



Goshen Common Council

5:30 p.m. December 28, 2021 Regular Meeting

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

Call to Order by Mayor Jeremy Stutsman

Pledge of Allegiance

Roll: Megan Eichorn (District 4) Julia King (At-Large) Donald Riegsecker (District 1)
Doug Nisley (District 2) Gilberto Pérez, Jr. (District 5) Matt Schrock (District 3)
Council President Brett Weddell (At-Large) Youth Advisor Adrian Mora (Non-voting)

Approval of Minutes – December 21, 2021

Approval of Meeting Agenda

Privilege of the Floor

I. **Resolution 2021-32** Approval of Final Line & Category Transfers

Elected Official Reports

Adjournment



GOSHEN COMMON COUNCIL

Minutes of the Dec. 21, 2021 Regular Meeting

Convened in the 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)
 Gilberto Pérez Jr. (District 5) Donald Riegsecker (District 1) Matt Schrock (District 3)
 Council President Brett Weddell (At-Large)

Absent: Youth Advisor Adrian Mora (Non-voting)

Mayor Stutsman asked the Council's wishes regarding the minutes of the City Council's meeting of Dec. 7, 2021. **Council members Eichorn/Pérez moved to approve the minutes of the Dec. 7, 2021 meeting as presented. Motion to approve the minutes passed 7-0.**

Mayor Stutsman presented the agenda of the Dec. 21, 2021 meeting. Mayor Stutsman said Council members Eichorn and Weddell asked to remove agenda item #5, Ordinance 5111 (1st Reading) Amending Ordinance 4201, Ordinance 4339 and Ordinance 4526 Creating the Community Relations Commission and Prescribing the Powers and Duties of the Commission. The Mayor also said the Council needed to consider and approve the Council meeting calendar for 2022, which he designated as new agenda item #5. **Nisley/Eichorn moved to approve the agenda as amended. Motion passed 7-0.**

Privilege of the Floor:

At 6:02 p.m., Mayor Stutsman invited public comments on matters not on the agenda. No audience members or Zoom meeting participants asked to speak, so the Mayor closed the Privilege of the Floor at 6:02 p.m.

1. Ordinance 5109 (Second Reading): Additional Appropriation

Mayor Stutsman called for the introduction of Ordinance 5109 on Second Reading. **Council President Brett Weddell** asked the Clerk-Treasurer to read Ordinance 5109 by title only, which was done.

Weddell/King moved for passage of Ordinance 5109 on Second Reading.

By way of background, Ordinance 5109 would appropriate additional funds for the following two City Departments:

- The Goshen Engineering Department requested that a total of \$594,958.96 be appropriated into the EDIT Capital Projects line (218-560-00-442.0006). Of the total, \$560,382.82 would be reimbursed by INDOT for the Wilden Avenue Reconstruction project. These funds would be used to pay DLZ for the Wilden Avenue Reconstruction inspection services, which will then also be reimbursed 80%, and any remaining funds will be used toward the City's portion for construction costs. The remaining \$34,576.14 to be appropriated into



the EDIT Capital Projects line (218-560-00-442.0006) will come from the Community Crossing expenditure line (230-510-00-449.2104).

Due to a timing issue with contractor invoicing, expenditures were paid from Edit Capital Projects. With the volume of work planned and bid for 2022, the re-appropriated funds will shore up funding for awarded construction.

- The City Clerk-Treasurer's office requested that \$90,000 be appropriated to the City's Fire Pension line (801-520-00-413.0902) to meet remaining obligations through the end of 2021. In most years, the City Council approves the following year's budget in September or October, while union negotiations are usually completed in November or December. For 2021, this scheduling difference resulted in Fire Pension Fund obligations that exceeded the budgeted amount. The Fire Pension Fund currently holds a cash balance of \$269,000 and is able to fully support this additional appropriation. The fund will be reimbursed in 2022 from the Indiana Public Retirement System.

Mayor Stutsman said Ordinance 5109 was before the Council at its last meeting (on Dec. 7, 2021) and was before the Council for a Second Reading as specified by a published public meeting notice. There were no questions from Council members.

Mayor Stutsman invited public comment on Ordinance 5109: Additional Appropriation. No one asked to speak, so Mayor Stutsman closed the public hearing.

There were no further Council questions or comments about Ordinance 5109, and Council President Weddell said the Council was prepared to vote. **On a voice vote on the Second and Final Reading, the motion to approve Ordinance 5109 passed 7-0, with all council members present voting "yes."**

2. Ordinance 5102 (1st & 2nd Reading): 2022 Compensation for Fire Department employees

Mayor Stutsman called for the introduction of Ordinance 5102 on First Reading. **Council President Brett Weddell** asked the Clerk-Treasurer to read Ordinance 5102 by title only, which was done.

Weddell/Eichorn moved for passage of Ordinance 5102 on First Reading.

*After the Common Council packet was distributed on Dec. 16, 2021, the City Legal Department informed the Clerk-Treasurer that draft Ordinance 5102 contained an error – the position of civilian firefighter was mistakenly included. A corrected copy of draft Ordinance 5103 was distributed to the Mayor and Council members at the Dec. 21, 2021 Council meeting. A copy of the corrected draft Ordinance 5102 is attached to the minutes as **EXHIBIT 1**.*

By way of background, Ordinance 5102 would establish the 2022 maximum compensation, including wage and benefits, for Goshen Fire Department employees. The negotiations for a new agreement between the City and Goshen Firefighters Association Local No. 1443, International Association of Firefighters, representing the sworn members of the Goshen Fire Department, were concluded after Nov. 1, 2021. The terms of agreement, set forth in the ordinance, establishes the wages, health insurance, vacation leave, sick leave, and personal leave, compensation for holidays, annual longevity increase in pay, 20-year bonus, uniform allowance, classification pay, paramedic pay, severance pay and other benefits.

Mayor Stutsman gave an overview of Ordinance 5102, including the changes in the version distributed at the meeting. **Chief Danny Sink** said he was available to answer questions, but none were asked.



Mayor Stutsman invited public comments on Ordinance 5102, but no one asked to address the Council.

Mayor Stutsman asked if the council was prepared to vote. **Council President Weddell** said the Council was ready. **On a voice vote, the Council approved Ordinance 5102 on First Reading, 7-0, with all members voting “yes.”**

Mayor Stutsman asked if the Council gave unanimous consent to proceed with the Second Reading of Ordinance 5102. Council President Weddell said the Council gave its approval.

Mayor Stutsman called for the introduction of Ordinance 5102 on Second Reading. **Council President Brett Weddell** asked the Clerk-Treasurer to read Ordinance 5102 by title only, which was done.

Weddell/Eichorn moved for passage of Ordinance 5102 on Second Reading.

Mayor Stutsman asked if there were additional public comments on Ordinance 5102. There were none.

Having no further comments or questions from the public or the Council, Mayor Stutsman called for a vote on Ordinance 5102 on Second and Final Reading. On a voice vote, the Council approved Ordinance 5102 on Second and Final Reading, 7-0, with all members voting “yes.”

3. Ordinance 5103 (1st & 2nd Reading): 2022 Compensation for Police Department employees

Mayor Stutsman called for the introduction of Ordinance 5103 on First Reading. **Council President Brett Weddell** asked the Clerk-Treasurer to read Ordinance 5103 by title only, which was done.

Weddell/Schrock moved for passage of Ordinance 5103 on First Reading.

*After the Common Council packet was distributed, the City Legal Department informed the Mayor, the Council and the Clerk-Treasurer that draft Ordinance 5103 contained errors. In an email, City Legal Compliance Administrator Shannon Marks wrote that “the language in Section 13, Longevity Increase, was revised so that employees receive the annual longevity increase beginning their first year of employment. This is consistent with the current practice for the payment of increment pay which this new language replaced. The other corrections were to the bi-weekly salaries of Assistant Chief and Division Chief in Exhibit A.” A corrected copy of draft Ordinance 5103 was emailed to the Mayor, the Council and the Clerk-Treasurer. Copies also were distributed to all Council members at the Dec. 21 Council meeting. A copy of the corrected draft Ordinance 5103 is attached to the minutes as **EXHIBIT 2**.*

By way of background, Ordinance 5103 would establish the 2022 maximum compensation, including wage and benefits, for all Goshen Police Department employees. The negotiations for a new agreement between the City and Elkhart FOP Lodge 52, Inc., representing the full-time sworn officers of the Goshen Police Department were concluded after Nov. 1, 2021. The terms of agreement, set forth in the ordinance, establishes the wages, pension, retirement, health insurance, vacation leave, sick leave, personal leave, compensation for holidays, on-call pay, annual longevity increase in pay, clothing allowance, technical skills pay, specialty pay, shift differential, tuition reimbursement, wellness program reimbursement, court time pay, funeral leave, cell phone stipend, residency bonus, hiring bonus, and other benefits.

Mayor Stutsman outlined the changes in the revised version of Ordinance 5103, which was distributed to Council members on Dec. 21. **City Attorney Bodie Stegelmann** confirmed that there were no other major changes in the version of Ordinance 5103 distributed to the Council. In response to a question from **Councilor King**, the Mayor said a mathematical error was corrected.



Mayor Stutsman invited public comments on Ordinance 5103. There were none.

Mayor Stutsman asked if the council was prepared to vote. Council President Weddell said the Council was ready.

On a voice vote, the Council approved Ordinance 5103 on First Reading, 7-0, with all members voting “yes.”

Mayor Stutsman asked if the Council gave unanimous consent to proceed with the Second Reading of Ordinance 5103. Council President Weddell said the council gave its approval.

Mayor Stutsman called for the introduction of Ordinance 5103 on Second Reading. Council President Brett Weddell asked the Clerk-Treasurer to read Ordinance 5103 by title only, which was done.

Weddell/Nisley moved for passage of Ordinance 5103 on Second Reading.

Mayor Stutsman asked if there were additional public comments on Ordinance 5103. Again, there were none.

Asked about the timing of the votes on the salary ordinances by **Councilor King**, **Mayor Stutsman** said the Council is required to pass the salary ordinances by Nov. 1 each year. The Mayor said the deadline hasn't been met in the past because negotiations haven't concluded by Nov. 1. Mayor Stutsman said in those instances, the Board of Works is required to give permission for the Council to consider the salary ordinances. The Board of Works voted to do so on Monday, Dec. 20.

Having no further comments or questions from the public or the Council, Mayor Stutsman called for a vote on Ordinance 5103 on Second and Final Reading. On a voice vote, the Council approved Ordinance 5103 on Second and Final Reading, 7-0, with all members voting “yes.”

4. Resolution 2021-33: Interlocal Agreement with Elkhart Township for Fire and Ambulance Services

Mayor Stutsman called for the introduction of Resolution 2021-33. **Council President Brett Weddell** asked the Clerk-Treasurer to read Resolution 2021-33 by title only, which was done.

Weddell/Pérez moved for passage of Resolution 2021-33.

By way of background, Resolution 2021-33 would approve the terms and conditions of an Interlocal Agreement with Elkhart Township, Elkhart County, for fire and ambulance services in the unincorporated areas of Elkhart Township. Under the agreement, on or before Jan. 1, 2022, Elkhart Township will transfer to the City of Goshen title to its real estate, improvements and all equipment used for services. These include fire stations at 308 Egbert Road and 201 South 22nd Street, two engines, two tankers, a 75-foot aerial truck, a grass rig truck and a rescue boat with a motor and trailer. In 2022, Elkhart Township will pay the amount necessary to equip both Elkhart engines and its Quint fire truck with firefighter airway protection equipment consistent with the scope of equipment and approximate costs of City equipment. The estimated cost: \$149,100. One staff member from the Elkhart Township Fire Department will be hired by Goshen as a civilian employee.

In addition, Elkhart Township will pay to the City of Goshen, on or before Jan. 15, 2023, \$400,000 for services provided by Goshen through December 2023. On or before January 15, 2024, 2025, and 2026, Elkhart Township will pay to the City of Goshen, \$350,000 for services provided by Goshen through December 31 of 2024, 2025, and 2026. Beginning for the year 2027, the City of Goshen will provide to Elkhart Township the cost of providing services for the following year by March 31 of the preceding year. For instance, on March 31, 2026, Goshen will provide the



cost of providing services to Elkhart Township for services in 2027. Elkhart Township will then have until April 30 of each such year to accept the cost of services and, if the cost of services is not accepted, then the agreement will terminate December 31 of the year in which the cost of services is not accepted. Payments shall be made by Elkhart Township in two equal installments- on or before June 30 and on or before December 31 of the year in which services are provided. The City will bill persons receiving EMS services in the unincorporated portions of Elkhart Township or the person's insurance carrier, if any, for services provided based on the City's ambulance/medical user fee schedule for non-residents that is in effect at the time services are provided. Questions about the administration of the agreement will be decided by a joint board comprised of the Elkhart Township Trustee and the City Fire Chief.

Mayor Stutsman said the proposed agreement with Elkhart Township has been under discussion for nine or ten months. City staff, including the Fire Department and the Legal Department, have been involved as well as Baker Tilly, the City's municipal advisors. The Mayor said he wanted to make clear that Elkhart Township approached the City and it was not a matter of a proposed takeover of Elkhart Township's area by the City.

Mayor Stutsman said the agreement puts the City in a good position so that it won't be subsidizing the fire and ambulance service or making money on it. The Mayor said Elkhart Township would like the agreement to take effect at the beginning of 2022. He said several other matters need to be resolved in order for that to happen, such as adding a civilian Fire Department position to the Civil City Ordinance next year. Mayor Stutsman said that if the Council would like to discuss the agreement tonight and delay a decision to a future meetings that would be acceptable as long as it is not a prolonged delay into 2022.

Fire Department Chief Danny Sink said Chief Doug Gadson of the Elkhart Township Fire Department approached the City early in 2021 and stated that he was having trouble getting volunteers, especially during day-time work hours. So, Sink said the parties agreed that Goshen would help. Within two months, Sink said the Elkhart Township Trustee, Charles Cheek, asked Chief Sink what it would take for the Goshen Fire Department to operate the Township's fire service. So, Sink said discussions began over a possible agreement to take over fire service for the township and it was not difficult because Goshen already handles the township's Emergency Medical Services.

Sink said taking over Elkhart Township's fire service will amount to 1-2 calls for service per week, as has been the case over the past year. With COVID-19, Sink said the calls have been different as they have been for the Goshen Fire Department.

Sink said the Fire Department has worked out a structure he believes will work into next year, when the Township Trustee has agreed to purchase air packs to outfit all of its trucks, so that the township and City will be on the same system. Sink said that upgrade will address the City's safety concerns. Going forward, Sink said, the township will provide \$400,000 to the City in 2023 and \$350,000 for three years. After 2026, Sink said, there will be an assessment of the cost for service followed by further discussion with the township over the City's reimbursement fee.

Mayor Stutsman said the township will turn over two fire stations and its equipment and will pay to upgrade air packs at a cost of about \$150,000. Mayor Stutsman reiterated the financial arrangements. He said the township collects funds from property owners that can only be used for fire protection. The Mayor also stated the true cost of fire service to the township will be studied by a consultant.

Councilor Eichorn asked if the wages for the civilian fire employee will be covered by the funds that will be provided to the City under the agreement. **Mayor Stutsman** said the wages were factored into the agreement and stated that the City will get \$400,000 from the township in 2023. He said the City likely will need to hire three more firefighters –



one per shift – in 2023. **Chief Sink** said the cost of the civilian fire employee was included in the Fire Department's salary model for 2022. Asked by Councilor Eichorn if the township would cover the cost of that salary, Mayor Stutsman said the salary would be reimbursed by the township. Asked by **Councilor Riegsecker** if the employee's salary was included in the Fire Department's approved budget, **Chief Sink** said that it was.

Councilor Schrock asked if Fire Department personnel would need additional training to handle such emergencies as brush fires. **Chief Sink** said he didn't think that would be necessary; the Fire Department has already conducted training on driving the township's tanker truck and more training will be conducted next year. Regarding training, **Mayor Stutsman** said the Fire Department's training facility is being used by other departments.

Councilor Pérez asked if the current Elkhart Township volunteers would still have the opportunity to respond to emergencies. **Chief Sink** that will not be possible. **Mayor Stutsman** said that decision is no reflection on the volunteers, but the Goshen Fire Department already has adequate staffing to meet the township's needs. **Chief Sink** said he "struggled" with this issue when first contacted by Chief Gadson, but he didn't want to inherit the township's recruitment and retention issues. Sink said: "I just don't think that's fair to GFD to inherit those issues." Mayor Stutsman said the volunteers could still help other township fire departments.

Councilor King said she was glad these issues were being addressed and that a good agreement had been reached. **Chief Sink** said there had been multiple discussions from April and May until the present time. **Mayor Stutsman** said that if the Council was comfortable voting tonight, that would be good, but a delay until January also would be fine with him. The Mayor said there was no need to rush the agreement.

Councilor Schrock asked if there were any plans for the township's station on 22nd Street. **Chief Sink** said that initially, it will be kept to house reserve units, because the Fire Department doesn't have any more space downtown. However, Sink said it will not be for staffing. Asked by **Councilor Schrock** if that would be possible in the future, **Sink** said that was unknown. In response to a question from **Councilor Riegsecker**, **Chief Sink** said the City only will take over two of the township's three stations.

Mayor Stutsman said the City will be taking over stations at 308 Egbert Road and 201 South 22nd Street as well as equipment that is in good condition. Mayor Stutsman said that as an added benefit, **one of the fire stations will be used to store records for the Clerk-Treasurer's Office**. The Mayor said at present, City records are stored at several locations, including rented commercial storage space. Mayor Stutsman said the new storage space will be climate controlled and will be more secure.

Mayor Stutsman invited public comment on Resolution 2021-33.

Glenn Null of Goshen asked if the township's funding will run out at some point and whether City taxpayers will have to pay for the township's fire and EMS service. **Mayor Stutsman** said that the township will continue to collect funds from township residents for fire service. So, assuming the City maintains a contract with the township, Mayor Stutsman said that the service will continue to be paid for by township residents.

Glenn Null asked if the agreement might someday open the door to the annexation of the township into the City of Goshen. **Mayor Stutsman** said that need not be the case. Null said that as a City taxpayer, he doesn't want to have to pay for the service in an area outside the City. **Chief Sink** said the township asked for the City's assistance and annexation has not been discussed.



There were no other public comments, so Mayor Stutsman closed the public hearing on Resolution 2021-33

Councilor Nisley asked about the work hours of the civilian fire employee. Chief Sink said he would work eight hours a day, 7 a.m. to 3 p.m.

Councilor Eichorn asked if the City staff believed the payments from the township were adequate to cover the City's expenses. **Mayor Stutsman** said he and staff believe the amount of money is adequate. He said Baker Tilly analyzed the costs based on current service levels.

Asked by **Councilor Nisley** about the length of time the City will retain the civilian fire employee, **Chief Sink** said this would likely remain the status through the development of a new fire station. Asked by **Councilor Riegsecker** about the civilian employee's duties, Sink said his main duty will be to drive the tanker truck. Sink said he also will respond the medical calls from County Road 38 south. Sink said the Fire Department will analyze current service and may make changes in duties next year.

Mayor Stutsman said that because township employees are ineligible for the state fire pension program, the township fire employee will be hired as a civilian employee. **City Attorney Bodie Stegelmann** said the civilian fire employee is being brought in under the same code section that allows for the hiring of special police officers, and he won't be eligible for a fire pension.

Having no further comments or questions from the Council, Mayor Stutsman asked if the Council was ready to vote or wanted to delay the vote. Council members said they were ready to vote on Resolution 2021-33. On a voice vote, the Council approved Resolution 2021-33, 7-0, with all members voting "yes."

Mayor Stutsman said the Council will vote in January on adding the civilian fire employee,

5. Goshen City Council meeting calendar for 2022

Mayor Stutsman said he had planned to have the Common Council vote Dec. 28 on the Council Meeting Schedule for 2022. However, the Mayor said he was advised by the City Legal Department that the vote needed to take place tonight to allow adequate time to place advertisements providing public notice of the first meeting in January.

Mayor Stutsman distributed two draft meeting schedules for 2022 (**EXHIBIT 3 & EXHIBIT 4**)

Draft schedule #1 called for Common Council meetings to mostly be held on Tuesdays. This is the proposed meeting schedule: Tuesday, Jan. 4 and Jan. 18; Tuesday, Feb. 1 and Monday, Feb. 14; Tuesday, March 1 and 15; Tuesday, April 19; Tuesday, May 3 and 17; Tuesday June 7 and 21; Tuesday, July 5 and 19; Tuesday, Aug. 2 and 16; Tuesday, Sept. 6 and 20; Tuesday, Oct. 11 and 25; Tuesday, Nov. 1 and 15; and Tuesday, Dec. 6, 20 and 27.

Draft schedule #2 called for Common Council meetings to mostly be held on Mondays. This is the proposed meeting schedule: Tuesday, Jan. 4 and Jan. 18; Monday, Feb. 7 and 14; Monday, March 7 and 21; Monday, April 18; Monday, May 2 and 16; Tuesday June 6; Monday, July 18; Monday, Aug. 1 and 15; Monday, Sept. 19; Monday, Oct. 10 and 24; Monday, Nov. 7 and 21; and Monday, Dec. 5 and 19 and Tuesday, Dec. 27.

Mayor Stutsman described the implications of the schedules. He said one Council member asked why the Council met on Tuesdays and whether it would be possible to meet on Mondays. The Mayor said that if the Council moved its



meetings to Monday, that would frustrate some people who plan on Tuesday meetings, but it would be appreciated by some people unable to come on Tuesday nights.

Mayor Stutsman said Draft Schedule #2 would retain Tuesday meetings on Jan. 4 and Jan. 18 for staffing reasons. He said deadlines will need to be changed to accommodate Monday meetings and this will take some time to make those adjustments. The Mayor said moving to a Monday meeting schedule will result in three months with only one meeting in the month because of Monday holidays.

Councilor Eichorn asked if holding only one meeting per month might pose a problem, especially if there is work that needs to be done. **Mayor Stutsman** said historically, the Council only met once per month, but meetings became very long, as long as four or five hours, which is why the Council began meeting twice per month. The Mayor said that over the past three years, the City has been able to spread out the workload and there have been some meetings with very few agenda items. Mayor Stutsman said he believes the Council can keep to this new schedule as long as it plans in anticipation of fewer meetings. The Mayor said if an urgent matter arises, the Council could always schedule a special meeting.

Mayor Stutsman said that if the Council switches to Monday meetings, it will be necessary to amend the Council rules in January to move up the deadline for providing Council members with the Council agenda and packet (currently by 5 p.m. Thursday) and another change in the rules may be necessary.

Councilor King asked if it would be possible, under the proposed Monday meeting schedule, to schedule a second meeting on June 27. Otherwise, King said, the June meeting would be June 6 and the first July meeting would be on July 18 with nothing in between, which would be a large gap. **Councilor Eichorn** and **Mayor Stutsman** said adding a June 27 meeting would be a good idea.

Council President Weddell asked about holding a meeting on July 4th and then immediately withdrew his question.

Councilor Eichorn and **Mayor Stutsman** joked about Council President Weddell momentarily forgetting about Independence Day. Council President Weddell joked back that he would remain silent.

Council members further discussed the proposed Monday meeting schedule.

Mayor Stutsman said he was open to the change in meeting days. The Mayor said he checked with City staff about the proposed change in meeting days and didn't hear any concerns. He said it would be important to advertise the change in meeting days and for Council members to note the change on their calendars.

Council President Weddell asked what holiday was taking place on June 20. **Councilor King** said she believed it was the new Juneteenth holiday (June 19). Council President Weddell apologized for not remembering that. **Mayor Stutsman** said June 19 in 2022 will fall on a Sunday, so Juneteenth will be celebrated on Monday, June 20.

Councilor Riegsecker asked if Zoom meetings had been eliminated in the new schedule. **Mayor Stutsman** said the Council is continuing to broadcast meetings by Zoom, but not voting by Zoom. The Mayor said Zoom voting could be brought back if needed. **Councilor King** said with high levels of COVID-19, Zoom voting should remain an option.

Mayor Stutsman said allowing Zoom meeting was not a scheduled topic of discussion tonight.

Councilor Riegsecker said it would be good if Zoom voting was possible. Mayor Stutsman said that could be allowed under the mayor's executive order, but he said he didn't know if that would be possible unless there was a declared health emergency. **City Attorney Bodie Stegelmann** said Zoom voting can be allowed during health



emergencies, but the Council also could pass an ordinance to allow Zoom voting. **Councilor King** said she presumed the Council could impose some limitations on Zoom voting. **Mayor Stutsman** apologized to Councilor King for saying that it was improper for the Council to discuss Zoom voting. He said that it was an acceptable matter for the council to discuss while considering its meeting schedule. **Councilor King** thanked the Mayor for his apology. **Councilor Riegsecker** said he was fine with either proposed meeting schedule. **Councilor Eichorn** said Monday meetings would work. **Councilor Nisley** asked if the Council should meet at 7 p.m. **Councilor Eichorn** and **Mayor Stutsman** said they preferred keeping the meeting at 6 p.m. The Mayor said City Department heads work long days and a 6 p.m. meeting allows them to go home an hour earlier.

Council President Weddell said a Monday meeting schedule works better for him because he has kids in high school and they have many activities on Tuesday nights. While conceding that his motives might be “purely selfish,” Council President Weddell said that he didn’t want to be the reason why the schedule was changed and would not have any hard feelings toward anyone who wanted to keep the Tuesday meeting schedule.

Mayor Stutsman said a good thing about Monday meetings is this would allow **Council President Weddell** to attend more meetings. While empowered to break ties, Mayor Stutsman said he would prefer to not do so often.

Council President Weddell pointed out that the Goshen Community Schools board meets on Mondays. **Mayor Stutsman** said the Elkhart City Council meets on Mondays.

Councilor Eichorn said the proposed Monday schedule for the Council would conflict with two meetings – in September and October – of the school board, at which its budget will be considered. Eichorn said she has to attend school board meetings, but not necessarily those meetings.

Councilor Schrock asked if the Council packet would be provided a day earlier. **Mayor Stutsman** said that would be the case and that can be spelled out in January when the Council considers changes to its rules. The Mayor said the Clerk-Treasurer is taking back the preparation of Council packets and that the appropriate change will be made.

Councilors and the Mayor discussed whether there should be public comments on the Council Meeting Schedule. After some discussion, Mayor Stutsman invited public comment, but no one asked to speak. Mayor Stutsman asked if Council members wanted to vote on one of the proposed meeting schedules.

Councilor Nisley made a motion to accept Draft schedule #2, switching the Common Council meetings to Mondays. The motion was seconded by Councilor Eichorn.

Mayor Stutsman clarified that under this schedule, the Council would meet Tuesday, Jan. 4, Tuesday, Jan. 18 and Monday, Jan. 27. Council members agreed.

Mayor Stutsman clarified with the Clerk-Treasurer that a meeting on Tuesday, Dec. 27, 2022 was acceptable.

On a voice vote, the Council approved the Monday meeting schedule, 7-0, with all members voting “yes.”

Elected Official Reports:



Council President Weddell said he had distributed to Council members a list of people who had applied to open positions on the Community Relations Commission, the Shade Tree Board and the Redevelopment Commission. He reminded the Clerk-Treasurer that the Council appointments must be listed on the agenda for the Jan. 4, 2021 Council meeting. If there are more applicants, he said he would pass those on to Council members.

Councilor King said it would be good for the Council to consider whether applicants to boards and commissions should be present for the Jan. 4 appointments meeting. **Council President Weddell** said in the past he has informed applicants that they are free to attend the meeting, but are not expected to speak. He offered to discuss this matter further with Councilor King. Councilor King said that attending the meeting has not been as comfortable for some applicants and that Councilors should be aware of that. Council President Weddell said he would check on this and get back to Councilor King.

In response to a question from **Councilor Eichorn** about the number of openings, **Council President Weddell** said the Council will be filling three openings on the Community Relations Commission, one on the Shade Tree Board and two on the Redevelopment Commission.

In response to a question **Councilor King**, **Council President Weddell** said there were three applicants for an opening on the Shade Tree Board. **Councilor King** noted that one of the applicants was seeking reappointment and that the Council in the past has respectful of those seeking re-appointment. **Council President Weddell** agreed and noted he was among two Redevelopment Commission members seeking reappointment, among six total applicants. **Council President Weddell** said this was the strongest group of applicants he has seen. **Councilor King** said she would follow up with Council President Weddell. **Council President Weddell** apologized and said he had to leave the meeting a little early to drive to Kendallville.

There were no further Council member reports.

Mayor Stutsman wished Council members and the community a Merry Christmas and a great holiday season. Several **Councilors** echoed those sentiments,

Adjournment:

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

Mayor Stutsman declared the meeting adjourned at 6:43 p.m.

***EXHIBIT 1:** Corrected Ordinance 5102: 2022 Compensation for Fire Department employees*

***EXHIBIT 2:** Corrected Ordinance 5103: 2022 Compensation for Police Department employees*

***EXHIBIT 3:** 2022 Goshen City Council Calendar (Tuesday meetings)*

***EXHIBIT 4:** 2022 Goshen City Council Calendar (Monday meetings).*



APPROVED:

Jeremy P. Stutsman, Mayor of Goshen

ATTEST:

Richard R. Aguirre, City Clerk-Treasurer

RESOLUTION 2021-32

An Emergency Resolution Providing for the Transfer of Appropriations

AS PER REQUEST BY A DEPARTMENT HEAD OF THE CIVIL CITY OF GOSHEN, INDIANA, FOR THE YEAR 2021, AND FORWARD TO THE COMMON COUNCIL FOR THEIR ACTION AND PASSAGE.

WHEREAS certain extraordinary conditions have developed since the adoption of the existing annual budget for the year 2021 and it is now necessary to transfer the appropriated money into different categories than was appropriated in the annual budget for the various functions of the several departments to meet emergencies;

WHEREAS, it has been shown that certain existing appropriations have unobligated balances that will be available for transferring for such emergencies;

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF GOSHEN, INDIANA, that for the expenses of the City Government the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purpose specified, subject to the laws governing the same, as follows:

GENERAL FUND – 101

FROM: Clerk-Treasurer/Insurance 101-510-04-413.0501
TO: Clerk-Treasurer/Other Office Expenses 101-510-04-421.0501..... \$2,500.00

FROM: Board of Works/Other Office Expenses 101-510-07-421.0500
TO: Board of Works/Full Time Personnel 101-510-07-411.0130..... \$13,100.00

FROM: ENV/Other Professional Service 101-550-46-431.0503
TO: ENV/Capital Projects 101-550-46-445.0246.....\$25,000.00

LAW ENFORCEMENT CONTINUING EDUCATION – 280

FROM: LECE2/Firearms 280-520-00-431.0501
TO: LECE2/Other Supplies 280-520-00-429.0001..... \$690.00

PASSED AND ADOPTED BY THE COMMON COUNCIL ON THE 28TH DAY OF DECEMBER, 2021

Jeremy P. Stutsman, Presiding Officer

ATTEST: _____
Richard R. Aguirre, Clerk-Treasurer

Presented by me to the Mayor of the City of Goshen, Indiana, on the 28th day of December, 2021

Richard R. Aguirre, Clerk-Treasurer

This resolution approved and signed by me on the 28th day of December, 2021.

Jeremy P. Stutsman, Mayor



**City Clerk-Treasurer
CITY OF GOSHEN**

202 South Fifth Street, Suite 2 • Goshen, IN 46528-3714

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2021 SPENDING ANALYSIS

DATE: December 28, 2021

TO: City of Goshen Common Council and Mayor

FROM: Jeffery Weaver, CPA, Deputy Clerk-Treasurer

RE: Resolution #2021-32: An Emergency Resolution Providing for the Transfer of Appropriations

The Clerk-Treasurer's Office is requesting that the Common Council transfer appropriations between categories in our annual budget. While this process is prescribed by the Department of Local Government Finance and is reviewed by State Board of Accounts, this is an opportunity to recognize the responsible budgeting practices that our department heads revisit on a daily basis.

As a reminder, the DLGF allows each account line to be spent up to the budgeted amount, but may not be spent over the budgeted amount. If a budgeted category is overspent, the Common Council may pass a resolution to transfer a portion of the budget from a different category within the same fund in order to keep all categories within the budget. These categories include:

Personal Services - Salaries and Benefits

Supplies - Small projects and tools necessary to accomplish the City's work

Services & Charges - Fees for activities necessary to accomplish the City's work

Capital Expenditures - Purchases of assets for the City, typically over \$5,000.

Appropriations may be adjusted between categories only within the same fund.

As you may notice, we only have five overspent budget categories on the following pages, and each one is due to an extenuating circumstance. This is once again an acknowledgement of the careful budgeting and spending on behalf of our City departments.

Please remember that we strive to present financial data as accurately as possible, and this information is preliminary, unaudited, and subject to change. As always, we appreciate your questions and comments regarding this information and are happy to provide additional information as needed.

CITY OF GOSHEN, INDIANA

DEPARTMENTAL EXPENDITURE ANALYSIS AS OF DECEMBER 28, 2021

<u>Fund and Department</u>	<u>2021 Budget</u>	<u>Spent as of December 19, 2021</u>	<u>Percent Spent</u>
Community Relations Commission (101-01)			
Personal Services	38,720.00	19,841.23	51% ✓
Supplies	-	-	
Services & Charges	10,500.00	542.97	5% ✓
Capital Expenditures	-	-	
Council (101-02)			
Personal Services	121,900.00	112,675.76	92% ✓
Supplies	2,000.00	363.00	18% ✓
Services & Charges	3,500.00	1,657.36	47% ✓
Capital Expenditures	-	-	
Mayor (101-03)			
Personal Services	363,660.00	331,149.98	91% ✓
Supplies	1,100.00	1,007.44	92% ✓
Services & Charges	5,600.00	3,942.80	70% ✓
Capital Expenditures	-	-	
Clerk-Treasurer (101-04)			
Personal Services	646,400.00	567,827.98	88% ✓
Supplies	4,000.00	6,468.71	162% ✗
Services & Charges	18,000.00	16,646.27	92% ✓
Capital Expenditures	-	-	
Legal (101-05)			
Personal Services	665,500.00	548,368.84	82% ✓
Supplies	5,280.00	3,920.49	74% ✓
Services & Charges	104,797.00	79,104.51	75% ✓
Capital Expenditures	-	-	
Court (101-06)			
Personal Services	382,600.00	333,691.75	87% ✓
Supplies	-	-	
Services & Charges	37,000.00	23,360.70	63% ✓
Capital Expenditures	-	-	

(Continued next page)

(Prepared for the City of Goshen's December 28, 2021 Common Council Meeting)

CITY OF GOSHEN, INDIANA

DEPARTMENTAL EXPENDITURE ANALYSIS AS OF DECEMBER 28, 2021 (CONTINUED)

<u>Fund and Department</u>	<u>2021 Budget</u>	<u>Spent as of December 19, 2021</u>	<u>Percent Spent</u>
Board of Works (101-07)			
Personal Services	96,620.00	109,637.21	113% ✘
Supplies	90,428.00	45,103.87	50% ✔
Services & Charges	4,263,000.00	3,218,933.77	76% ✔
Capital Expenditures	3,046,716.54	1,040,118.28	34% ✔
Cemetery (101-09)			
Personal Services	262,050.00	214,558.59	82% ✔
Supplies	21,000.00	17,630.16	84% ✔
Services & Charges	12,100.00	16,936.88	140% ✘
Capital Expenditures	30,000.00	18,079.00	60% ✔
Engineering (101-10)			
Personal Services	899,400.00	854,106.03	95% ✔
Supplies	13,000.00	3,633.35	28% ✔
Services & Charges	8,900.00	2,226.48	25% ✔
Capital Expenditures	2,000.00	1,948.59	97% ✔
Police (101-11)			
Personal Services	6,694,350.00	6,343,725.11	95% ✔
Supplies	288,086.05	211,656.77	73% ✔
Services & Charges	200,400.00	162,887.92	81% ✔
Capital Expenditures	-	-	
Fire (101-12)			
Personal Services	5,668,400.00	5,346,128.41	94% ✔
Supplies	201,500.00	183,480.23	91% ✔
Services & Charges	344,500.00	286,051.95	83% ✔
Capital Expenditures	125,979.22	40,465.53	32% ✔
Building (101-15)			
Personal Services	399,830.00	363,504.19	91% ✔
Supplies	11,600.00	5,423.43	47% ✔
Services & Charges	13,000.00	4,101.68	32% ✔
Capital Expenditures	-	-	

(Continued next page)

(Prepared for the City of Goshen's December 28, 2021 Common Council Meeting)

CITY OF GOSHEN, INDIANA

DEPARTMENTAL EXPENDITURE ANALYSIS AS OF DECEMBER 28, 2021 (CONTINUED)

<u>Fund and Department</u>	<u>2021 Budget</u>	<u>Spent as of December 19, 2021</u>	<u>Percent Spent</u>
Planning (101-16)			
Personal Services	395,225.00	366,374.52	93% ✓
Supplies	1,500.00	1,388.77	93% ✓
Services & Charges	12,500.00	3,820.37	31% ✓
Capital Expenditures	-	-	
Central Garage (101-18)			
Personal Services	826,300.00	715,645.85	87% ✓
Supplies	361,287.85	354,054.88	98% ✓
Services & Charges	57,200.00	42,290.65	74% ✓
Capital Expenditures	7,500.00	5,000.00	67% ✓
Environmental Resilience (101-46)			
Personal Services	346,600.00	293,795.45	85% ✓
Supplies	17,100.00	12,726.02	74% ✓
Services & Charges	281,960.00	187,227.67	66% ✓
Capital Expenditures	16,000.00	25,645.91	160% ✗
Motor Vehicle Highway (201-00)			
Personal Services	2,114,251.81	1,764,128.58	83% ✓
Supplies	400,174.39	280,464.96	70% ✓
Services & Charges	111,800.00	72,710.84	65% ✓
Capital Expenditures	74,490.61	54,633.52	73% ✓
Parks & Recreation (204-00)			
Personal Services	1,487,575.00	1,308,203.30	88% ✓
Supplies	236,149.00	177,548.00	75% ✓
Services & Charges	493,550.00	288,567.82	58% ✓
Capital Expenditures	262,000.00	14,410.17	6% ✓
Aviation (206-00)			
Personal Services	79,910.00	78,246.04	98% ✓
Supplies	3,600.00	3,114.83	87% ✓
Services & Charges	215,646.00	211,000.09	98% ✓
Capital Expenditures	-	-	

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(Prepared for the City of Goshen's December 28, 2021 Common Council Meeting)

CITY OF GOSHEN, INDIANA

DEPARTMENTAL EXPENDITURE ANALYSIS AS OF DECEMBER 28, 2021 (CONTINUED)

<u>Fund and Department</u>	<u>2021 Budget</u>	<u>Spent as of December 19, 2021</u>	<u>Percent Spent</u>
Probation (215-00)			
Personal Services	91,060.00	92,518.45	102% ❌
Supplies	-	-	
Services & Charges	-	-	
Capital Expenditures	-	-	
Economic Development Income Tax (218-00)			
Personal Services	-	-	
Supplies	-	-	
Services & Charges	1,837,397.72	1,191,841.85	65% ✔️
Capital Expenditures	2,783,124.63	1,576,514.44	57% ✔️
Unsafe Building (241-00)			
Personal Services	-	-	
Supplies	-	-	
Services & Charges	50,000.00	1,050.00	2% ✔️
Capital Expenditures	-	-	
Public Safety LOIT (249-00)			
Personal Services	1,360,000.00	1,277,968.99	94% ✔️
Supplies	250,000.00	189,831.29	76% ✔️
Services & Charges	207,256.25	205,524.10	99% ✔️
Capital Expenditures	644,380.00	527,855.83	82% ✔️
Court Fees (274-00)			
Personal Services	-	-	
Supplies	13,000.00	7,872.48	61% ✔️
Services & Charges	6,950.00	3,190.10	46% ✔️
Capital Expenditures	-	-	
Residential Lease Fees (277-00)			
Personal Services	79,150.00	78,174.76	99% ✔️
Supplies	-	-	
Services & Charges	-	-	
Capital Expenditures	-	-	

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(Prepared for the City of Goshen's December 28, 2021 Common Council Meeting)

CITY OF GOSHEN, INDIANA

DEPARTMENTAL EXPENDITURE ANALYSIS AS OF DECEMBER 28, 2021 (CONTINUED)

<u>Fund and Department</u>	<u>2021 Budget</u>	<u>Spent as of December 19, 2021</u>	<u>Percent Spent</u>
Law Enforcement Continuing Education (280-00)			
Personal Services	-	-	
Supplies	16,000.00	16,689.19	104% ✘
Services & Charges	18,000.00	16,153.88	90% ✔
Capital Expenditures	-	-	
Debt Service (322-00)			
Personal Services	-	-	
Supplies	-	-	
Services & Charges	419,650.00	419,150.00	100% ✔
Capital Expenditures	-	-	
Bond Principal & Interest (324-00)			
Personal Services	-	-	
Supplies	-	-	
Services & Charges	816,873.00	814,003.75	100% ✔
Capital Expenditures	-	-	
Cumulative Capital Income (401-00)			
Personal Services	30,000.00	-	0% ✔
Supplies	-	-	
Services & Charges	-	-	
Capital Expenditures	-	-	
Cumulative Capital Development (402-00)			
Personal Services	-	-	
Supplies	214,907.61	202,373.94	94% ✔
Services & Charges	579,163.26	522,978.83	90% ✔
Capital Expenditures	301,050.00	135,633.96	45% ✔
Redevelopment (406-00)			
Personal Services	242,610.00	206,250.26	85% ✔
Supplies	2,000.00	328.81	16% ✔
Services & Charges	103,300.00	61,767.30	60% ✔
Capital Expenditures	-	-	

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(Prepared for the City of Goshen's December 28, 2021 Common Council Meeting)

CITY OF GOSHEN, INDIANA

DEPARTMENTAL EXPENDITURE ANALYSIS AS OF DECEMBER 28, 2021 (CONTINUED)

<u>Fund and Department</u>	<u>2021 Budget</u>	<u>Spent as of December 19, 2021</u>	<u>Percent Spent</u>
CCI Storm Sewer (431-00)			
Personal Services	-	-	
Supplies	-	-	
Services & Charges	500,000.00	95,140.12	19% ✓
Capital Expenditures	-	-	
Stormwater (439-00)			
Personal Services	414,210.00	387,420.94	94% ✓
Supplies	4,708.00	1,469.47	31% ✓
Services & Charges	126,268.00	43,470.18	34% ✓
Capital Expenditures	335,000.00	4,466.01	1% ✓
Cemetery Capital Improvement (471-00)			
Personal Services	-	-	
Supplies	-	-	
Services & Charges	-	-	
Capital Expenditures	9,000.00	-	0% ✓
General Improvement (472-00)			
Personal Services	-	-	
Supplies	-	-	
Services & Charges	-	-	
Capital Expenditures	-	-	
Southeast TIF (473-00)			
Personal Services	-	-	
Supplies	-	-	
Services & Charges	946,557.25	171,240.68	18% ✓
Capital Expenditures	3,007,372.45	2,394,770.73	80% ✓
Lippert/Dierdorff TIF (474-00)			
Personal Services	-	-	
Supplies	-	-	
Services & Charges	50,000.00	3,373.46	7% ✓
Capital Expenditures	-	-	

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(Prepared for the City of Goshen's December 28, 2021 Common Council Meeting)

CITY OF GOSHEN, INDIANA

DEPARTMENTAL EXPENDITURE ANALYSIS AS OF DECEMBER 28, 2021 (CONTINUED)

<u>Fund and Department</u>	<u>2021 Budget</u>	<u>Spent as of December 19, 2021</u>	<u>Percent Spent</u>
Consolidated Riverrace/US33 TIF (480-00)			
Personal Services	-	-	
Supplies	-	-	
Services & Charges	882,888.46	485,056.93	55% ✓
Capital Expenditures	4,682,837.50	518,137.68	11% ✓
Plymouth Avenue TIF (484-00)			
Personal Services	-	-	
Supplies	-	-	
Services & Charges	-	3,000.00	
Capital Expenditures	271,768.00	850.00	0% ✓
Fire Pension (801-00)			
Personal Services	577,990.00	520,725.56	90% ✓
Supplies	300.00	20.44	7% ✓
Services & Charges	650.00	307.00	47% ✓
Capital Expenditures	-	-	
Police Pension (802-00)			
Personal Services	453,825.00	378,199.82	83% ✓
Supplies	-	-	
Services & Charges	662.00	105.00	16% ✓
Capital Expenditures	-	-	

(Prepared for the City of Goshen's December 28, 2021 Common Council Meeting)