

## Minutes of the Goshen Common Council – Regular Meeting of Oct. 12, 2021

*Convened 6:00 p.m.: Council Chambers, Police & Court Building, 111 East Jefferson Street, Goshen, Indiana*

**Mayor Jeremy Stutsman called the meeting to order at 6 p.m. and led the Pledge of Allegiance**

**Mayor Stutsman asked the Clerk-Treasurer to conduct the roll call.**

**Present:** Megan Eichorn (District 4)      Julia King (At-Large)      Doug Nisley (District 2)  
Donald Riegsecker (District 1)      Matt Schrock (District 3)      Council President Brett Weddell  
(At-Large)      Youth Advisor Adrian Mora (Non-voting)

**Absent:** Gilberto Pérez Jr. (District 5) not present for roll call, but arrived at 6:08 p.m.

Mayor Stutsman asked the council's wishes regarding the minutes of the council's Sept. 21, 2021 meeting. **Council members Nisley/King moved to approve the minutes of the Sept. 21, 2021 meeting as submitted. Motion passed 6-0.**

Mayor Stutsman presented the agenda of the Oct. 12, 2021 council meeting. **Council members Eichorn/King moved to approve the agenda as presented. Motion passed 6-0.**

### **Privilege of the Floor:**

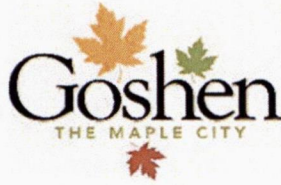
Mayor Stutsman opened a period of public comment.

**Glenn Null** of Goshen said that he has a tree that has dropped leaves and he hopes the City will conduct an early leaf pickup. He said overall the City is doing well and council members are being civil to one another, and he appreciates that. Null said the Community Relation Commission (CRC) has held public meetings on the proposed sundown marker and that they went well. Null said he appreciates that the Police Chief assigned an officer to attend one of the CRC meetings, noting that whenever 30-50 people gather it's good to have an officer present.

Council President Weddell responded that whenever residents see storm drains covered with leaves, it would be helpful for them to brush the leaves off the grates to facilitate the runoff of rainwater. City Director of Environmental Resilience Aaron Sawatsky Kingsley concurred with the recommendation.

**Lori Arnold** of Goshen said she would still like video recordings of City Council meetings to be posted online. She said that County Council and School Board meetings are available online and she would like the City to do the same. Arnold said that she also attended two Community Relations Commission meetings, including one about the proposed sundown marker. She complimented CRC members for being friendly, adding it was the first time at a public meeting that she felt officials heard what she said. Arnold said she appreciated that.





Arnold also said she liked the way CRC members interacted with her at the meeting and how they acted afterward. She suggested that the Council appoint more CRC members with conservative perspectives. Arnold said people tend to judge one another for what they say or for the sign they carry, the shirt they wear or for their political affiliations and can be made to feel by others that they don't belong. But, Arnold said, if people can speak to one another, they can learn they are not bad people – and she has learned this when talking with others. Arnold said the CRC is a place for people to come together and listen to each other. So, Arnold said she would like more conservatives to be appointed so other perspectives can be heard. Arnold also said she is troubled by what's going on at the U.S.-Mexico border. She said the federal government is tying the hands of border patrol officers.

Councilor Nisley advised Arnold that she had already spoken for the three minutes allowed to each public speaker.

Arnold concluded by asking if the City planned to do anything to protect residents from people crossing the southern border into the United States.

**At 6:08 p.m., Mayor Stutsman asked that the record reflect that Councilor Pérez had arrived at the meeting. No others asked to speak, so Mayor Stutsman closed the Privilege of the Floor.**

#### **1. Public hearing on Ordinance 5099 (2<sup>nd</sup> Reading): Appropriations and Tax Rates**

By way of background, Ordinance 5099 would establish the expenses of the City of Goshen for the year ending Dec. 31, 2022. The sums specified in Ordinance 5099 would be appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expenses of the City of Goshen, the property tax levies and property tax rates as herein specified are included herein. Ordinance 5099 shall be in full force and effect from and after its passage and approval by the Goshen Common Council.

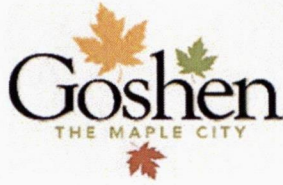
Mayor Stutsman called for the introduction of Ordinance 5099. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5099 by title only, which was done.

#### **Weddell/Nisley moved for passage of Ordinance 5099 on Second and Final Reading.**

Mayor Stutsman said Ordinance 5099 was the proposed City Budget for 2022. The Mayor said he and the Council reviewed the proposed budget line by line and department by department at the Sept. 21 meeting. He said that since the last meeting, he has revised the budget and was proposing some cuts recommended by Council members as well as revisions because of the mistaken inclusion of some encumbrances carried over from 2020.

Mayor Stutsman also said that after the last meeting, one of the local newspapers published a story that mistakenly stated that the 2022 budget had grown considerably compared with the 2021 budget. The Mayor said a significant part of the increase in the 2022 budget was due to the inclusion of Tax Increment Financing (TIF) funds for projects that had been delayed or had been slow to get going. So, the budget includes two full years of TIF funds. In addition, the Mayor said the budget includes one-time federal funds from the American Rescue Plan (ARP) grant.





So, this wasn't a true "apples to apples" budget comparison, the Mayor said, because the ARP funds and extra TIF funds won't be available in future years. While the 2022 budget is larger than 2021, the Mayor said, "This won't be the new norm."

**Mayor Stutsman presented a list of revisions (EXHIBIT 1) that would reduce the total amount of the proposed budget. The Mayor presented and discussed the following suggested budget changes:**

**1. Board of Works, Other Equipment, Line 101-510-07-445.0201**

- a. Reduce by \$600,000
- b. Reason for the reduction: Calculation error due to an encumbrance

**2. Board of Works, Capital Projects, Line 101-510-07-442.0001**

- a. Reduce by \$600,000
- b. Reason for the reduction: Calculation error due to an encumbrance

**3. Board of Works, Property Acquisition, Line 101-510-07-441.0001**

- a. Reduce by \$750,000
- b. Reason for the reduction: This is a new program the Mayor is hoping to build to help clean up blight and encourage new housing opportunities. While the Council has absolute control because any purchase requires Council approval, the Mayor said he sensed some hesitation by some councilors. If the program is successful and has Council support, the Mayor said he will just come back for additional appropriations as needed.

**4. Board of Works, Full-time Personnel, 101-510-07-411.0130**

- a. Add \$250,000
- b. Reason for the increase: When the budget process started, the Mayor was expecting there would be a 3% employee raise, but through negotiations, the City settled on a 3.5% raise. The Goshen Police Department grew to a 7% raise. These extra dollars are estimated to help cover any gaps in budgeting due to the higher raises. At this time, the City cannot create a new line in the 2022 budget. If this increase is approved, the City will create a new line in the Board of Works budget in 2022 named, "Salary Contingency." At that time, the Clerk-Treasurer will transfer this amount into that newly created line. For now, the City will keep the money in the full-time personnel budget line.

**5. Economic Development Income Tax Fund, Marketing and Promotions, Line 218-560-00-431.0520**

- a. Reduce by \$50,000
- b. Reason for the reduction: The City is in the process of a large upgrade to its website. In the last couple of weeks, it has become apparent that this work will be able to happen this year and be handled within the 2021 budget. So, no increase is needed for 2022.

**6. Economic Development Income Tax Fund, Capital Projects, 218-560-00-442.0006**

- a. Reduce by \$150,000
- b. Reason for the reduction: Calculation error due to an encumbrance





## 7. Legal Department, Full-time personnel, Line 101-510-25-411.0130

a. Add \$105,000

b. Reason for the increase: After council members' questions at the Sept. 21 budget hearing, the Mayor learned the new attorney position was not accounted for within the budget request. The requested increase will cover salary and benefits. The City will use the line transfer process next year to move the correct amounts to other lines to cover all benefit lines.

## 8. Mayor/Community Relations Commission

a. Move all dollars for employee cost to the Mayor's Office Budget. The Mayor asked to have the following expense lines shifted from the budget of the Community Relations Commission (CRC) to the budget of the Mayor's office: full-time, increment, Social Security, Medicare, retirement, insurance, cell phone, and clothing lines.

b. Reason: With the creation of the Deputy Mayor position, the City Council moved the salary for this position into the Mayor's office since the Deputy Mayor is part of the office by ordinance. A city ordinance also puts the Community Relations Director in the Mayor's office. The Mayor requested this move in an effort to remain consistent. This will leave the CRC budget at \$23,200. This is nearly half of what the City normally budgets for the Community Relations Commission, but the Mayor pointed out that the CRC Director will take on many of the roles previously contracted out. This has allowed that portion of the budget to decrease. Since this is a simple move of money, it is not factored into the totals below.

Mayor Stutsman said the City Council could approve the revisions as a whole or individually or the Council could incorporate the revisions into the Ordinance for the budget and approve it as revised.

**Mayor Stutsman pointed out that while he has increased some budget lines by \$355,000 in the budget, these changes as a whole will account for a reduction of \$1,795,000 of the proposed budget.** He said these adjustments will result in a budget that will serve the City and our residents well and at the same time prepare Goshen for the future.

Mayor Stutsman said the proposed reduction of \$1,795,000 will help raise the City's cash balances to where he hoped they would be in 2022. He also referred Council members to a 38-page document received today – Actual and Projected Cash Flows for 2020, 2021 and 2022, prepared by Baker Tilly, the city's financial adviser (**EXHIBIT 2**). Under the proposed budget, Stutsman said the City's cash balances will be at least 47 percent.

Asked by Council President Brett Weddell about the projected cash balances, Mayor Stutsman said the City would have a 47 percent cash balance if the city spent 100 percent of what was budgeted in 2021 and 2021.

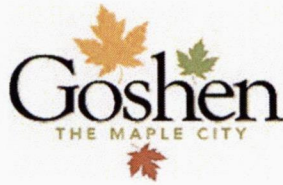
Mayor Stutsman asked if council members had any questions or comments about the proposed budget revisions.

Council President Weddell thanked the Mayor, the Deputy Mayor and the Deputy Clerk Treasurer for meeting with Councilor Riegsecker and with him to listen to their concerns, answer questions and for making budget revisions.

In turn, Mayor Stutsman thanked Councilors Weddell and Riegsecker for meeting with him, saying, "I've said it before, but this whole thing only works if we're all working together, so I believe in that."

Councilor Nisley also thanked Mayor Stutsman for meeting with Councilors Riegsecker and Weddell and for "working it as a bipartisan budget that we all have something to put into it and it worked well that way."





Hearing no further Council questions or comments, Mayor Stutsman suggested the Council vote on the proposed budget revisions. Councilors Eichorn and King affirmed holding a single vote on the revisions.

**Council President Weddell made a motion for the Council to approve the budget revisions proposed by the Mayor. Councilor Nisley seconded the motion. Mayor Stutsman clarified that as a result of this motion, the proposed budget would be reduced by \$1,795,000. There were no further comments from the public or the Council. So, on a voice vote, the motion passed by a 7-0 vote.**

Mayor Stutsman asked council members how they wanted to proceed – another review of each budget line, further questions or comments from councilors or public comments on the entire proposed budget for 2022. Councilors Eichorn, King and Weddell said they had no further questions.

At 6:21 p.m., Mayor Stutsman invited public comments on the proposed budget.

**Glenn Null** of Goshen said that during the Sept. 21 Council meeting, he voiced concerns about the funds appropriated for Downtown Goshen, Inc. He said there needs to be greater accountability. Null said he knew little about the virtual First Friday events held during the COVID-19 pandemic. Since in-person First Friday activities were not held, Null said he had concerns about how funds appropriated last year for this purpose were spent.

Mayor Stutsman responded that Downtown Goshen, Inc. provides \$20,000 yearly as part of the façade program. Not all of the remaining \$50,000 pays for First Friday activities, the Mayor said, and funds also were spent on staffing and other expenses, including monthly meetings with businesses. He said the organization also provided a significant amount of online services. Mayor Stutsman said he is confident Downtown Goshen, Inc. helped downtown businesses continue operating normally amid the COVID-19 health crisis.

Councilor King affirmed Mayor Stutsman's comments. She said Downtown Goshen, Inc. exists to help downtown businesses thrive and not just to provide First Friday activities. King said the virtual meetings were not just about public outreach, but also helping downtown businesses navigate the financial challenges they were facing.

Mayor Stutsman said he agreed with Null that it's important to ensure that City funds are used appropriately.

Null said he also had concerns about the downtown façade program. He said he has friends who are still trying to arrange for repairs stemming from the 2019 hail storm. Null said paying to improve facades should be the responsibility of the property owners and not taxpayers.

**Adrienne Nesbitt**, Director of Events for Eyedart Creative Studio, which helps coordinate activities for Downtown Goshen, Inc. (DGI), presented a brief overview of the organization's work to help downtown Goshen businesses. She said First Friday is DGI's most visible endeavor, but it has done much more than that, especially during the pandemic. She said DGI has worked extensively to support downtown business. Nesbitt said DGI's work continues even as First Friday activities resumed in August and DGI staged one of its biggest-ever First Fridays in September. She also said DGI was seeking grants to support its activities.

Nesbitt circulated to Council members Downtown Goshen, Inc.'s Annual Summary of First Fridays and Downtown Promotion Report, prepared Jan. 31, 2021 (**EXHIBIT 3**).





Council President Weddell advised audience members that the time spent on interactions with the Mayor or Council members is not included as part of the three minutes they are allowed to speak.

**Julia Gautsche** of Goshen, a past chair Downtown Goshen, Inc., affirmed Adrienne Nesbitt's comments. Gautsche said DGI contracts with Eyedart Studio to run First Fridays because it doesn't have the capability of doing so. She said that every three months, DGI meets with Eyedart staff to review the work it has done and how funds have been spent, so there good is accountability. Gautsche also said the downtown facade program has existed about 15 years and doesn't pay for the entire cost of facades – only \$5,000 per façade.

Councilor Riegsecker asked if Eyedart Studios is reimbursed for expenses. Mayor Stutsman said DGI contracts with Eyedart. Julia Gautsche said funds received by DGI from the City for First Fridays goes to Eyedart Studios.

In response to a follow-up question from Councilor Riegsecker, Nesbitt said that DGI receives an annual list of itemized expenses from Eyedart Studios. Nesbitt, responding to Mayor Stutsman, agreed that a higher percentage of the annual First Friday budget is provided through fundraising and membership fees.

Via Zoom, **Karl Shelly** of Goshen said he supported the Mayor's budget request for a full-time director of the Community Relations Commission. Shelly said the proposal showed great foresight and was exactly what was needed for a community seeking to remain healthy and vibrant. Like many, Shelly said he has become aware of how deeply polarized people have become and many people only tend to speak to those who think like them. Shelly said this trend toward polarization has divided families, churches, communities and the nation. Shelly said, "Someone much wiser than me said long ago that 'A house divided against itself cannot stand' and we are witness to the veracity of that warning."

Shelly said that there recently have been divisive and angry public meetings in Goshen, with some people yelling, insulting and threatening each other instead of working together to address differences and find common ground. Shelly concluded: "Hiring a full-time CRC director won't immediately solve all these problems, but it will, I think, demonstrate a seriousness about and an investment in our town's civil order. And I hope in time it will enhance our ability to come together across the city's many sub-groups for the betterment of Goshen. Better community relations are what we need and I am encouraged by your support for this position and I think it's an important step to help us get there."

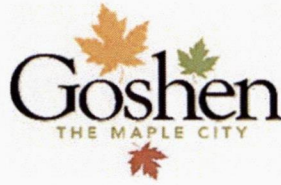
**Nick Kieffer**, President and CEO of the Goshen Chamber of Commerce, thanked the City Council and the Mayor for the City's continued partnership with the Chamber and for its redevelopment efforts. Kieffer said, "It doesn't happen in a lot of communities and I'm proud that Goshen takes those steps and will work hand in hand to build a better community."

Mayor Stutsman said that a number of community partners were at the meeting and had been prepared to speak if necessary.

At 6:36 p.m., and receiving no further requests to speak, Mayor Stutsman closed the public comment period on the proposed City budget. He asked if Council members had further questions or comments on the 2022 City budget as amended. None indicated a desire to speak.

**Mayor Stutsman called for a roll call vote on Ordinance 5099, the 2022 City budget, on Second and Final Reading. The motion passed unanimously, 7-0, with all councilors voting "yes."**





### Elected Official Reports:

**Council President Weddell** gave a report on the Redevelopment Commission meeting held earlier in the day. He also congratulated Youth Adviser Mora for the success of the Goshen High School cross country team. Council President Weddell also said he believes the City should consider posting video of City Council meetings.

Mayor Stutsman responded that all Council meetings can be seen video live and that audio recordings of all Council meetings are available online. He said staff will be assessing whether videos can be accommodated online.

**Council President Weddell** said he hopes videos can be posted online if this would be possible and not cost prohibitive.

**Councilor King** agreed that she would also like Council meeting videos to be available online.

**Councilor Pérez** reported that last week that he, Councilor Eichorn, Mayor Stutsman, Clerk-Treasurer Aguirre and Deputy Clerk-Treasurer Weaver attended the Accelerate Indiana Municipalities (AIM) conference in French Lick. Pérez joked that afterward he may have suffered from withdrawal from not hanging out with the city representatives. Pérez said the conference was a great opportunity to learn what other Indiana communities are doing and to learn that Goshen in many ways is leading the way. Pérez said it's great to realize that the City is doing great work and that colleagues and staff members are committed to learning. Pérez also said he heard from several constituents who said they appreciated Indigenous People's Day, which for many previous years was celebrated as Columbus Day. Pérez said there is greater recognition of indigenous people in the community and how they were displaced. Pérez said he believes this issue will be taken to the Community Relations Commission for discussion and perhaps to the Council at some point to consider how to acknowledge past wrongs and the importance of indigenous people.

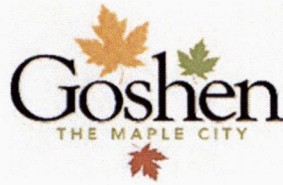
**Councilor Schrock** congratulated the family that was accepted into the Habitat for Humanity ownership program last December for the new house on West Wilden Avenue. Schrock also said the new home will be a great addition to the neighborhood and the community. He also said the coming Wilden Avenue upgrade project will be a great addition and he thanked all for responsible for making that and other improvements in the Third District.

**Mayor Stutsman** said the Wilden Avenue home will be the fifth Habitat for Humanity home being built in Goshen this year – and the first two-story Habitat home in Goshen.

**Councilor Eichorn** offered thoughts on the AIM conference last week. She said several aspects stood out, including a presentation by the Mayor of Noblesville about a COVID-19-inspired program known as "Mental Health Mondays." Eichorn said the Noblesville Mayor goes on Facebook Live on Mondays and talks about mental health. Eichorn said the Mayor has received a lot of engagement from the public on how the pandemic has affected their mental health and there has also been collaboration with the school system. Eichorn said she discussed the issue with Councilor Pérez, who specializes in mental health. Eichorn said she recently lost her brother-in-law to suicide and she has lost other family members. Eichorn said the subject needs to be discussed this year and she hopes that she and Councilor Pérez can develop some ideas that can help Goshen residents. Eichorn said she also appreciated discussion at the conference by a lawyer about the aftermath of the George Floyd killing and the changes to de-escalation and how that has affected police training. Eichorn said there have been significant changes in the law. She said Clerk-Treasurer Aguirre also attended the session.

Mayor Stutsman encouraged other council members to attend the AIM conference.





Mayor Stutsman said at the first Council meeting in November, he hopes to bring his proposal for the expenditure of American Rescue Plan (ARP) funds. The Mayor said he would propose using funds for non-profit agencies, homeless intervention services, substance abuse, mental health treatment, Internet connectivity for the library, ventilation improvements for some public buildings, arts and culture and a substantial investment in infrastructure improvements. Mayor Stutsman said the ARP spending plan could be approved right away, at the Nov. 2 meeting, or postponed to a later meeting. However, he said would like the plan approved before the end of the year.

**Youth Advisor Mora** said he is an intern at the Goshen Chamber of Commerce, which sponsors Sound of Goshen programs. Mora said he supports these economic discussions, and he invited council members to tune in and listen.

**Councilor King** said she has twice attended AIM annual conferences and that at another time, she would be grateful to meet with attendees this year and discuss what they learned and what might benefit the City of Goshen.

Mayor Stutsman said several state agencies send representatives to the annual AIM conference and that this is a great opportunity to interact with them and learn what is happening elsewhere in the state.

**Clerk-Treasurer Aguirre** said he enjoyed seeing Council members engage so well in the 2022 City budget process. Although there were only two Council meetings on the budget, Aguirre said there was extensive behind-the-scenes work by councilors, including those who met with the Mayor at City Hall. Aguirre said it was a privilege to observe and participate in the process. Aguirre said he would like the public to know how much work goes into the preparation of the budget and the scrutiny it receives, not only from councilors, but also from the State. Aguirre said the extent of state oversight is something he did not realize occurred. Aguirre said that days after taking office as Clerk-Treasurer, he was informed that the State Board of Accounts would begin an audit that has yet to be completed. Aguirre complimented City employees for their dedication and Department Heads, who attend Council meetings after working full days that often start at 7 or 7:30 a.m. He said city leaders are responsive to the public and deserve credit for the City's healthy cash balances and the high level of civility. Aguirre concluded, "This really isn't something happening as often as it used to and as frequently as I wish it did in other cities, in other counties, in other states and in our (U.S.) capitol. So I just wanted to mention that – how grateful I am to be here and enjoy working with all of you."

Mayor Stutsman said developing the budget is a long process that involves the work of many people.

**Councilor Riegsecker** affirmed Clerk-Treasurer Aguirre's comments. He said he spent many hours reviewing the proposed budget and found it to be well organized. He complimented the Clerk-Treasurer's Office and Deputy Clerk-Treasurer Jeffery Weaver as well as Department Heads. Riegsecker said all his questions were answered, staff did an excellent job and he appreciated the ease of the budget process.

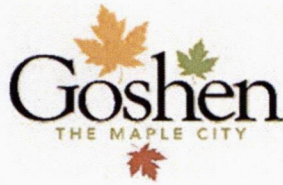
**Council President Weddell** complimented Councilor Riegsecker for attending tonight's Council meeting. He pointed out that Riegsecker returned from a Florida vacation to be present and would now go back to Florida.

**Councilor King** said Councilor Riegsecker could have participated in the meeting via Zoom. Mayor Stutsman said he made that offer.

**Councilor Riegsecker** responded, "I figured I was appointed and I should be here."

**Councilor King** said, "OK. Good to see you."





**Adjournment**

Weddell/Nisley moved to adjourn the meeting. Passed 7-0.

Mayor Stutsman declared the meeting adjourned at 6:55 p.m.

**EXHIBIT 1:** Mayor Stutsman memorandum to Goshen City Council with "Requested reductions to 2022 proposed Budget"

**EXHIBIT 2:** Actual and Projected Cash Flows for 2020, 2021 and 2022, prepared by Baker Tilly

**EXHIBIT 3:** Downtown Goshen, Inc. Annual Summary of First Fridays and Downtown Promotion Report, prepared Jan. 31, 2021

APPROVED:

A handwritten signature in black ink, appearing to be "J. Stutsman", written over a horizontal line.

Jeremy P. Stutsman, Mayor of Goshen

ATTEST:

A handwritten signature in black ink, appearing to be "Richard R. Aguirre", written over a horizontal line.

Richard R. Aguirre, City Clerk-Treasurer