



**CITY OF GOSHEN BOARD OF PUBLIC WORKS & SAFETY
MINUTES OF THE JUNE 18, 2026 MEETING**

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

Present: Deputy Mayor Mark Brinson, Mary Nichols, Orv Myers, and Barb Swartley
Absent: Mike Landis

CALL TO ORDER: Deputy Mayor Brinson called the meeting to order at 4:02 p.m. The Deputy Mayor announced that pursuant to Executive Order 2026-02 by Mayor Leichty, who was unavailable, he was authorized to act as a Board member for the Mayor. The order was made part of the record of the meeting (EXHIBIT #1).

REVIEW/APPROVE MINUTES: Deputy Mayor Brinson presented the minutes of the June 11, 2026 Regular Meeting as prepared by the Clerk-Treasurer. Board member Orv Myers made a motion to approve the minutes as presented. Board member Mary Nichols seconded the motion. The motion passed 4-0.

REVIEW/APPROVE AGENDA: Deputy Mayor Brinson presented the agenda as prepared by the Clerk-Treasurer. Board member Myers made a motion to approve the agenda as presented. Board member Nichols seconded the motion. The motion passed 4-0.

1) Andrew and Ashley Landis request: Approve construction of a fence at 1111 South 12th Street, at the northwest corner of 12th Street and Adams Street

Deputy Mayor Brinson called for a presentation on the first order of business – a request by Andrew and Ashley Landis for a fence at 1111 South 12th Street, at the northwest corner of 12th Street and Adams Street.

BACKGROUND:

This request was initially considered by the Board at its meeting on June 11, 2026.

Tony Yoder of T. Yoder Construction LLC of Goshen asked the Board to approve a treated shadow-style yard fence for Andrew and Ashley Landis at 1111 S 12th Street, on the northwest corner of 12th Street and Adams Street. In a written request, Yoder indicated the homeowners wanted to add a 6-foot-high fence starting at the neighbor's existing fence and going south along the alley on the owner's side of the existing hedge row, then turn east and add a 4 foot high Shadow style fence along Adams Street, still on the owner's side of the existing hedge row, turn and go north along the drive to the garage, with a gate in this line. The fence would extend outside of the south property line by 6 feet or so along Adams Street.

After Yoder's presentation, City Director of Public Works & Utilities Dustin Sailor said the Engineering Department had concerns about the fence and recommended that the Board delay consideration of the request. In a memorandum, dated June 11, 2026, that was distributed to Board members before the meeting, Sailor wrote that the fence would be located within 10 feet of the City's Adams Street right-of-way and near a public water main. Sailor wrote the Engineering Department "generally does not support private encroachments within the public right-of-way." He recommended tabling the matter until there could be a determination of whether there were additional buried utilities that would be affected by the proposed encroachment.

Mayor Leichty then made a motion to table the matter until the Board's meeting on June 18, 2026. Board member Landis seconded the motion. The motion passed 5-0.

DISCUSSION AND DECISION JUNE 18, 2026 ON THE FENCE REQUEST BY ANDREW AND ASHLEY LANDIS:

After the Deputy Mayor called for discussion on the matter, Tony Yoder of T. Yoder Construction LLC of Goshen, said Andrew and Ashley Landis had modified their fence request.



Yoder said changes were made the request he made on June 11. As reflected on an aerial photo illustration distributed to the Board before the meeting (EXHIBIT #2), Yoder requested approval of a 15-foot setback from South 12th Street for the fence which would still encroach on the right-of-way from the property line.

Yoder said it would be a 4-foot-high fence on the Adams Street side, the driveway, and on the alley back to where the 25-foot setback is from the property line. He said it then we would do a 6-foot fence back to the neighbor's fence in the back. He said Andrew and Ashley Landis have a 2-year or 3-year-old son and want a fence to keep him and a small dog safe and contained.

City Assistant Planning & Zoning Administrator Rossa Deegan said the fence request originally was filed with the Planning and Zoning Department. He said it was now before the Board because it must approve any proposed encroachments in the right of way. He said Planning and Zoning would approve the fence if it was on the property.

Deegan said, "I certainly understand the desire to have a fence, a little larger than what that the property allows, because it is a small property. It's a corner, so a lot of the yard there taken up just by right-of-way."

Deegan that while there is no sidewalk beside the house right, the City's Comprehensive Plan would propose to have "connectivity throughout these streets and throughout the community and so this is an area where there may be sidewalks in the future." He said the Planning Department also would want the City's right-of-way to remain free of structures to retain an "open visual field where our structures can come up to the right-of-way, not inside."

Deputy Mayor Brinson asked Deegan to talk about the potential for sidewalks in the future as well as possible setbacks from the street and the impact on trees. Deegan said if there is a tree in the right of way, the Planning Department doesn't have any authority over the right-of-way, "so it's helpful to have lawn with 10 to 12 feet for a tree line as well if it's not available in the yard. So, it's nice to have some space between the property and the side of the property."

City Civil Engineer Brad Minnick said the proposal before the Board today had been modified and there was a five-foot reduction of the encroachment in the right of way. Still, he said there would be a 10- or 12-foot encroachment in the right of way.

Before the meeting, Minnick presented Board members with a three-page memorandum, dated June 18, 2026, that outlined the City Engineering Department's analysis of the proposed fence. It consisted largely of aerial photos with brief descriptions of site features and he referenced the memo during his comments (EXHIBIT #3).

Minnick said new utility locates determined that there no other utilities in the easement besides a public water main located on the northside of Adams Street, 15 feet from the centerline of the road which would be outside the fence location.

Minnick echoed Deegan's comments that the proposed location of the fence would interfere with a future sidewalk. He also said that while the proposed new fence location would be outside the location to the water main, it would be close to the water main and a water meter. And he said it could interfere with future installations.

Minnick said that the City Engineering Department "generally does not support private encroachments within the right-of-way and it did not support the installation of the fence as proposed."

Deputy Mayor Brinson asked if the proposed fence would affect the visual clearance and sight lines at the alley and the street intersection. Minnick said, "With the 4-foot height fence in the front of the residence, that's less of a concern, but coming out of the alley, you're faced with a 6-foot height fence, which would certainly obstruct your view, as you approach Adams Street."

In response to a question from **Board member Swartley**, Yoder and Minnick discussed the locates that were conducted at the property.

Board member Myers asked if Andrew and Ashley Landis had any options for building a fence.

Yoder said, "They're very willing to work with the City. If we need to stay at the property line, if we can go that far, that would be satisfactory with them. I was just trying to give them the extra 10 feet, not between the edge row and the fence."



Deputy Mayor Brinson said, "So, just to make sure I understand this, if we put the fence at the property line ... we would need to allow that to happen, because normally it's sent back, or no process should be all set back. So, they can just go right at that now, put it at the fence at the property line."

Deegan said, "The Planning Office can approve the fence all the way up to the right of way." He said a 4-foot fence could be approved by Planning. Yoder said, "They'll do the 4-foot-high fence like along the alley, then it would be 4 foot back to where the front of the garage is at and then we would go to a 6-foot fence. So, it's only going to be 20 feet of 6-foot fence. And then it would be 4 foot all the way around the rest of the yard."

Deputy Mayor Brinson asked Minnick if he had additional comments.

Minnick responded, "I would just say that that installation along the property line would mitigate sight line concerns, because it would be pushed back, and you would have a clean sight line to exit the alley."

Board member Myers said, "So they could put the fence up if they put it on the property line. It's not going to impede anything as far as the water lines and right-of-way issues." Minnick responded, "Correct."

Board member Myers continued, "And the people are going to be happy with doing that also?" Yoder replied, "Yes or maybe they would be satisfied."

Barring further questions or comments, Deputy Mayor Brinson asked if there was a motion from the Board.

After brief discussion about the appropriate action, Board member Myers made a motion to deny the request for the fence as proposed at this time. Board member Nichols seconded the motion. The motion passed 4-0.

Deputy Mayor Brinson said, "To deny, which means you can go ahead and get your permit for a fence on the property." Yoder responded, "Thank you very much."

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

Deputy Mayor Brinson opened Privilege of the Floor at 4:18 p.m. There were no comments.

APPROVAL OF CIVIL CITY AND UTILITY CLAIMS

Deputy Mayor Brinson then made a motion to approve Civil City and Utility claims and adjourn the meeting.

Board member Myers seconded the motion. The motion passed 4-0.

ADJOURNMENT

Deputy Mayor Brinson adjourned the meeting at 4:18 p.m.

EXHIBIT #1: *Executive Order 2026-02, which was signed and issued by Mayor Gina Leichty, and stated that the Mayor was unavailable on June 18, 2026 and she authorized Deputy Mayor Mark Brinson to serve as acting executive during her absence, including serving as a member of the Board of Public Works and Safety.*

EXHIBIT #2: *A revised proposal by Andrew and Ashley Landis for a fence at 111 South 12 Street. Tony Yoder of T Yoder Construction LLC of Goshen, presented the modification to the Board. The modification was an aerial photo illustration showing the property with a description of the revised fence layout and dimensions.*

EXHIBIT #3: *A three-page memorandum by City Civil Engineer Brad Minnick, dated June 18, 2026, that outlined the City Engineering Department's analysis of the proposal by Andrew and Ashley Landis for a fence at 111 South 12 Street. It consisted largely of aerial photos with brief descriptions of site features.*



APPROVED:



Mayor Gina Leichty

Mike Landis, Member



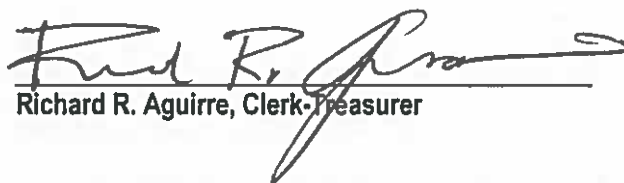
Orr Myers, Member



Mary Nichols, Member

Barb Swartley, Member

ATTEST:



Richard R. Aguirre, Clerk-Treasurer

June 18
BOW exhibits

Exhibit #1

EXECUTIVE ORDER 2026-02

**Designation of Deputy Mayor Mark Brinson
as Acting Executive June 18, 2026**

WHEREAS, the undersigned Mayor of the City of Goshen, Indiana will be absent from the City on June 18, 2026;

WHEREAS, Indiana Code § 36-4-5-8 provides that, whenever the executive of a city is absent, or going to be absent, from the city, ill, or injured, the executive may designate the deputy mayor as acting executive, with all the powers of the office;

WHEREAS, the Common Council of the City of Goshen, Indiana established the position of Deputy Mayor when it adopted Ordinance 5093;

WHEREAS, Mark Brinson currently holds the position of Deputy Mayor of the City of Goshen, Indiana; and

WHEREAS, the city executive is a member of the City of Goshen Board of Public Works and Safety under I.C. § 36-4-9-8(c).

NOW THEREFORE, I, Gina Leichty, Mayor of the City of Goshen, do hereby designate Mark Brinson, Deputy Mayor of the City of Goshen, Indiana, as acting executive during my absence from the City of Goshen on June 18, 2026, with all the powers of the office, including those associated with being a member of the City of Goshen Board of Public Works and Safety.

This designation shall expire at the end of the day, June 18, 2026, at which time I will resume my duties as executive of the City of Goshen, Indiana.

By providing a copy of this executive order to the president and to the clerk of the Common Council of the City of Goshen, Indiana, I certify the designation and the expiration of the designation, in accordance with I.C. § 36-4-5-8(b).

Dated this 17th day of June 2026.

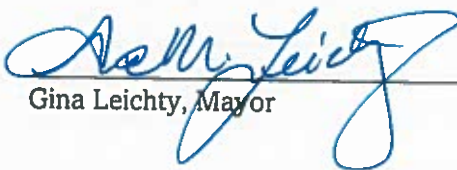
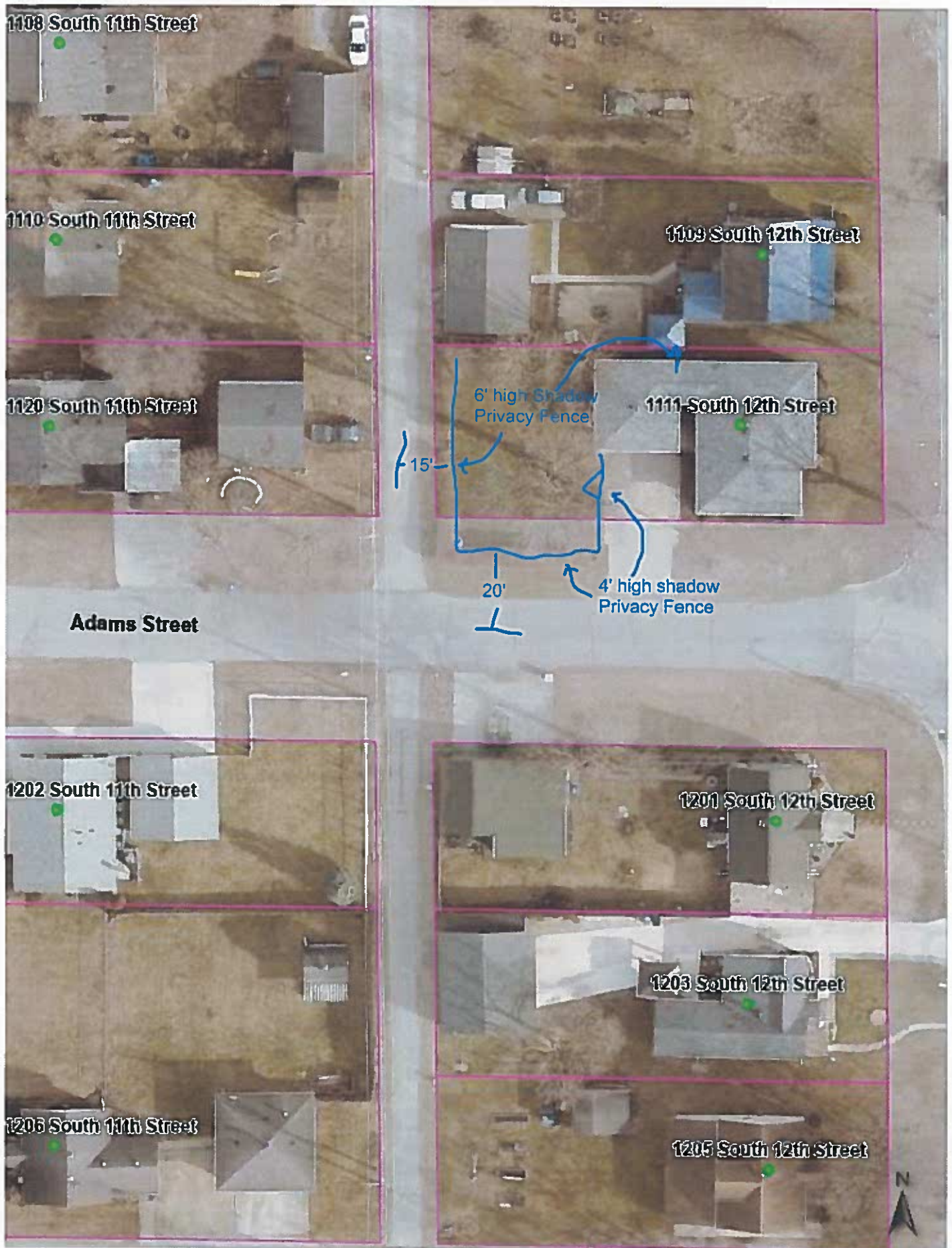

Gina Leichty, Mayor

Exhibit #2





**Engineering Department
CITY OF GOSHEN**

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MEMORANDUM

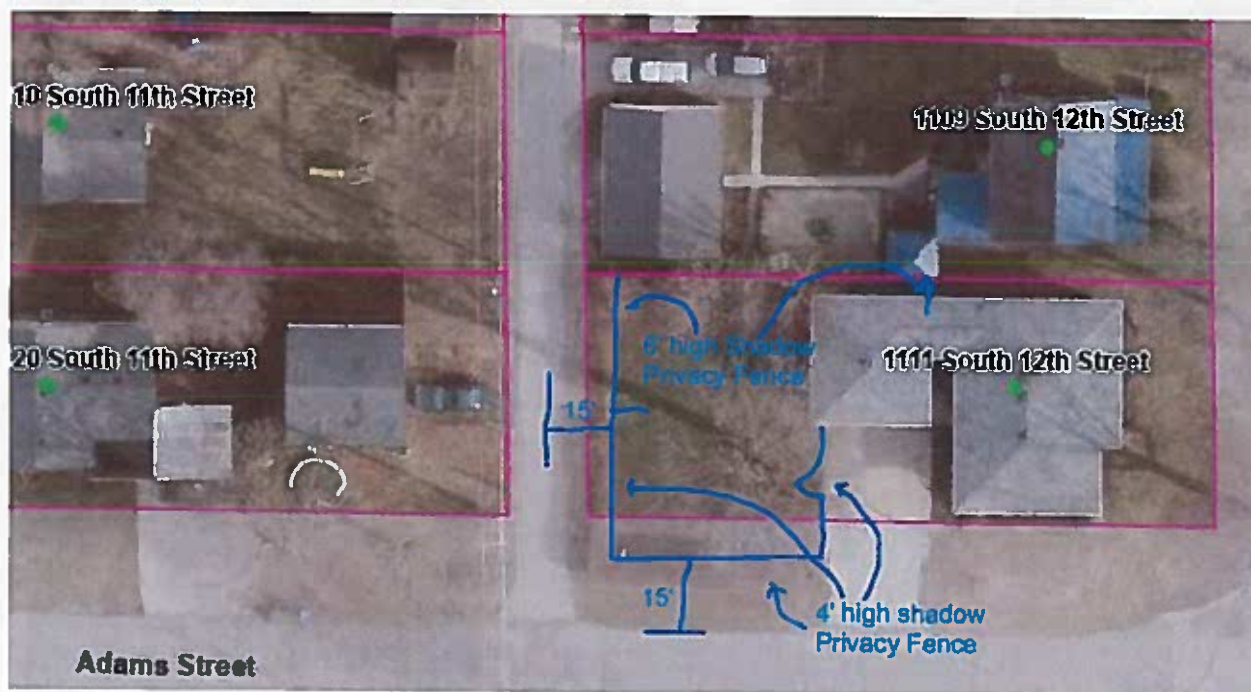
TO: Board of Works and Safety and Stormwater Board

FROM: Brad Minnick, P.E., Civil City Engineer

RE: 1111 S. 12TH STREET – FENCE INSTALLATION REQUEST (TABLED AT THE
6.11.2026 BOPW&S MEETING) [JN: STREETS]

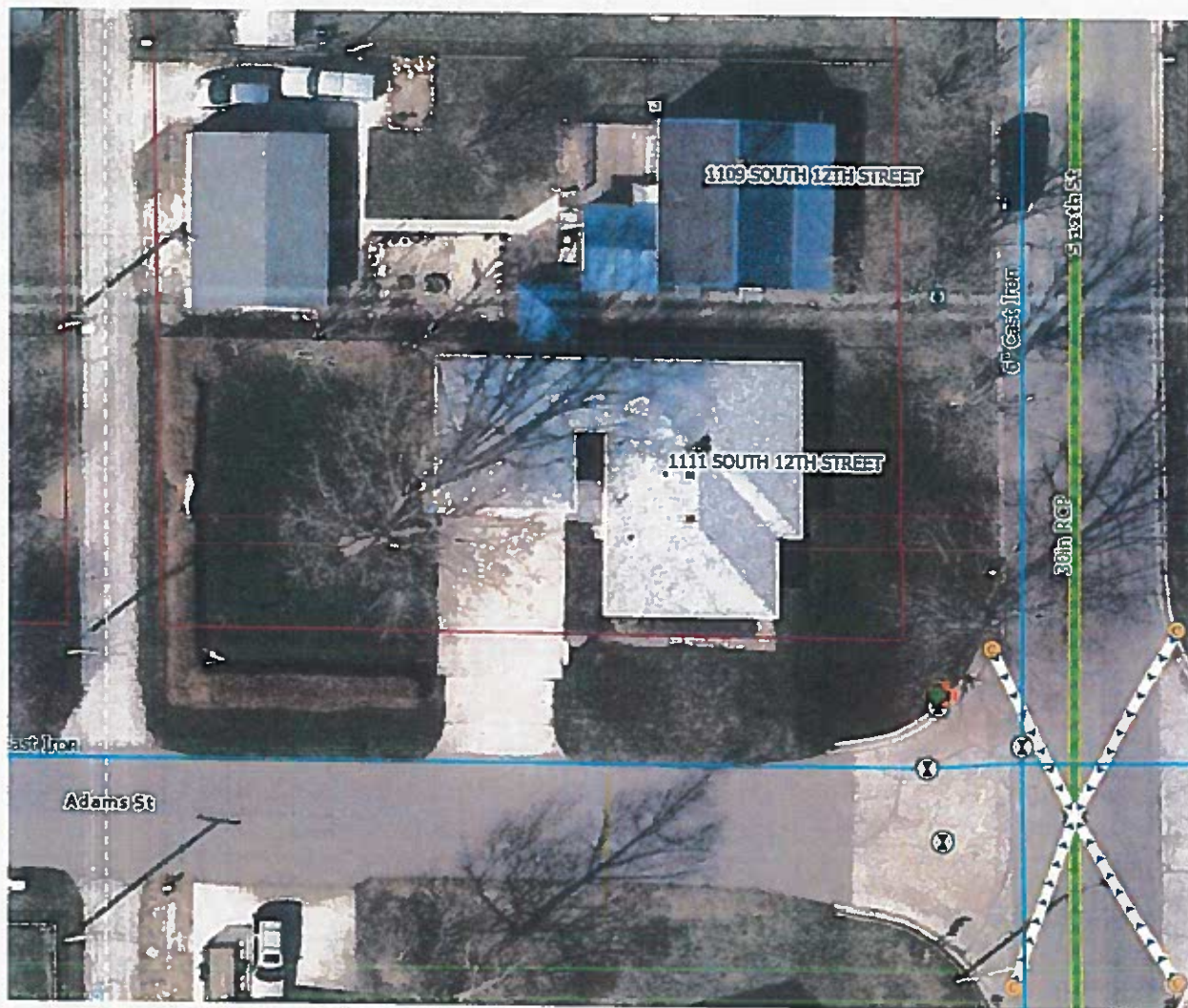
DATE: June 18, 2026

On the agenda for the June 11 Board of Works meeting is a request to place a fence within the right-of-way of Adams Street, which is associated with a residential corner lot at 1111 S. 12th Street. As proposed, the fence would be located 15' from the edgeline of Adams Street.



Based on the City's records and a field locate on June 11, 2026, there is a public water main located on the northside of Adams Street, 15' from the centerline of the road which would be outside of the proposed fence location.

Goshen Engineering, serving as an agent of the Board of Works and Safety in the issuance of right-of-way permits, generally does not support private encroachments within the public right-of-way.



A completed 811 utility locate request indicates that there are no additional buried utilities that would be impacted by the proposed encroachment. Additional information pictured below.





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