City of Goshen Board of Public Works & Safety

Regular Meeting Agenda

4:00 p.m., NOVEMBER 5, 2026

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

To access online streaming of the meeting, go to https://goshen.in.gov/events/

Call to Order by Mayor Gina Leichty

Approval of Minutes: October 29, 2026 meeting

Approval of Agenda

1) Bid opportunities: Open bids from contractors for the Cherry Creek Trailway Phase I project, read the total bid amounts, and refer the bids to the Engineering Department for review and recommendation

2) Legal Department request: Open a public hearing on the proposed Unsafe Building Average Process Expense, receive any comment, close the hearing and then adopt Resolution 2026-22, establishing an average processing expense of $1,880 under the Indiana Unsafe Building Law

3) Engineering Department request: Authorize the Goshen Engineering Department to review and approve sidewalk, single lane, and full road closure requests in a timely fashion and consistent the Indiana Manual of Uniform Traffic Control Devices, without further action by the Board of Public Works and Safety

4) Engineering Department request: Authorize the Mayor to sign the updated Recommendation for Acceptance form for the Wilden Avenue Reconstruction project for submission to the Indiana Department of Transportation

5) Engineering Department request: Approve and accept the 2026 Bridge Inspection Report as submitted by DLZ

Privilege of the Floor

Approval of Civil City and Utility Claims

Adjournment

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

CITY OF GOSHEN BOARD OF PUBLIC WORKS & SAFETY
MINUTES OF THE OCTOBER 29, 2026 REGULAR MEETING
Convened in the Goshen Police 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 MINUTES: Mayor Leichty presented the minutes of the Oct. 8 and Oct. 15, 2026 meetings as prepared by the Clerk-Treasurer's Office. **Board member Mary Nichols made a motion to approve the minutes as presented. Board member Orv Myers seconded the motion**. **The motion passed 5-0.**

REVIEW/APPROVE AGENDA: Mayor Leichty presented the agenda as prepared by Clerk-Treasurer Aguirre with added item #14, *Legal Department request: Authorize Mayor Leichty to execute the Verizon RCS Terms of Service – Government Addendum as required for the Police Department.* **Board member Nichols made a motion to approve the agenda as amended. Board member Myers seconded the motion. The motion passed 5-0.**

1) Planning & Zoning Department request: Approve and authorize the Mayor to sign the revised CDBG agreement for the Owner-Occupied Rehab activity for Program Year 2026
Community Development Specialist Theresa Cummings asked the Board to approve and authorize the Mayor to sign a revised CDBG agreement for Program Year 2026. The revision would provide a housing grant of $54,909 to Lacasa, Inc. for owner-occupied rehabilitation.
Cummings said the housing grant was originally approved on Oct. 8, 2026 for $47,909 and has been increased to $54,909 due to the discontinuation of the planning activity. She said these funds will be used to support the ongoing owner-occupied housing rehab program for low- and moderate-income qualified homeowners.
A copy of the revised agreement was provided to the Board in the agenda packet.
Nichols/Myers made a motion to approve and authorize the Mayor to sign the revised CDBG agreement for owner-occupied housing rehab for Program Year 2026. The motion passed 5-0.

2) Environmental Resilience Department request: Approve the contract amendment with Thomas Tree Care, LLC for liaison services for the USDA forestry grant
Aaron Sawatsky Kingsley, Director of the Environmental Resilience Department, said the City signed a contract in October 2024 with Thomas Tree Care, LLC to provide forestry liaison services for the City's USDA forestry grant.
Kingsley said the Environmental Resilience Department was proposing an amendment to increase the original contract by an additional 79.5 hours, including 19.5 hours already worked in 2025 and an additional 60 hours in 2026. This contract and the amendment are paid for by the USDA Forestry grant. The total compensation during calendar year 2026 will not exceed $13,770.
Nichols/Myers made a motion to an amendment to increase the original contract with Thomas Tree Care, LLC by an additional 79.5 hours, including 19.5 hours already worked in 2025 and an additional 60 hours in 2026. The motion passed 5-0.

3) Legal Department request: Approve Resolution 2026-21, City of Goshen Title VI Implementation Plan
City Attorney Bodie Stegelmann asked the Board was being provided with Resolution 2026-21, the City of Goshen Title VI Implementation Plan.

As a recipient of federal financial assistance, **Stegelmann** said the City annually reviews and updates its Title VI Implementation Plan to demonstrate its ongoing compliance with Title VI of the Civil Rights Act of 1964 and all related nondiscrimination statutes, regulations and requirements.
Stegelmann said Resolution 2026-21 would approve the City's updated plan and ratify the Mayor's execution of the Title VI Assurances and Implementation page as it was necessary to submit the updated plan to the Indiana Department of Transportation prior to the Board's Oct. 29 meeting. With the approval of this updated Plan, **Stegelmann** said this resolution also supersedes and replaces the previous Plan approved by Resolution 2025-27.
Nichols/Myers Nichols/Myers made a motion to adopt Resolution 2026-21, City of Goshen Title VI Implementation Plan. The motion passed 5-0.

4) Legal Department request: Approve Resolution 2026-23 authorizing the city to participate in a proposed C.A.A.N. (Amerex Corporation, Archroma U.S., Inc., Carrier Global Corporation, and Nation Ford Chemical Company).class action litigation settlement
City Attorney Bodie Stegelmann said national class action litigation involving PFAS contamination has recently resulted in settlements with four corporations – Amerex Corporation, Archroma U.S., Inc., Carrier Global Corporation, and Nation Ford Chemical Company, which are together known as C.A.A.N.
Stegelmann recommended that the Board approve Resolution 2026-23 authorizing the City to participate in a proposed C.A.A.N. class action litigation settlement. Resolution 2026-23 also authorizes City staff to collaborate with outside counsel to file claims and approve documentation for participation in the settlement.
Nichols/Myers made a motion to approve Resolution 2026-23, authorizing the City to participate in a proposed C.A.A.N. class action litigation settlement. The motion passed 5-0.

5) Legal Department request: Approve the Resolution 2026-24, Authorizing Execution of Documents and Sale, Purchase, and Development of Real Estate, as presented and authorize the Mayor to execute the agreement with Lacasa of Goshen on the City's behalf
Assistant City Attorney Don Shuler said provided for the Board's consideration was a resolution approving an agreement with Lacasa of Goshen, Inc. for 908 North 6th Street.
Under the Agreement, **Shuler** said the Goshen Redevelopment Commission will sell the Lot to Lacasa for development. Lacasa will build affordable housing: up to six (6) rental units in three (3) duplexes, or three (3) single-family homes. Closing is awaiting on funding from the Indiana Housing and Community Development Authority (IHCDA) and land-use approvals. Construction will begin by June 1, 2028 and must be completed within a year.
Shuler said the City Redevelopment Commission approved the agreement on Oct.13, 2026. He said Board approval is necessary due to certain utility and infrastructure commitments made by the City in the agreement, including extension of sewer and water. He said all City costs under the agreement will be paid by Redevelopment.
Nichols/Myers made a motion to approve Resolution 2026-24 as presented and authorize the Mayor to execute the agreement on the City's behalf. The motion passed 5-0.

6) Legal Department request: Approve the easement for Electric Facilities and the Claim Release and Agreement for Easement for NIPSCO for 1332 Chicago Avenue, in substantially the form presented, and authorize the Mayor to execute both documents on behalf of the City
Assistant City Attorney Don Shuler said NIPSCO has requested a permanent easement on City-owned land at 1332 Chicago Avenue for its Goshen PK 31 D10 Project. He said the easement area is small, about 26 square feet at the Chicago Avenue edge of the parcel and will hold a utility pole and related electric facilities.
Shuler said two documents were provided to the Board.

Shuler said one was the Easement for Electric Facilities would grant NIPSCO the right to install, operate, and maintain its facilities within the easement area, with access across the parcel. The City may continue to use the area so long as it does not interfere with NIPSCO's facilities. Under the Claim Release and Agreement, **Shuler** said NIPSCO will pay the City $1,000.00 within forty-five (45) days as compensation for the easement.
The Easement and Claim Release also was presented for the Board's approval.
Nichols/Myers made a motion to approve the easement for Electric Facilities and the Claim Release and Agreement for Easement for NIPSCO for 1332 Chicago Avenue, in substantially the form presented, and authorize the Mayor to execute both documents on behalf of the City. The motion passed 5-0.

7) Water & Sewer Office request: Move $1,463.64 in uncollected finaled accounts from active to collection, sewer liens and write-offs for the period through July 20, 2026
Water & Sewer Utilities Business Office Manager Kelly Saenz told the Board that the original amount of unpaid final Water/Sewer accounts, for the period through July 20, 2026, was $1,972.31. Collection letters were sent out and payments of $508.67 were collected.
With the uncollected amount being $1,463.64, **Saenz** asked the Board to move the office's uncollected final accounts from active to Collection, Sewer Liens and Write-offs for the period. Of the uncollected amounts, $360.34 came from water accounts and $1,103.30 came from sewer accounts.
Nichols/Myers made a motion to move the Goshen Water and Sewer Office's $1,463.64 in uncollected finaled accounts for this period from active to Collection, Sewer Liens and Write offs. The motion passed 5-0.

8) Water Treatment & Sewer Collection Department request: Authorize the temporary closure of SR 15 and detour of traffic onto Kercher Road and Madison Street for the installation of a new water service at 512 South Main Street, and authorize the Mayor to sign all documents required by INDOT related to the traffic control permit and detour route approval
Marvin Shepherd, Superintendent of the City Water Treatment and Sewer Collection Department, said a new water service tap is required at 512 South Main Street. He said the existing water main is located within the traveled portion of SR 15 (Main Street), requiring excavation within the roadway to complete the installation.
Due to the location of the work, **Shepherd** said a temporary closure of SR 15 and detour of traffic onto local streets will be necessary to safely perform the work.
As part of the Indiana Department of Transportation (INDOT) permitting process, **Shepherd** said the City must approve the temporary use of local streets for the detour route and authorize the Mayor to execute the required concurrence form. He said the proposed detour route will utilize Kercher Road and Madison Street during the temporary closure of SR 15 while the water service installation is completed.
Shepherd added that as soon as INDOT approves the permit and a construction schedule is confirmed, he will provide the specific road closure dates so the Board and the public can be properly notified.
Nichols/Myers made a motion to authorize the temporary closure of State Road 15 and detour of traffic onto Kercher Road and Madison Street for the installation of a new water service at 512 South Main Street and authorize the Mayor to sign all documents required by INDOT related to the traffic control permit and detour route approval. The motion passed 5-0.

9) Engineering Department request: Approve Change Order No. 2 for the Community Sidewalk Improvement & 50/50 Project for $2,200 to build a wall and backfill to abandon two window wells
City Director of Public Works & Utilities Dustin Sailor, provided the Board with Change Order No. 2 for the Community Sidewalk Improvement & 50/50 Project.

While removing concrete sidewalks along Washington Street, **Sailor** said DC Construction found there were window wells that had not been backfilled and walls that had not been built for proper abandonment. The Engineering Department directed DC Construction to close and abandon the window wells prior to pouring the sidewalk back.
Nichols/Myers made a motion to approve Change Order No. 2 for the Community Sidewalk Improvement & 50/50 Project to build a wall and backfill to abandon the two window wells for the amount of $2200. The motion passed 5-0.

10) Engineering Department request: Approve Change Order No. 1 for additional curb and drive approach work and changes in stormwater infrastructure for $63,418.58 and two additional days for the Century Drive Reconstruction (JN: 2024-0030)

City Civil Engineer Brad Minnick provided the Board with Change Order No. 1 for the Century Drive Reconstruction. During construction, Minnick said changes were necessary for reasons he outlined in a memo.

Minnick wrote that to prevent anticipated damage to the proposed and approaches, sidewalk, curb and gutter by better accommodating turning movement at the drive approaches at 1821 & 1902 Century Drive, including for oversized trailers, the approach radii were increased, a portion of 4" sidewalk needs to be installed at 9" thick and 40 LFT of curb and gutter to be widened and hand formed.

Minnick wrote that the addition of a 10" stone temporary drive approach was necessary to maintain access to 1902 Century Drive, also due to the restrictive turning movement of large trailer specifically during reconstruction of the southbound lane. This work will result in saw cutting edge of pavement for installation of hand formed curb and gutter for 210 LFT and 1 additional calendar day to complete the work.

Minnick wrote that storm sewer revisions were necessary due to multiple reasons. He said the proposed Drywell Str. 1001 at 1821 Century was eliminated and replaced with 8" DIP culvert pipe to reduce long-term maintenance needs; 8" DIP was necessary to accommodate separation from gas service and allow for reduced cover over pipe. Additional CMP culverts were found to be deteriorated. These were replaced with 12" RCP for the roadway crossing near Sta. 80+32 Lt and 8" DIP was necessary at 1802 Century Drive as the existing culvert was smashed, preventing drainage and to meet minimum cover allowed between the top of pipe and top of finished surface. 6" DIP was needed at 1803 Century to provide an overflow drainage between Drywell Str. 1001 and existing structure.

A 15” CMP extension (quote includes connection to existing culvert with manufacture’s coupling) is required to reconnect the existing 15” CMP culvert at existing Str. 5099, which will be removed and replaced as it is inaccessible to maintenance due to the small size of the structure opening and cannot accommodate the new 12" RCP culvert to be connected at this structure. This work will require 1 additional calendar day to complete.

Minnick said City of Goshen Engineering staff compared Niblock’s newly quoted pay item unit costs to comparable items on recent quotes for other city projects and found the quoted pricing to be acceptable. Goshen Redevelopment is funding this project and approved Change Order No. 1 at its Oct. 13 meeting.

The original contract amount was $5,477,547.25; Change Order No. 1 would increase the total contract by $63,418.58 for a revised contract amount of $ $5,540,965.83 which was an increase of 1.16% over the original contract amount. Minnick added that two days will be added to the contract to complete this work.

Nichols/Myers made a motion to approve Change Order No. 1 for additional curb and drive approach work and changes in stormwater infrastructure in the amount of $63,418.58 and two additional days. The motion passed 5-0.

11) Engineering Department request: Reject the sole bid received for the Denver Street Curb & Sidewalk Replacement and Wilden Avenue Drainage Improvements project, and direct staff to take any further action deemed necessary, including revising project specifications or determining appropriate next steps (JN: 2024-0027, 2026-0019, 2026-0031, 2026-0030, 2020-0027)

City Civil Engineer Brad Minnick said the Board of Public Works and Safety advertised for sealed bids for the Denver Street Curb & Sidewalk Replacement and Wilden Avenue Drainage Improvements in accordance with the requirements of IC 36-1-12-4.
Minnick said this process included the preparation and public filing of plans and specifications, alongside the publication of a notice calling for sealed bids. On Oct. 15, 2026, at a duly noticed public meeting of the Board, all bids received were opened and read aloud.
After further deliberation, **Minnick** said the Engineering Department has determined that it is in the City's best interest to reject the sole bid received. This recommendation is because only one bid was submitted, no other bids were received for comparison, and the proposed amount exceeded the Engineer's Estimate for the project. He added that this rejection is permitted under Indiana's Public Works Law.
Nichols/Myers made a motion to reject the sole bid received for the Denver Street Curb & Sidewalk Replacement and Wilden Avenue Drainage Improvements project, and direct staff to take any further action deemed necessary, including revising project specifications or determining appropriate next steps. The motion passed 5-0.

12) Engineering Department request: Approve periodic lane closures on College Avenue from Lincolnway East / US 33 east to the railroad crossing, until Friday, Dec. 4, 2026, for the NIPSCO Gas Utility Relocation as part of College Avenue Phase 1 (JN: 2019-0022)
City Civil Engineer Brad Minnick said NIPSCO Gas requested an extension to its lane closures on College Avenue from Lincolnway East / US 33 east to the Norfolk Southern railroad crossing until Dec. 4, 2026.
Minnick said NIPSCO requested these additional periodic lane closures to finish relocating gas services for the College Avenue, Phase I roadway reconstruction project and restore disturbed areas. He added that two-way traffic will be maintained with flaggers and all appropriate traffic control devices will be utilized.
Nichols/Myers made a motion to approve periodic lane closures on College Avenue from Lincolnway East / US 33 east to the railroad crossing until Friday, Dec. 4, 2026. The motion passed 5-0.

13) Engineering Department request: Accept the post-construction stormwater management plan for Goshen High School's Soccer Field as it has been found to meet the requirements of City Ordinance 5228 (JN: 2025-2023)
City Director of Public Works & Utilities Dustin Sailor said the developer of Goshen High School's soccer field improvements project, affecting one (1) or more acres of land and located at 501 Lincolnway East, has submitted a sufficient post-construction stormwater management plan that is compliant with Ordinance 5228, "Stormwater Management."
Sailor said the Stormwater Management Department was asking the Board of Public Works and Safety's acceptance of the post-construction stormwater management plan.
Nichols/Myers made a motion accept the post-construction stormwater management plan for Goshen High School's Soccer Field as it has been found to meet the requirements of City Ordinance 5228. The motion passed 5-0.

14) Legal Department request: Authorize Mayor Leichty to execute the Verizon RCS Terms of Service – Government Addendum as required for the Police Department
City Attorney Bodie Stegelmann recommended that the Board approve and authorize Mayor Leichty to execute an attached Verizon RCS Terms of Service – Government Addendum as was required by Verizon to update the protocol for handling text messages for the Police Department. There was no cost associated with this document.

NOTE: Before the meeting, City Paralegal Christina M. Bonham gave Board members a one-page memorandum, dated Oct. 29, 2026, and a three-page Verizon RCS Terms of Service Government Addendum for added agenda item #14, *Approve and authorize Mayor Leichty to execute the attached Verizon RCS Terms of Service – Government Addendum as required for the Police Department.*

Nichols/Myers made a motion to approve and authorize Mayor Leichty to execute the attached Verizon RCS Terms of Service – Government Addendum as required for the Police Department The motion passed 5-0.

Privilege of the Floor (opportunity for public comment for matters not on the agenda):
Mayor Leichty opened Privilege of the Floor at 4:19 p.m. There were no comments.

At 4:19 p.m., Mayor Leichty paused the Board of Public Works & Safety meeting and then convened six Review/Compliance hearings for City Building Commissioner orders.

REVIEW/COMPLIANCE HEARINGS FOR BUILDING COMMISSIONER ORDERS
4:00 p.m., OCTOBER 29, 2026
Goshen Police Building, 111 East Jefferson Street, Goshen, Indiana

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

15) Compliance hearing on a Building Commissioner Order: Rehabilitation agreement for 1705 Westplains Drive (Cecil J. Bontreger, property owner)
At 4:19 p.m., Mayor Leichty convened a compliance hearing on Building Commissioner Order: Rehabilitation agreement for 1705 Westplains Drive, an 18-unit apartment building (Cecil J. Bontreger, property owner).

BACKGROUND:
Assistant City Attorney Don Shuler, in a memorandum to the Board dated Oct. 29, 2026, wrote that this matter was coming to the Board acting as the City's Unsafe Building Hearing Authority.
Shuler wrote that on March 27, 2026, **the Board and property owner Cecil J. Bontreger entered into an agreement for the phased rehabilitation of 1705 Westplains Drive**. A compliance hearing on the agreement was set for Oct. 8, 2026, and then delayed to Oct. 29 to allow Bontreger to pursue a sale of the property.
Shuler wrote that **Bontreger has since signed a purchase agreement, dated Oct.15, 2026, to sell the property to Goshen Rental Properties**, LLC-S. The closing was expected no later than Dec. 1, 2026.
Shuler wrote that City staff was asking the Board to delay the compliance hearing to Thursday, Dec.10, 2026. He wrote that tabling the hearing would allow the sale to close and provide an opportunity for the buyer to meet with the City Building Department on the anticipated scope of repairs and a projected timeline for completion. Both updates would be presented to the Board at the Dec. 10, 2026 hearing. If for any reason the sale did not close, Shuler wrote that the Dec.10, 2026 would function as the originally scheduled compliance hearing.
Shuler wrote that attached for the Board's reference was the March 27, 2026 Rehabilitation Agreement, the Oct. 8, 2026 Order for Compliance Hearing, and a proposed Tabling Order.
Under the terms of the March 27, 2026 Rehabilitation Agreement, it was established that City inspections found that "conditions in multiple units that do not meet the minimum housing standards required for lawful occupancy under the Goshen Neighborhood Preservation Ordinance."

The parties agreed that "gas and electric utility service to many units at the Property has been interrupted and utility meters removed, and restoration of such service is a necessary prerequisite to the full rehabilitation and occupancy of the residential units."
The property owner agreed to rehabilitate the property in compliance with applicable codes and ordinances, and to cooperate with City in a phased rehabilitation program as an alternative to immediate legal enforcement and receivership. City officials stated a desire to "resolve these code enforcement and unsafe building matters in a manner that promotes rehabilitation of the Property while ensuring compliance with minimum housing standards and the protection of public health and safety."
The agreement set forth complex terms and conditions, with specific deadlines, to rehabilitate the property.

DISCUSSION AND OUTCOME OF THE COMPLIANCE REVIEW HEARING ON OCT. 29, 2026:
At 4:19 p.m., Mayor Leichty convened a compliance hearing on a Building Commissioner Order: Rehabilitation agreement for 1705 Westplains Drive (Cecil J. Bontreger, property owner).
Present at the hearing were: Board members Leichty, Landis, Myers, Nichols and Swartley, Assistant City Attorney Don Shuler; City Attorney Bodie Stegelmann; City Building Commissioner Myron Grise and Building Inspector Travis Eash. Matt Vukovich and Dalnota Edmisten, representing Goshen Rental Properties, LLC-S, the new property owner, also were present.
The Mayor invited a presentation from Assistant City Attorney Don Shuler.
Referring to his Oct. 29, 2026 memorandum to the Board, **Shuler** provided the background of the property and the issues that led to a phased rehabilitation agreement with property owner **Cecil J Bontreger**. He said the City Building Commissioner scheduled a compliance hearing on Oct. 8 to assess the progress in repairs of the apartment building, but it was delayed until today to allow Bontreger to pursue a sale of the property.
Shuler said Bontreger has now provided the City with a signed purchase agreement in which Bontreger would sell the property to Goshen Rental Properties with closure on Dec. 1.
So, **Shuler** said City staff was asking to delay further consideration of this matter to Dec. 10 to allow for the closure and conversation of City staff with the new property owner on the repairs to the apartment building. If the sale of the property was not completed by Dec. 10, Shuler said the Board could still hold a compliance hearing.
Shuler said **Matt Vukovich and Dalnota Edmisten,** representatives of Goshen Rental Properties, were present and could provide an update on their plans.
Mayor Leichty swore in Matt Vukovich and Dalnota Edmisten to provide truthful and complete testimony.
Vukovich said Goshen Rental Properties closed on the property today and were now the legal owners. He said he and Edmisten were at the meeting to answer questions.
Vukovich said, "We'd love to get started right away. So, I don't know what that looks like. We're not really sure. Are we allowed to go pull general permits? Is there a process we need to go through in advance? We're just trying to start that discussion."
Mayor Leichty said **City Building Commissioner Myron Grise** was present and could start the discussion about next steps and procedures. She said, "We're very excited to have you on board and to work alongside you as a City, to be a good partner to see these properties that have languished for a very long time actually serve the community as they have the potential to do. So, thank you for stepping forward to do it."
Vukovich responded, "We're just happy to be here … we're looking forward to cleaning them up, "
Board member Barb Swartley asked if Vuckovich and Edmisten had done this kind of work before. **Vukovich** said, "Not necessarily to this level, but I've been in real estate about 10 years. One of my other partners about 20 years and Dalnota has been in construction for six years."
Mayor Leichty asked if they intended to retain the apartment building as a rental property.
Vukovich said yes and added that Goshen Rental properties hopes to own the property for 10, 15 or 20 years.

Board member Swartley said, “Good to know. We look forward to that. It's been needing it for a very long time.
Vukovich responded, “Oh, trust me, I grew up here, so I went to Goshen High School, and I’ve been driving by that property and dreaming of owning it since I was a little kid. So, it's kind of surreal.”
Mayor Leichty, “Glad to make your dreams come true. We don't always do that.”
The Mayor invited additional comments from Shuler, who asked the Board to table the matter.

Nichols/Myers made a motion to table the compliance hearing for 1705 Westplains Drive until Dec. 10, 2026. The motion passed 5-0.

16) Compliance hearing on Building Commissioner Order: Finding the residential structure at 1006 and 1008 Zollinger Road unsafe and requiring repair (George Acuahuitl, property owner)
At 4:26 p.m., Mayor Leichty convened a compliance hearing for 1006 and 1008 Zollinger Road (George Acuahuitl, property owner).

BACKGROUND:
Assistant City Attorney Don Shuler, in a memorandum to the Board dated Oct. 29, 2026, wrote that this matter was coming to the Board serving as the City’s Unsafe Building Hearing Authority.
Shuler wrote that on June 12, 2026, the City Building Commissioner issued an Order finding the residential structure at 1006 Zollinger Road was unsafe and required repairs. On July 9, 2026, the Board affirmed the Order with a modified compliance scheduled. On Sept. 3, 2026, the Board tabled review to today to permit the property to continue efforts to sell the property.
Attached to Shuler’s memorandum was the Board’s Sept.3, 2026 Order, the Building Department’s staff report summarizing the current status of repairs, a written rehabilitation plan from the new owner of the property, and a proposed Tabling Order. Shuler wrote that the Tabling Order would require substantial progress on repairs over the next 90 days and set the matter for further review on Feb. 4, 2027.

DISCUSSION AND OUTCOME OF THE COMPLIANCE REVIEW HEARING ON OCT. 29, 2026:
At 4:26 p.m., Mayor Leichty convened a compliance hearing for 1006 and 1008 Zollinger Road (George Acuahuitl, property owner).
Present at the hearing were: Board members Leichty, Landis, Myers, Nichols and Swartley, Assistant City Attorney Don Shuler and City Attorney Bodie Stegelmann The property owner was not present.
The Mayor invited a presentation from Assistant City Attorney Don Shuler.
Shuler provided the background of the property and its past condition. He said there is a new property owner and City staff needs time to discuss the next steps with the new owner.
Shuler said, “The owner has already pulled a gas service permit and passed the gas service inspection. I think the intention there was to make sure that the heat was running so they could work on interior repairs over the winter. They also submitted their game plan of their steps to the Building Department.”
Shuler asked the Board schedule another review in 90 days, to Feb. 4, 2027, with the requirement that the new property owner must make substantial progress in repairs to the property.
Nichols/Myers made a motion to table a review of the property to Feb.4, 2027. The motion passed 5-0.

THE FOLLOWING FOUR AGENDA ITEMS WERE CONSIDERED SIMULATANEOUSLY:

17) Review hearing on Building Commissioner Order: Requiring demolition of the vacant residential structure at 316 North Second Street (Cecil J. Bontreger, property owner)

18) Review hearing on Building Commissioner Order: Requiring demolition of the vacant residential structure at 415 North Second Street (Cecil J. Bontreger, property owner)

19) Review hearing on Building Commissioner Order: Requiring repair of the vacant residential structure at 508 North Seventh Street (Cecil J. Bontreger, property owner)

20) Review hearing on Building Commissioner Order: Requiring repair of the vacant residential structure at 613 West Wilden Avenue (Cecil J. Bontreger, property owner)

At 4:28 p.m., Mayor Leichty convened review hearings for 316 North Second Street, 415 North Second Street, 508 North Seventh Street and 613 West Wilden Avenue (Cecil J. Bontreger, property owner).
Present: Board members Leichty, Landis, Myers, Nichols and Swartley, Assistant City Attorney Don Shuler; and City Attorney Bodie Stegelmann. The property owner (Cecil J. Bontreger) was not present.
The Mayor invited a presentation from Assistant City Attorney Don Shuler.
Shuler said all four are vacant properties that had Building Commissioner orders issued for them. He said the two properties on North 2nd Street were actually demolition orders that were set for hearings today. The other two properties on 7th Street and Wilden Avenue were repair orders that were scheduled for Nov.12.
Similar to the property on Westplains Drive, which was discussed earlier today, **Shuler** said these properties were owned by Cecil J. Bontreger, who has entered into a purchase agreement with **Artisan Investment Group** to sell these four, along with four other vacant properties in the Building Department's enforcement process.
Shuler requested that the Board delay consideration of all four properties to Dec. 10, 2026 so Building Department staff can meet with the new owner and develop a timetable for repairs. A meeting is scheduled for mid-November.
Shuler said the sale is not expected to close until May 1, but the purchase agreement will allow **Artisan Investment Group** to have site control now, although the company cannot begin work for a while because of other projects.
Shuler asked the Board to adopt each of the four orders in today's Board packet for these properties and table consideration until Dec. 10, 2026.
In response, **Mayor Leichty** told Shuler, "I just want to offer a word of gratitude for your capacity and persistence in moving these cases forward. These have been properties that have languished for a long time. It's good to finally see some positive things happening, so I appreciate your leadership and keeping that ball rolling."
The Mayor invited a motion from the Board.

Nichols/Myers made a motion to table review hearings for 316 North 2nd Street, 415 North 2nd Street. 508 North 7th Street and 613 West Wilden Avenue to Dec.10, 2026. The motion passed 5-0.

At 4:32 p.m., Mayor Leichty closed the Review/Compliance hearings for City Building Commissioner orders and reconvened the Board of Public Works & Safety meeting.

Approval of Civil City and Utility Claims
Mayor Leichty made a motion to approve Civil City and Utility claims and adjourn the meeting. Board member Myers seconded the motion. The motion passed 5-0.

Adjournment
Mayor Leichty adjourned the meeting at 4:32 p.m.

EXHIBIT#1: *Before the meeting, City Paralegal Christina M. Bonham gave Board members a one-page memorandum, dated Oct. 29, 2026, and a three-page Verizon RCS Terms of Service Government Addendum for added agenda item #14, Approve and authorize Mayor Leichty to execute the attached Verizon RCS Terms of Service – Government Addendum as required for the Police Department.*

APPROVED:

_____
Mayor Gina Leichty

_____
Mike Landis, Member

_____
Orv Myers, Member

_____
Mary Nichols, Member

Barb Swartley, Member

ATTEST:

Richard R. Aguirre, Clerk-Treasurer

ENGINEERING DEPARTMENT
CITY OF GOSHEN

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engineering@goshencity.com • www.goshenindiana.org

MEMORANDUM

TO: Board of Public Works and Safety

FROM: Goshen Engineering

RE: CHERRY CREEK TRAILWAY PHASE I
JN: 2026-0034

DATE: November 5, 2026

The Clerk-Treasurer's Office received bids from contractors today for the Cherry Creek Trailway Phase I project. We respectfully request that the Board of Public Works and Safety open these bids at today's meeting.

Requested Motion: **Open bids received from contractors for the Cherry Creek Trailway Phase I project, read the total bid amounts, and refer the bids to the Engineering Department for review and recommendation.**

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 ● goshen.in.gov
Phone (574) 537-3855 ● Fax (574) 533-8626 ● TDD (574) 534-3185

November 5, 2026

To: Board of Public Works and Safety

From: Don Shuler, Assistant City Attorney

RE: Public Hearing – Unsafe Building Average Process Expense

When the City or its contractor performs work required by an unsafe building or public nuisance order, the persons liable for the cost of the work may also be liable for an average process expense that represents the typical costs incurred in taking the technical, administrative, and legal actions concerning typical unsafe premises. Per state statute, the Board must set that amount following a public hearing.

Attached for the Board's consideration is Resolution 2026-22, which would establish this Average Processing Expense for Goshen. This would establish an expense of $1,880 per unsafe premise and would be added as an additional amount to be recovered in situations where the City or a contractor it hires completes the work required by an enforcement Order. The fee represents the average of typical expenses and costs incurred during the enforcement process, including title work, certified mailing, recording fees, Building Department and Legal staff time.

Notice of the public hearing was published on October 23, 2026.

Recommendation: Open the public hearing, receive any comment, and close the hearing. Then adopt the resolution.

Recommended Motion: Move to adopt Resolution 2026-22, establishing an average processing expense of $1,880.00 under the Indiana Unsafe Building Law.

RESOLUTION 2026-22

Establishing the Average Processing Expense Under the Indiana Unsafe Building Law

WHEREAS, the City of Goshen has adopted the Indiana Unsafe Building Law via its Neighborhood Preservation Ordinance and administers it through the Building Department, with the Building Commissioner serving as the enforcement authority;

WHEREAS, when the City or its contractor performs work required by an unsafe building order, or takes emergency action, Indiana Code § 36-7-9-12(a) makes the persons liable for the cost of the work also liable for an amount representing a reasonable forecast of the average processing expense the enforcement authority incurs;

WHEREAS, Indiana Code § 36-7-9-12(b) directs the board or commission having control over the department to determine the average processing expense at a public hearing, and the Board of Public Works and Safety is that board;

WHEREAS, notice of the hearing was published under Indiana Code § 5-3-1 on October 23, 2026; and

WHEREAS, on November 5, 2026, the Board held a public hearing on the proposed average processing expense.

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works and Safety as follows:

1. The Board finds that One Thousand Eight Hundred Eighty Dollars ($1,880.00) is a reasonable forecast of the average processing expense the enforcement authority will incur in taking the technical, administrative, and legal actions concerning typical unsafe premises that are necessary under I.C. § 36-7-9 so that ordered action may be performed. In reaching this figure, the Board considered:

    1.1. The cost of obtaining reliable information about the identity and location of persons who own a substantial property interest in the unsafe premises;

    1.2. The cost of notices described in I.C. § 36-7-9-12(a)(2)(B), given under I.C. § 36-7-9-25;

    1.3. Employee salaries; and

    1.4. The cost of supplies, equipment, and office space.

2. The average processing expense is One Thousand Eight Hundred Eighty Dollars ($1,880.00) per unsafe premises.

3. This expense applies to work under an order issued under the Indiana Unsafe Building Law authorized after the effective date of this Resolution.

4. The Building Commissioner may collect the expense, with the cost of the work, under I.C. §§ 36-7-9-13 or -13.5.

5. This Resolution superseded any prior determination of the average processing expense.

6. This Resolution is effective on adoption.

PASSED and ADOPTED on November 5, 2026.

Gina M. Leichty, Mayor

Michael Landis, Member

Mary Nichols, Member

Barb Swartley, Member

Orv Myers, Member

ENGINEERING DEPARTMENT
CITY OF GOSHEN

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MEMORANDUM

TO: Goshen Board of Public Works & Safety

FROM: Goshen Engineering

RE: JN: SIDEWALK AND ROAD CLOSURE REQUESTS

DATE: November 5, 2026

Background

The City of Goshen has experienced a substantial increase in requests for single-lane and full road closures. These requests are submitted to the Board of Public Works and Safety and reviewed by the Goshen Engineering Department for compliance with current Maintenance of Traffic standards.

Proposed Approval Process

To improve departmental efficiency and shorten response times for contractors and right-of-way permit applicants, the Engineering Department requests authority to review and approve future sidewalk, single-lane, and full road closure requests without further action by the Board of Public Works and Safety.

Public Notice and Internal Communication

Approved requests will continue to be posted on the City of Goshen website and circulated internally by email or similar means.

Requested Motion: Move to authorize the Goshen Engineering Department to review and approve sidewalk, single lane, and full road closure requests in a timely fashion and consistent the Indiana Manual of Uniform Traffic Control Devices, without further action by the Board of Public Works and Safety

APPROVED:
BOARD OF PUBLIC WORKS & SAFETY
CITY OF GOSHEN, INDIANA

_____
Gina Leichty, Mayor

_____
Barb Swartley, Member

_____
Mary Nichols, Member

_____
Orv Myers, Member

_____
Michael Landis, Member

Engineering Department
CITY OF GOSHEN
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MEMORANDUM

TO: Board of Public Works and Safety

FROM: Engineering Department

RE: WILDEN AVENUE RECONSTRUCTION FROM ROCK RUN CREEK TO FIFTH STREET – RECOMMENDATION FOR ACCEPTANCE
DES NO. 1400715 (JN: 2014-0035)

DATE: November 05, 2026

The Engineering Department requests that the Board of Public Works and Safety authorize Mayor Leichty to sign the Recommendation for Acceptance form for the Wilden Avenue Reconstruction project. Submission of this form to INDOT is required to formally close out the contract. The City previously provided a Recommendation for Acceptance, but dates were modified during INDOT's review and a revised form needs to be signed.

After reviewing the project and confirming its completion, the Engineering Department fully supports its acceptance.

Thank you for your consideration of this request.

Requested Motion: Move to authorize the Mayor to sign the updated Recommendation for Acceptance form for submission to INDOT.

Indiana Department Of Transportation
Report of Contract Final Inspection and
Recommendation for Acceptance

Contract R -37647 Project: 1400715

Date Construction Substantially Completed: 11/17/2023

(The contract is sufficiently completed so that it can be used for its intended purpose.)

All Contract Work Complete Date 11/17/2023

(The date all items were complete, except punchlist and removal of traffic control devices.)

Pre-Final Inspection made by John Wakeman - DLZ, Brad Dailey - DLZ, Nick Noble - Reith Riley

Drew Snodderly - Reith Riley, Andrew Lund - City of Goshen, Matt Beard - City of Goshen, Mike Koch - INDOT

on 12/08/2023

Date Punch List Items Completed: 05/10/2024

Sod Maintenance Expired on : 07/19/2024

Date Failed Material Replaced: **N/A**

Final Inspection made by: Mike Koch of INDOT and Brad Dailey of DLZ

on ~~12/02/2024~~ 8/3/2026

and all work was found to be satisfactory from Station NA to NA

Date Construction Signs and Temporary Traffic Control Devices Removed: 07/19/2024

Pavement Markings (have) ~~(have not)~~ been placed in accordance with the IMUTCD manual or as directed by the District Traffic Engineer. HAVE

Right-of-Way (is) ~~(is not)~~ clear of all encroachments. IS

Date of Last Work: ~~12/02/2024~~ 8/3/2026

R.O.M. / Final Acceptance: ~~12/02/2024~~ 8/3/2026

RECOMMEND ACCEPTANCE

City of Goshen, Indiana

LOCAL PUBLIC AGENCY

DISTRICT CONSTRUCTION ENGINEER

*County or City signatures when required (at least two).

* By: (Mayor)

* By: (ERC)

* By:

ENGINEERING DEPARTMENT
CITY OF GOSHEN

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MEMORANDUM

TO: Goshen Board of Public Works & Safety

FROM: Goshen Engineering

RE: 2026 BRIDGE INSPECTION REPORT
JN: 2026-0003

DATE: November 5, 2026

At the October 8, 2026, Board of Public Works & Safety meeting, the Engineering Department submitted the 2026/2028 Bridge Inspection Report for Board review.

The Engineering Department respectfully requests the Board's formal acceptance and approval of the report as presented by DLZ.

Requested Motion: Move to approve and accept the 2026 Bridge Inspection Report as submitted by DLZ.

APPROVED:
BOARD OF PUBLIC WORKS & SAFETY
CITY OF GOSHEN, INDIANA

_____
Gina Leichty, Mayor

_____
Barb Swartley, Member

_____
Mary Nichols, Member

_____
Orv Myers, Member

_____
Michael Landis, Member

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