and peeling paint that need to be scraped and repainted.

In addition, the residential structure is filled with trash, debris, waste, and materials, and otherwise not maintained in a manner that would permit human habitation, occupancy, or use under Goshen City Code.

The residential structure on the real estate has not been maintained in a manner that is compliant with the minimum standards for all structures for purposes of health and safety and is therefore unsafe within the meaning of I.C. § 36-7-9-4(a)(5). In addition, the real estate is vacant and not maintained in a manner that would permit human habitation, occupancy, or use under the requirements of Goshen City Code, and is therefore unsafe within the meaning of I.C. § 36-7-9-4(a)(6). The residential structure is vacant, not secure, has attracted squatters and vandals that have left trash, debris, waste, and other materials within the residential structure that contributes to its deterioration and dilapidated state, rendering it a public nuisance, and is therefore unsafe within the meaning of I.C. § 36-7-9-4(a)(4).

**Section 3.**

You are hereby **ORDERED** to complete the necessary actions and repairs to the residential unit in the structure at the real estate to bring the property into compliance with the minimum housing standards that permit human habitation, occupancy, or use under the Goshen City Building Code and Neighborhood Preservation Ordinance. Said actions and repairs, among other considerations, must include attaining all proper permits, inspections, and address all listed violations, building conditions, and property conditions contained in this order.

You are hereby **FURTHER ORDERED** to complete all said work or make substantial progress towards completion within thirty (30) days.

**Section 4.**

You are hereby notified that failure to comply with this Order may result in the City of Goshen taking action to complete the required work and bill you for the costs of such work, including, the actual costs of the work performed and an amount equal to the average processing expense the City will incur in pursuing this matter. Such amounts can become a lien upon the real estate and can ultimately be enforced in the same manner as any other judgment. In addition, failure to comply with the Order may result in the City of Goshen Building Commissioner issuing a civil penalty pursuant to I.C. § 36-7-9-7.5 or pursuing civil action remedies pursuant to I.C. § 36-7-9-17. Further, the City of Goshen Building Commissioner may schedule a compliance hearing before the City of Goshen Board of Public Works and Safety, as the City's Hearing Authority, for the purpose of determining your compliance with this Order. In the event of such a hearing, you are entitled to appear with or without legal counsel, present evidence, cross-examine opposing witnesses, and present arguments. At such a hearing, the Hearing Authority may affirm, rescind, or modify the Building Commissioner's Order, and may also impose a civil penalty pursuant to I.C. § 36-7-9-7(e) if it finds there has been a willful failure to comply with the Order.

**Section 5.**

You are further notified that this Order becomes final ten (10) days after notice is given, unless you request a hearing in writing and deliver such written request for hearing to the City of Goshen Building Commissioner prior to the expiration of said ten (10) days.

**Section 6.**

You are further notified that a hearing will be held before the Goshen Board of Public Works and Safety on **Thursday, November 6, 2025 at 4:00 p.m. (local time)**, or soon thereafter, for the purpose of reviewing your compliance with this Order of the City of Goshen Building Commissioner. This hearing will be held in the Court Room / Council Chambers at 111 East Jefferson Street, Goshen, Indiana.

You have the right to appear at this hearing with or without counsel, to present evidence, cross-examine opposing witnesses, and present arguments. Should you fail to appear at the time set for the hearing, the hearing will be conducted in your absence.

The Goshen Board of Public Works and Safety will have the right to affirm, rescind, or modify this Order. The Goshen Board of Public Works and Safety may authorize the Building Commissioner to proceed with remedial action under Indiana Code § 36-7-9-10 or -11, or to proceed with civil action under Indiana Code § 36-7-9-17; may issue a civil penalty in an amount not to exceed Five Thousand Dollars (\$5,000.00) if it finds there has been a willful failure to comply with the Building Commissioner's Order; or take any other action permitted by law to resolve the unsafe conditions at the residential unit on the Real Estate.

**Section 7.**

You are hereby notified that as a result of this Order being issued you may not transfer or agree to transfer any property interest in the parcel described in Section 1 of this Order, unless you have complied with all requirements of Indiana Code § 36-7-9-27, which are as follows:

1. You must supply full information regarding this Order to the person or persons taking or agreeing to take any interest in the parcel described in Section 1 of this Order.
2. You must supply in writing to the City of Goshen Building Department, within five (5) days of any actions to transfer the interest, the following:
  - a. The full name, address, and telephone number of the person or persons taking interest in the property described in Section 1 of this Order; and

- b. A copy of the legal instrument under which the transfer of the interest is accomplished.

**Section 8.**

You are hereby notified that failure to comply with Section 6 of this Order may result in a judgment of liability against you in accordance with Indiana Code § 36-7-9-27.

**Section 9.**

This Order is issued by the City of Goshen Building Commissioner, Myron Grise, in accordance with the Indiana Unsafe Building Law, the Goshen City Building Code, and the City of Goshen Neighborhood Preservation Ordinance. The address of the Building Commissioner is 204 E. Jefferson Street, Suite 5, Goshen, Indiana 46528, and the telephone number is 574-534-1811.

This Order of the City of Goshen Building Commissioner is issued on September 26, 2025.

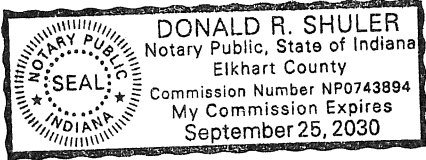
**City of Goshen Building Department**

  
\_\_\_\_\_  
Myron Grise, Building Commissioner

STATE OF INDIANA            )  
                                          ) SS:  
COUNTY OF ELKHART        )

Before me, the undersigned, a Notary Public in and for said county and State, this September 26, 2025, personally appeared Myron Grise, Building Commissioner for the City of Goshen, Indiana, who acknowledged execution of the foregoing Order for and on behalf of the City of Goshen, Indiana Building Department, as his voluntary act for the purposes stated therein, and who, having been duly sworn, stated that the representations contained therein are true.

  
\_\_\_\_\_  
Notary Public



**Certificate of Service**

The undersigned hereby certifies that the foregoing Order of the City of Goshen Building Commissioner for the premises at 1615 W. Wilden Avenue, Goshen, Indiana, was served by sending a copy by certified mail, return receipt requested and by regular first-class mail to the last known address of the following persons to be notified on September 26, 2025:

T Capital Group, LLC  
1525 S. Higley Road  
Gilbert, Arizona 85296

Lima One Capital, LLC  
201 E. McBee Avenue, Suite 300  
Greenville, South Carolina 29601



---

Donald R. Shuler, #26587-71  
Assistant City Attorney  
City of Goshen Legal Department  
204 East Jefferson Street, Suite 2  
Goshen, Indiana 46528

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).

This document prepared by Donald R. Shuler, Assistant City Attorney, City of Goshen Legal Department, 204 E. Jefferson Street, Suite 2, Goshen, IN 46526; Ph: 574.537.3855.

Exhibit A

A fractional part of the South Half of Section 5, Township 36 North, Range 6 East (Elkhart Township), Elkhart County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of the Southeast Quarter of Section 5, Township and Range aforesaid; thence North 00 degrees 07 minutes West and along the Westerly line of the Southeast Quarter of Section 5, a distance of 772.54 feet to a cross cut in the concrete on the tangent of a curve on Wilden Avenue; thence North, 67 degrees 31 minutes West and along said tangent; a distance of 78.21 feet; thence North, 45 degrees 58 minutes East, a distance of 4.75 feet to the point of beginning of this description and also to a cross cut in the concrete on the centerline of Wilden Avenue; thence continuing North 45 degrees 58 minutes East, a distance of 124.22 feet; thence North 30 degrees 36 minutes 43 seconds West, a distance of 166.88 feet; thence South 40 degrees 34 minutes West, a distance of 196.49 feet to a cross out in the concrete on the centerline of Wilden Avenue; thence along the centerline curve of Wilden Avenue, a distance of 147.68 feet and whose chord is South 56 degrees 49 minutes 39 seconds East, a distance of 147.60 feet to a cross cut in the concrete which marks the point of beginning of this description.

EXCEPT that part conveyed to the City of Goshen by a Deed recorded December 15, 2005 as Instrument No. 2005-39564 in the Office of the Recorder of Elkhart County, Indiana, to wit:

Part of the South Half (S 1/2) of Section 5, Township 36 North, Range 6 East, Elkhart Township, Elkhart County, State of Indiana, and being that part of the Grantor's land lying within the right-of-way line depicted on the attached right-of-way parcel Plat marked Exhibit "8" described as follows:

Commencing at the Southwest corner of the Southeast Quarter of Section 5, Township and Range aforesaid; thence North 0 degrees 07 minutes West and along the Westerly line of the Southeast Quarter of Section 5, a distance of 772.54 feet to a cross cut in the concrete on the tangent of a curve on Wilden Avenue; thence North 67 degrees 31 minutes West and along said tangent, a distance of 78.21 feet; thence North 45 degrees 68 minutes East, a distance of 4.75 feet to a cross cut in the concrete on the centerline of Wilden Avenue, (previous courses quoted from Deed Record 368, page 05), said point being the Southmost corner of Grantor's land, and point "623" designated on said Plat and being the place of beginning of this description; thence Northwestwardly along a tangent curve to the right (R=797.91 feet) and along the centerline of said Wilden Avenue, a distance of 147.63 feet (Chord: North 56 degrees 51 minutes 09 seconds West, 147.42 feet) to the Westmost corner of Grantor's land and point "620" designated on said Plat; thence North 40 degrees 24 minutes 37 seconds East along the Northwest line of Grantor's land, a distance of 40.03 feet to a point "621" designated on said Plat; thence Southeastwardly along a non-tangent curve to the left (R=757.91 feet), a distance of 151.86 feet (chord: South 57 degrees 23 minutes 46 seconds East, 151.61 feet) to the Southeast line of Grantor's land and point ("622") designated on said Plat; thence South 45 degrees 48 minutes 37 seconds West along the Southeast line of Grantor's land, a distance of 42.17 feet to the place of beginning of this description, and containing 5,990 square feet of land (0.137 of an acre of land) inclusive of the presently existing right-of-way which contains 3,724 square feet of land (0.085 of an acre of land) for a net taking of 2,266 square feet (0.052 of an acre) more or less.

ALSO EXCEPT that part conveyed to the City of Goshen by a Deed recorded January 27, 2009 as Instrument No. 2009-01592 and re-recorded March 27, 2009 as Instrument No. 2009 07382, in the Office of the Recorder of Elkhart County, Indiana, to-wit: Part of the South Half of Section 5, Township 36 North, Range 6 East, Elkhart Township, Elkhart County, State of Indiana, described as follows:

Commencing at the Southwest corner of the Southeast Quarter of Section 5, Township and Range aforesaid; thence North 00 degrees 07 minutes West and along the Westerly line of the Southeast Quarter of Section 5, a distance of 772.54 feet to cross cut in the concrete on the tangent of a curve on Wilden Avenue; thence North 67 degrees 31 minutes West and along said tangent, a distance of 78.21 feet; thence North 45 degrees 58 minutes East, a distance of 4.75 feet to a cross cut in the concrete on the centerline of Wilden Avenue (previous courses quoted from Deed Record 368, page 05), said point being the Southmost corner of owners land, said point being the place of beginning of this description; thence Northwestwardly along a curve to the right (R=797.91 feet) along the centerline of said Wilden Avenue, a distance of 147.63 feet (Chord: North 56 degrees 51 minutes 09 seconds West), 147.42 feet to the Westmost corner of Owners land; thence North 40 degrees 24 minutes 37 seconds East along the Northwest line of owners land, a distance of 40.03 feet to a point; thence Southeastwardly along a curve to the left (R=757.91 feet), a distance of 151.86 feet (Chord: South 57 degrees 23 minutes 46 seconds East, 151.61 feet) to a point on the Southeast line of Owners land; thence South 45 degrees 48 minutes 37 seconds West along the Southeast line of Owners land, a distance of 42.17 feet to the place of beginning of this description.



**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

November 6, 2025

To: Board of Public Works and Safety – Unsafe Building Hearing Authority

From: Don Shuler, Assistant City Attorney

Subject: 2613 S. Main Street, Goshen, Indiana

---

This matter is before the Board in its capacity as the City's Unsafe Building Hearing Authority. An Order of the City of Goshen Building Commissioner was issued this property on September 26, 2025, requiring various repairs to be made within thirty (30) days. A copy of that Order is attached.

The Building Commissioner Order also set a review/compliance hearing. Therefore, at the hearing, the Board may receive reports, evidence, and arguments from the Building Department, the property owner, City staff, and anyone else wishing to speak to the property. Based on the findings the Board makes, the Board may:

1. Continue the matter for further review.
2. Modify the Order (e.g., extend deadlines, require a performance bond).
3. Rescind the Order.
4. Affirm the Order and, if warranted, impose a civil penalty if the Board specifically finds there has been a willful failure to comply.
5. Take any other action permitted by law to address the unsafe premises, such as authorizing action for receivership or other legal action.

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

**CITY OF GOSHEN BUILDING COMMISSIONER  
UNSAFE BUILDING ENFORCEMENT AUTHORITY  
ORDER**

September 26, 2025

IN RE: Violation of Goshen City Code

Property Address: 2613 S. Main Street

Property Tax Code: 20-11-28-230-012.000-015

Property Owner: Thaly Silvestre

Substantial Property Interest of Record: Selene Finance, LP  
American Express National Bank

---

**Section 1.**

You are hereby notified that you are in violation of the City of Goshen Building Code and Neighborhood Preservation Ordinance, codified at Goshen City Code §§ 6.1.1 and 6.3.1. The violations exist at property owned by you, as evidenced by the tax records of the Elkhart County Auditor, property tax code number 20-11-28-230-012.000-015; commonly known as 2613 S. Main Street, Goshen, Indiana, said real estate more particularly described as follows:

LOT NUMBER FOUR (4) IN MARTIN MANOR ADDITION, LOCATED IN  
THE NORTHEAST CORNER OF SECTION 28, TOWNSHIP 36 NORTH,  
RANGE 6 EAST, AS APPEARS OF RECORD IN PLAT BOOK 3, PAGE 116,  
OF THE RECORDS OF ELKHART COUNTY, INDIANA.

**Section 2.**

The following violations of Goshen City Code Title 6, Article 3, Chapter 1 exist at the residential unit within the structure at the real estate identified in Section 1:

1. Failure to maintain all facilities, equipment, and utilities in safe working condition, as required by Code § 6.3.1.1(a).

- a. Duct work is rusted and in need of replacement; there are ducts not properly connected nor installed.
  - b. Plumbing lines have been cut or removed.
2. Failure to main all foundations, floors, walls, ceilings, and roof in a condition that is reasonably weather tight and rodent proof, and in good repair, as required by Code § 6.3.1.1(b).
  - a. There is evidence of water damage within the residential structure.
  - b. Walls have holes and other damage.
  - c. Ceilings have holes and/or collapsed.
  - d. There is evidence of mold on ceilings.
3. Failure to maintain the rood in a sound, tight, and free of defects that admit rain, as required by Code § 6.3.1.1(c).
  - a. There is evidence of water damage within the residential structure.
4. Failure to maintain all windows and doors in a condition that is reasonably weather tight, rodent proof, in sound working condition, and in good repair, as required by Code § 6.3.1.1(d).
  - a. There are multiple cracked and broken windows throughout the residential structure.

In addition, the residential structure is filled with trash, debris, waste, and materials, and otherwise not maintained in a manner that would permit human habitation, occupancy, or use under Goshen City Code.

The residential structure on the real estate has not been maintained in a manner that is compliant with the minimum standards for all structures for purposes of health and safety and is therefore unsafe within the meaning of I.C. § 36-7-9-4(a)(5). In addition, the real estate is vacant and not maintained in a manner that would permit human habitation, occupancy, or use under the requirements of Goshen City Code, and is therefore unsafe within the meaning of I.C. § 36-7-9-4(a)(6). The residential structure is vacant, not secure, and filled with trash, debris, waste, and other materials within the residential structure that contributes to its deterioration and dilapidated state, rendering it a public nuisance, and is therefore unsafe within the meaning of I.C. § 36-7-9-4(a)(4).

**Section 3.**

You are hereby **ORDERED** to complete the necessary actions and repairs to the residential unit in the structure at the real estate to bring the property into compliance with the minimum housing standards that permit human habitation, occupancy, or use under the Goshen City Building Code and Neighborhood Preservation Ordinance. Said actions and repairs, among other considerations, must include attaining all proper permits, inspections, and address all listed violations, building conditions, and property conditions contained in this order.

You are hereby **FURTHER ORDERED** to complete all said work or make substantial progress towards completion within thirty (30) days.

**Section 4.**

You are hereby notified that failure to comply with this Order may result in the City of Goshen taking action to complete the required work and bill you for the costs of such work, including, the actual costs of the work performed and an amount equal to the average processing expense the City will incur in pursuing this matter. Such amounts can become a lien upon the real estate and can ultimately be enforced in the same manner as any other judgment. In addition, failure to comply with the Order may result in the City of Goshen Building Commissioner issuing a civil penalty pursuant to I.C. § 36-7-9-7.5 or pursuing civil action remedies pursuant to I.C. § 36-7-9-17. Further, the City of Goshen Building Commissioner may schedule a compliance hearing before the City of Goshen Board of Public Works and Safety, as the City's Hearing Authority, for the purpose of determining your compliance with this Order. In the event of such a hearing, you are entitled to appear with or without legal counsel, present evidence, cross-examine opposing witnesses, and present arguments. At such a hearing, the Hearing Authority may affirm, rescind, or modify the Building Commissioner's Order, and may also impose a civil penalty pursuant to I.C. § 36-7-9-7(e) if it finds there has been a willful failure to comply with the Order.

**Section 5.**

You are further notified that this Order becomes final ten (10) days after notice is given, unless you request a hearing in writing and deliver such written request for hearing to the City of Goshen Building Commissioner prior to the expiration of said ten (10) days.

## **Section 6.**

You are further notified that a hearing will be held before the Goshen Board of Public Works and Safety on **Thursday, November 6, 2025 at 4:00 p.m. (local time)**, or soon thereafter, for the purpose of reviewing your compliance with this Order of the City of Goshen Building Commissioner. This hearing will be held in the Court Room / Council Chambers at 111 East Jefferson Street, Goshen, Indiana.

You have the right to appear at this hearing with or without counsel, to present evidence, cross-examine opposing witnesses, and present arguments. Should you fail to appear at the time set for the hearing, the hearing will be conducted in your absence.

The Goshen Board of Public Works and Safety will have the right to affirm, rescind, or modify this Order. The Goshen Board of Public Works and Safety may authorize the Building Commissioner to proceed with remedial action under Indiana Code § 36-7-9-10 or -11, or to proceed with civil action under Indiana Code § 36-7-9-17; may issue a civil penalty in an amount not to exceed Five Thousand Dollars (\$5,000.00) if it finds there has been a willful failure to comply with the Building Commissioner's Order; or take any other action permitted by law to resolve the unsafe conditions at the residential unit on the Real Estate.

## **Section 7.**

You are hereby notified that as a result of this Order being issued you may not transfer or agree to transfer any property interest in the parcel described in Section 1 of this Order, unless you have complied with all requirements of Indiana Code § 36-7-9-27, which are as follows:

1. You must supply full information regarding this Order to the person or persons taking or agreeing to take any interest in the parcel described in Section 1 of this Order.
2. You must supply in writing to the City of Goshen Building Department, within five (5) days of any actions to transfer the interest, the following:
  - a. The full name, address, and telephone number of the person or persons taking interest in the property described in Section 1 of this Order; and

- b. A copy of the legal instrument under which the transfer of the interest is accomplished.

**Section 8.**

You are hereby notified that failure to comply with Section 6 of this Order may result in a judgment of liability against you in accordance with Indiana Code § 36-7-9-27.

**Section 9.**

This Order is issued by the City of Goshen Building Commissioner, Myron Grise, in accordance with the Indiana Unsafe Building Law, the Goshen City Building Code, and the City of Goshen Neighborhood Preservation Ordinance. The address of the Building Commissioner is 204 E. Jefferson Street, Suite 5, Goshen, Indiana 46528, and the telephone number is 574-534-1811.

This Order of the City of Goshen Building Commissioner is issued on September 26, 2025.

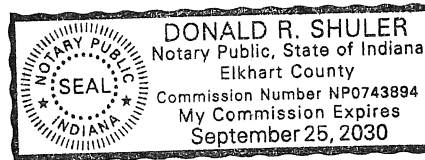
**City of Goshen Building Department**

  
\_\_\_\_\_  
Myron Grise, Building Commissioner

STATE OF INDIANA            )  
                                          ) SS:  
COUNTY OF ELKHART        )

Before me, the undersigned, a Notary Public in and for said county and State, this September 26, 2025, personally appeared Myron Grise, Building Commissioner for the City of Goshen, Indiana, who acknowledged execution of the foregoing Order for and on behalf of the City of Goshen, Indiana Building Department, as his voluntary act for the purposes stated therein, and who, having been duly sworn, stated that the representations contained therein are true.

  
\_\_\_\_\_  
Notary Public



**Certificate of Service**

The undersigned hereby certifies that the foregoing Order of the City of Goshen Building Commissioner for the premises at 2613 S. Main Street, Goshen, Indiana, was served by sending a copy by certified mail, return receipt requested and by regular first-class mail to the last known address of the following persons to be notified on September 26, 2025:


Thaly Silvestre  
18074 Hedgewood Drive  
Goshen, Indiana 46526

American Express National Bank  
775 Corporate Woods Parkway  
Vernon Hills, Illinois 60061

Selene Finance, LP  
3501 Olympus Blvd., Suite 500, 5<sup>th</sup> Floor  
Dallas, Texas 75019

With a courtesy copy sent via regular first-class mail on September 26, 2025, to the following:

Selene Finance, LP  
c/o Reisenfeld & Associates, LLC  
3962 Red Bank Road  
Cincinnati, Ohio 45227



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Donald R. Shuler, #26587-71  
Assistant City Attorney  
City of Goshen Legal Department  
204 East Jefferson Street, Suite 2  
Goshen, Indiana 46528

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).

This document prepared by Donald R. Shuler, Assistant City Attorney, City of Goshen Legal Department, 204 E. Jefferson Street, Suite 2, Goshen, IN 46526; Ph: 574.537.3855.