



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

Regular Meeting Agenda

**4:00 p.m., February 12, 2026**

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:** Feb. 5, 2025 Regular Meeting

### **Approval of Agenda**

**1) Bid opportunities:** Open bids received from contractors for the Clinton Tower Painting & Repairs project, read the Bid Total amount and refer the bids to the Engineering Department for further review

**2) Legal Department request:** Approve Resolution 2026-05, To Update to the Calculation of Individually Measured Impervious Area for the City Department of Stormwater Management

**3) Legal Department request:** Accept Uniform Conflict of Interest Disclosure Statement from Matt Whitford

**4) Engineering Department request:** Approve Change Order No. 1 for the Downtown Vault Assessment & Closure Project to remove and replace the barrier curb on Main Street for the amount of \$1,500

### **Privilege of the Floor**

### **Approval of Civil City and Utility Claims**

### ***Adjournment***



## CITY OF GOSHEN BOARD OF PUBLIC WORKS & SAFETY

### MINUTES OF THE FEBRUARY 5, 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 4:00 p.m.

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

**1) Fire Department request:** Accept the resignation of Firefighter/Paramedic Michael Fairfield, effective Feb. 2, 2026, and acknowledge that he has fulfilled his conditional offer obligation by paying the City \$5,000 for the remaining year as a Paramedic

**City Fire Chief Anthony Powell** notified the Board of the resignation of **Michael Fairfield**, who was employed as a Firefighter/Paramedic with the Goshen Fire Department.

**Chief Powell said** Fairfield submitted a written resignation indicating he will be leaving employment to pursue a career in nursing and has accepted a position in Indianapolis. His final shift with the Fire Department was Feb. 2, 2026, and his resignation was effective Feb. 2, 2026. The Chief said Fairfield has fulfilled his obligation under his conditional offer by paying the City \$5,000 for the remaining year of service as a paramedic.

On behalf of the Fire Department, **Chief Powell** thanked Fairfield for his service and contributions to the department and community and wished him continued success in his career.

**Swartley/Landis made a motion to accept the resignation of Michael Fairfield, Firefighter/Paramedic, with the Goshen Fire Department, effective Feb. 2, 2026, and acknowledge that he has fulfilled his conditional offer obligation by paying the City \$5,000 for the remaining year as a Paramedic. The motion passed 5-0.**

**2) Legal Department request:** Approve the agreement with Chris Russell for receivership services at 1615 West Wilden Avenue and authorize the Mayor to execute the agreement

**Assistant City Attorney Don Shuler** said the Board previously authorized legal action seeking appointment of a receiver for 1615 W. Wilden Avenue, which was deemed an unsafe building under the Indiana Unsafe Building Law. He said that action is currently pending in Elkhart County Superior Court No. 2. The City recently obtained a judgment and order for receivership for the property and now wants to move forward with that process.

**Shuler** said Chris Russell has submitted a proposal to serve as receiver for the property and an agreement has been prepared following review and discussion with the City Building Department. Per the Agreement, Russell will serve, once appointed by the Court, as receiver for the unsafe premises at 1615 W. Wilden Avenue, secure the premises, and be responsible for developing a scope of work and costs for rehabilitation, obtain court approval of the same, and complete renovations to the unsafe premises to make it code compliant.

**Shuler** said compensation includes a \$550 flat fee for a detailed scope of work, \$45/hour for the receiver's construction labor, a 10% project management fee (all costs excluding receiver's labor), and \$50/hour for receiver's administrative and court related work. The final scope of the project and all work will require court approval.

**Mayor Leichty** said she was glad that Chris Russell was taking on more work for the City and that he would be paid for the work.

**Swartley/Landis made a motion to approve the agreement with Chris Russell for receivership services at 1615 West Wilden Avenue and authorize the Mayor to execute the agreement. The motion passed 5-0.**



**3) Legal Department request: Approve Resolution 2026-04, Interlocal Agreement with the County of Elkhart for Animal Control Services**

**City Attorney Bodie Stegelmann** said if passed, Resolution 2026-04 would approve the terms and conditions and authorize the execution of the Interlocal Agreement with the County of Elkhart for Animal Control Services.

**Stegelmann** said the county has entered into a contract with the Humane Society of Elkhart County, Inc. to provide animal shelter management and animal control services for 2026 for certain areas of the county, including within the Goshen city limits.

Under this Interlocal Agreement, the City would contribute \$93,940 to reimburse the County for the cost of providing animal shelter management and animal control services within the Goshen city limits. The City contributed this same amount in 2025.

**Swartley/Landis made a motion to adopt Resolution 2026-04, Interlocal Agreement with the County of Elkhart for Animal Control Services. The motion passed 5-0.**

**4) Legal Department request: Approve Resolution 2026-06, Declaring Surplus and Authorizing the Disposal of IT Equipment**

**City Attorney Bodie Stegelmann** said the City's Technology Department wishes to dispose of miscellaneous IT equipment that is no longer needed or is unfit for the purpose for which it was intended. He said the items are worthless or of no market value.

If approved, Resolution 2026-06 would declare the property as surplus and authorize its disposal in accordance with Indiana Code § 5-22-22-8 by demolishing or junking property that is worthless or of no market value, including recycling components where possible.

**The following items would be declared surplus and discarded:**

**Towers**

Custom Build, Custom Build, Custom Build, Dell - 6BZ37J2, Dell - 6C087J2, Dell - 6C257J2, Dell - 6C737J2, Dell - 6BY67J2, HP - MXL9171NR0, HP - MXL0353JBB, HP - 2UA4170FPL, HP - MXL9423B0C, HP - MXL92831WH

**Laptops**

HP - 8CG5281JDO, Lenovo - HJE00EU0, Lenovo - 3698-6EU-PK1CTTG, Lenovo - R9-LMK76, Lenovo - LR-43CX3  
HP - 5CD8509D2F, HP - 2CE41117FZ, JetBcok - A4784303X14600C7E, HP - 1588-3003, JetBcok - A4784303X14600C71, JetBcok - A4784303X14500C46, HP - EZ39M1D0HC, Acer - NXV9WAA0025251FC2D7600  
Thinkpad - LR-0ALR7, HP - 5CD5444CSG, Dell - CDXDYN2, Dell - 3LLFCL2, Dell - 80XDYN2, Dell - JHxDYN2  
HP - 5CD62184ZL, HP - 5CD62184S7 HP - 5CD62184N8, HP - 5CD62184NC, HP - 5CD62184QZ, HP - 5CD62184MG, HP - 5CD62184RL, HP - 5CD62184Z3, HP - 5CD6218511, HP - 5CD62184WK, HP - 5CD62184Z7  
HP - 5CD62184N5, HP - 5CD62184L8, Dell - 5HPVQ72

**Tablets**

R63B667443X, Microsoft - 061695180253, Microsoft - 136425763053, Microsoft - 060879563553, FUJITSU - R7505085, FUJITSU - R7505084, Microsoft - 022236662853, Microsoft - 009647281353

**Flat Screen Monitors**

Acer - MMLYLAA00150204ADB8502, HP - CNC403NQ86, ViewSonic - TVR1828A2139, Acer - MMLYAA00150204AE68502, Benq - ET71D05784SL0, Acer - MMLXKAA00342710A874207, Acer - MMLXTAA00231405C368500, TW-64201-W022A, Samsung - GS17H4JX901560Y, ViewSonic - UKX202602191  
Acer - 13201076185, ViewSonic - UKX202602578, Samsung - GS17H4JX901570B, ACER - 00903609342  
Acer - MMLXTAA00232810FAE8500, ViewSonic - S8A112340978, Sceptre - 603RN901AA4493, Acer - ETLBZ08021818051D94200, Acer - MMLXGAA00151104EDE8514, Acer - MMLXGAA00151104EE18514, HP - 3CM63705CL, HP - 3CM63705FS, ViewSonic - UD2160141313, Acer - ETLC108147133044F14203, Acer - ETLC108085929071C74233



#### Mice

Logitech - 810-002182, Microsoft - X0872983, HP – FCMHHOCJPAPQTV, HP-FCMHHOCJPAPQUC

#### Keyboards

Microsoft – 7619800285184, Microsoft – 0065811035986, Logitech - 820-002546, Dell - CN-0644G3-71616-734-0WZ4-A03, Microsoft – 0509801064124, Microsoft - 76198-OEM-4724713-30748

#### Speakers

Bose - 035734Z02011952BP, Realistic, Dell - CN-0D3431-48220-414-00YQ, Altec Lansing Multimedia, Altec Lansing Multimedia Subwoofer, Harman/Kardon - CN-04N567-48220-2A5-06PL, Logitech Misc, CA Misc, Logitech - S-120 Black, CA Misc, CA Misc, Logitech PID: A207, Logitech - S-120

#### Hard Drives

Western Digital - WCAYU5875796, Western Digital - WCC6Y6CSVY47, Western Digital - WMA6R4026357  
Western Digital - WCAYW1360403, Western Digital - WCAYV1470440, Western Digital - WCC6Y0PXPLN8  
Seagate - Z4Y5R807, Western Digital - WMC3F0269475, Western Digital - WCC4MRFEKF9, Western Digital - WCAYU9184365, Toshiba - 89QFC4DOT, Maxtor - L21VWH9C, Maxtor - L22V9H1G, Western Digital - WCAATE532580, Seagate - 5ED1NXQM, Maxtor - Y649A94E, Western Digital - WMC3F0296976, Crucial - 1632F01F84DB, Samsung - S2J5JDRB303539, Toshiba - 98LFW4FIT, Samsung - S0VFNYAB700305, Samsung - S2J5JDB303548, WD Blue - 193441806632, Samsung - S2J5JDRB303551, HGST - 150910RCF50ACE174Z6M  
HGST - 140104TF0501WH0HDD0R, Western Digital - WMC3F0329868, Hitachi - JP1572FR1A46Sk

#### Switches

HP - CN2BFQ4387, Netgear - 7LY1455UA0D58, Netgear - 5U81395VA2DDE

#### Routers/APs

CISCO – 88810503292, CISCO – 44406132049, CISCO - 12310C67215325, Linksys - CL7C1K611122

Linksys - CDFD1F756265

#### Printers

HP LaserJet P2035n -S/N# CN89076368, HP LaserJet Pro M404n - PHDCH09285, HP LaserJet P2035n - CNB9D16968, HP Office Jet Pro 8210 - CN76PET1MR, HP LaserJet P1102w - VNB4L27596, HP - CN76L3S0NF

#### Fax

Brother EM-430 - J28256400

#### Miscellaneous Equipment

Fellowes Cosmic 95 Laminator, Epson Desktop Scanner, Zotac Video Graphics, TP-Link Network Card

**Swartley/Landis made a motion to pass Resolution 2026-06. Declaring Surplus and Authorizing the Disposal of IT Equipment. The motion passed 5-0.**

#### **5) Legal Department request: Approve amendment 2 to the contract with Rowell Chemical Corporation for the purchase of sodium hypochlorite**

**City Attorney Bodie Stegelmann** recommended that the Board approve and ratify the Mayor's execution of the attached Amendment 2 to the Contract with Rowell Chemical Corporation for the purchase of sodium hypochlorite. **Stegelmann** said this amendment extends the contract one year through Dec. 31, 2026, and also provides for an automatic one-year renewal. Rowell Chemical Corporation has also agreed to reduce the price per gallon delivered for 2026 to \$1.70 per gallon.

**Board member Landis** asked how much the price went down and if it was a voluntary decision. **Shannon Marks, the Legal Compliance Administrator for the City Legal Department**, said the original price when bid was \$1.79 a gallon, it was reduced to \$1.75 a gallon in 2025 and it was a voluntary decision to reduce it further for this year.

**Swartley/Landis made a motion to approve and ratify the Mayor's execution of Amendment 2 to the Contract with Rowell Chemical Corporation for the purchase of sodium hypochlorite. The motion passed 5-0.**



**6) Legal Department request: Approve the contract with Colin Avila, d/b/a Yardshark for City lawn services**  
**City Attorney Bodie Stegelmann** said the City and Colin Avila d/b/a Yardshark entered into a contract on March 12, 2024, for Yardshark to provide lawn mowing and maintenance services for certain City of Goshen properties.  
**Stegelmann** said this amendment is to renew the contract for the 2026 mowing season for mowing services to be provided to eight of the service areas. The original contract provides for a 2% price increase in the costs for services to a location for a subsequent mowing season.

**Swartley/Landis made a motion to approve the terms and conditions and authorize Mayor Leichty to execute Amendment No. 2 to the Contract for City of Goshen Lawn Services with Colin Avila d/b/a Yardshark on behalf of the City of Goshen and the Goshen Board of Public Works and Safety. The motion passed 5-0.**

**7) Legal Department request: Approve/Accept the Uniform Conflict of Interest Disclosure Statement from Assistant City Attorney Donald Shuler**

**City Attorney Bodie Stegelmann** said an attached Uniform Conflict of Interest Disclosure Statement for Assistant City Attorney Donald Shuler was being submitted to the Board for acceptance in a public meeting.  
**Stegelmann** said the City has an ongoing contract for legal services with the law firm of Barkes, Kolbus, Rife & Shuler, LLP, where Don is a Partner. This disclosure Statement is intended to cover the legal services that the law firm will provide in 2026 under the existing contract dated Nov. 7, 2024, as amended June 26, 2025.

**Swartley/Landis made a motion to accept the Uniform Conflict of Interest Disclosure Statement submitted by Donald Shuler. The motion passed 5-0.**

**8) Engineering Department request: Approve & authorize the Board to execute the agreement with Greencroft Goshen for the completion of the project at 2064 and 2066 Whispering Pines**

**City Director of Public Works & Utilities Dustin Sailor** said the Stormwater Department was requesting the approval of an Agreement for the Completion of Construction for the homes at 2064 and 2066 Whispering Pines which have passed their final building inspections.

**Sailor** said the project is substantially complete except for stabilization of disturbed areas, and two large species of trees planted along the street. These final requirements cannot be completed at this time due to weather conditions. The Stormwater Department submitted this Agreement for the Completion of the Construction Project for approval and authorization for the Mayor and Board Members to execute. The property owner Greencroft Goshen agreed to complete all work by June 15, 2026

**Swartley/Landis made a motion to approve and authorize the Board to execute the agreement with Greencroft Goshen for completing the project at 2064 and 2066 Whispering Pines. The motion passed 5-0.**

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

At 4:12 p.m., Mayor Leichty opened Privilege of the Floor. 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 4:13 p.m.



APPROVED:

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**Mayor Gina Leichty**

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**Mike Landis, Member**

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**Orv Myers, Member**

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**Mary Nichols, Member**

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**Barb Swartley, Member**

ATTEST:

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**Richard R. Aguirre, City of Goshen 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](mailto:engineering@goshencity.com) • [www.goshenindiana.org](http://www.goshenindiana.org)

## MEMORANDUM

TO: Board of Public Works and Safety

FROM: Goshen Engineering

RE: **CLINTON WATER TOWER PAINTING & REPAIRS  
PROJECT NO. 2024-0034**

DATE: February 12, 2026

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The Clerk-Treasurer's Office has received bids from contractors today for the Clinton Tower Painting & Repairs project 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 Clinton Tower Painting & Repairs project and read the Bid Total amount and refer the bids to the Engineering Department.**



## 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)

February 12, 2026

To: Goshen Board of Public Works and Safety  
  
From: Shannon Marks, Legal Compliance Administrator  
  
Subject: Resolution 2026-05, Update the Calculation of Individually Measured Impervious Area for the Goshen Department of Stormwater Management

Resolution 2026-05 is to update the language for the calculation of individually measured impervious area within the City of Goshen as recommended by the Advisory Board for the Greater Elkhart County MS4 Partnership. Attached to this memorandum is a redline version showing the proposed changes to Section 3, Fee Structure and Calculation, along with a clean copy of the Resolution. The Goshen Common Council will be considering Ordinance 5252 at its meeting on February 23 to amend Ordinance 4624 to update the language accordingly.

**Suggested Motion:**

Move to approve Resolution 2026-05, Update the Calculation of Individually Measured Impervious Area for the Goshen Department of Stormwater Management.

**GOSHEN BOARD OF PUBLIC WORKS AND SAFETY**  
**RESOLUTION 2026-05**

**TO UPDATE THE CALCULATION OF  
INDIVIDUALLY MEASURED IMPERVIOUS AREA  
FOR THE GOSHEN DEPARTMENT OF STORMWATER MANAGEMENT**

WHEREAS, the Goshen Common Council, by Ordinance 4295 adopted May 17, 2005, established the City of Goshen Department of Stormwater Management;

WHEREAS, the City of Goshen Department of Stormwater Management is a utility pursuant to the provisions of Indiana Code § 8-1.5-5 et seq.;

WHEREAS, the Goshen Common Council, by Ordinance 5227 adopted July 28, 2025, transferred the control of the City of Goshen's stormwater facilities, from the Board of Directors of the Department of Stormwater Management established under Ordinance 4295, to the Goshen Board of Public Works and Safety;

WHEREAS, the Municipal Separate Storm Sewer System (MS4) entities comprising the Greater Elkhart County MS4 Partnership (City of Elkhart, City of Goshen, Town of Bristol, and County of Elkhart) entered into an Interlocal Agreement, recorded with the Elkhart County Recorder's Office as Instrument No. 2006-04747 effective on October 8, 2005, which established a multi-jurisdiction advisory board to establish uniform rates across all MS4 Partnership entities;

WHEREAS, the Advisory Board for the Greater Elkhart County MS4 recommends an update to the language for the calculation of the individually measured impervious area as the tools used to calculate impervious surface areas have improved;

WHEREAS, this Resolution of the Board of the City of Goshen Department of Stormwater Management and the Ordinance to be considered by the Goshen Common Council do not increase the Stormwater Rates.

NOW, THEREFORE, BE IT RESOLVED that the Goshen Board of Public Works and Safety approves an update to the language for the calculation of the individually impervious area within the City of Goshen, Indiana, and amends the Resolution Establishing Storm Water User Fees for the City of Goshen, Indiana, adopted by the Board of the City of Goshen Department of Storm Water Management on December 6, 2010, to read as follows:

**SECTION 1. Stormwater User Fee.**

A stormwater user fee shall be imposed on each and every tax parcel of real estate within the City of Goshen, Indiana which directly or indirectly contributes to the stormwater system of the City of Goshen which charge shall be assessed against the owner who shall be considered the user for purposes of this Resolution of the Board of the City of Goshen Department of Stormwater Management. This charge is deemed to be reasonable and necessary to pay for the regulation, planning, operation, maintenance, repair, replacement, and improvement of the existing and future City of Goshen stormwater system.

## **SECTION 2. Stormwater Rates.**

Until later revised or amended, the stormwater user fee shall be at the rate of Fifteen Dollars (\$15.00) per year per ERU. This stormwater rate is designed to cover the cost of rendering stormwater service to the users of the City of Goshen stormwater system and shall be the basis for the assessment of the stormwater user fee. This rate is established so as to maintain adequate fund reserves to provide for reasonably expected variations in the cost of providing services, variations in the requirements for providing such services, as well as future improvements and capital needs. This rate may be evaluated and adjusted annually, as necessary, with regard to its sufficiency to satisfy the needs of the City of Goshen Department of Stormwater Management; otherwise, this rate shall remain in effect.

## **SECTION 3. Fee Structure and Calculation.**

- (a) There is assessed a stormwater user fee to each owner of residential real estate and non-residential real estate located within the City of Goshen, Indiana which contain impervious area. The fee is based upon the assigned ERU as determined below. Such user fee shall be calculated and assessed each year on a tax parcel basis.
- (b) All real estate having impervious area within the corporate boundaries of the City of Goshen, Indiana will be assigned an ERU in accordance with the following provisions:
  - i. Residential Real Estate. A residential tax parcel containing three (3) or less dwelling units shall be assigned one (1) ERU. Residential tax parcels containing more than three (3) dwelling units shall be assigned an ERU based upon the parcel's individually measured impervious area in square feet divided by three thousand six hundred (3,600) square feet. This division will be calculated and rounded to the first decimal place.
  - ii. Non-Residential Real Estate. Each tax parcel of non-residential real estate shall be assigned an ERU based upon the parcel's individually measured impervious area in square feet divided by three thousand six hundred (3,600) square feet. This division will be calculated and rounded to the first decimal place.
  - iii. The identification of real estate tax parcels and key numbers, the classification of primary use, the determination of whether a tax parcel contains a dwelling unit, the number of dwelling units a tax parcel contains, and the classification of the type of dwelling unit and type of real estate ~~shall may~~ be based upon the existing data in the Elkhart County computer assisted mass appraisal (CAMA) system database for the respective determination date used for making the stormwater user fee assessments. The calculation of the individually measured impervious area on a tax parcel ~~shall may~~ be computed ~~using a scale of 1:600 based upon the existing data in the Elkhart County geographic information system (GIS) database for the respective determination date used for making the storm water user fee assessments with a digitization method that uses available technologies and practices as approved by the Goshen Department of Stormwater Management.~~ If for any reason the calculation of the individually measured impervious area on a tax parcel cannot be accurately computed using ~~a scale of 1:600 based upon the existing data in the Elkhart County GIS database the available technologies and practices~~

for the respective determination date, the calculation of the individually measured impervious area on a tax parcel may be adjusted based upon the data from any permitted construction, additions, demolitions, and other changes on a tax parcel which occur after the date of the aerial photography utilized ~~in the Elkhart County GIS database by the City of Goshen~~ or based upon the actual verified conditions on the tax parcel, or both.

iv. For each current year stormwater user fee assessment, the determination date shall be March 1st of the prior year.

(c) The assessment for any tax parcel with a calculated stormwater user fee equal to or less than Two and 25/100 Dollars (\$2.25) will be waived. There shall be no other exceptions or exemptions from the assignment of ERUs and the assessment of a stormwater user fee for a particular type or classification of real estate tax parcel within the City of Goshen, Indiana.

#### **SECTION 4. Collection of User Fees.**

(a) The collection of the stormwater user fees authorized by the Resolution of the Board of the City of Goshen Department of Stormwater Management shall be effectuated through a charge appearing each year on the property tax statements of the affected property owner. One-half (½) of the stormwater user fee charged each year for a real estate tax parcel shall be billed on each of the spring and fall property tax statements for that parcel. The user fee shall be due and payable at the same time as the property taxes appearing on the spring and fall property tax statements are due and payable. In the event only one (1) property tax statement is billed for a real estate tax parcel, the entire annual stormwater user fee for that parcel authorized by the Board's Resolution shall be billed on that property tax statement which shall be due and payable at the same time as the property taxes appearing on the property tax statement are due and payable.

(b) If the user fee is not paid when due, the user shall be charged and assessed a late payment penalty by the Elkhart County Treasurer in the same way and in the same manner that delinquent property taxes are charged and assessed.

(c) If the user fee and penalty is not paid when due, they shall be collected by the Elkhart County Treasurer in the same way that delinquent property taxes are collected.

#### **SECTION 5. Appeals of ERU Determination.**

(a) If, in the opinion of any user, the ERU assigned to the user's real estate tax parcel is inaccurate in light of the number of dwellings or amount of impervious area on the property, the user shall have the right to contest the ERU determination and thus the stormwater user fee assessed in accordance with the provisions contained in this section.

(b) The user shall obtain and complete a Petition to Appeal Stormwater Assessment Form which shall be filed with the Greater Elkhart County MS4 Operator with verifiable documentation supporting the user's claim. To be timely for any current year stormwater user fee assessment, a Petition to Appeal must be filed no later than the date on which the spring installment of the user fee shall be due and payable. The Greater Elkhart County

MS4 Operator shall refer the petition to the Advisory Board for the Greater Elkhart County MS4.

(c) The Advisory Board for the Greater Elkhart County MS4 shall investigate the user's claim and, upon review, shall render a written determination that either the original ERU determination and assessment should be affirmed or that the user's rate should be adjusted and how much the adjustment should be.

(d) The determination made by the Advisory Board for the Greater Elkhart County MS4 shall be forwarded to the user by certified mail, return receipt requested. The user shall have fifteen (15) days from date of receipt to request reconsideration if dissatisfied with the decision from the Advisory Board. Any additional facts concerning the dispute shall be reduced to writing and submitted, along with a copy of the original petition and supporting documents, to the Greater Elkhart County MS4 Operator. The Greater Elkhart County MS4 Operator shall refer the matter to the Board of the City of Goshen Department of Stormwater Management. The Advisory Board for the Greater Elkhart County MS4 shall submit a written report of the determination in the case, along with any documents used, in denying the user's claim or in recommending an adjustment.

(e) Thereafter, the Board of the City of Goshen Department of Stormwater Management shall review all documentation and conduct an informal hearing to determine and resolve the dispute based upon the documentation submitted and any oral testimony. The Board shall issue a determination which shall be binding upon the City of Goshen Department of Stormwater Management and the user. The hearing shall be recorded and the minutes of the hearing provided upon request at a cost per page as determined by the Secretary for the Board which rate shall be amended from time to time.

(f) Any user aggrieved by the final Board determination shall have the right to judicial review of such determination in accordance with Indiana law.

(g) If a user's stormwater user fee assessment is reduced or eliminated by the Advisory Board for the Greater Elkhart County MS4, the Board of the City of Goshen Department of Stormwater Management, or court of law, the user shall be refunded accordingly for any overpayment made from the earlier of the date the stormwater user fee assessment was paid or was due and payable.

(h) A dispute or appeal of an ERU determination for stormwater user fee assessment shall not be a valid reason for non-payment of the originally assessed stormwater user fee.

## **SECTION 6. Stormwater Utility Fund.**

All stormwater user fees and penalties collected and interest earned thereon shall be deposited in the MS4 Stormwater Utility Fund.

## **SECTION 7. Definitions.**

For purposes of the Resolution of the Board of the City of Goshen Department of Stormwater Management, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

(a) Equivalent Residential Unit (ERU). The number of units, equal to the assumed average amount of impervious area of a single-family residential parcel of real estate within the City of Goshen, Indiana, which is established at three thousand six hundred (3,600) square feet of impervious area. The unit value, which will be carried out and rounded off to one (1) decimal place, being the equivalent of one-tenth (0.1) of an ERU, is also the basis for calculating the assessment of stormwater user fees for the City of Goshen stormwater system.

(b) Impervious Area. Those areas which prevent or impede the infiltration of stormwater into the soil as it enters under natural conditions prior to development. Common impervious areas include, but are not limited to roof tops, sidewalks, walkways, patio areas, driveways, parking lots, storage areas, gravel surfaces, awnings and other fabric or plastic coverings, and other surfaces which prevent or impede the natural infiltration of stormwater run-off which existed prior to development.

(c) Non-Residential Real Estate. All real estate tax parcels which are not described by the definition of residential real estate shall be defined as non-residential. Non-residential real estate will include:

- i. Agricultural real estate;
- ii. Commercial real estate;
- iii. Industrial real estate;
- iv. Institutional real estate;
- v. Church real estate;
- vi. School real estate;
- vii. Federal, state, and local government real estate;
- viii. Utility real estate; and
- ix. Any other real estate not mentioned in this list and which is not described by the definition of residential real estate.

(d) Residential Real Estate. A separate tax parcel of real estate which is primarily used for dwelling purposes on which a building is situated which building contains one (1) or more dwelling units which dwelling units are each used or are intended to be used primarily for living, sleeping, cooking, and eating. Residential real estate shall include all types of dwelling units including single family homes, duplexes, triplexes, quadplexes, and row type homes. Residential real estate shall also include condominium dwellings, apartment dwellings, and mobile home parks.

## **SECTION 8. Repeal of Prior Resolutions.**

(a) This Resolution repeals Resolution 2012-N.

(b) This Resolution further repeals Resolution 2022-01 passed by the Board of the City of Goshen Department of Stormwater Management on November 21, 2022, as such resolution was only effective if the other MS4 Partners approved a similar resolution and an

| ordinance based on that resolution, and the County of Elkhart and the City of Elkhart did not approve and adopt a similar ordinance.

**SECTION 9. Severability.**

The terms and provisions of the Resolution of the Board of the City of Goshen Department of Stormwater Management are determined to be severable; the invalidity or unenforceability of any section, sentence, clause, term, or provision of the Board's Resolution shall not affect the validity of any other section, sentence, clause, term, or provision of the Board's Resolution which can be given meaning without such invalid part or parts.

**SECTION 10. Effective Date; Contingency.**

The Resolution of the Board of the City of Goshen Department of Stormwater Management shall be in full force and effect from and after the passage, approval and adoption according to the laws of the State of Indiana, but not before March 1, 2026, and provided the County of Elkhart, the City of Elkhart, and the Town of Bristol all approve and adopt a similar resolution and an ordinance to update the language for the calculation of the individually impervious area as outlined in Section 3, paragraph (b), subparagraph iii.

PASSED by the Goshen Board of Public Works and Safety on February 12, 2026.

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Gina M. Leichty, Mayor

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Mary Nichols, Member

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Orv Myers, Member

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Michael A. Landis, Member

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Barb Swartley, Member

**GOSHEN BOARD OF PUBLIC WORKS AND SAFETY**  
**RESOLUTION 2026-05**

**TO UPDATE THE CALCULATION OF  
INDIVIDUALLY MEASURED IMPERVIOUS AREA  
FOR THE GOSHEN DEPARTMENT OF STORMWATER MANAGEMENT**

WHEREAS, the Goshen Common Council, by Ordinance 4295 adopted May 17, 2005, established the City of Goshen Department of Stormwater Management;

WHEREAS, the City of Goshen Department of Stormwater Management is a utility pursuant to the provisions of Indiana Code § 8-1.5-5 et seq.;

WHEREAS, the Goshen Common Council, by Ordinance 5227 adopted July 28, 2025, transferred the control of the City of Goshen's stormwater facilities, from the Board of Directors of the Department of Stormwater Management established under Ordinance 4295, to the Goshen Board of Public Works and Safety;

WHEREAS, the Municipal Separate Storm Sewer System (MS4) entities comprising the Greater Elkhart County MS4 Partnership (City of Elkhart, City of Goshen, Town of Bristol, and County of Elkhart) entered into an Interlocal Agreement, recorded with the Elkhart County Recorder's Office as Instrument No. 2006-04747 effective on October 8, 2005, which established a multi-jurisdiction advisory board to establish uniform rates across all MS4 Partnership entities;

WHEREAS, the Advisory Board for the Greater Elkhart County MS4 recommends an update to the language for the calculation of the individually measured impervious area as the tools used to calculate impervious surface areas have improved;

WHEREAS, this Resolution of the Board of the City of Goshen Department of Stormwater Management and the Ordinance to be considered by the Goshen Common Council do not increase the Stormwater Rates.

NOW, THEREFORE, BE IT RESOLVED that the Goshen Board of Public Works and Safety approves an update to the language for the calculation of the individually impervious area within the City of Goshen, Indiana, and amends the Resolution Establishing Storm Water User Fees for the City of Goshen, Indiana, adopted by the Board of the City of Goshen Department of Storm Water Management on December 6, 2010, to read as follows:

**SECTION 1. Stormwater User Fee.**

A stormwater user fee shall be imposed on each and every tax parcel of real estate within the City of Goshen, Indiana which directly or indirectly contributes to the stormwater system of the City of Goshen which charge shall be assessed against the owner who shall be considered the user for purposes of this Resolution of the Board of the City of Goshen Department of Stormwater Management. This charge is deemed to be reasonable and necessary to pay for the regulation, planning, operation, maintenance, repair, replacement, and improvement of the existing and future City of Goshen stormwater system.

## **SECTION 2. Stormwater Rates.**

Until later revised or amended, the stormwater user fee shall be at the rate of Fifteen Dollars (\$15.00) per year per ERU. This stormwater rate is designed to cover the cost of rendering stormwater service to the users of the City of Goshen stormwater system and shall be the basis for the assessment of the stormwater user fee. This rate is established so as to maintain adequate fund reserves to provide for reasonably expected variations in the cost of providing services, variations in the requirements for providing such services, as well as future improvements and capital needs. This rate may be evaluated and adjusted annually, as necessary, with regard to its sufficiency to satisfy the needs of the City of Goshen Department of Stormwater Management; otherwise, this rate shall remain in effect.

## **SECTION 3. Fee Structure and Calculation.**

- (a) There is assessed a stormwater user fee to each owner of residential real estate and non-residential real estate located within the City of Goshen, Indiana which contain impervious area. The fee is based upon the assigned ERU as determined below. Such user fee shall be calculated and assessed each year on a tax parcel basis.
- (b) All real estate having impervious area within the corporate boundaries of the City of Goshen, Indiana will be assigned an ERU in accordance with the following provisions:
  - i. Residential Real Estate. A residential tax parcel containing three (3) or less dwelling units shall be assigned one (1) ERU. Residential tax parcels containing more than three (3) dwelling units shall be assigned an ERU based upon the parcel's individually measured impervious area in square feet divided by three thousand six hundred (3,600) square feet. This division will be calculated and rounded to the first decimal place.
  - ii. Non-Residential Real Estate. Each tax parcel of non-residential real estate shall be assigned an ERU based upon the parcel's individually measured impervious area in square feet divided by three thousand six hundred (3,600) square feet. This division will be calculated and rounded to the first decimal place.
  - iii. The identification of real estate tax parcels and key numbers, the classification of primary use, the determination of whether a tax parcel contains a dwelling unit, the number of dwelling units a tax parcel contains, and the classification of the type of dwelling unit and type of real estate may be based upon the existing data in the Elkhart County computer assisted mass appraisal (CAMA) system database for the respective determination date used for making the stormwater user fee assessments. The calculation of the individually measured impervious area on a tax parcel may be computed with a digitization method that uses available technologies and practices as approved by the Goshen Department of Stormwater Management. If for any reason the calculation of the individually measured impervious area on a tax parcel cannot be accurately computed using the available technologies and practices for the respective determination date, the calculation of the individually measured impervious area on a tax parcel may be adjusted based upon the data from any permitted construction, additions, demolitions, and other changes on a tax parcel which occur after the date of the

aerial photography utilized by the City of Goshen or based upon the actual verified conditions on the tax parcel, or both.

iv. For each current year stormwater user fee assessment, the determination date shall be March 1st of the prior year.

(c) The assessment for any tax parcel with a calculated stormwater user fee equal to or less than Two and 25/100 Dollars (\$2.25) will be waived. There shall be no other exceptions or exemptions from the assignment of ERUs and the assessment of a stormwater user fee for a particular type or classification of real estate tax parcel within the City of Goshen, Indiana.

#### **SECTION 4. Collection of User Fees.**

(a) The collection of the stormwater user fees authorized by the Resolution of the Board of the City of Goshen Department of Stormwater Management shall be effectuated through a charge appearing each year on the property tax statements of the affected property owner. One-half ( $\frac{1}{2}$ ) of the stormwater user fee charged each year for a real estate tax parcel shall be billed on each of the spring and fall property tax statements for that parcel. The user fee shall be due and payable at the same time as the property taxes appearing on the spring and fall property tax statements are due and payable. In the event only one (1) property tax statement is billed for a real estate tax parcel, the entire annual stormwater user fee for that parcel authorized by the Board's Resolution shall be billed on that property tax statement which shall be due and payable at the same time as the property taxes appearing on the property tax statement are due and payable.

(b) If the user fee is not paid when due, the user shall be charged and assessed a late payment penalty by the Elkhart County Treasurer in the same way and in the same manner that delinquent property taxes are charged and assessed.

(c) If the user fee and penalty is not paid when due, they shall be collected by the Elkhart County Treasurer in the same way that delinquent property taxes are collected.

#### **SECTION 5. Appeals of ERU Determination.**

(a) If, in the opinion of any user, the ERU assigned to the user's real estate tax parcel is inaccurate in light of the number of dwellings or amount of impervious area on the property, the user shall have the right to contest the ERU determination and thus the stormwater user fee assessed in accordance with the provisions contained in this section.

(b) The user shall obtain and complete a Petition to Appeal Stormwater Assessment Form which shall be filed with the Greater Elkhart County MS4 Operator with verifiable documentation supporting the user's claim. To be timely for any current year stormwater user fee assessment, a Petition to Appeal must be filed no later than the date on which the spring installment of the user fee shall be due and payable. The Greater Elkhart County MS4 Operator shall refer the petition to the Advisory Board for the Greater Elkhart County MS4.

(c) The Advisory Board for the Greater Elkhart County MS4 shall investigate the user's claim and, upon review, shall render a written determination that either the original ERU

determination and assessment should be affirmed or that the user's rate should be adjusted and how much the adjustment should be.

(d) The determination made by the Advisory Board for the Greater Elkhart County MS4 shall be forwarded to the user by certified mail, return receipt requested. The user shall have fifteen (15) days from date of receipt to request reconsideration if dissatisfied with the decision from the Advisory Board. Any additional facts concerning the dispute shall be reduced to writing and submitted, along with a copy of the original petition and supporting documents, to the Greater Elkhart County MS4 Operator. The Greater Elkhart County MS4 Operator shall refer the matter to the Board of the City of Goshen Department of Stormwater Management. The Advisory Board for the Greater Elkhart County MS4 shall submit a written report of the determination in the case, along with any documents used, in denying the user's claim or in recommending an adjustment.

(e) Thereafter, the Board of the City of Goshen Department of Stormwater Management shall review all documentation and conduct an informal hearing to determine and resolve the dispute based upon the documentation submitted and any oral testimony. The Board shall issue a determination which shall be binding upon the City of Goshen Department of Stormwater Management and the user. The hearing shall be recorded and the minutes of the hearing provided upon request at a cost per page as determined by the Secretary for the Board which rate shall be amended from time to time.

(f) Any user aggrieved by the final Board determination shall have the right to judicial review of such determination in accordance with Indiana law.

(g) If a user's stormwater user fee assessment is reduced or eliminated by the Advisory Board for the Greater Elkhart County MS4, the Board of the City of Goshen Department of Stormwater Management, or court of law, the user shall be refunded accordingly for any overpayment made from the earlier of the date the stormwater user fee assessment was paid or was due and payable.

(h) A dispute or appeal of an ERU determination for stormwater user fee assessment shall not be a valid reason for non-payment of the originally assessed stormwater user fee.

## **SECTION 6. Stormwater Utility Fund.**

All stormwater user fees and penalties collected and interest earned thereon shall be deposited in the MS4 Stormwater Utility Fund.

## **SECTION 7. Definitions.**

For purposes of the Resolution of the Board of the City of Goshen Department of Stormwater Management, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

(a) Equivalent Residential Unit (ERU). The number of units, equal to the assumed average amount of impervious area of a single-family residential parcel of real estate within the City of Goshen, Indiana, which is established at three thousand six hundred (3,600) square feet of impervious area. The unit value, which will be carried out and rounded off to one (1) decimal place, being the equivalent of one-tenth (0.1) of an ERU, is also the basis for

calculating the assessment of stormwater user fees for the City of Goshen stormwater system.

(b) Impervious Area. Those areas which prevent or impede the infiltration of stormwater into the soil as it enters under natural conditions prior to development. Common impervious areas include, but are not limited to roof tops, sidewalks, walkways, patio areas, driveways, parking lots, storage areas, gravel surfaces, awnings and other fabric or plastic coverings, and other surfaces which prevent or impede the natural infiltration of stormwater run-off which existed prior to development.

(c) Non-Residential Real Estate. All real estate tax parcels which are not described by the definition of residential real estate shall be defined as non-residential. Non-residential real estate will include:

- i. Agricultural real estate;
- ii. Commercial real estate;
- iii. Industrial real estate;
- iv. Institutional real estate;
- v. Church real estate;
- vi. School real estate;
- vii. Federal, state, and local government real estate;
- viii. Utility real estate; and
- ix. Any other real estate not mentioned in this list and which is not described by the definition of residential real estate.

(d) Residential Real Estate. A separate tax parcel of real estate which is primarily used for dwelling purposes on which a building is situated which building contains one (1) or more dwelling units which dwelling units are each used or are intended to be used primarily for living, sleeping, cooking, and eating. Residential real estate shall include all types of dwelling units including single family homes, duplexes, triplexes, quadplexes, and row type homes. Residential real estate shall also include condominium dwellings, apartment dwellings, and mobile home parks.

## **SECTION 8. Repeal of Prior Resolutions.**

- (a) This Resolution repeals Resolution 2012-N.
- (b) This Resolution further repeals Resolution 2022-01 passed by the Board of the City of Goshen Department of Stormwater Management on November 21, 2022, as such resolution was only effective if the other MS4 Partners approved a similar resolution and an ordinance based on that resolution, and the County of Elkhart and the City of Elkhart did not approve and adopt a similar ordinance.

## **SECTION 9. Severability.**

The terms and provisions of the Resolution of the Board of the City of Goshen Department of Stormwater Management are determined to be severable; the invalidity or unenforceability of

any section, sentence, clause, term, or provision of the Board's Resolution shall not affect the validity of any other section, sentence, clause, term, or provision of the Board's Resolution which can be given meaning without such invalid part or parts.

**SECTION 10. Effective Date; Contingency.**

The Resolution of the Board of the City of Goshen Department of Stormwater Management shall be in full force and effect from and after the passage, approval and adoption according to the laws of the State of Indiana, but not before March 1, 2026, and provided the County of Elkhart, the City of Elkhart, and the Town of Bristol all approve and adopt a similar resolution and an ordinance to update the language for the calculation of the individually impervious area as outlined in Section 3, paragraph (b), subparagraph iii.

PASSED by the Goshen Board of Public Works and Safety on February 12, 2026.

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Gina M. Leichty, Mayor

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Mary Nichols, Member

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Orv Myers, Member

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Michael A. Landis, Member

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Barb Swartley, Member



## 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)

February 12, 2026

**To:** Goshen Board of Public Works and Safety  
**From:** Shannon Marks  
**Subject:** Uniform Conflict of Interest Disclosure Statement from Matthew E. Whitford

The attached Uniform Conflict of Interest Disclosure Statement is being submitted to the Board for acceptance in a public meeting on behalf of Matthew E. Whitford, an employee of the Goshen Fire Department. Matthew Whitford is the owner of Infinitus Computers, LLC, dba INF Tech. The City purchases miscellaneous technology, computer parts and systems from this business.

**Suggested Motion:**

Move to accept the Uniform Conflict of Interest Disclosure Statement submitted by Matthew E. Whitford.



## UNIFORM CONFLICT OF INTEREST DISCLOSURE STATEMENT

State Form 54266 (R2 / 6-15) / Form 236  
STATE BOARD OF ACCOUNTS

### Indiana Code 35-44.1-1-4

A public servant who knowingly or intentionally has a pecuniary interest in or derives a profit from a contract or purchase connected with an action by the governmental entity served by the public servant commits conflict of interest, a Class D Felony. A public servant has a pecuniary interest in a contract or purchase if the contract or purchase will result or is intended to result in an ascertainable increase in the income or net worth of the public servant or a dependent of the public servant. "Dependent" means any of the following: the spouse of a public servant; a child, stepchild, or adoptee (as defined in IC 31-9-2-2) of a public servant who is unemancipated and less than eighteen (18) years of age; and any individual more than one-half (1/2) of whose support is provided during a year by the public servant.

The foregoing consists only of excerpts from IC 35-44.1-1-4. Care should be taken to review IC 35-44.1-1-4 in its entirety.

1. **Name and Address of Public Servant Submitting Statement:** Matthew E. Whitford

17682 Bentwood Dr Goshen, IN 46526

2. **Title or Position With Governmental Entity:** Firefighter/Paramedic

3. a. **Governmental Entity:** City of Goshen

b. **County:** Elkhart

4. **This statement is submitted (check one):**

- a.  as a "single transaction" disclosure statement, as to my financial interest in a specific contract or purchase connected with the governmental entity which I serve, proposed to be made by the governmental entity with or from a particular contractor or vendor; or
- b.  as an "annual" disclosure statement, as to my financial interest connected with any contracts or purchases of the governmental entity which I serve, which are made on an ongoing basis with or from particular contractors or vendors.

5. **Name(s) of Contractor(s) or Vendor(s):** Infinitus Computers LLC dba INF Tech

6. **Description(s) of Contract(s) or Purchase(s)** *(Describe the kind of contract involved, and the effective date and term of the contract or purchase if reasonably determinable. Dates required if 4(a) is selected above. If "dependent" is involved, provide dependent's name and relationship.):*

Computer and electronics components and software.

7. **Description of My Financial Interest** (Describe in what manner the public servant or "dependent" expects to derive a profit or financial benefit from, or otherwise has a pecuniary interest in, the above contract(s) or purchase(s); if reasonably determinable, state the approximate dollar value of such profit or benefit.):

I am the owner of Infinitus Computers LLC dba INF Tech

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(Attach extra pages if additional space is needed.)

8. **Approval of Appointing Officer or Body** (To be completed if the public servant was appointed by an elected public servant or the board of trustees of a state-supported college or university.):

I (We) being the \_\_\_\_\_ of  
(Title of Officer or Name of Governing Body)

and having the power to appoint  
(Name of Governmental Entity)

the above named public servant to the public position to which he or she holds, hereby approve the participation to the appointed disclosing public servant in the above described contract(s) or purchase(s) in which said public servant has a conflict of interest as defined in Indiana Code 35-44.1-1-4; however, this approval does not waive any objection to any conflict prohibited by statute, rule, or regulation and is not to be construed as a consent to any illegal act.

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Elected Official

Office

9. **Effective Dates** (Conflict of interest statements must be submitted to the governmental entity prior to final action on the contract or purchase.):

Date Submitted (month, day, year)

Date of Action on Contract or Purchase (month, day, year)

10. **Affirmation of Public Servant:** This disclosure was submitted to the governmental entity and accepted by the governmental entity in a public meeting of the governmental entity prior to final action on the contract or purchase. I affirm, under penalty of perjury, the truth and completeness of the statements made above, and that I am the above named public servant.

Signed: Matthew Whifford  
(Signature of Public Servant)

Date: 1/3/2026  
(month, day, year)

Printed Name: Matthew E. Whifford  
(Please print legibly.)

Email Address: Matte@INFTech.us

Within fifteen (15) days after final action on the contract or purchase, copies of this statement must be filed with the State Board of Accounts by uploading it here <https://sba.in.gov/submit-a-disclosure> which is the preferred method of filing, or by mailing it to the State Board of Accounts, Indiana Government Center South, 302 West Washington Street, Room E418, Indianapolis, Indiana, 46204-2765 and the Clerk of the Circuit Court of the county where the governmental entity took final action on the contract or purchase.



**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 Department

RE: **CHANGE ORDER NO. 1 FOR THE DOWNTOWN VAULT ASSESSMENT & CLOSURE PROJECT**  
**(JN: 2012-0043)**

DATE: February 12, 2026

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Attached please find Change Order No. 1 for the Downtown Vault Assessment & Closure Project.

During the construction work for the downtown vault project, it was found that the monolithic curb was in need to be removed with the proposed removal of the adjacent sidewalk to properly reinstall the sidewalk and barrier curb.

The original contract amount was \$190,600.00. Change Order No. 1 increases the total contract by \$1,500.00, for a revised contract amount of \$192,100.00, which is an increase of .79% over the original contract amount.

**Requested Motion:** **Approve Change Order No. 1 for the Downtown Vault Assessment & Closure Project to remove and replace the barrier curb on Main Street for the amount of \$1,500.00.**

## CHANGE ORDER FORM

Pg 1 of 3

Change Order No. 1  
Date: 2/9/26

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

OWNER: City of Goshen

PROJECT NAME: Downtown Vault Assessment & Closure

PROJECT NUMBER: 2012-0043

CONTRACTOR: Yaw Construction

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

During the construction work for the downtown vault project, it was found that the monolithic curb was in need to be removed with the proposed adjacent sidewalk to properly reinstall the sidewalk and curb.

CO1.1 Remove & replace barrier curb	25 LFT	@	\$60.00	\$1,500.00
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Subtotal -	\$1,500.00
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# CHANGE ORDER FORM

Pg 2 of 3

Change Order No. 1

## II. ADJUSTMENTS IN AMOUNT OF CONTRACT

1. Amount of original contract	\$190,600.00
2. Net (Addition/Reduction) due to all Previous Contract Supplements Numbers 0 to <u>0</u>	\$0.00
3. Amount of Contract, not including this supplement	\$190,600.00
4. Addition/Reduction to Contract due to this supplement	\$1,500.00
5. Amount of Contract, including this supplemental	\$192,100.00
6. Total (Addition/Reduction) due to all Change Orders (Line 2 + Line 4)	\$1,500.00
7. Total percent of change in the original contract price Includes Change Order No. 1 to <u>1</u> (Line 6 divided by Line 1)	0.79%

## 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
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 furnish 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. 3 of 3

Change Order No. 1

## RECOMMENDED FOR ACCEPTANCE

Brad Minnick

Brad Minnick PE  
City Civil Engineer

**ACCEPTED:** BOARD OF PUBLIC WORKS AND SAFETY  
CITY OF GOSHEN, INDIANA

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

**ACCEPTED:** CONTRACTOR  
\_\_\_\_\_  
Yaw Construction, Inc.

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

\_\_\_\_\_  
Printed

\_\_\_\_\_  
Title