



## **Goshen Common Council**

**6:00 p.m., May 16, 2022 Regular Meeting**

***Council Chamber, Police & Court Building, 111 East Jefferson Street, Goshen, IN***

**Call to Order by Mayor Jeremy Stutsman**

**Pledge of Allegiance**

**Roll Call:**

**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)

**Youth Advisor Adrian Mora** (Non-voting)

**Approval of Minutes** –May 2, 2022 regular meeting

**Approval of Meeting Agenda**

**Privilege of the Floor**

**1) Stormwater Department presentation:** Industrial trash in Goshen waterways

**2) Presentation:** Redevelopment Commission Annual Report for 2021

**3) Council appointments** to the Goshen Downtown Economic Improvement District Board

**4) ORDINANCE 5120** – An ordinance amending Ordinance 3757, as amended by Ordinance 4702, to Allow Flexibility in Licensing and Registering of Electrical and Mechanical Contractors

**5) ORDINANCE 5121** - An ordinance to Establish Rules and Regulations for the Use of Electric Foot Scooters and Shared-Use Electric Foot Scooter Operators



**6) ORDINANCE 5122** - An ordinance to amend Ordinance 5101, 2022 Compensation for Civil City and Utilities Employees to Alter Vacation Leave and Sick Leave Benefits

**7) Council discussion:** The process, issues and ramifications of the City of Goshen considering a change from a Class 3 city classification to Class 2 (population above 35,000)

### **Elected Official Reports**

### ***Adjournment***



## GOSHEN COMMON COUNCIL

### Minutes of the May 2, 2022 Regular Meeting

*Convened in the Council Chambers, Police & Court Building, 111 East Jefferson Street, Goshen, Indiana*

Mayor Stutsman called the meeting to order at 6:00 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)  
                    Youth Advisor Adrian Mora (Non-voting) – Arrived at 6:06 p.m.

**Absent:** None

**Approval of Minutes:** Mayor Stutsman asked the Council's wishes regarding the minutes of the April 18, 2022 regular meeting. Councilor King moved to approve the minutes as submitted. Councilor Riegsecker seconded the motion. Clerk-Treasurer Aguirre said there was a misspelling of Councilor Nisley's first name on the first page of the minutes and that it had been corrected and revised minutes had been distributed. **The motion passed 7-0.**

**Approval of Agenda:** Mayor Stutsman asked the Council's wishes regarding the meeting agenda. Councilor Eichorn moved to approve the agenda as submitted. Councilor Pérez seconded the motion. The motion passed 7-0.

#### Privilege of the Floor:

At 6:02 p.m., Mayor Stutsman invited public comments on matters not on the agenda.

Glenn Null of Goshen said he appreciated City staff picking up tree limbs and brush in his neighborhood and clearing sidewalks that had piles of yard debris. He said the City's work made his neighborhood look much better. Null expressed concerns about semi-truck-trailers driving through his neighborhood on two recent occasions. He said his road, Dewey Avenue, is not built for vehicles of that size and he would like to see more police enforcement. Null also said he and his wife are doing more walking and depending on the time of day, they have had to walk around vehicles parked across sidewalks, and that stepping onto Dewey Avenue can be dangerous.

There were no other public comments, either from those in the Council chamber or via Zoom, so Mayor Stutsman closed the Privilege of the Floor at 6:04 p.m.

#### 1) Presentation: South Bend-Elkhart Regional Partnership annual report and updates

Mayor Stutsman introduced Bethany Hartley, chief strategy officer, of the South Bend-Elkhart Regional Partnership, who provided Councilors with a presentation using PowerPoint Slides, which were included in the Council packet. Hartley said the South Bend-Elkhart Regional Partnership is an economic development organization that focuses on catalyzing economic growth in Elkhart, Marshall, and St. Joseph counties in Northern Indiana and Berrien and Cass counties in Southwest Michigan. She said the organization operates through a committee structure.



**Hartley** said the Regional Partnership focuses on executing through its core values of “Do What We Say We Will Do, Inclusive Collaboration and Humility.” As a voluntary collaboration across five counties, the Regional Partnership has a Board made up of business, civic, community, education and government leaders and a 10-person staff.

**Hartley** said the Regional Partnership began in 2015 as a Regional Development Authority, which was formed to obtain and administer a \$42 million grant from the Indiana Regional Cities Initiative. Since then, she said it has further developed a regional development strategy, developed advisory committees, developed and launched new initiatives, obtained more grants and launched new programs.

**Hartley** said the Regional Partnership has five areas of focus in its Regional Economic Development Strategy (REDS): Industry Growth, Education and Workforce, Diversity, Equity and Inclusion, Entrepreneurship and Talent Attraction and Development. She said detailed strategies are being used to pursue these goals.

Overall, **Hartley** said the Regional Partnership has a Prosperity Goal of “increasing per capita personal income in the South Bend–Elkhart Region to match or exceed the national average by 2030.” And she said all five of the partnership’s committee are focused on fulfilling this goal.

**Hartley** displayed PowerPoint slides showing the members of all five committees, the main goal of each, strategies that are being pursued and examples of successful programs. She summarized the committee work as follows:

**Diversity, Equity and Inclusion Committee goal:** “To be in the top 20% of metro areas for minority income equality by 2030.” **Strategies:** Supporting Diverse Business Owners; Increasing Networking Opportunities for Minority Professionals and Students; and Increasing Minority Participation in Management Training. **Program:** Hustle SBE, “a program for Black, Indigenous, People of Color and Women business owners that already have a least a year in business and who are focused on exploring new solutions for their customers, generating new ideas, and shoring up current business practices to create a solid foundation upon which to grow.”

**Talent Attraction and Retention Committee goal:** “Transform net migration from negative 2.13 persons per 1,000 per year to positive in-migration by 2030.” **Strategies:** Telling Our Story, People to Know and Places to Be.

**Program:** WE+YOU South Bend – Elkhart Region, an Asset Development Three-Part Video Series and a Toolkit for Employers and Post-Secondary Institutes.

**Entrepreneurship Committee goal:** “Establish 275 High Growth Startups by 2030.” **Strategies:** Attracting and Inspiring Entrepreneurs, Supporting Venture Acceleration and Increasing Access to Capital. **Program:** Founder Factory, a startup summit.

**Education and Workforce Committee goal:** “Increase postsecondary attainment from 35% to 50% by 2030.”

**Strategies:** Advancing high-quality Career Pathways, Enhancing Employer Engagement within Priority Industry Sectors and Increasing adoption of evidence-based and technology-enabled practices across Education-Workforce Ecosystem. **Note:** There are 11 colleges and universities in the region with about 44,000 students per year, many of whom leave the area after graduating.

**Industry Growth Committee goal:** “Grow share of employment in high pay traded industry sectors 20% by 2030.”

**Strategies:** Improving Company Access to Low-cost and Convenient Supply Chain Options, Accelerating Expansion of Employment and Profitability and Improving Infrastructure. **Program:** Accelerating Growth by Attracting and Growing New Economy Companies and Expanding Employment and Profitability at Existing Companies in Scale-up Clusters.

After concluding her presentation at 6:20 p.m., **Bethany Hartley** engaged in a discussion with **Mayor Stutsman** and **Councilors**. **Council President Weddell** and **Councilor King** asked about the Regional Economic + Acceleration Development Initiative (READI) grant and award process.



In response to a question from **Councilor King**, **Hartley** said that Indiana exports more college graduates every year than any other state. She said graduates leave the state for a variety of reasons, including the weather.

**Councilor Pérez** thanked **Hartley** for her presentation and the Regional Partnership's work. He noted that there didn't seem to be many committee members from Goshen, Nappanee or Middlebury. He asked what the Regional Partnership was doing to ensure representation from beyond South Bend and Elkhart. **Hartley** said conversations like this one with the Council help identify potential committee members. She added that the partnership is engaged in succession planning and also is seeking to expand its representation.

**Mayor Stutsman** noted that the City of Goshen provides about \$2,500 a year to the Regional Partnership and he praised its work.

## 2) Presentation: City of Goshen Community Relations Commission annual report

**Community Relations Director: AJ Delgadillo** presented the Commission's report for 2021 to the Council. Included in the Council's agenda packet was the Commission's 4-page annual report, which was submitted by **Edwin Groff**, CRC Secretary/Treasurer, and a one-page memorandum by **Delgadillo** about the report.

The 2021 annual report had summaries of the CRC's mission, principles, origin and background, its membership during 2021 and its activities, which the report stated "were curtailed by the COVID-19 Pandemic." The report included the following sections, each of which summarized the activities and outcomes of the following: Sundown Town Resolution and Marker, Elkhart County Juneteenth Celebration, Commissioners Retreat, Neighborhood Association relationships; and Middle and High School Essay Contest.

The report concluded with a section, titled "Looking Ahead," which noted that **AJ Delgadillo** began work in 2022 as the CRC's first full-time director, and ended with this summary:

"As part of the CRC's strategic planning, CRC will continue exploring opportunities to re-invigorate Community Conversations in forums suited to pandemic restrictions. The CRC is also interested in partnering with the Arts and Culture Committee of Goshen in initiating events for the City of Goshen. The CRC will continue to strengthen its network of connections through Neighborhood Associations, partnerships with Goshen businesses and educational communities."

In his memorandum accompanying the report, **Delgadillo** wrote that the CRC's efforts in 2021 "were directed at projects that allowed us to continue serving our neighbors and further the mission of the CRC in ways that were practical and safe in the midst of a changing pandemic."

**Delgadillo** continued, "In many ways, the work and makeup of the CRC were characterized by change. The CRC was still rebuilding from 2017, grappling with new realities of public meetings from the COVID-19 pandemic, and adjusting to having a director on staff. Adjusting to new elements inside and outside of the Commission, we found our footing to make strides toward our mission: [to serve] Goshen by developing programs and policies that aim for a city without racism or discrimination of any kind, and [build] capacity for creative problem solving, resiliency, understanding, and compassion among the diverse people in our community."

**Delgadillo** provided additional details and context for the 2021 activities and projects, including the proposed Sundown Town marker, participation in the county Juneteenth event, and the CRC retreat, which helped establish priorities for 2022 and beyond, including "hold effective conversations about hard topics; build a robust volunteer team; and build a funnel for recruiting commissioners." He also discussed the CRC's work with neighborhood associations and its successful essay contest in which youth were invited to reflect on the CRC's principles.



**Delgadillo ended his memorandum with the following summary statement:** "In a year characterized by many 'new' things, we acted where it was practical and set ourselves up for stronger opportunities where we could. As conditions continue to change, I look forward to continue building and serving with the CRC."

**Delgadillo** began his brief oral presentation to the Council by noting some CRC highlights over the past year, including the essay competition.

In response to a question from **Councilor King**, **Delgadillo** said the essays can be read online and are accessible from the CRC's Facebook page. **Mayor Stutsman** said the essay contest was a great success and that many students and their family members attended the award ceremony in the City Council chambers on April 12. **Delgadillo** said the event helped boost the CRC's social media outreach.

**Council President Weddell** asked about the results of the CRC's proposed Sundown Marker survey for which about 608 responses were received. **Delgadillo** explained how the poll was conducted and said the results were posted on the CRC's City website. He said 90% of respondents liked the idea of a marker and 10% didn't like the idea. In addition, **Delgadillo** said 80% favored the text proposed for the market and 20% were not affirming.

**Mayor Stutsman** noted that this is **Delgadillo's** first year as full-time CRC director and that he has used his time well and has helped the commission build forward momentum. He said the City has tried to grow the CRC's reach for many years and it is finally happening. **The Mayor thanked Delgadillo for his work.**

**Councilor Eichorn** said the CRC's meetings have improved over the past six months and that things are headed in the right direction. She also said the essay competition was "incredible" and she hopes it will become an annual event. **Eichorn** said the students wrote powerful and heartfelt essays.

**Delgadillo** said the CRC plans to make the essay an annual event. He added that working full time has allowed him to provide continuity of direction for the CRC and increased the security that events can be repeated and have a greater impact on the community.

**Councilor Eichorn** agreed and said there has been an improvement since **Delgadillo** assumed a full-time role.

**Council President Weddell** underscored the importance of **Delgadillo's** last statement. **Mayor Stutsman** again thanked **Delgadillo**.

### **3) Planning Department: Ordinance 5119 - Amend Ordinance 3011 by Rezoning Real Estate Hereinafter Described, and Commonly Known as 1815 Reliance Road, from Residential R-1 District to Commercial B-3 District**

**Mayor Stutsman** called for the introduction on first reading of Ordinance 5119, Amend Ordinance 3011 by Rezoning Real Estate Hereinafter described, and Commonly Known as 1815 Reliance Road, from Residential R-1 District to Commercial B-3 District. **Council President Weddell** asked the Clerk-Treasurer to read Ordinance 5119 by title only, which was done.

**Weddell/Eichorn moved to approve Ordinance 5119 on first reading.**

**City Planning and Zoning Administrator Rhonda L. Yoder** discussed the request before the Council and explained the basis for the recommendation that the Council approve Ordinance 5119.

**Yoder** said the Goshen Plan Commission met on April 19, 2022, in regular session and considered a request for a rezoning from Residential R-1 District to Commercial B-3 District for the subject property, which is generally located 1815 Reliance Road, with the following outcome: The matter was forwarded to the Goshen Common Council with a favorable recommendation by a vote of 5-0.



Yoder said the Plan Commission's recommendation was based on the following:

1. The subject property is adjacent to existing B-3 District zoning on the north, west, and east.
2. The rezoning is consistent with the Comprehensive Plan, including: Community Services & Facilities, Goal C-13: Match land uses with existing or potentially available utility services.
3. The B-3 District requirements are able to be met, including all requirements adjacent to residential zoning/land use.

Yoder said that prior to the Plan Commission meeting, and its meeting, no comments/questions were received. She added that the .46-acre property will be added to the Elkhart County court site at 1905 Reliance Road.

Mayor Stutsman asked if there were any questions or comments from City Council members. Councilor King said she still didn't like how the project was handled by the Elkhart County Council and the inadequate public input.

At 6:33 p.m., Mayor Stutsman opened a public hearing on Ordinance 5119 - Amend Ordinance 3011 by Rezoning Real Estate Hereinafter Described, and Commonly Known as 1815 Reliance Road, from Residential R-1 District to Commercial B-3 District. No one asked to speak.

There were no other questions or comments from Councilors and they indicated they were ready to vote.

**On a roll call vote, Councilors approved Ordinance 5119 on first reading by a 7-0 margin, with all Councilors present voting "yes" at 6:34 p.m. Youth Adviser Mora also voted "yes."**

Mayor Stutsman called for the introduction on second reading of Ordinance 5119, Amend Ordinance 3011 by Rezoning Real Estate Hereinafter described, and Commonly Known as 1815 Reliance Road, from Residential R-1 District to Commercial B-3 District. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5119 by title only, which was done.

Weddell/Eichorn moved to approve Ordinance 5119 on second and final reading.

There were no other questions or comments from the public or Councilors, who also indicated that they were ready to vote.

**On a roll call vote, Councilors approved Ordinance 5119 on second and final reading by a 7-0 margin, with all Councilors present voting "yes" at 6:34 p.m. Youth Adviser Mora also voted "yes."**

#### Elected Official Reports:

Mayor Stutsman said he had updates to provide as well as questions he wanted to address.

**Ceiling fans for the Council chamber:** The Mayor said ceiling fans are being installed to improve air flow and lower temperatures when the audience is large.

**Redistricting Committee:** Mayor Stutsman said four meetings have been scheduled with the first in a few weeks.





After the four redistricting meetings, **Mayor Stutsman** said there will be an assessment about the need for additional meetings. He said the meetings will be held in the City Council chamber.

**Proposed ordinance changes regarding City employee benefits:** Mayor Stutsman said he has been working with **City Attorney Bodie Stegelmann** and **Human Resource Director Rita Huffman** on a proposal headed to the City Council that would offer improved benefits for newer employees.

**Proposed ordinance regarding City electrical and mechanical licenses:** Mayor Stutsman said an ordinance is being developed to remove the Board of Works and Safety from the review and approval process for City electrical and mechanical licenses. He said an increased number of license requests have been coming to the Board and none have been denied. So, under this the proposal, the approval of electrical and mechanical licenses would be by the City Building Commissioner, but the appeal of any denial would be reviewed and decided by the Board. Mayor Stutsman added that this would allow for a faster review and approval of license requests.

**Clerk-Treasurer Aguirre** said the need for the proposal could be illustrated by the volume of requests for electrical and mechanical licenses. Aguirre said two such requests were considered by the Board of Works and Safety last week, seven today and 50 requests are pending. He said contractors sometimes visit the Building Department as projects are starting and ask for immediate license approvals. He said this proposal would speed the process.

Asked by **Councilor King** if the Building Department has the capacity to take on this role, **Mayor Stutsman** said the Building Department already reviews license requests and recommends approvals to the Board of Works. He said this new process will be good for the Building Department and for the business community.

**Results of sale of surplus City vehicles and equipment:** In response to a question before the meeting from **Councilor Nisley**, **Mayor Stutsman** reported on the outcome of the recent silent bids for surplus City vehicles and equipment. The Mayor said the sales brought in roughly \$114,000. The Mayor said it's unknown if more money would have been raised from a live auction. However, he said if it had been a live auction there may have been fewer bids and not as many people might have been able to attend a live auction. He added that City of Goshen taxpayers paid for vehicles and he believed they should have gotten the chance to purchase the used vehicles.

Asked by **Councilor Riegsecker** the frequency of such sales, **Mayor Stutsman** said they take place yearly, but this was the largest-ever sale because sales were suspended because of the COVID-19 pandemic. The Mayor said normally five or six vehicles are sold at a time – and five or six are already available for sale. He also commented on the value and cost savings of hybrid vehicles.

**Update on gang activity:** **Mayor Stutsman** said he also wanted to address questions he has been asked in recent weeks by Councilors and community members about gang activity in the City. The Mayor said, "One question I get asked often is, "Why is the City of Goshen ignoring the gang issue? That's the further thing from the truth. "We've talked about it in several public meetings. We've had ordinance changes in our cemeteries because of some of the issues we're seeing. The Police Department has been actively working on this for quite some time now, and we've even gone as far as setting up meetings with some religious leaders in the area to see if we can find different ways to reach out to some of these kids that are in the gangs. And we're actually setting up some more meetings that are going to be more and larger public meetings here in the near future."

**Mayor Stutsman** said it's true that the City Police Department doesn't have a gang unit, but that doesn't mean that officers aren't working hard on the issue. "When you create a unit, it pulls people away from all the other pieces, and we don't have that big of a force," he said.





**Mayor Stutsman** continued, "The chiefs and I talked about this this afternoon before lunch quite extensively. **Councilman (Matt) Schrock** was there as well. We're in a scenario where we have a small-city budget, but we're starting to see some of the big-city issues.

"But I have full confidence in our Chief and the Police Department that they're working to try and figure out how to take care of these issues. And then others of us need to be thinking about what changes in the community, what resources in the community, can we offer to help get ahead of these issues. So, I just want to be clear that we are working very hard on it. Nobody's ignoring it. And we've just got to keep moving forward as a community to try and figure out how to get ahead of those issues."

**Mayor Stutsman** also said he also wanted to respond to concerns about the adequacy of the Police Department's budget. The Mayor said that in 2016, the Police Department's general fund budget was \$5.7 million and for 2022, \$7.8 million was budgeted. "We have increased that significantly. That includes bringing in some more special police officers and adding additional officers." He added that the City has also purchased new police cars and improved the department's training facilities and equipment.

**Councilor Nisley** said he spoke about the gang unit issue with Police Chief José Miller but wondered if it would be possible to combine forces with other law enforcement agencies and to begin planning for a joint gang unit.

"I know we don't have the manpower, I understand that. And I've talked with the (Elkhart County) sheriff about the same thing, and he's in the same boat. He thinks it's a great idea to do, but the manpower is just not there to give one or two guys to that," Nisley said. "So, my thing would be to move towards that, put that in a goal that we can move towards that, and maybe do some hiring in that direction to help fill that up. I just feel that we have to put that foot forward to stop it, because even Sheriff (Jeff) Siegel said that it looks like it's going to get worse this summer before it gets better. So, I think we need to be ready for that."

**Mayor Stutsman** responded that he couldn't disagree, but said that many law enforcement agencies are still struggling to return to normal staffing levels. "So, being able to add another unit, it's not a bad idea at all. It's a good idea," the Mayor said. "But getting there is the tough part. And even without an official (gang) unit, there is a lot of intergovernmental communication between all of the departments. They're all operating and working together to try to figure things out."

**Mayor Stutsman** said other local police agencies have stopped sending officers to respond to less serious crimes, such as bicycle thefts. The Mayor said Goshen Police respond to many such crimes and it would save time to stop responding personally, but ceasing such responses would eliminate many connection points with community members. That strategy isn't being pursued, Mayor Stutsman said, but other options are being explored.

**Councilor Schrock** endorsed **Councilor Nisley's** suggestion and discussed the meeting earlier in the day with Goshen Police leaders, which he endorsed.

"We should support these men and women any way we can, even if that includes getting the public involved. If there's a way to do that, and not have it cost any money, minimal money, that might open up something. You might be surprised who would volunteer to assist in gang-type stuff, at least as far as feeding information to the Police Department. I think there are a lot of people who want to remedy the problem, as far as the public is concerned."

**Mayor Stutsman** responded, "And I would just say that just because you don't hear, don't assume things like that aren't happening because there's a lot of stuff the Police Department does that they don't want everyone to know about happening. So, there's a lot that is happening."



**Councilor Pérez** said that there can be effective community-based initiatives to address the gang issue. He said it might make sense to create a gang unit, but it also would be good to involve community organizations to work on gang prevention. Pérez said in larger cities, this is often the case and that it would be good to explore partnerships in Goshen.

In response to the comments by **Councilor Perez**, **Chief Miller** said, "When it comes to the law enforcement end, with the gangs, a lot of our dealings are more responding to the situation that happened. And when it gets to the prevention end, I think it is a community issue versus just a City issue, because a lot of times the calls we go to, there's a lot more information that they know that they don't tell us because of whether they don't trust the police, or whether they're afraid of retaliation. So, a lot of that comes down to even safety for them that they don't know nothing or see anything and that really makes it difficult for us to do our job. So, I think community intervention in that aspect would be hugely beneficial."

**Mayor Stutsman** said he and **Chief Miller** are having conversations with school officials, church leaders and others to connect and bring information together.

**The Mayor** said, "I am, and I know the chief has, too, had conversations with Goshen Schools, several churches in the area, and also **Kevin Deary at the Boys & Girls Club** has been a great resource, too, to help try and connect and bring information together. But to **Councilman Pérez's** point, maybe we do need to try and create a more pointed committee that would be community-wide that could really lay some groundwork to hopefully eliminate the need for what the police are responding to in the future."

**Councilor Pérez** noted that the City has a Community Relations Commission and the gang issue is a community relations situation. He said that perhaps the CRC can connect with a community group and maybe a grant could be secured to help address the issue.

**Councilor Nisley** added that it has been suggested that perhaps police officers could be allowed to use police cars while off duty and even be reimbursed for the cost of the gasoline. Nisley said there would be value in having more police cars out in the community, to stop criminal activity, adding that officers are on duty at all times and that reimbursing them for the cost of gas would be justified.

**Mayor Stutsman** said several police officers live outside city and they raised this idea in response to the rising gas prices before it was instituted by **Chief Miller**.

**Council President Weddell** asked if the City of Goshen was in the process of buying some Ford Lightning electric pickup trucks. **Mayor Stutsman** responded that he isn't sure. The Mayor said the City placed a pre-order for some of the trucks, but it's unknown when or if they will arrive.

Asked by the **Council President** whether they would be used by Goshen Police, **the Mayor** said the first one would be for the Street Department, the second for the Environmental Resilience Department and the third for the City Building Inspector. Still, **Mayor Stutsman** said he didn't know if a purchase could be completed this year. **Council President Weddell** said the Ford Lightning is expected to be a very popular truck with a very high cost, and he wouldn't want to have the City purchase the trucks at a premium cost.

**Mayor Stutsman** agreed and pointed out that the City is dealing with a similar issue with three dump trucks it purchased in April and September 2021. The Mayor said the City was informed about a month ago by the supplier that there would be a per-truck surcharge because of price increases for the trucks. The trucks are now available, and the company is demanding \$6,900 more per truck. Mayor Stutsman said the company signed a contract and guaranteed the price, so City staff is trying to work through those issues with the company because it doesn't want to pay excessive costs for the dump trucks.



**Council President Weddell** said he asked **City Attorney Bodie Stegelmann** to provide guidance to Council members about attending neighborhood meetings and complying with the state's Open Door Law, especially when a voting majority of the Council is present. He has asked for written guidelines. **Councilor King** affirmed the idea and said perhaps the guidelines could also be made available to the public.

**City Attorney Stegelmann** said that if Councilors have specific questions, they should send him an email with those questions so that they can be answered. He said the state's public access counselor, Luke Britt, has prepared a handbook that answers many of the common questions about the law. He added that the handbook is a good resource for elected officials.

**Mayor Stutsman** said it's the responsibility of Councilors, and not the public, to understand and obey the law. He added that it's fine for a majority of Councilors to attend a community meeting as long as they don't discuss how the Council should address an issue and how they should vote.

**Council President Weddell** said that he had just used an internet-connected device to locate the handbook online and joked that it "was only 70 pages long." **Councilor King** and **City Attorney Stegelmann** said the public access counselor does respond to questions.

**Council President Weddell** noted that **Glenn Null** is a member of the Community Relations Commission. He asked if other CRC members were present tonight. **Councilor Eichorn** said that Ed Groff was also present.

**Youth Adviser Adrian Mora** commented on the possible purchase of Ford Lightning trucks. He pointed out that the City purchased a Tesla several years ago and that it has retained its value and could now be sold for more than its original purchase price.

**Mora** also said he would be attending a youth forum this Saturday and he would be making a 10-minute presentation about his experience as the Council's youth adviser and his internship with the Mayor's Office.

**Councilor Pérez** thanked **Mayor Stutsman** and **AJ Delgadillo** for their community work in relation to a recent burglary. He also commended the Goshen Police Department for how well officers handled the situation.

**Youth Adviser Mora** also commented on the City's Arbor Day celebration. He said it went well. Mora said he also won some trees in the raffle and planted them Sunday. **Councilor Schrock** agreed that the Arbor Day celebration was a great event with good involvement by children and even NIPSCO.

**Councilor King** said staff from the Michiana Area Council of Governments (MACOG) have held meetings with Goshen residents to seek input on new trolley routes. **Mayor Stutsman** said new routes were proposed at the end of 2019, but implementation was delayed. So changes to the routes will be proposed, the Mayor said.

**Councilor King** said that it appears the City needs more funding for the trolley. **Mayor Stutsman** clarified the amount of funding for the service.

**Councilor Schrock** said many people from his district attended a recent MACOG meeting. He said two MACOG representatives attended that meeting and plan to return in June to show the proposed new route maps.

**Councilor Riegsecker** commended **Chief Miller** and the Police Department for the way a recent pursuit for a motorcycle driver was handled. Riegsecker said he never felt anyone was endangered by the chase. He also said he didn't know the cause of the chase or its outcome, but the case was handled very well.



Mayor Stutsman said that new video cameras have been installed around the City for the Police Department and have already benefitted the department and the City. He also noted that some new stop signs also have been installed around town to reduce driving speeds.

Clerk-Treasurer Aguirre said that perhaps Chief Miller could discuss an upcoming event.

Chief Miller said the Goshen Police Department will be conducting a memorial service in front of the Police Department in observance of National Police Week. It will begin at 3 p.m. on May 15, and the public is invited.

Mayor Stutsman said the annual Memorial Day Parade will take place on Monday, May 30, 2022. He also said National Firefighters Day will be celebrated on May 4.

Councilor Eichorn added that this week is Teacher Appreciation Week.

There were no further comments by the Mayor or by Councilors.

Councilor Nisley made a motion to adjourn the meeting, which was seconded by Councilor Schrock. On a voice vote, Councilors voted to adjourn the meeting by a 7-0 vote, with all members present voting "yes."

Mayor Stutsman adjourned the meeting at 7:11 p.m.

APPROVED:

\_\_\_\_\_  
Jeremy P. Stutsman, Mayor of Goshen

ATTEST:

\_\_\_\_\_  
Richard R. Aguirre, City Clerk-Treasurer



**Stormwater Department  
CITY OF GOSHEN**

204 East Jefferson Street, Suite 1 • Goshen, IN 46528-3405

Phone (574) 534-2201 • Fax (574) 533-8626  
stormwater@goshencity.com • www.goshenindiana.org

## MEMORANDUM

TO: Goshen City Council

FROM: Stormwater Department

RE: **PRESENTATION – INDUSTRIAL TRASH IN GOSHEN WATERWAYS**

DATE: May 16, 2022

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On April 4<sup>th</sup>, the Stormwater Department fielded a resident complaint about significant Styrofoam and other trash accumulation in Horn Ditch. The industrial trash issue has been observed by the Stormwater Department in the past, but the amount in this case was striking.

Horn Ditch runs through the heart of the industrial corridor in southeast Goshen with manufacturing being the primary land use on both its banks. The waterway eventually flows through Fiddler Pond Park before meeting up with Rock Run Creek and, ultimately, the Elkhart River.

The Stormwater Department was able to identify a number of trash hot spots likely associated with this particular instance, but trash control has long been identified as an issue along the industrial corridor. The Department has begun conversations with Plant Managers and Environmental Health and Safety professionals at several businesses in this corridor and have received enthusiastic support for joint clean-up efforts.

The Stormwater Department is making a presentation in an attempt to bring greater community awareness to the issue and begin finding a path forward to lasting changes that better protect our waterways.



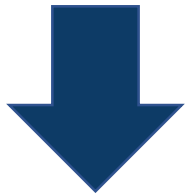
# Urban Trash Pollution in Goshen Waterways





# April 4

Issue reported via Facebook  
by Goshen resident



Illicit Discharge  
Investigation Opened





Observed hot spot areas—largely Styrofoam trash including bags and taped together bundles of Styrofoam blocks.





# Agenda at a Glance

1. **Industrial Trash Issue Identification**
2. Issue Extent
3. Issue in a Watershed Context
4. Path Forward





1. Industrial Trash Issue Identification
- 2. Issue Extent**
3. Issue in a Watershed Context
4. Path Forward



A team of several City staff spent 3 hours removing some of the reachable material





After a trailer full of removal, significant trash remained in the ditch





2016



2017



2021



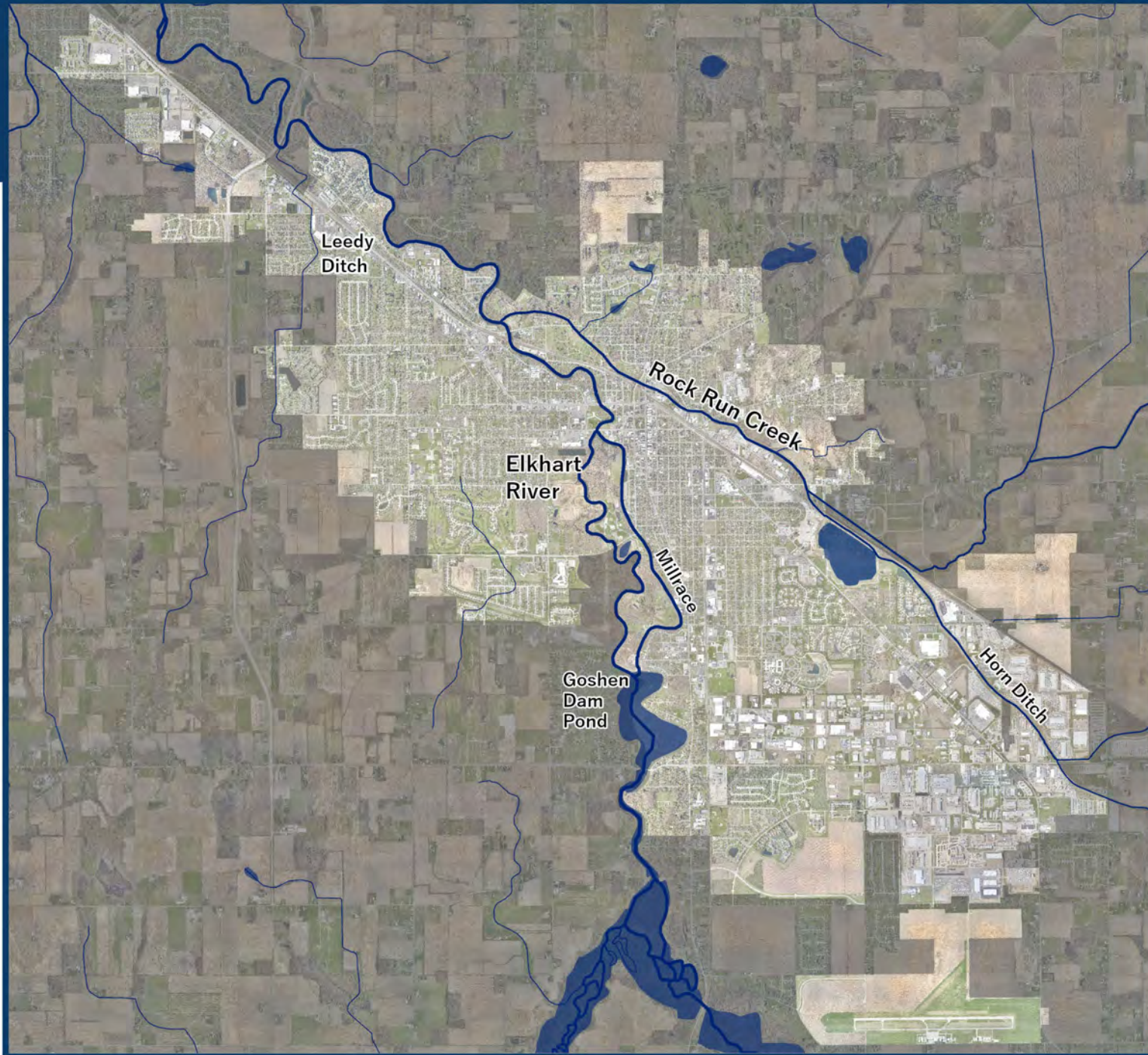
2017



1. Industrial Trash Issue Identification
2. Issue Extent
- 3. Issue in a Watershed Context**
4. Path Forward







Leedy  
Ditch

Elkhart  
River

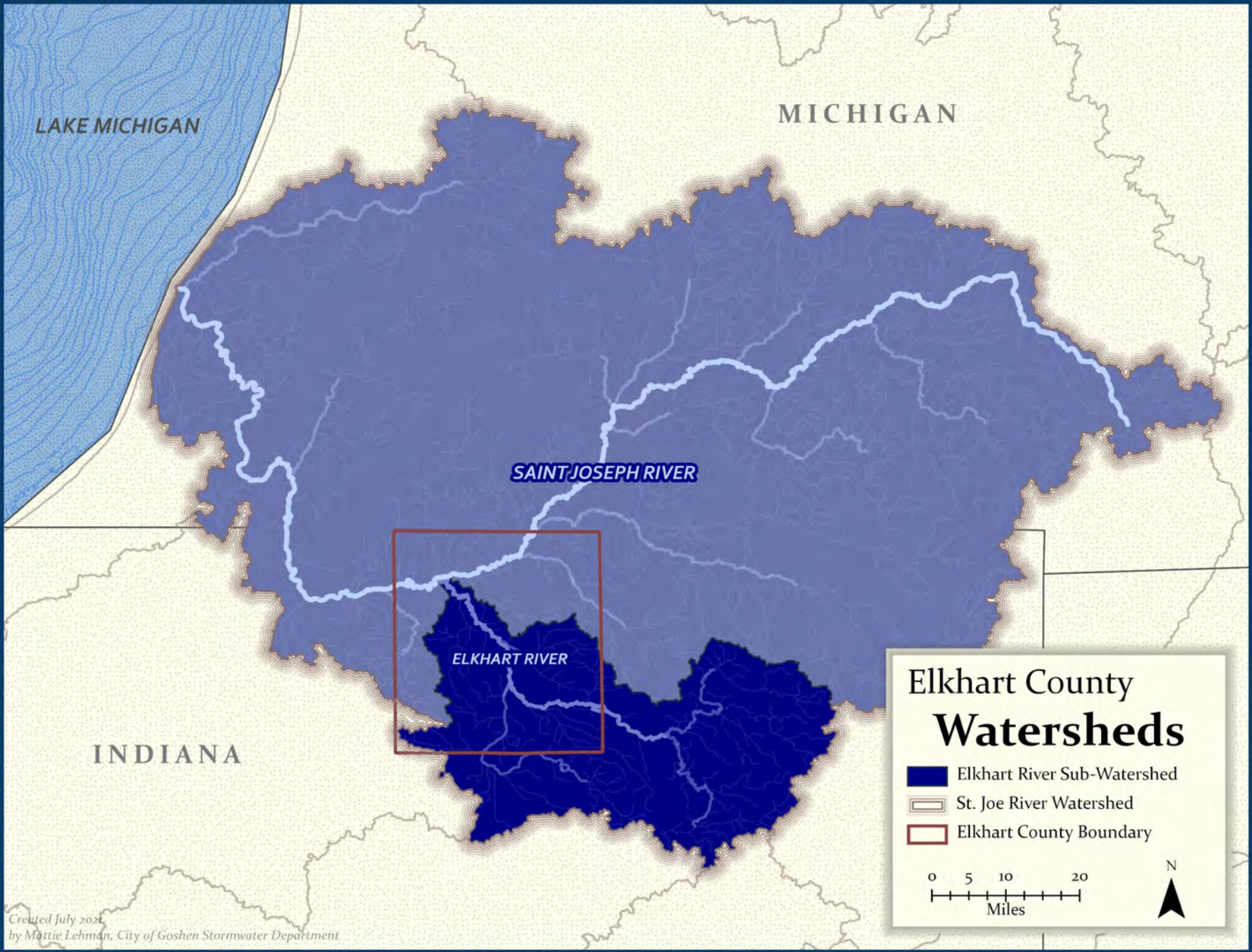
Rock Run Creek

Milrace

Goshen  
Dam  
Pond

Horn Ditch



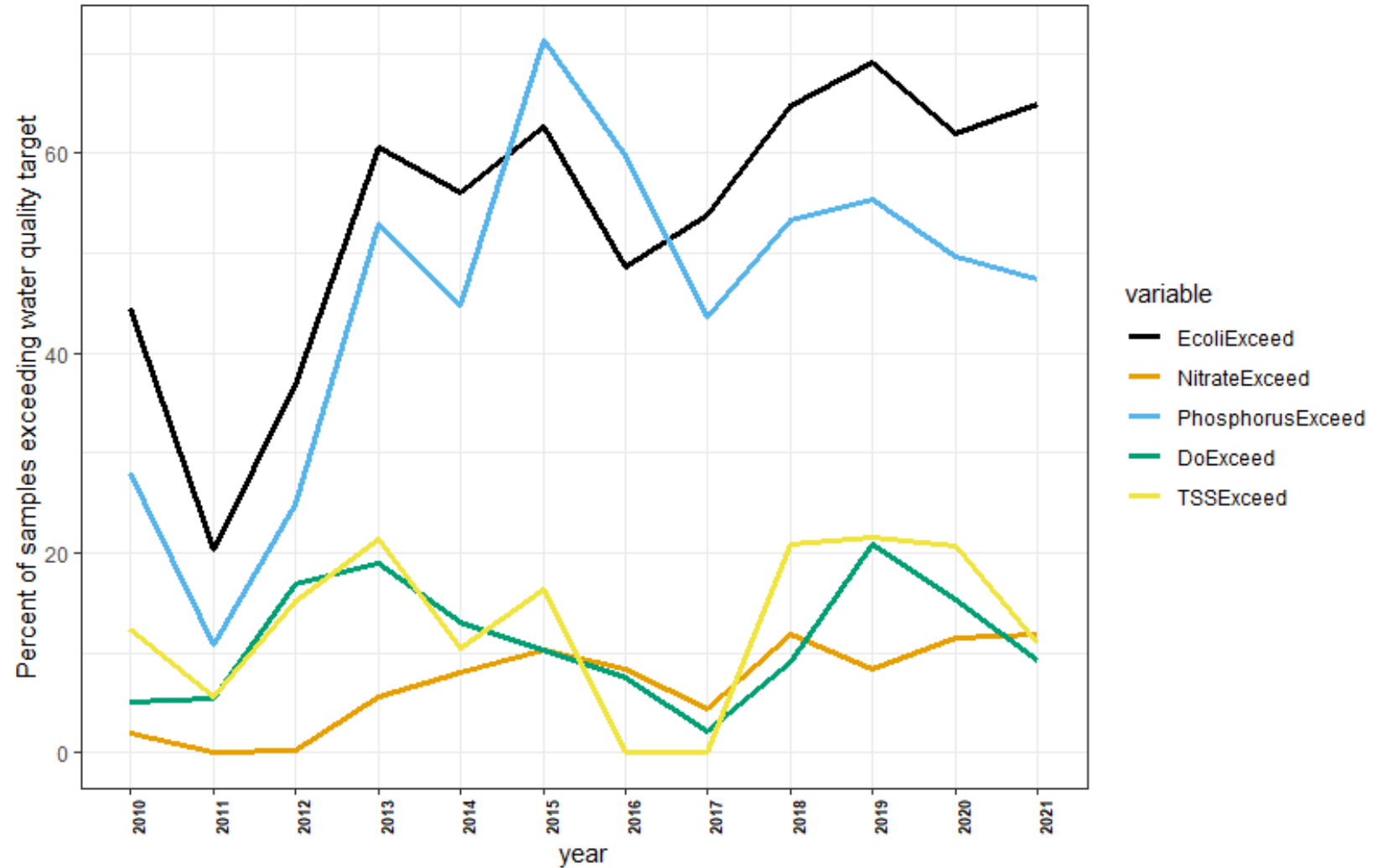


Created July 2021  
by Mattie Lehman, City of Goshen Stormwater Department

# Waterway Health



Water Quality  
Data Analysis







20



1. Industrial Trash Issue Identification
2. Issue Extent
3. Issue in a Watershed Context
4. Path Forward

# Rapid Trash Assessment



Stream: Station: Date: Initials:

	Stream	Riparian		Stream	Riparian
<b>Plastics</b>			<b>Metal</b>		
Bottles			Cans		
Plastic Bags			Aluminum Foil		
Misc Large Plastics			Sharp Objects		
Plastic Wrappers (>4cm)			Misc		
<b>Biodegradeable</b>			<b>Glass</b>		
Cardboard			Bottles/jars		
Paper			shattered pieces		
Wood					
Grass Clippings			<b>Misc</b>		
Leaves			Brick		
Feces			clothing		
Food			dryer sheets		
			Masks		
<b>Aquatic Life Threat</b>			Tires		
Styrofoam			Tires with rim		
Small/Microplastics (<4cm)			chem/haz container		
Plastic Straws			Batteries		
Cig Butts			Foam		
Tagle Hazards			Shopping Karts		
			Diapers		
<b>Accumulation of Trash</b>			Medical/biohaz		
Evidence of trash from upstream			Mosquito Sources		
Old faded materials			Furniture		
*note - this metric includes plastics and other floatables that do not appear to be sourced from adjacent land uses			Appliances		
			Evidence of dumping		
			other		



# Stormwater Treatment Units

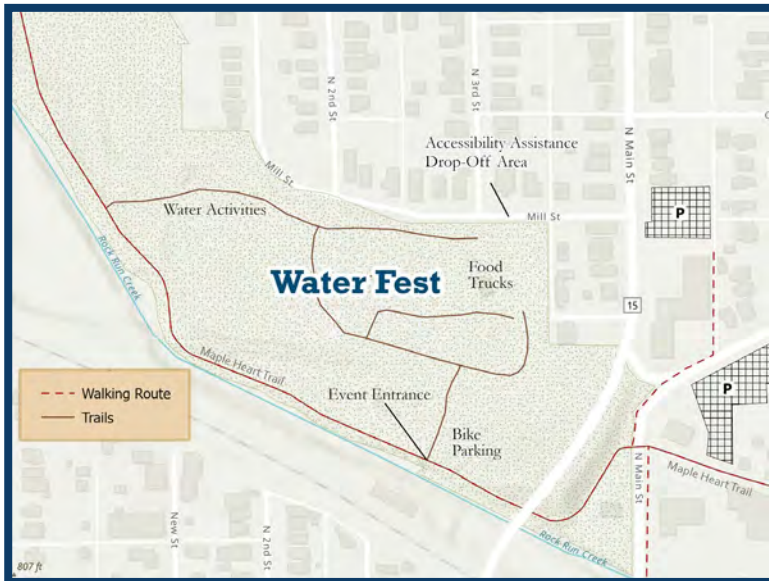


14 Publicly Owned Units



# Goshen

# Water Fest



Saturday, June 11 from 10am – 2pm  
Mill Street Park walk/bike event

<https://goshenindiana.org/water-fest>



**Community Development Department  
CITY OF GOSHEN**

204 East Jefferson Street, Suite 2 • Goshen, IN 46528-3405

Phone (574) 537-3824 • Fax (574) 537-3817 • TDD (574) 534-3185  
[www.goshenindiana.org](http://www.goshenindiana.org)

TO: Goshen Common Council

FROM: Becky Hutsell, Redevelopment Director

DATE: May 16, 2022

RE: Annual Report of Redevelopment Commission for 2021

Attached is the Report of the Redevelopment Commission for the calendar year 2021, the receipt of which should be noted in the Council Meeting minutes.

The submission of this Report is an annual requirement by the State which stipulates the Redevelopment Commission must provide this report annually to the Council.

I will be happy to answer any questions anyone may have concerning this annual report.



**GOSHEN REDEVELOPMENT COMMISSION**

**2021 ANNUAL REPORT**



**EXHIBIT A**

**ITEMIZED EXPENDITURE REPORT**

# GOSHEN REDEVELOPMENT COMMISSION

## Expenditure Report - by Budget Line and Payee

Claims from 01/01/21 through 12/31/21

<b>324-560-00-438.0107</b>		<b>2015 SE REDEVELOPMENT DISTRICT BONDS - PRINCIPAL</b>
1/1/2021	Bank of New York Mellon Trust Company, NA (05316)	\$385,000.00
<b>Line Total for Period:</b>		<b>\$385,000.00</b>
<b>324-560-00-438.0120</b>		<b>Goshen Redv Comm REF 2015</b>
1/7/2021	Bank of New York Mellon Trust Company, NA (05316)	\$290,000.00
<b>Line Total for Period:</b>		<b>\$290,000.00</b>
<b>324-560-00-438.0201</b>		<b>08 TIF REV BONDS (RR)/Interest</b>
1/7/2021	Bank of New York Mellon Trust Company, NA (05316)	\$104,760.00
<b>Line Total for Period:</b>		<b>\$104,760.00</b>
<b>324-560-00-438.0207</b>		<b>2015 SE REDEVELOPMENT DISTRICT BONDS - INTEREST</b>
1/1/2021	Bank of New York Mellon Trust Company, NA (05316)	\$17,806.25
5/19/2021	Bank of New York Mellon Trust Company, NA (05316)	\$14,437.50
<b>Line Total for Period:</b>		<b>\$32,243.75</b>
<b>324-560-00-438.0300</b>		<b>Paying Agent Fees</b>
1/7/2021	Bank of New York Mellon Trust Company, NA (05316)	\$5,240.00
3/10/2021	Bank of New York Mellon Trust Company, NA (05316)	\$750.00
<b>Line Total for Period:</b>		<b>\$5,990.00</b>
<b>406-560-00-413.0701</b>		<b>RDV NON-RVRT OP/Clothing Allowance</b>
1/26/2021	Tracee Norton	\$100.00
4/7/2021	Rebecca Hutsell (10238)	\$100.00
11/22/2021	Mark Brinson (06374)	\$100.00
<b>Line Total for Period:</b>		<b>\$300.00</b>

**406-560-00-429.0002**

**RDV NON-RVRT OP/Other Supplies**

1/5/2021	Community Business Equipment (04491)	\$74.43
3/10/2021	Elan Corporate Payment Systems	\$21.34
4/7/2021	Amazon Capital Services	\$9.59
5/20/2021	Amazon Capital Services	\$9.97
7/7/2021	Community Business Equipment (04491)	\$12.85
9/10/2021	Community Business Equipment (04491)	\$66.56
9/21/2021	Amazon Capital Services	\$37.50
9/21/2021	Community Business Equipment (04491)	\$42.99
11/1/2021	Community Business Equipment (04491)	\$53.58

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**Line Total for Period:** **\$328.81**

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2/4/2021	City of Goshen Utilities	\$11.65
1/5/2021	Barkes, Kolbus, Rife & Shuler, LLP (00311)	\$4,399.00
1/5/2021	Commercial Appraisal Services, Inc. (09958)	\$450.00
1/8/2021	Kelly Appraisals (05993)	\$375.00
1/27/2021	Barkes, Kolbus, Rife & Shuler-FID ACCT (05080)	\$5.16
2/4/2021	Barkes, Kolbus, Rife & Shuler, LLP (00311)	\$4,399.00
3/4/2021	Barkes, Kolbus, Rife & Shuler, LLP (00311)	\$4,399.00
4/7/2021	Barkes, Kolbus, Rife & Shuler, LLP (00311)	\$4,399.00
4/7/2021	City of Goshen Utilities	\$25.57
4/7/2021	Elko Title Corporation (04462)	\$175.00
5/6/2021	Barkes, Kolbus, Rife & Shuler, LLP (00311)	\$4,399.00
5/6/2021	Barkes, Kolbus, Rife & Shuler, LLP (00311)	\$285.00
5/6/2021	Elkhart County Treasurer(01641)	\$131.63
5/6/2021	Schmucker Heating & A/C Inc.	\$1,073.90
5/19/2021	Barkes, Kolbus, Rife & Shuler, LLP (00311)	\$4,399.00
5/19/2021	Indiana Media Group (07255)	\$22.58
6/4/2021	Yarkshark, LLC	\$125.00
7/7/2021	Barkes, Kolbus, Rife & Shuler, LLP (00311)	\$4,399.00
7/7/2021	Yarkshark, LLC	\$2,358.34
8/4/2021	Barkes, Kolbus, Rife & Shuler, LLP (00311)	\$4,399.00
8/4/2021	Yarkshark, LLC	\$976.67
8/27/2021	Barkes, Kolbus, Rife & Shuler, LLP (00311)	\$4,399.00
9/8/2021	Yarkshark, LLC	\$976.67
9/21/2021	Elko Title Corporation (04462)	\$417.50
10/6/2021	Barkes, Kolbus, Rife & Shuler, LLP (00311)	\$4,399.00
10/6/2021	Yarkshark, LLC	\$926.67
10/13/2021	Indiana Media Group (07255)	\$46.17
11/3/2021	Baker Tilly Municipal Advisors, LLC	\$659.60
11/3/2021	Barkes, Kolbus, Rife & Shuler, LLP (00311)	\$4,399.00
11/3/2021	Yarkshark, LLC	\$686.67
11/16/2021	Barkes, Kolbus, Rife & Shuler, LLP (00311)	\$4,399.00
11/16/2021	City of Goshen Utilities	\$3,200.00

12/9/2021	Amazon Capital Services	\$119.48
12/20/2021	Barkes, Kolbus, Rife & Shuler-FID ACCT (05080)	\$225.00
<b>Line Total for Period:</b>		<b>\$66,061.26</b>
<hr/>		
<b>406-560-00-433.0000</b>	<b>RDV NON-RVRT OP/Printing &amp; Advertising</b>	
9/8/2021	MapleLeaf Printing Company (02479)	\$25.00
<b>Line Total for Period:</b>		<b>\$25.00</b>
<hr/>		
<b>406-560-00-435.0101</b>	<b>RDV NON-RVRT OP/Electric</b>	
2/4/2021	NIPSCO (00014)	\$117.14
3/4/2021	NIPSCO (00014)	\$133.50
4/7/2021	NIPSCO (00014)	\$131.50
5/6/2021	NIPSCO (00014)	\$50.13
7/7/2021	NIPSCO (00014)	\$40.94
9/9/2021	NIPSCO (00014)	\$32.71
10/20/2021	NIPSCO (00014)	\$47.75
11/16/2021	NIPSCO (00014)	\$58.78
<b>Line Total for Period:</b>		<b>\$612.45</b>
<hr/>		
<b>406-560-00-435.0201</b>	<b>RDV NON-RVRT OP/Gas</b>	
2/4/2021	NIPSCO (00014)	\$186.77
3/4/2021	NIPSCO (00014)	\$200.73
3/4/2021	NIPSCO (00014)	\$122.50
3/4/2021	NIPSCO (00014)	\$428.40
4/7/2021	NIPSCO (00014)	\$88.75
5/6/2021	NIPSCO (00014)	\$0.18
5/6/2021	NIPSCO (00014)	\$15.00
7/7/2021	NIPSCO (00014)	\$17.73
9/9/2021	NIPSCO (00014)	\$56.71
10/20/2021	NIPSCO (00014)	\$56.71
<b>Line Total for Period:</b>		<b>\$1,173.48</b>
<hr/>		

**406-560-00-436.0100 RDV NON-RVRT OP/Repairs & Maintenance**

2/4/2021	Scott Signs 00166	\$60.00
3/4/2021	City of Goshen Utilities	\$26.74
5/19/2021	Builders Mart	\$334.00
5/19/2021	John Hall's True Value Hardware (00081)	\$70.48
<b>Line Total for Period:</b>		<b>\$491.22</b>

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**406-560-00-439.0301 RDV NON-RVRT OP/Subscriptions & Dues**

7/8/2021	Redevelopment Association of Indiana (07563)	\$125.00
8/4/2021	The Goshen News (00115)	\$203.88
11/1/2021	Truth Publishing Company, Inc. (01744)	\$207.00
11/16/2021	Prosperity Indiana	\$500.00
<b>Line Total for Period:</b>		<b>\$1,035.88</b>

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**406-560-00-439.0930 RDV NON-RVRT OP/Other Services & Charges**

12/9/2021	The Office Barn, Inc. (00011)	\$1,085.00
2/4/2021	Community Business Equipment (04491)	\$11.55
10/13/2021	Amazon Capital Services	\$153.51
12/7/2021	Elan Corporate Payment Systems	\$146.43
<b>Line Total for Period:</b>		<b>\$1,396.49</b>

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1/5/2021	Lochmueller Group(09835)	\$1,064.58
1/5/2021	Lochmueller Group(09835)	\$2,103.47
1/6/2021	American Structurepoint, Inc. (03093)	\$51,059.14
2/4/2021	American Structurepoint, Inc. (03093)	\$13,515.03
2/4/2021	Lochmueller Group(09835)	\$1,164.95
2/4/2021	Lochmueller Group(09835)	\$1,535.67
3/4/2021	American Structurepoint, Inc. (03093)	\$6,652.80
3/4/2021	Lochmueller Group(09835)	\$1,732.07
3/4/2021	Lochmueller Group(09835)	\$12,247.07
3/10/2021	American Structurepoint, Inc. (03093)	\$1,636.60
4/7/2021	American Structurepoint, Inc. (03093)	\$1,094.09
4/7/2021	Lochmueller Group(09835)	\$8,705.48
4/7/2021	Lochmueller Group(09835)	\$655.91
5/6/2021	Lochmueller Group(09835)	\$2,880.74
5/19/2021	Jones Petrie Rafinski Corp. (00463)	\$4,060.00
6/1/2021	American Structurepoint, Inc. (03093)	\$5,006.76
6/1/2021	Boarman Kroos Vogel Group, Inc.	\$5,000.00
7/7/2021	American Structurepoint, Inc. (03093)	\$2,427.63
7/7/2021	Jones Petrie Rafinski Corp. (00463)	\$3,645.00
7/7/2021	Lochmueller Group(09835)	\$1,947.92
7/7/2021	Lochmueller Group(09835)	\$1,641.74
7/7/2021	Lochmueller Group(09835)	\$252.35
7/7/2021	Lochmueller Group(09835)	\$470.82
8/4/2021	American Structurepoint, Inc. (03093)	\$1,218.65
8/4/2021	Jones Petrie Rafinski Corp. (00463)	\$2,336.25
8/27/2021	Lochmueller Group(09835)	\$1,028.32
9/10/2021	American Structurepoint, Inc. (03093)	\$9,634.82
10/6/2021	Jones Petrie Rafinski Corp. (00463)	\$2,200.00
10/6/2021	Lochmueller Group(09835)	\$3,751.57
10/6/2021	Lochmueller Group(09835)	\$1,193.99
11/3/2021	American Structurepoint, Inc. (03093)	\$6,368.70
11/3/2021	Baker Tilly Municipal Advisors, LLC	\$2,638.40



11/3/2021	Jones Petrie Rafinski Corp. (00463)	\$350.00
11/16/2021	Lochmueller Group(09835)	\$2,914.04
12/7/2021	American Structurepoint, Inc. (03093)	\$8,161.40
12/7/2021	Baker Tilly Municipal Advisors, LLC	\$5,600.00
12/7/2021	Boarman Kroos Vogel Group, Inc.	\$1,060.70
12/9/2021	Lochmueller Group(09835)	\$2,108.14
<b>Line Total for Period:</b>		<b>\$181,064.80</b>
<hr/>		
<b>473-560-00-439.0930</b>	<b>SOUTHEAST TIF/Other Services &amp; Charges</b>	
3/4/2021	General Crafts Corporation	\$413.00
4/7/2021	Elko Title Corporation (04462)	\$50.00
4/8/2021	Grainger	\$175.70
5/6/2021	Boarman Kroos Vogel Group, Inc.	\$3,000.00
5/19/2021	Baker Tilly Municipal Advisors, LLC	\$3,500.00
6/1/2021	City of Goshen Utilities	\$26.34
6/1/2021	Fastenal Company	\$101.12
6/4/2021	John Hall's True Value Hardware (00081)	\$30.67
7/7/2021	Abonmarche (05859)	\$552.50
7/7/2021	City of Goshen Utilities	\$28.35
7/7/2021	Menards - Goshen Store # 3096 (01046)	\$538.11
10/6/2021	City of Goshen Utilities	\$1,485.00
10/6/2021	Help Heating & Air Conditioning, LLC	\$2,547.00
<b>Line Total for Period:</b>		<b>\$12,447.79</b>

**473-560-00-442.0000****SOUTHEAST TIF/Capital Projects**

2/8/2021	Forest River (04813)	\$58,390.79
1/5/2021	City of Goshen Utilities	\$1,273.55
2/4/2021	Indiana Department of Transportation (00988)	\$62,353.54
2/8/2021	Keystone RV	\$233,902.50
2/9/2021	BriMar Wood Inovations	\$14,143.50
2/9/2021	Spyglass RV, LLC	\$123,693.00
2/9/2021	Waterford Commons Business Park	\$17,064.00
6/2/2021	Goshen Community Schools (00693)	\$122,499.86
6/4/2021	Phend & Brown	\$91,287.40
7/8/2021	Phend & Brown	\$675,094.23
7/20/2021	BriMar Wood Inovations	\$14,417.00
7/20/2021	Waterford Commons Business Park	\$31,831.50
8/5/2021	Keystone RV	\$118,309.00
8/6/2021	Pro Time Metal Roofing	\$6,920.16
9/9/2021	Phend & Brown	\$615,896.69
9/9/2021	Phend & Brown	\$204,154.05
11/3/2021	Bill's Heating, Inc.	\$3,539.96

**Line Total for Period:****\$2,394,770.73****474-560-00-431.0502****Lippert/Dierdorff Contractural Services**

7/7/2021	American Structurepoint, Inc. (03093)	\$2,427.63
11/3/2021	Baker Tilly Municipal Advisors, LLC	\$659.60
11/16/2021	Lochmueller Group(09835)	\$286.23
12/7/2021	Baker Tilly Municipal Advisors, LLC	\$957.47

**Line Total for Period:****\$4,330.93**

**480-560-00-431.0502**

**RR/US 33 TIF/Contractual Services**

1/5/2021	Jones Petrie Rafinski Corp. (00463)	\$5,277.50
2/4/2021	Abonmarche (05859)	\$2,865.00
2/4/2021	Jones Petrie Rafinski Corp. (00463)	\$2,552.50
3/4/2021	Jones Petrie Rafinski Corp. (00463)	\$12,191.25
3/5/2021	Abonmarche (05859)	\$3,300.00
5/19/2021	Jones Petrie Rafinski Corp. (00463)	\$24,816.25
5/19/2021	Jones Petrie Rafinski Corp. (00463)	\$11,277.41
7/7/2021	Abonmarche (05859)	\$2,832.20
7/7/2021	Jones Petrie Rafinski Corp. (00463)	\$412.50
8/4/2021	Jones Petrie Rafinski Corp. (00463)	\$2,481.25
8/27/2021	Abonmarche (05859)	\$1,215.14
8/27/2021	Jones Petrie Rafinski Corp. (00463)	\$1,920.00
8/27/2021	Jones Petrie Rafinski Corp. (00463)	\$1,610.00
10/6/2021	Goshen Utilities (00013)	\$7.05
10/6/2021	Jones Petrie Rafinski Corp. (00463)	\$5,300.00
11/3/2021	Baker Tilly Municipal Advisors, LLC	\$2,638.40
11/22/2021	A & Z Engineering, LLC	\$37,213.50
12/7/2021	Baker Tilly Municipal Advisors, LLC	\$5,600.00
12/7/2021	City of Goshen Utilities	\$30.82

**Line Total for Period: \$123,540.77**

**480-560-00-438.0100**

**Loan Repayment (Major Moves)**

1/7/2021	Goshen, City of	\$166,500.00
5/14/2021	Goshen, City of	\$166,500.00

**Line Total for Period: \$333,000.00**

1/5/2021	Elko Title Corporation (04462)	\$200.00
1/6/2021	J Carnine & Co	\$2,100.00
2/4/2021	Elko Title Corporation (04462)	\$150.00
3/4/2021	Barkes, Kolbus, Rife & Shuler, LLP (00311)	\$304.00
3/4/2021	Heron Environmental LLC	\$1,400.00
4/7/2021	Barkes, Kolbus, Rife & Shuler, LLP (00311)	\$615.85
4/7/2021	John Hall's True Value Hardware (00081)	\$15.49
4/7/2021	Jones Petrie Rafinski Corp. (00463)	\$2,285.00
4/22/2021	Jonathan Shetler	\$4,875.00
5/6/2021	Barkes, Kolbus, Rife & Shuler, LLP (00311)	\$216.00
5/6/2021	City of Goshen Utilities	\$25.57
5/6/2021	Commercial Appraisal Services, Inc. (09958)	\$475.00
5/6/2021	Elkhart County Treasurer(01641)	\$618.09
5/6/2021	Jones Petrie Rafinski Corp. (00463)	\$39,115.00
5/6/2021	Kelly Appraisals (05993)	\$375.00
5/6/2021	Scott Signs 00166	\$60.00
6/1/2021	Barkes, Kolbus, Rife & Shuler, LLP (00311)	\$463.40
6/8/2021	Elkhart County Landfill (00587)	\$7,937.02
7/7/2021	Barkes, Kolbus, Rife & Shuler, LLP (00311)	\$95.00
8/4/2021	Barkes, Kolbus, Rife & Shuler, LLP (00311)	\$76.00
8/4/2021	Barkes, Kolbus, Rife & Shuler, LLP (00311)	\$0.00
8/4/2021	Commercial Appraisal Services, Inc. (09958)	\$3,750.00
8/4/2021	J Carnine & Co	\$5,300.00
8/26/2021	John Hall's True Value Hardware (00081)	\$37.30
9/21/2021	Menards - Goshen Store # 3096 (01046)	\$28.94
11/1/2021	City of Goshen Utilities	\$24.29
11/1/2021	Elan Corporate Payment Systems	\$711.03
11/16/2021	Elko Title Corporation (04462)	\$107.50
12/7/2021	Appraisal Services, Inc.	\$1,500.00
12/7/2021	Commercial Appraisal Services, Inc. (09958)	\$1,500.00

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**Line Total for Period:****\$74,360.48**

<b>480-560-00-441.0001</b>	<b>RR/US 33 TIF/Property Acquisition</b>	
12/21/2021	Barkes, Kolbus, Rife & Shuler-FID ACCT (05080)	\$250,000.00
<b>Line Total for Period:</b>		<b>\$250,000.00</b>

<b>480-560-00-442.0000</b>	<b>RR/US33 TIF/Capital Projects</b>	
1/5/2021	V & S Incorporated	\$308.75
1/6/2021	Clear Creek & Associates, Inc.	\$1,425.00
3/4/2021	Clear Creek & Associates, Inc.	\$9,974.50
5/6/2021	City of Goshen (0200)	\$1,975.65
5/14/2021	Goshen, City of	\$170,000.00
6/1/2021	Heron Environmental LLC	\$5,450.00
6/1/2021	P & L Backhoe Service, Inc.	\$3,500.00
7/20/2021	Spyglass RV, LLC	\$92,970.00
8/4/2021	Heron Environmental LLC	\$3,980.00
8/11/2021	Near North Title Group	\$223,082.17
10/25/2021	Douglas A Price	\$1,896.50
10/25/2021	Richard A Miller	\$2,043.91
11/3/2021	Iverson Grove Real Estate Corp	\$1,500.00
11/16/2021	Elkhart County Landfill (00587)	\$31.20
11/22/2021	A & Z Engineering, LLC	\$4,500.00
11/23/2021	Roberts Environmental Services, LLC(05805)	\$1,250.00
<b>Line Total for Period:</b>		<b>\$523,887.68</b>

<b>484-560-00-431.0502</b>	<b>PLYMOUTH AVE TIF/Contractual Services</b>	
5/7/2021	Abonmarche (05859)	\$3,000.00
<b>Line Total for Period:</b>		<b>\$3,000.00</b>

<b>484-560-00-442.0000</b>	<b>PLYMOUTH AVE TIF/Capital Projects</b>	
7/7/2021	Abonmarche (05859)	\$850.00
<b>Line Total for Period:</b>		<b>\$850.00</b>

**Total Expenditures for Period: \$4,790,671.52**

**GOSHEN REDEVELOPMENT COMMISSION**

**2021 ANNUAL REPORT**



**EXHIBIT B**

**FUNDS ON HAND  
AT CLOSE OF CALENDAR YEAR 2020**

## Exhibit B

### GOSHEN REDEVELOPMENT COMMISSION

### AMOUNT OF FUNDS ON HAND AT CLOSE OF CALENDAR YEAR 2021

Account No.	Description	Ending Cash Balance
406-101.1000	Non Reverting Operating Fund	\$405,512.67
473-101.1000	Southeast TIF Fund (consolidated Keystone I, Keystone II & Century Drive EDAs)	\$11,791,464.23
474-101.1000	Lippert/Dierdorff TIF Fund	\$6,878,198.69
480-101.1000	Consolidated RR / US 33 TIF Fund (consolidated River Race, Downtown & US 33 North EDAs)	\$6,878,198.69
484-101.1000	Plymouth Avenue TIF Fund	\$547,300.41

# **GOSHEN REDEVELOPMENT COMMISSION**

## **2021 ANNUAL REPORT**



## **EXHIBIT C**

### **2021 RESOLUTION SUMMARY**

*(MONTHLY REDEVELOPMENT STAFF REPORTS AVAILABLE UPON REQUEST)*



<b>Number</b>	<b>Title</b>	<b>Date Adopted</b>
01-2021	Approve Request for Execution of Agreement for the Sale and Purchase of Real Estate at 65736 State Road 15	1-12
02-2021	Authorize Issuance of Request for Proposals for Real Estate with a House Located at 2601 Woodland Drive	1-12
03-2021	Approve Request to Issue Request for Proposals to Conduct a Traffic Study Analysis and Engineering Study for the Roadways adjacent to the Consolidated County Court Complex	1-12
04-2021	Authorize Execution of Contract Amendment with Clear Creek and Associates for Downtown Vault Structural Evaluations	2-9
05-2021	Approve Request for Professional Service Fee for Traffic Study for the Consolidated County Court Complex	2-9
06-2021	Request Approval of Recommended Alternative for the Reconstruction of Madison Street Bridge – Bridge #302	2-9
07-2021	Approve Request to Authorize Execution of a Purchase Agreement for 113 West Jefferson Street	2-9
08-2021	Approve Request to Negotiate and Execute an Agreement with Heron Environmental, LLC for a Phase 1 Environmental Site Assessment (ESA) at 113 West Washington Street	2-9
09-2021	Approve Request to Execute an Agreement with BKV Group for the New South Fire Station Study	2-9
10-2021	Approve Request to Negotiate and Execute an Agreement for the Sale of the Monroe Street Parcels	2-9
11-2021	Release of Mortgage on 401 South Third Street and 204 West Madison Street	3-9
12-2021	Approve Request to Issue a Request for Proposals for College Avenue Phase 2	3-9
13-2021	Approve Execution of Change Order No. 5 for Ninth Street Multi-Use Path	3-9
14-2021	Approve Request to Solicit Bids for the Crossing Stormwater Drainage System Project	3-9
15-2021	Interlocal Agreement with the County of Elkhart for the Consolidated County Court Site	4-13
16-2021	Authorization to Sign Agreement for the Sale and Purchase of Real Estate at 2601 Woodland Drive, Goshen, IN 46526	4-13
17-2021	Reimbursement of Part of the Purchase Price for Repairs to 613 South Third Street, Goshen, IN 46526	4-13
18-2021	Dedication of Public Right-of-Way at 102 Olive Street	4-13
19-2021	Approve of Amendment to Agreement for the Lease and Development of Real Estate Between the City of Goshen through the Goshen Redevelopment Commission and Goshen Brewing Company	4-13

<b>Number</b>	<b>Title</b>	<b>Date Adopted</b>
20-2021	Approve Request to Solicit Bids for the Lincoln Ave/Steury Ave Roadway Reconstruction and Drainage Improvement Project	4-13
21-2021	Approve Execution of Change Order No. 9 for Kercher Road Phase 2	4-13
22-2021	Request to Approve Use of Pro Time Metal Roofing for Roof Replacement at 65736 State Road 15 and Release of Insurance Funding to Contractor	4-13
23-2021	Approve Request to Negotiate and Execute an Agreement with Heron Environmental, LLC for a Phase 2 Environmental Site Assessment (ESA) at 113 West Jefferson Street	4-13
24-2021	Annual Determination of Excess Assessed Value in the Plymouth Avenue Allocation Area	5-11
25-2021	Annual Determination of Excess Assessed Value in the Southeast Allocation Area	5-11
26-2021	Annual Determination of Excess Assessed Value in the River Race Allocation Area	5-11
27-2021	Annual Determination of Excess Assessed Value in the Lippert/Dierdorff Allocation Area	5-11
28-2021	Allocate Funding from Southeast TIF for Goshen Community Schools for Advanced Manufacturing Academy	5-11
29-2021	Ratify Execution of Agreement for Lawn Services with Colin Avila dba Yardshark	5-11
30-2021	Granting Temporary Easement at 217 West Wilden Avenue	5-11
31-2021	Approve Request to For New Appraisals for Properties on Pike Street	6-8
32-2021	Approve Downtown Vaults Assistance Program	5-11
33-2021	Approve disposal of Real Estate at 209 West Monroe Street and Authorize Issuance of a Request for Proposals to Purchase of Real Estate	PULLED
34-2021	Approve Disposal of Real Estate at 217 West Wilden Avenue	6-8
35-2021	Approve Disposal of 620 E Douglas Street	6-8
36-2021	Ratify Execution of Agreement with Heron Environmental, LLC for Phase 2 Environmental Site Assessment (ESA) at 113 West Jefferson Street	6-8
37-2021	Approve Development Agreement with Last Dance, LLC	6-8
38-2021	Approve Request to Authorize Execution of an Engagement Letter with BakerTilly for Advisory Services associated with the East College Avenue Development Bond	6-8
39-2021	Approve Request to Execute an Agreement with Heron Environmental, LLC for a Vapor Intrusion Assessment at 113 West Jefferson Street	6-8

<b>Number</b>	<b>Title</b>	<b>Date Adopted</b>
40-2021	Partial Forgiveness of a Loan to Goshen Theater, Inc.	7-13
41-2021	Approve Sale of 217 West Wilden Avenue	7-13
42-2021	Authorization to Negotiate and Execute Contract for Professional Engineering Services with American Structurepoint for College Avenue Reconstruction Phase 2	7-13
43-2021	Approve Execution of Change Order One (1) for Eisenhower Drive North and South Reconstruction	7-13
44-2021	Request to Approve Issuance of a Request for Proposals for Design of the Consolidated Court Project Roadway Improvements	7-13
45-2021	Request to Approve Project Additions to the Five Year Capital Plan	7-13
46-2021	Approve Agreement for the Sale and Purchase of Real Estate at 209 West Monroe Street	8-10
47-2021	Approve Agreement for the Sale and Purchase of Real Estate at 217 West Wilden Avenue	8-10
48-2021	Approve Exterior Design for 217 West Wilden Avenue	8-10
49-2021	Approve Request to Solicit Bids for Survey Services, Geotechnical Services and Architect Services for the Design of West Jefferson Streetscapes	8-10
50-2021	Approve Request to Solicit Proposals to Update Right of Way Study and Traffic Study for County Road 40/Woodfield Road Corridor	8-10
51-2021	Selection of Preferred Developer for the Former Wester Rubber Site at 620 East Douglas Street and Authorization to Negotiate Development Agreement	8-10
61-2021	Acquisition of Real Estate at 113 West Jefferson Street	8-10
52-2021	Declaratory Resolution to Amend the Boundaries of the Lippert/Dierdorff Economic Development Area and Establish the Boundaries and Economic Development Plan of the College Avenue Economic Development Area	9-14
53-2021	Requesting Adoption of the Downtown River District Revitalization Plan by JPR	9-14
54-2021	Authorization to Negotiate and Execute an Agreement for Professional Engineering Services for Public Infrastructure for the Elkhart County Court Consolidation	9-14
55-2021	Authorization to Negotiate and Execute an Agreement for Topographical Survey Services for West Jefferson Street Reconstruction	9-14
56-2021	Request to Approve the Five Year Capital Plan	9-14
57-2021	Authorization to Negotiate Development Agreement for the Indiana Avenue Apartment Project	9-14
58-2021	Approve Execution of Purchase Agreement for 410 West Pike Street	9-14

Number	Title	Date Adopted
59-2021	Approve Execution of Change Order No. 6 for Ninth Street Multi-Use Path	9-14
60-2021	Confirming the Declaratory Resolution to Amend the Boundaries of the Lippert/Dierdorff Economic Development Area and Establish the Boundaries and Economic Development Plan for the College Avenue Economic Development Area	10-12
61-2021	Used to renumber Resolution 52-2021 – Acquisition of Real Estate at 113 West Jefferson Street	10-12
62-2021	Approve Request to Negotiate and Execute an Agreement with Heron Environmental, LLC for a Phase 1 Environmental Site Assessment (ESA) at 410 West Pike Street	10-12
63-2021	Ratify Execution of Agreement with A & Z Engineering, LLC for Survey for Jefferson Street Reconstruction from Main Street to Third Street	10-12
64-2021	Ratify Execution of Agreement with A & Z Engineering, LLC for Public Infrastructure for Elkhart County Court Consolidation	10-12
65-2021	Authorizing Preapproved Payments for Certain Expenses	10-12
66-2021	Award Contract and Authorize Issuance of Purchase Order to Geveko Markings, Inc. for Decorative Crosswalk Materials	10-12
67-2021	Resolution of the Goshen Redevelopment Commission Pledging TIF Revenues	10-12
68-2021	Authorization to Negotiate and Execute an Agreement with Alt & Witzig Engineering, Inc. for Geotechnical Services for West Jefferson Street Reconstruction	11-9
69-2021	Approve Request to Solicit Bids for the Construction of Stormwater Infrastructure along Southside Park Court to allow for Genesis Products Expansion	11-9
70-2021	Authorize Execution of Documents for the Transfer of 410 West Pike Street	12-14
71-2021	Authorize Execution of Documents for the Transfer of 315 West Washington Street	12-14
72-2021	Request to Execute Agreement with HRP Construction, Inc. for the West Goshen Crossing Subdivision Drainage Improvement Project	12-14

**GOSHEN REDEVELOPMENT COMMISSION**

**2021 ANNUAL REPORT**



**EXHIBIT D**

**CONSOLIDATED RIVER RACE / US 33  
TAX INCREMENT FINANCING DISTRICT**

**2021 REPORT OF REDEVELOPMENT COMMISSION  
(PURSUANT TO I.C. 36-7-14-13(e))**

TO: CITY OF GOSHEN COMMON COUNCIL  
INDIANA DEPARTMENT OF LOCAL GOVERNMENT FINANCE

FROM: CITY OF GOSHEN REDEVELOPMENT COMMISSION

DATE: May 2, 2022

Pursuant to Indiana Code 36-7-14-13(e), the City of Goshen Redevelopment Commission hereby provides to the City of Goshen Common Council and the Indiana Department of Local Government Finance the following information for the year 2021 with respect to the Consolidated River Race / US 33 tax increment financing district created by the Redevelopment Commission, as follows:

**Name of Tax Increment Financing District: CONSOLIDATED RIVER RACE / US 33**

- A. Revenues Received during 2021: ..... \$3,419,456.15
- B. Expenses Paid During 2021: ..... \$1,304,788.93
- C. Reimbursement from State..... \$ 0.00
- C. Fund Balance as of December 31, 2021 ..... \$6,878,198.69
- D. Information Concerning Outstanding Obligations Payable from this Tax Increment Financing District
  - 1. Name of Obligation: River Race Corridor Major Moves Loan
    - a. Type of Obligation: Reimbursement for Real Estate Acquisition
    - b. Final Maturity Date: February, 2021
    - c. Amount Outstanding as of December 31, 2021: ..... \$ 0.00
    - d. Amount Paid in 2021: ..... \$0.00
  - 2. Name of Obligation: Major Moves Loan to Redeem TIF Revenue Bond of 2008
    - a. Type of Obligation: Payoff of Revenue Bond
    - b. Final Maturity Date: July 31, 2023
    - c. Amount Outstanding:..... \$392,257.76
    - d. Amount Paid in 2021..... \$ 333,000.00
- E. Information Concerning Parcels included in this Tax Increment Financing District during 2021, including Parcel Number, Base Assessed Value as of January 1, 2021, and Incremental Assessed Value as of January 1, 2021, for taxes payable in 2022:

3/22/22

**GOSHEN REDEVELOPMENT COMMISSION**

**2021 ANNUAL REPORT**



**EXHIBIT E**

**SOUTHEAST  
TAX INCREMENT FINANCING DISTRICT**

**REPORT OF REDEVELOPMENT COMMISSION  
(PURSUANT TO I.C. 36-7-14-13(e))**

TO: CITY OF GOSHEN COMMON COUNCIL  
INDIANA DEPARTMENT OF LOCAL GOVERNMENT FINANCE

FROM: CITY OF GOSHEN REDEVELOPMENT COMMISSION

DATE: May 2, 2022

Pursuant to Indiana Code 36-7-14-13(e), the City of Goshen Redevelopment Commission hereby provides to the City of Goshen Common Council and the Indiana Department of Local Government Finance the following information for the year 2021 with respect to the Southeast tax increment financing district created by the Redevelopment Commission, as follows:

**Name of Tax Increment Financing District: SOUTHEAST**

- A. Revenues Received during 2021: ..... \$5,406,339.17
- B. Expenses Paid During 2021: ..... \$ 3,404,855.69
- C. Reimbursement from State: ..... \$ 161,900.83
- C. Fund Balance as of December 31, 2021: ..... \$11,633,493.57
- D. Information Concerning Outstanding Obligations Payable from this Tax Increment Financing District
  - 1. Name of Obligation: Redevelopment District Refunding Bonds of 2015
    - a. Type of Obligation: Bond (formerly 2005, Series A & 2006, Series B Bonds)
    - b. Final Maturity Date: January 1, 2025
    - c. Amount Outstanding as of December 31, 2021: ..... \$2,250,418.50
    - d. Amount Paid in 2021: ..... \$402,806.25
  - 2. Name of Obligation: Redevelopment Authority Economic Development Lease Rental Refunding Bonds of 2015 (see attached Redevelopment Authority Annual Report)
    - e. Type of Obligation: Bond (formerly Tax Increment Revenue Bonds of 2008)
    - f. Final Maturity Date: January 15, 2028
    - g. Amount Outstanding as of December 31, 2021: ..... \$3,154,030.07
    - h. Amount Paid in 2021: ..... \$400,00.00
- E. Information Concerning Parcels included in this Tax Increment Financing District during 2021, including Parcel Number, Base Assessed Value as of January 1, 2021, and Incremental Assessed Value as of January 1, 2021, for taxes payable in 2022:



**GOSHEN REDEVELOPMENT COMMISSION**

**2021 ANNUAL REPORT**



**EXHIBIT F**

**LIPPERT/DIERDORFF  
TAX INCREMENT FINANCING DISTRICT**

**REPORT OF REDEVELOPMENT COMMISSION  
(PURSUANT TO I.C. 36-7-14-13(e))**

TO: CITY OF GOSHEN COMMON COUNCIL  
INDIANA DEPARTMENT OF LOCAL GOVERNMENT FINANCE

FROM: CITY OF GOSHEN REDEVELOPMENT COMMISSION

DATE: May 2, 2022

Pursuant to Indiana Code 36-7-14-13(e), the City of Goshen Redevelopment Commission hereby provides to the City of Goshen Common Council and the Indiana Department of Local Government Finance the following information for the year 2021 with respect to the Lippert/Dierdorff tax increment financing district created by the Redevelopment Commission, as follows:

**Name of Tax Increment Financing District: LIPPERT/DIERDORFF**

A. Revenues Received during 2021: ..... \$193,016.13

B. Expenses Paid During 2021: ..... \$4,330.93

C. Fund Balance as of December 31, 2021: ..... \$254,421.15

D. Information Concerning Outstanding Obligations Payable from this Tax Increment Financing District

*There were no outstanding obligations payable from this TIF district for 2021.*

E. Information Concerning Parcels included in this Tax Increment Financing District during 2021, including Parcel Number, Base Assessed Value as of January 1, 2021, and Incremental Assessed Value as of January 1, 2021, for taxes payable in 2022:

**GOSHEN REDEVELOPMENT COMMISSION**

**2021 ANNUAL REPORT**



**EXHIBIT G**

**Redevelopment Authority Annual Report**

## **GOSHEN REDEVELOPMENT AUTHORITY 2021 ANNUAL REPORT**

The Goshen Redevelopment Authority (“Authority”) was established by Ordinance 4822 in accordance with Indiana Code 36-7-14.5 for the purpose of financing of local public improvements for lease to the Goshen Redevelopment Commission (“Commission”). Ordinance 4822 was passed by the Goshen Common Council on April 7, 2015 and adopted by Mayor Allan Kauffman on April 9, 2015.

The Board of Directors of the Authority and their terms of appointment are the following:

David Daugherty, January 1, 2019 through December 31, 2021.

Mitch Day, January 1, 2019 through December 31, 2021.

Michael A. Landis, January 1, 2019 through December 31, 2021.

The annual report requirements for the Redevelopment Authority are set forth in Indiana Code 36-7-14.5-9. Section 9(c) does not apply to the Redevelopment Authority as the Authority does not have any TIF districts. The information required under Indiana Code 36-7-14.5-9(c) for each TIF district is provided in the Goshen Redevelopment Commission’s annual report pursuant to Indiana Code 36-7-14-13(e) and will not be repeated here.

The Authority has the following bond obligation in which the bond payments come from the lease rentals paid by the Goshen Redevelopment Commission:

### Redevelopment Authority Economic Development Lease Rental Refunding Bonds of 2015

The Redevelopment Authority and the Goshen Redevelopment Commission entered into a Lease Agreement on April 25, 2015. The Authority acquired from the Commission three projects located in the Commission’s Southeast Economic Development Area. The Authority then refunded the Commission’s outstanding Tax Increment Revenue Bonds of 2008 by issuing Economic Development Lease Rental Refunding Bonds of 2015. The Authority is leasing to the Commission the three projects previously mentioned. The Lease Agreement is for 14 years, and the annual lease payments from the Commission are due on January 1 beginning January 1, 2016. The lease rentals are paid from the Commission’s Southeast Economic Development Area TIF funds.

The Authority’s Economic Development Lease Rental Refunding Bonds of 2015 in the aggregate principal amount of \$5,105,000 were sold on June 19, 2015 to Old National Bank. The interest rate on the bonds is 2.70% per annum. The bonds have a final maturity date of January 15, 2028. The bonds maturing on or after January 15, 2024 are subject to optional redemption and mandatory sinking fund redemption prior to maturity. The interest on the bonds are payable semiannually on January 15 and July 15 each year beginning January 15, 2016, and principal is payable annually on January 15 beginning January 15, 2016. The bond payments come from the lease rentals paid by the Commission and are paid to the trustee, The Bank of New York Mellon. The Goshen

Redevelopment Commission pays the semiannual interest and annual principal payments on behalf of the Authority.

A copy of a special purpose report dated June 18, 2015 and prepared by H.J. Umbaugh & Associates Certified Public Accountants, LLP pertaining to the Authority's Economic Development Lease Rental Refunding Bonds of 2015 is attached to this annual report. The special purpose report includes a comparison of debt service and lease rental payments; the amortization of \$5,105,000 of Redevelopment Authority Economic Development Lease Rental Refunding Bonds of 2015, and a schedule of lease rental payments.

- Continued next page. -

# UMBAUGH

H. J. Umbaugh & Associates  
Certified Public Accountants, LLP  
8265 Westport Crossing  
Suite 300  
Indianapolis, IN 46240-2687  
Phone: 317-469-1500  
Fax: 317-469-1500  
www.umbaugh.com

June 18, 2015

Members of the City of Goshen  
Redevelopment Authority  
c/o Mr. Mark Brinson, Community  
Development Director  
204 E. Jefferson Street  
Goshen, IN 46528

RE: \$5,105,000 of Goshen Redevelopment Authority  
Economic Development Lease Rental Refunding Bonds of 2015

Dear Members of the Redevelopment Authority and Mark:

We have, at your request, prepared this special purpose report regarding the sufficiency of lease rental payments to be received by the Redevelopment Authority to meet the debt service obligations of the Economic Development Lease Rental Refunding Bonds of 2015.

Page

2	Comparison of Debt Service and Lease Rental Payments
3	Amortization of \$5,105,000 of Economic Development Lease Rental Refunding Bonds of 2015
4	Schedule of Lease Rental Payments

In the preparation of these schedules, assumptions were made as noted regarding certain future events. As is the case with such assumptions regarding future events and transactions, some or all may not occur as expected and the resulting differences could be material. We have not examined the underlying assumptions nor have we audited or reviewed the historical data. Consequently, we express no opinion or provide any other form of assurance thereon, nor do we have a responsibility to prepare subsequent reports.

  
\_\_\_\_\_

**GOSHEN REDEVELOPMENT AUTHORITY**

**COMPARISON OF DEBT SERVICE AND LEASE RENTAL PAYMENTS**

Bond Payment Dates	Lease Payment Dates	Total Debt Service	Allowance for Trustee Misc. Fees	Total Requirements	Annual Lease Rental	Difference	Cumulative Balance
		(1)	(2)		(3)		
01/15/16	01/01/16	\$223,872.25	\$1,250	\$225,122.25	\$296,000	\$70,877.75	\$70,877.75
07/15/16		66,960.00		66,960.00		(66,960.00)	3,917.75
01/15/17	01/01/17	251,960.00	1,250	253,210.00	322,000	68,790.00	72,707.75
07/15/17		64,462.50		64,462.50		(64,462.50)	8,245.25
01/15/18	01/01/18	249,462.50	1,250	250,712.50	317,000	66,287.50	74,532.75
07/15/18		61,965.00		61,965.00		(61,965.00)	12,567.75
01/15/19	01/01/19	341,965.00	1,250	343,215.00	406,000	62,785.00	75,352.75
07/15/19		58,185.00		58,185.00		(58,185.00)	17,167.75
01/15/20	01/01/20	343,185.00	1,250	344,435.00	403,000	58,565.00	75,732.75
07/15/20		54,337.50		54,337.50		(54,337.50)	21,395.25
01/15/21	01/01/21	344,337.50	1,250	345,587.50	400,000	54,412.50	75,807.75
07/15/21		50,422.50		50,422.50		(50,422.50)	25,385.25
01/15/22	01/01/22	345,422.50	1,250	346,672.50	397,000	50,327.50	75,712.75
07/15/22		46,440.00		46,440.00		(46,440.00)	29,272.75
01/15/23	01/01/23	346,440.00	1,250	347,690.00	394,000	46,310.00	75,582.75
07/15/23		42,390.00		42,390.00		(42,390.00)	33,192.75
01/15/24	01/01/24	342,390.00	1,250	343,640.00	386,000	42,360.00	75,552.75
07/15/24		38,340.00		38,340.00		(38,340.00)	37,212.75
01/15/25	01/01/25	348,340.00	1,250	349,590.00	388,000	38,410.00	75,622.75
07/15/25		34,155.00		34,155.00		(34,155.00)	41,467.75
01/15/26	01/01/26	854,155.00	1,250	855,405.00	883,000	27,595.00	69,062.75
07/15/26		23,085.00		23,085.00		(23,085.00)	45,977.75
01/15/27	01/01/27	868,085.00	1,250	869,335.00	885,000	15,665.00	61,642.75
07/15/27		11,677.50		11,677.50		(11,677.50)	49,965.25
01/15/28	01/01/28	876,677.50		876,677.50	882,000	5,322.50	55,287.75
<b>Totals</b>		<b>\$6,288,712.25</b>	<b>\$15,000</b>	<b>\$6,303,712.25</b>	<b>\$6,359,000</b>	<b>\$55,287.75</b>	

(1) See page 3.

(2) Initial Trustee fees anticipated to be paid from the bond proceeds at closing.

(3) See page 4.

(Subject to the comments in the attached letter dated June 18, 2015 of Umbaugh)



**GOSHEN REDEVELOPMENT AUTHORITY**

**AMORTIZATION OF \$5,105,000 OF ECONOMIC DEVELOPMENT**

**LEASE RENTAL REFUNDING BONDS OF 2015**

**Bonds dated June 19, 2015**

Payment Dates	Principal Balance	Principal	Interest Rate	Interest	Total Debt Service	Budget Year Debt Service
	(-----In \$1,000's-----)		Rate (%)			
01/15/16	\$5,105	\$145 (1)	2.70	\$78,872.25	\$223,872.25	\$290,832.25
07/15/16	4,960		2.70	66,960.00	66,960.00	
01/15/17	4,960	185 (1)	2.70	66,960.00	251,960.00	316,422.50
07/15/17	4,775		2.70	64,462.50	64,462.50	
01/15/18	4,775	185 (1)	2.70	64,462.50	249,462.50	311,427.50
07/15/18	4,590		2.70	61,965.00	61,965.00	
01/15/19	4,590	280 (1)	2.70	61,965.00	341,965.00	400,150.00
07/15/19	4,310		2.70	58,185.00	58,185.00	
01/15/20	4,310	285 (1)	2.70	58,185.00	343,185.00	397,522.50
07/15/20	4,025		2.70	54,337.50	54,337.50	
01/15/21	4,025	290 (1)	2.70	54,337.50	344,337.50	394,760.00
07/15/21	3,735		2.70	50,422.50	50,422.50	
01/15/22	3,735	295 (1)	2.70	50,422.50	345,422.50	391,862.50
07/15/22	3,440		2.70	46,440.00	46,440.00	
01/15/23	3,440	300 (1)	2.70	46,440.00	346,440.00	388,830.00
07/15/23	3,140		2.70	42,390.00	42,390.00	
01/15/24	3,140	300 (1)	2.70	42,390.00	342,390.00	380,730.00
07/15/24	2,840		2.70	38,340.00	38,340.00	
01/15/25	2,840	310 (1)	2.70	38,340.00	348,340.00	382,495.00
07/15/25	2,530		2.70	34,155.00	34,155.00	
01/15/26	2,530	820 (1)	2.70	34,155.00	854,155.00	877,240.00
07/15/26	1,710		2.70	23,085.00	23,085.00	
01/15/27	1,710	845 (1)	2.70	23,085.00	868,085.00	879,762.50
07/15/27	865		2.70	11,677.50	11,677.50	
01/15/28	865	865 (1)	2.70	11,677.50	876,677.50	876,677.50
<b>Totals</b>		<u>\$5,105</u>		<u>\$1,183,712.25</u>	<u>\$6,288,712.25</u>	<u>\$6,288,712.25</u>

(1) \$5,105,000 term bond due January 15, 2028.

(Subject to the comments in the attached letter  
dated June 18, 2015 of Umbaugh)

**GOSHEN REDEVELOPMENT AUTHORITY**

**SCHEDULE OF LEASE RENTAL PAYMENTS**

<u>Lease Rental Payment Dates</u>	<u>Annual Lease Rental (1)</u>
01/01/16	\$296,000
01/01/17	322,000
01/01/18	317,000
01/01/19	406,000
01/01/20	403,000
01/01/21	400,000
01/01/22	397,000
01/01/23	394,000
01/01/24	386,000
01/01/25	388,000
01/01/26	883,000
01/01/27	885,000
01/01/28	<u>882,000</u>
Totals	<u><u>\$6,359,000</u></u>

(1) The lease rental payments are based upon the debt service in each twelve-month period ending July 15, rounded up to the nearest \$1,000 plus \$5,000.

(Subject to the comments in the attached letter dated June 18, 2015 of Umbaugh)



**CITY OF GOSHEN LEGAL DEPARTMENT**

204 East Jefferson Street, Suite 2  
Goshen, Indiana 46528-3405

Phone (574) 537-3820 • Fax (574) 537-3817 • TDD (574) 534-3185  
[www.goshenindiana.org](http://www.goshenindiana.org)

May 16, 2022

**To:** Goshen Common Council

**From:** Carla Newcomer, Paralegal

**RE:** Goshen Downtown Economic Improvement District Board

The Goshen Downtown Economic Improvement District (EID) Board consists of five (5) members appointed by the Goshen Common Council. The Board members must be a real estate owner or directly involved in a business operating within the district. At least three members must own real estate within the district, and each member serves a two-year term.

The terms of three (3) Board Members, (all of whom are property owners) are scheduled to expire May 31, 2022.

All real estate owners within the district were mailed a ballot with the names of three (3) candidates and an opportunity to write in individuals willing to serve on the EID Board. A total of one hundred thirty-one (131) ballots were mailed (one ballot per parcel), and thirty (30) ballots were returned which is approximately a twenty-three (23) percent return rate. Owners were asked to vote for up to three (3) candidates. The results of this polling are summarized on the attached page.

**It is requested that the Common Council appoint three members to the EID Board.** The terms of the new Board members would be from June 1, 2022 through May 31, 2024.

# GOSHEN DOWNTOWN ECONOMIC IMPROVEMENT DISTRICT

c/o GOSHEN CITY HALL • 202 SOUTH FIFTH STREET • GOSHEN, INDIANA 46528

## 2022 BALLOT

**Goshen Downtown Economic Improvement District Board  
Term – June 1, 2022 through May 31, 2024**

*The following are the results of the received the most votes:*

- 1. Dave Pottinger- 27**
- 2. Jonathan Wieand-30**
- 3. Scott Woldruff-29**
- 4. Aaron Nafziger-3**
- 5. Tyler Springer-1**

## ORDINANCE 5120

### AN ORDINANCE AMENDING ORDINANCE NUMBER 3757, AS AMENDED BY ORDINANCE NUMBER 4702, TO ALLOW FLEXIBILITY IN LICENSING AND REGISTERING OF ELECTRICAL AND MECHANICAL CONTRACTORS

WHEREAS, the work of electrical and mechanical contractors is a matter affecting the life, health and public welfare of the citizens of Goshen, therefore any individual engaging in such work is required to show proof of his or her competency and qualifications by becoming licensed to perform such work in the City of Goshen;

WHEREAS, in order to safeguard the life, health, and public welfare of City of Goshen citizens, the quality and character of work performed by electrical and mechanical contractors shall be regulated through inspections and the enforcement of building codes;

WHEREAS, to ensure that City of Goshen Building Department officials have the records necessary to inspect the work of electrical and mechanical contractors, such individuals, must register with the City of Goshen and renew the registration once every three (3) years; and

WHEREAS, it is desirable to make the issuance of electrical and mechanical contractor licenses flexible to allow the Board of Public Works and Safety to designate the City of Goshen Building Commissioner, or other qualified individual, to review and issue such licenses.

NOW, THEREFORE, be it ordained by the Common Council of the City of Goshen, Indiana that Ordinance Number 3757, as amended by Ordinance Number 4702, shall be amended to read as follows:

#### **SECTION 1. Title -**

This ordinance shall be more commonly known as the "Licensing and Registering of Contractors Ordinance of the City of Goshen, Indiana."

#### **SECTION 2. Definitions -**

- (A) "Board of Works" shall refer to the City of Goshen Board of Public Works and Safety.
- (B) "Building Commissioner" shall refer to the City of Goshen Building Commissioner.
- (C) "Class A Mechanical Contractor" shall refer to any individual who, for hire, does himself or herself or by employing others on his or her behalf, erects, installs, alters, repairs, relocates, replaces, maintains, designs or performs any other work to any heating, ventilating, cooling, refrigeration system and other miscellaneous heat-producing appliances, including all appurtenances, apparatus or equipment used in connection therewith. A Class A Mechanical Contractor, however, may not make the electrical connection from the warm air heating unit, air-conditioning unit, or wet/dry heat pump into the main service box.

- (D) "Class B Mechanical Contractor" shall refer to any individual who, for hire, does himself or herself or by employing others on his or her behalf, installs, alters, repairs, relocates, replaces, maintains or performs any other work to any heating, ventilating or cooling system, including all appurtenances, apparatus or equipment used in connection therewith exclusively in any mobile home dwelling unit. A Class B Mechanical Contractor, however, may not make the electrical connection from the warm air heating unit, air-conditioning unit, or wet/dry heat pump into the main service box.
- (E) "Electrical Contractor" shall refer to any individual who, for hire, does himself or herself or by employing others on his or her behalf, installs, alters, repairs, replaces, designs or performs any work to an electrical system.
- (F) "Licensee" shall refer to any individual who holds an Electrical Contractor license, Class A Mechanical Contractor license, or Class B Mechanical Contractor license, and is registered with the City of Goshen Building Department pursuant to this ordinance.

**SECTION 3. Licensing and Registering Required; Display -**

- (A) Any individual acting in the capacity of an Electrical Contractor, Class A Mechanical Contractor, or Class B Mechanical Contractor in the City of Goshen, Indiana shall be required to first obtain the appropriate license and register with the City of Goshen Building Department.
- (B) Any license granted under this ordinance shall be prominently displayed at the licensee's principal place of business.

**SECTION 4. Application for License and Licensing Requirements**

An individual at least eighteen (18) years of age desiring to be licensed as an Electrical Contractor, Class A Mechanical Contractor, or Class B Mechanical Contractor in the City of Goshen must meet the following qualifications:

- (1) File with the City of Goshen Building Department a written application on a form provided by the Building Department that contains information considered necessary to determine the qualifications of the applicant;
- (2) Provide to the City of Goshen Building Department evidence of the applicant's training, experience, and past work record;
- (3) Successfully complete an examination approved by the City of Goshen Building Department, unless the applicant holds a license from another locality, in which case the appropriate license may be granted in the City of Goshen without examination, provided that the requirements for the licensing of an Electrical Contractor, Class A Mechanical Contractor, or Class B Mechanical Contractor in the other locality are equal to or greater than the requirements in force in the City of Goshen.

**SECTION 5. Examinations -**

- (A) Applicants for a license as an Electrical Contractor, Class A Mechanical Contractor, or Class B Mechanical Contractor must pass an examination approved by the Building Commissioner. The contents of the examination must, for each license category, test the current level of skills required of individuals to be licensed in that category.
- (B) A passing score on the examination approved by the Building Commissioner shall be considered a score of seventy percent (70%) or better.
- (C) A non-refundable administrative fee in the amount required by the current City of Goshen Building Department Fee Ordinance shall accompany an application to take an examination for each licensing category.

**SECTION 6. Licensing Approval -**

- (A) The Board of Works, or the designee of the Board, shall issue a license to an Electrical Contractor, a Class A Mechanical Contractor or to a Class B Mechanical Contractor who is found to be responsibly qualified based on the information submitted to the Building Commissioner.
- (B) New applicants scoring seventy percent (70%) or better on the licensing examination approved by the Building Commissioner shall be approved for a license, provided that the applicant provides to the Building Commissioner all requested information regarding the applicant's training, experience, and past work record.
- (C) New applications who hold an Electrical Contractor, Class A Mechanical Contractor, or Class B Mechanical Contractor license in another locality shall be approved for a license, provided that each applicant provides to the Building Commissioner all requested information regarding the applicant's training, experience, past work record, and written verification from the other locality where the applicant has met the requirements for the licensing of an Electrical Contractor, Class A Mechanical Contractor, or Class B Mechanical Contractor, and that those requirements are equal to or greater than the requirements in force in the City of Goshen.
- (D) The Board of Works, or the designee of the Board, shall authorize the Building Commissioner to issue an initial license, as appropriate, and register the applicant. Each new license will be issued for the remaining portion of the then current calendar year and two additional calendar years.
- (E) All new applicants seeking licensing under this ordinance are required to pay the three (3) year licensing fee in the current amount indicated in the City of Goshen Building Department Fee Ordinance.
- (F) If a designee of the Board of Works refuses to grant or issue a license and register the applicant under this ordinance, the individual whose application was denied may

appeal to the Board of Works, and a hearing will be held before the Board within fifteen (15) days.

**SECTION 7. License Renewal and Registration Requirements -**

- (A) Every license and registration issued under this ordinance shall expire December 31 of the last year for which the license is valid.
- (B) Any licensee in good standing shall have the right, without further examination or approval, to renew their license and registration by filing an application with the City of Goshen Building Department. Upon receipt of the application for renewal and payment of the required renewal fee in the amount indicated in the applicable City of Goshen Building Department Fee Ordinance, the Building Commissioner shall issue to the applicant a renewal license and registration.
- (C) Each renewed license shall be issued for the remaining portion of the then current calendar year and two (2) additional calendar years and will be charged three (3) times the annual fee.
- (D) In the event any licensee fails to renew their license within thirty (30) days of receiving a written notice to renew the license, the licensee shall pay a late fee equal to the late fee for registration of units established by the Goshen Building Department Fee Ordinance for the Neighborhood Preservation Ordinance for registration of units. However, no late fee will be imposed as long as the renewal fee is paid by February 28 of the year in which the renewal is due.

**SECTION 8. Expiration, Suspension, Revocation, or Restriction of License**

Any license issued pursuant to this ordinance may be expired, suspended, revoked or otherwise restricted by the Board of Works if:

- (1) A licensee has employed or knowingly cooperated in fraud or deceit in order to obtain a license to practice as an Electrical Contractor, Class A Mechanical Contractor, or Class B Mechanical Contractor.
- (2) A licensee has engaged in fraud, deceit or other misconduct in the course of providing services to clients in the City of Goshen.
- (3) A licensee has violated any ordinance, code or law regulating work and services provided by Electrical Contractors, Class A Mechanical Contractors or Class B Mechanical Contractors, as appropriate.
- (4) A licensee ceases to be an Electrical Contractor, Class A Mechanical Contractor, or Class B Mechanical Contractor, as appropriate.



**SECTION 9. Violations -**

- (A) It shall be a violation of this ordinance for any individual to act in the capacity of an Electrical Contractor, Class A Mechanical Contractor, or Class B Mechanical Contractor in the City of Goshen, Indiana without first obtaining the appropriate license and registering with the City of Goshen Building Department.
- (B) It shall be a violation of this ordinance for any individual who fails to renew the individual's license and continues to act in the capacity of an Electrical Contractor, Class A Mechanical Contractor, or Class B Mechanical Contractor in the City of Goshen, Indiana after the license has expired.
- (C) It shall be a violation of this ordinance for any individual to continue to act in the capacity of an Electrical Contractor, Class A Mechanical Contractor, or Class B Mechanical Contractor in the City of Goshen, Indiana after the individual's license has been suspended or revoked pursuant to this ordinance.

**SECTION 10. Enforcement and Penalties -**

- (A) If the Building Commissioner believes that the license of any Electrical Contractor, Class A Mechanical Contractor, or Class B Mechanical Contractor should be suspended, revoked, or otherwise restricted, the Building Commissioner may request that the Board of Works take action by issuing an order to:
  - (1) Suspend the licensee's license;
  - (2) Revoke the licensee's license; or
  - (3) Restrict the licensee's license as deemed appropriate by the Board of Works.
- (B) The Board of Works may take action only after a notice is given to the individual whom the order is specifically directed, and a hearing is conducted at least ten days after the date notice is deemed to be given.
  - (1) Notice to the individual shall be deemed sufficient if given by:
    - (a) Sending a copy of the order by registered or certified mail to the residence, place of business or employment of the individual to be notified with return receipt requested;
    - (b) Delivering a copy of the order personally to the individual to be notified; or
    - (c) Leaving a copy of the order at the residence or usual place of abode of the individual to be notified.
  - (2) At the hearing, the individual to whom an order has been issued shall be given the opportunity to appear with or without legal counsel, present evidence, cross-examine witnesses, and present arguments.

- (C) Any individual aggrieved by a decision of the Building Commissioner or any action of the Board of Works, or the Board's designee, in refusing to issue, suspending, revoking, or otherwise restricting license and certificate of registration may appeal the decision to any court of competent jurisdiction in Elkhart County, Indiana within 30 days from the date of the Board's action.
- (D) The City of Goshen may bring action to enforce the provisions of this ordinance by filing a complaint in any court of competent jurisdiction within Elkhart County, Indiana.
- (E) Any individual violating any provisions of this ordinance may be fined an amount not to exceed Five hundred dollars (\$500.00), in addition to any court costs, including reasonable attorneys' fees. Each day that a violation occurs or continues shall be deemed a separate offense of this ordinance.

**SECTION 11. Repeal of Prior Ordinances -**

This ordinance repeals Ordinance Number 3757 and Ordinance Number 4702.

**SECTION 12. Severability Clause -**

If any provision of this ordinance shall be held invalid, such provision shall be deemed severable and the invalidity thereof shall not affect the remaining provisions of this ordinance.

**SECTION 13. Effective Date -**

This ordinance shall become and remain in full force and effect upon its passage and adoption.

PASSED by the Goshen Common Council on May \_\_\_\_\_, 2022.

\_\_\_\_\_  
Presiding Officer

ATTEST:

\_\_\_\_\_  
Richard R. Aguirre, Clerk-Treasurer

PRESENTED to the Mayor of the City of Goshen on May \_\_\_\_\_, 2022, at the hour of \_\_\_\_\_:\_\_\_\_\_ .m.

\_\_\_\_\_  
Richard R. Aguirre, Clerk-Treasurer

APPROVED and ADOPTED on May \_\_\_\_\_, 2022.

\_\_\_\_\_  
Jeremy P. Stutsman, Mayor

## ORDINANCE 5121

### AN ORDINANCE TO ESTABLISH RULES AND REGULATIONS FOR THE USE OF ELECTRIC FOOT SCOOTERS AND SHARED-USE ELECTRIC FOOT SCOOTER OPERATORS

WHEREAS, it has become necessary to establish certain rules and regulations for the use of Electric Foot Scooters in the City of Goshen, Indiana, enforceable by an ordinance violation.

WHEREAS, the City wishes to establish a licensing program for Shared-Use Electric Foot Scooter Operators within the City of Goshen.

NOW THEREFORE, BE IT ORDAINED by the Goshen Common Council that:

#### **SECTION 1. Definitions**

- (A) "Electric Foot Scooter" shall have the meaning under Indiana Code 9-13-2-49.4, which shall include a device:
- (1) weighing not more than one hundred (100) pounds;
  - (2) designed to travel on not more than three (3) wheels in contact with the ground;
  - (3) with handlebars and a floorboard that the rider uses to stand on the device during operation; and
  - (4) powered by an electric motor that is capable of powering the device with or without human propulsion at a speed not more than twenty (20) miles per hour on a paved level surface, but does not include a motor driven cycle, motor vehicle, or motorcycle.
- (B) "Shared-Use Electric Foot Scooters" means an Electric Foot Scooter placed in service by a Shared-Use Electric Foot Scooter Operator.
- (C) "Shared-Use Electric Foot Scooter Operator" means an individual or entity that leases, rents, or otherwise makes available Shared-Use Electric Foot Scooters, whether or not for profit. The term does not include individual, private owners of Electric Foot Scooters who are not engaged in the business or renting, leasing, or otherwise making Electric Foot Scooters available to members of the public at large.

#### **SECTION 2. Scope**

This ordinance shall apply to Shared-Use Electric Foot Scooter Operators and the use of Electric Foot Scooters.

#### **SECTION 3. State Laws**

Every person who operates an Electric Foot Scooter upon any street, road, trail, path, or sidewalk shall be subject to state and local laws concerning Electric Foot Scooters and bicycles, generally. Every person who operates an Electric Foot Scooter shall be subject to all city

ordinances except where the nature of Electric Foot Scooters renders said ordinances inapplicable to Electric Foot Scooter users.

**SECTION 4. License**

- (A) It shall be unlawful to operate as a Shared-Use Electric Foot Scooter Operator within the City of Goshen corporate boundaries without first obtaining a license from the City of Goshen Board of Public Works and Safety.
- (B) The City of Goshen may issue a license to a qualified Shared-Use Electric Foot Scooter Operator for operation of an Electric Foot Scooter system or service pursuant to any additional terms and conditions established by the Board of Public Works and Safety. The city reserves the right to issue one or more Electric Foot Scooter system permits and may, from time to time, limit or expand the number of permits issued.
- (C) Each Shared-Use Electric Foot Scooter Operator shall pay any license fee established by the City of Goshen City Common Council. License fees may be updated from time-to-time in order to properly reflect the city's expenses associated with allowing Shared-Use Electric Foot Scooters in the public right-of-way.
- (D) Licenses shall expire one year after issuance. In order to continue operating, a Shared-Use Electric Foot Scooter Operator shall apply for a new license at least thirty days prior to the expiration of its existing license and pay any license fee established for renewal licenses, which may or may not be the same as the fees set forth for first-time licensees.
- (E) An application for a Shared-Use Electric Foot Scooter license shall be made to the City of Goshen Board of Public Works and Safety, shall be signed by an authorized representative of the Shared-Use Electric Foot Scooter Operator, and shall include, at a minimum, the following information:
  - (1) The maximum number of Shared-Use Electric Foot Scooters the Shared-Use Electric Foot Scooter Operator may deploy within the corporate boundaries of the city during the applicable license term;
  - (2) A description of all Shared-Use Electric Foot Scooters that will be deployed, including the model, manufacturer, and color of each Shared-Use Electric Foot Scooter;
  - (3) Color photographs depicting the Shared-Use Electric Foot Scooter(s);
  - (4) A schedule of rates and charges that the applicant will charge to users;
  - (5) Detailed staffing and operational plans, including information regarding (i) local staffing and (ii) contractors the Shared-Use Electric Foot Scooter Operator will utilize to perform services related to its Shared-Use Electric Foot Scooters;
  - (6) A GPS- or GIS-based map depicting the proposed service area of the Shared-Use Electric Foot Scooters;

- (7) A twenty-four-hour customer service telephone number through which users and members of the public may contact the Shared-Use Electric Foot Scooter Operator and that will be displayed on each Shared-Use Electric Foot Scooter;
  - (8) A signed agreement indemnifying the City of Goshen on a form provided by the City of Goshen Board of Public Works and Safety;
  - (9) Proof of all insurance required by the City of Goshen Board of Public Works and Safety, including, if required, a bond;
  - (10) Location of all proposed docking stations with a description of how charging equipment will be installed and maintained. Include an agreement with any private property owners who will be a host location for docking stations;
  - (11) The content in its mobile application, the content of its Goshen-specific webpage;
  - (12) Experience providing services as a Shared-Use Electric Foot Scooter Operator; and
  - (13) Any other information deemed necessary by the City of Goshen Board of Public Works and Safety.
- (F) Upon receipt of a completed license application and any required supporting documentation, the City of Goshen Board of Public Works and Safety shall either issue or deny the application for a license during a public meeting. In making this determination, the City of Goshen Board of Public Works and Safety shall, among other factors, consider the extent to which the applicant's prior or ongoing operations have complied with this ordinance and other applicable law.
- (G) A Shared-Use Electric Foot Scooter Operator that has obtained a license shall be permitted to deploy, at a maximum, the number of Shared-Use Electric Foot Scooters authorized by the City of Goshen Board of Public Works and Safety. During license renewal, the City of Goshen Board of Public Works and Safety may increase or decrease the number of scooters a Shared-Use Electric Foot Scooter Operator is permitted to deploy.
- (H) If the City of Goshen Board of Public Works and Safety denies an application submitted by a Shared-Use Electric Foot Scooter Operator, the board shall issue written findings indicating the reasons for said denial.
- (I) Licenses issued to a Shared-Use Electric Foot Scooter Operator shall not be assigned or transferred without written city approval. A Shared-Use Electric Foot Scooter Operator may not subcontract with any other individual, firm, company or corporation to provide Electric Foot Scooter services within the City of Goshen.



**SECTION 5. Parking Electric Foot Scooters.**

- (A) During such times when an a Shared-Use Electric Foot Scooter is not actively rented, it must be parked and stored at a docking station designated by the Shared-Use Electric Foot Scooter Operator. Shared-Use Electric Foot Scooters shall be returned to and parked in designated docking stations, or otherwise returned to the Shared-Use Electric Foot Scooter Operator at the end of each rental.
- (B) Electric Foot Scooters shall not be parked upon any street, on-street bicycle paths, multiuse paths, or alley, but may be parked in bicycle racks or upon sidewalks with the following limitations:
  - (1) Electric Foot Scooters shall be parked in an upright position;
  - (2) Electric Foot Scooters must be parked in a manner that does not create a threat to public safety, and does not obstruct, block, or interfere with the use of:
    - (a) pedestrian movement on a sidewalk;
    - (b) vehicle parking spaces or loading zones;
    - (c) a curb ramp;
    - (d) any public transportation infrastructure including, but not limited to, bus shelters, bus stop signs, or passenger waiting areas;
    - (e) any business or residential doorway, entrance, exit, or driveway;
    - (f) a fire hydrant or other emergency facility;
    - (g) a utility pole or utility box;
    - (h) street furniture;
    - (i) a commercial window display; or
    - (j) a crosswalk button.
  - (3) Electric Foot Scooters may not be parked in a manner that impedes accessibility under the Americans with Disabilities Act, impedes access to accessible parking zones, or impedes access to parking spaces designated for persons with disabilities.
  - (4) While parked on sidewalks, the location of an Electric Foot Scooter must leave a clear straight pathway of at least fifty-four inches wide. The fifty-four inches shall not include the width of the curb.
- (C) The city may move any Shared-Use Electric Foot Scooter that is parked in violation of this section to a location where the scooter may be lawfully parked. If the city opts to move an illegally parked Shared-Use Electric Foot Scooter to a legal parking position, the city may nonetheless assess any applicable fines in accordance with this ordinance.

- (D) Shared Use Electric Foot Scooter Operators will be responsible for identifying the riders consistently violating rules in regard to parking and following up with appropriate disciplinary action of increasing severity, including additional education, warnings, fines, and eventual removal of users from operator apps. Operators must charge an additional fee to any rider not returning the Electric Foot Scooter to a designated docking station at the end of the rental period.

**SECTION 6. Electric Foot Scooter Use.**

- (A) Every person who operates an Electric Foot Scooter on public property or public right-of-way shall comply with the following provisions:
- (1) A person operating an Electric Foot Scooter shall comply with all generally applicable traffic and parking laws of the state and City of Goshen, including those provisions applicable to the operation of a bicycle.
  - (2) Electric Foot Scooter shall have no more than one (1) rider at any given time. Operating a Shared-Use Electric Foot Scooter with more than one rider shall constitute a violation.
  - (3) Electric Foot Scooter shall be permitted on all roads, on-street bicycle paths, and multiuse paths where they exist where the operation of a bicycle is permitted. Electric Foot Scooter shall utilize on-street bicycle paths or multiuse paths where they exist, unless there are signs or markings indicating that use of Electric Foot Scooter is prohibited.
  - (4) Use of Electric Foot Scooter must not create conditions which are a threat to public safety and security.
  - (5) A person operating an Electric Foot Scooter shall yield the right-of-way to any pedestrian.
  - (6) A person operating an Electric Foot Scooter shall give an audible signal by voice, bell, or similar signal before overtaking and passing any pedestrian while traveling in the same direction and on the same facility as the pedestrian.
  - (7) No person shall operate an Electric Foot Scooter while controlling an animal, whether such control is by hand, by leash, or by any alternative medium.
  - (8) No person shall operate an Electric Foot Scooter within the designated boundaries of a special event for which a special event permit has been obtained.

**SECTION 7. Shared-Use Electric Foot Scooter Equipment, Use, Docking Station, Safety, Condition, Appearance, and Hours of Deployment.**

- (A) Every Shared-Use Electric Foot Scooter shall conform to all applicable federal, state, and local laws applicable to the design and operation of Electric Foot Scooters.

- (B) Shared-Use Electric Foot Scooters may only be operated in the service area approved by the City of Goshen Board of Public Works and Safety.
- (C) Shared-Use Electric Foot Scooters shall be equipped so as to operate at a speed no greater than twenty (20) miles per hour.
- (D) Shared-Use Electric Foot Scooters shall be equipped with real-time location and tracking capability, and with the ability to be geo-fenced to ensure that each Shared-Use Electric Foot Scooter is operated and parked properly.
- (E) Shared-Use Electric Foot Scooter Operators shall display the following items on each share-use Electric Foot Scooter:
  - (1) A unique identification number visible to the user and to nearby pedestrians;
  - (2) The required twenty-four-hour telephone number at which members of the public may contact the Shared-Use Electric Foot Scooter Operator;
  - (3) The Shared-Use Electric Foot Scooter Operator's website;
  - (4) Mobile application information of the Shared-Use Electric Foot Scooter Operator;
- (F) The software application used by Shared-Use Electric Foot Scooter Operators shall notify the user of the following items:
  - (1) That users are encouraged to wear helmets;
  - (2) That users are required to obey all traffic laws;
  - (3) That users shall yield to pedestrians in the right-of-way; and
  - (4) That users must follow proper parking procedures.
- (G) All Shared-Use Electric Foot Scooters shall be equipped with the following:
  - (1) A bell, horn, or other lawful audible signaling device;
  - (2) A lamp on the front exhibiting a white light visible from a distance of at least five hundred feet to the front;
  - (3) A lamp on the rear exhibiting a red light visible from a distance of at least five hundred feet to the rear or a red reflector visible from a distance of at least five hundred feet to the rear;
  - (4) A kickstand capable of keeping the scooter upright when not in use; and
  - (5) A brake enabling a person who operates a Shared-Use Electric Foot Scooter to make the braked wheels skid on dry, level, clean pavement.
- (H) All Shared-Use Electric Foot Scooters shall be capable of being remotely locked down by the Shared-Use Electric Foot Scooter Operator upon any report that the Shared-Use

Electric Foot Scooter is not operating properly, is unsafe, or is stolen, pending a proper evaluation of the scooter.

- (I) All Shared-Use Electric Foot Scooters shall be maintained in a reasonably clean condition and proper working condition.
- (J) Shared-Use Electric Foot Scooter Operators may activate their system and operate between the hours of 6:00 AM and 10:00 PM. The City may elect to restrict or expand hours of operation as part of Electric Foot Scooter system license.

**SECTION 8. Public Information.**

- (A) Prior to any person's first use of a Shared-Use Electric Foot Scooter, a Shared-Use Electric Foot Scooter Operator shall provide notice to each user through a Goshen-specific mobile application regarding local regulations governing legal Shared-Use Electric Foot Scooter use and parking, as well as best practices concerning safe and courteous Electric Foot Scooter use.
- (B) Each Shared-Use Electric Foot Scooter Operator shall develop a Goshen-specific page on its website that provides, at a minimum, the city's rules governing legal Shared-Use Electric Foot Scooter use and parking, as well as best practices concerning safe and courteous Shared-Use Electric Foot Scooter use.

**SECTION 9. Removal and Impoundment.**

- (A) Any Shared-Use Electric Foot Scooter that is reported to a Shared-Use Electric Foot Scooter Operator as unsafe to operate or as inoperable shall be immediately and remotely locked down by the Shared-Use Electric Foot Scooter Operator, pending a proper evaluation of the scooter, and removed from the public right-of-way within two hours of the Shared-Use Electric Foot Scooter Operator's receiving notice of the defect or inoperability.
- (B) Any unsafe or inoperable Shared-Use Electric Foot Scooter that is not removed from the public right-of-way by the Shared-Use Electric Foot Scooter Operator may be removed and impounded by the City and penalties may be assessed to the Shared-Use Electric Foot Scooter Operator.

**SECTION 10. License Revocation.**

A permit issued to a Shared-Use Electric Foot Scooter Operator shall be issued for a specified time period, subject to revocation. The City of Goshen Board of Public Works and Safety may revoke a Shared-Use Electric Foot Scooter Operator's license at any time if it finds that one of the following conditions exists:

- (A) The Shared-Use Electric Foot Scooter Operator has failed to comply with the requirements of this ordinance, including, but not limited to, requirements regarding

parking, age of users, scooter condition, scooter equipment, scooter appearance, maintenance, lock-down, removal, or data reporting.

- (B) The Shared-Use Electric Foot Scooter Operator has failed to comply with other reasonable requirements imposed by the City of Goshen Board of Public Works and Safety.
- (C) The Shared-Use Electric Foot Scooter Operator has violated any federal law or federal regulation; any state law or regulation; or any local law or regulation.
- (D) The Shared-Use Electric Foot Scooter Operator submitted false or inaccurate information in its application.
- (E) The Shared-Use Electric Foot Scooter Operator failed to make payment of required fees or charges.

Before the City of Goshen Board of Public Works and Safety revokes a Shared-Use Electric Foot Scooter Operator's license under this section, it shall conduct a hearing to consider the evidence supporting said revocation. Following the hearing, the board shall issue written findings of fact.

**SECTION 11. Enforcement**

The City of Goshen may enforce violations of this ordinance pursuant to City Code 1.1.3.1 *et seq.*; City Code 1.2.1.1 *et seq.*; or Indiana Code 34-28-5, as amended from time to time.

**SECTION 12. Repeal of Prior Ordinances**

Any other ordinance, or parts thereof, that conflict with the provisions of this ordinance are hereby repealed only to the extent of such conflict.

**SECTION 13. Severability Clause**

If any provision of this ordinance shall be held invalid, such provision shall be deemed severable and the invalidity thereof shall not affect the remaining provisions of this ordinance.

**SECTION 14. Effective Date**

This ordinance shall be in full force and effect from and after its passage, approval and adoption according to the laws of the State of Indiana.

[Continued next page.]



PASSED by the Goshen Common Council on \_\_\_\_\_, 2022.

\_\_\_\_\_  
Presiding Officer

ATTEST:

\_\_\_\_\_  
Richard R. Aguirre, Clerk-Treasurer

PRESENTED to the Mayor of the City of Goshen on \_\_\_\_\_, 2022, at  
the hour of \_\_\_\_: \_\_\_\_ .m.

\_\_\_\_\_  
Richard R. Aguirre, Clerk-Treasurer

APPROVED and ADOPTED on \_\_\_\_\_, 2022.

\_\_\_\_\_  
Jeremy P. Stutsman, Mayor

## ORDINANCE 5122

### AN ORDINANCE TO AMEND ORDINANCE 5101 2022 COMPENSATION FOR CIVIL CITY AND UTILITIES EMPLOYEES TO ALTER VACATION LEAVE AND SICK LEAVE BENEFITS

WHEREAS Ordinance 5101, amended by Ordinance 5110, approved the 2022 minimum and maximum compensation, including wages and benefits, for Civil City and Utilities employees.

WHEREAS City Administration would like to modify vacation and sick leave provisions currently applicable to City of Goshen employees.

NOW, THEREFORE, BE IT ORDAINED by the Goshen Common Council that Ordinance 5101, 2022 Compensation for Civil City and Utilities Employees, amended by Ordinance 5110, shall be amended to read as follows:

#### **SECTION 1. Applicability –**

- (A) This ordinance shall apply to all City of Goshen positions to which Ordinance 5101, 2022 Compensation for Civil City and Utilities Employees, applies.
- (B) This ordinance shall apply to all City of Goshen employees employed at the time of passage of this ordinance and hired thereafter.
- (C) To the extent that the provisions of this ordinance conflict with the provisions of an applicable collective bargaining agreement, the document providing the more generous benefits shall apply.

#### **SECTION 2. Vacation Leave –** Section 6, Vacation Leave, Paragraphs (A) and (B) shall be amended to read as follows:

- (A) Each employee in a position scheduled to work at least two thousand eighty (2,080) hours each year shall receive the following vacation leave beginning sixty (60) days after the employee's first day of employment and on the anniversary dates of the employee's first day of employment, unless a higher amount is established by an agreement between city and the employee at the time the employee is hired:
  - (1) Upon hire, the employee shall receive forty (40) hours of vacation leave that the employee may use only after the employee has been employed sixty (60) consecutive days.
  - (2) Upon completion of one (1) year of continuous service to the City, the employee shall receive forty (40) hours of vacation leave that the employee may use during the employee's second year of employment.

- (3) Upon completion of two (2) years, three (3) years, and four (4) years of continuous service to the City, the employee shall receive eighty (80) hours of vacation leave that the employee may use during the employee's third (3<sup>rd</sup>), fourth (4<sup>th</sup>), and fifth (5<sup>th</sup>) years of employment, respectively.
  - (4) Upon completion of five (5) years, six (6) years, seven (7) years, eight (8) years, and nine (9) years of continuous service to the City, the employee shall receive one hundred twenty (120) hours of vacation leave that the employee may use during the employee's sixth (6<sup>th</sup>), seventh (7<sup>th</sup>), eighth (8<sup>th</sup>), ninth (9<sup>th</sup>), and tenth (10<sup>th</sup>) years of employment, respectively.
  - (5) Upon completion of ten (10) years of service, the employee shall receive one hundred sixty (160) hours of vacation leave that the employee may use during the employee's eleventh (11<sup>th</sup>) years of employment each subsequent year of employment.
- (B) Each employee in a position scheduled to work at least one thousand forty (1,040) hours each year but less than two thousand eighty (2,080) hours each year shall receive prorated vacation leave beginning sixty (60) days after the employee's hire date and on the employee's anniversary date of continuous employment. The vacation leave shall be prorated based on the vacation leave schedule set forth in subsection (A) and the number of hours worked by the employee the previous anniversary year divided by two thousand eighty (2,080) hours, unless a higher amount is established by an agreement between city and the employee at the time the employee is hired.

**SECTION 3. Sick Leave** – Section 7, Sick Leave, Paragraphs (A) and (B) shall be amended to read as follows:

- (A) Each employee in a position scheduled to work at least two thousand eighty (2,080) hours each year shall receive twenty-four (24) hours of sick leave upon hire, and earn six (6) hours of sick leave on the first (1<sup>st</sup>) day of each month, starting on the first (1<sup>st</sup>) day of the month after the employee has completed at least thirty (30) days of service to the City.
- (B) Each employee in a position scheduled to work at least one thousand five hundred sixty (1,560) hours each year but less than two thousand eighty (2,080) hours each year shall receive twelve (12) hours of sick leave upon hire, and earn three (3) hours of sick leave on the first (1<sup>st</sup>) day of each month, starting on the first (1<sup>st</sup>) day of the month after the employee has completed at least thirty (30) days of service to the City.

**SECTION 4. Repeal of Prior Ordinances**

All provisions of Ordinance 5101, as amended by Ordinance 5110, not modified by this ordinance shall remain in full force and effect.

**SECTION 5. Severability Clause**

If any provision of this ordinance shall be held invalid, such provision shall be deemed severable and the invalidity thereof shall not affect the remaining provisions of this ordinance.

**SECTION 6. Effective Date**

This ordinance shall be in full force and effect from and after its passage, approval and adoption according to the laws of the State of Indiana.

PASSED by the Goshen Common Council on May \_\_\_\_\_, 2022.

\_\_\_\_\_  
Presiding Officer

ATTEST:

\_\_\_\_\_  
Richard R. Aguirre, Clerk-Treasurer

PRESENTED to the Mayor of the City of Goshen on May \_\_\_\_\_, 2022, at the hour of \_\_\_\_\_:\_\_\_\_\_ .m.

\_\_\_\_\_  
Richard R. Aguirre, Clerk-Treasurer

APPROVED and ADOPTED on May \_\_\_\_\_, 2022.

\_\_\_\_\_  
Jeremy P. Stutsman, Mayor