



Goshen Common Council

6:00 p.m., July 18, 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 Karen C. Velazquez Valdes (Non-voting)

Approval of Minutes –Minutes of the June 6 regular meeting and the June 17 special meeting

Approval of Meeting Agenda

Privilege of the Floor

1) Ordinance 5131, An Ordinance Establishing Common Council Districts for the City of Goshen Based on the 2020 Decennial Census

2) Resolution 2022-15, A Resolution of the Common Council of the City of Goshen, Indiana, Endorsing and Urging Passage of Indiana Legislation Establishing Driver Cards for Undocumented Indiana Residents

3) Resolution 2022-11, City of Goshen Flood Resilience Plan

4) Resolution 2022-16, A Resolution of the Common Council of the City of Goshen, Indiana, Acknowledging House Enrollment Act 1002 and Finding that Goshen Water Utility Rates Shall Not Be Adjusted



5) Resolution 2022-17, Category Transfer within the General Fund between the following budget categories: 410 PERSONNEL SERVICES (Building Department/Part-time) to 430 OTHER SERVICES AND CHARGES (Building Department/Professional Services); amount of transfer, \$13,000

Elected Official Reports

Adjournment



GOSHEN COMMON COUNCIL

Minutes of the June 6, 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) – *Last meeting*
 Youth Advisor Karen C. Velazquez Valdes (Non-voting) – *First meeting*

Absent: None

Approval of Minutes: Mayor Stutsman asked the Council's wishes regarding the minutes of the May 16, 2022 Regular Meeting. Councilor King moved to approve the minutes as submitted. Councilor Pérez seconded the motion. The motion passed 7-0 on a voice vote.

Approval of Meeting Agenda: Mayor Stutsman asked the Council's wishes regarding the meeting agenda, noting that agenda items #3 and #4 were not ready yet and asked the Council to approve of pulling them from the agenda. Councilor Nisley moved to approve the agenda as amended. Councilor King seconded the motion. The motion passed 7-0 on a voice vote.

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 the City's efforts in holding the Memorial Day parade and ceremony. He said the City did a great job and he appreciated it. On the other hand, Null said he sent an email to the Mayor and five Councilors about the appearance of the West Goshen Cemetery for Memorial Day. In advance, Null said he contacted cemetery staff with a question about flags and about the condition of the cemetery. Null said he understands the cemetery has staffing issues, but he has noticed City staff conducting weed removal between Highway 33 and the railroad. He said that is a waste of funds and that cemeteries need better care. Null said the City disrespected veterans and the City needs to change its priorities and take better care of its cemeteries.

There were no further public comments, either from those in the Council chamber or via Zoom, so Mayor Stutsman closed the Privilege of the Floor at 6:06 p.m.

1) Presentation: Farewell to outgoing youth advisors and awarding of plaques, swearing in of new youth advisors and second Common Council roll call

Mayor Stutsman said every year since 2016, the City has had a Youth Advisor to the Council and over the years has added other youth advisor positions.



Mayor Stutsman said Goshen High School recently conducted an election for advisors and tonight the City will say goodbye to the outgoing advisors and welcome the new advisors. He said the program has been great and the advisors have provided a wealth of information to the Council and City boards, committees and commissions.

Mayor Stutsman said that by state law, the mayor can appoint a youth advisor to the Council. But with assistance from the Elkhart County Election Office, Goshen High School students have elected the advisors. Candidates are given two weeks to campaign for office and students then use the county's election equipment to elect advisors.

To thank them for their service, **Mayor Stutsman presented plaques to the following outgoing youth advisors:**

- **Sophia Yordy**, who served on the Mayor's Environmental Advisory Committee;
- **Steve A. Bermudez** of the Community Relations Commission; and
- **Ashley Garcia Coto** of the Parks and Recreation Board

Not present but also awarded plaques were **Katie Batson** of the Shade Tree Board and **Aysia Adkins**, who served on the Goshen Community Schools Board.

Jeff Wagner, general manager of Keystone RV of Goshen, thanked the six advisors for their time and commitment to the City and its boards and presented the students with \$1,000 scholarship certificates to attend the colleges of their choice. **Mayor Stutsman** thanked Wagner and Keystone, noting this is the second year the company has awarded scholarships to the outgoing advisors.

Mayor Stutsman also acknowledged and thanked outgoing **Council Youth Advisor Adrian Mora** for serving since last year and for also working as an intern in the Mayor's office this past semester. He presented Mora with a plaque and also awarded him a key to the City as an outgoing Council member.

Youth Advisor Mora joked that the key to the City might not open any real doors, but may open the door to opportunity. He expressed gratitude for being able to serve on the Council and impact the City. Mora said he has grown and matured over the past year and his City service has helped him determine what he would like to do in the future. He also thanked his parents and said he said he was now ready to move on.

Mayor Stutsman invited the new youth advisors to come forward and be sworn into their new positions. The new youth advisors then introduced themselves. They are:

- **Tyra Gichobi** of the Community Relations Commission;
- **Elizabeth Dilworth** of the Parks & Recreation Board;
- **Samara Cleveland** of the Shade Tree Board;
- **Briza Tayaguya-Delgado** of the Mayor's Environmental Advisory Committee;
- **Lauren Grant**, who was to be sworn in later to the Goshen Community Schools Board; and
- **Karen C. Velazquez Valdes**, the new City Council Youth Advisor

Mayor Stutsman then asked the youth advisors to sign their oaths of office and thanked them.

Mayor Stutsman asked the Clerk-Treasurer to conduct a new Council roll call with the new youth advisor.

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) and Youth Advisor Karen C. Velazquez Valdes (Non-voting) – First meeting

Absent: None



2) Resolution 2022-10 - Preliminary Finding Concerning Lippert Components Manufacturing, Inc.'s Compliance with Statement of Benefits for Personal Property

Mayor Stutsman called for the introduction of Resolution 2022-10 - *Preliminary Finding Concerning Lippert Components Manufacturing, Inc.'s Compliance with Statement of Benefits for Personal Property*. Council President Weddell asked the Clerk-Treasurer to read Resolution 2022-10 by title only, which was done. Weddell/Schrock moved to approve Resolution 2022-10.

BACKGROUND:

In a memorandum to the Common Council, which was included in the Agenda packet, **City Legal Compliance Administrator Shannon Marks** gave the background and context of the issue before Councilors. She reported: **The Common Council has designated various areas in the City as Economic Revitalization Areas and authorized a tax phase-ins of certain real property and/or personal property for the property owners/taxpayers.**

Each year, a property owner/taxpayer receiving a deduction in their assessed valuation due to a tax phase-in must file with the Deputy Mayor, an annual report for the previous calendar year which includes the Compliance with Statement of Benefits form (CF-1). Attached to the memo was a memo from Mark Brinson and the CF-1 for Personal Property related to a previously approved tax phase-in that has been filed by Lippert Components Manufacturing, Inc. In accordance with Ordinance 4630, if the information provided by the property owner/taxpayer does not demonstrate substantial compliance, the Deputy Mayor is to forward the information to the **Council to make a preliminary finding of whether the property owner/taxpayer has substantially complied with the Statement of Benefits and the commitments made to the City to receive the tax phase-in, or whether any failure to substantially comply was due to factors beyond the property owner/taxpayer's control.**

Marks reported that included in meeting packet was a resolution which required the Council to make a preliminary finding based on either Option 1 or Option 2.

Option 1: The property owner/taxpayer is in substantial compliance with the Statement of Benefits, or that the failure to substantially comply was caused by factors beyond the control of the property owner/taxpayer, and therefore, the property owner/taxpayer is considered to be in substantial compliance.

Should the Council's finding be based on Option 1, the property owner/taxpayer is considered to be in substantial compliance with the Statement of Benefits. The City will then sign off on the CF-1 and the property owner/taxpayer may file for the tax deduction. No further action is required by the Council.

Option 2: The property owner/taxpayer HAS NOT made reasonable efforts to substantially comply with the Statement of Benefits and the failure to substantially comply WAS NOT caused by factors beyond the control of the property owner/taxpayer. Therefore, the property owner/taxpayer IS NOT considered to be in substantial compliance with the Statement of Benefits.

Should the Council's finding be based on Option 2, a notice must be given to the property owner/taxpayer that includes an explanation of the reason(s) for the Council's preliminary finding and a hearing is scheduled for an upcoming Council meeting.

Marks advised Councilors that at the June 6, 2022 hearing, the property owner/taxpayer and other interested parties could present testimony and other evidence on the issues of whether the property owner/taxpayer was in substantial compliance with the Statement of Benefits and whether any failure to be in substantial compliance was caused by factors beyond the control of the property owner/taxpayer.



Marks also reported that if, after the hearing, the Council determined the property owner/taxpayer to be in substantial compliance, then the City would then sign off on the CF-1 and property owner/taxpayer could file for the tax deduction. If the Council determined the property owner/taxpayer had not made reasonable efforts to comply with the Statement of Benefits, the Council could take action to terminate the property owner/taxpayer's tax phase-in.

In his memorandum to the Common Council, Deputy Mayor Mark Brinson reported that Lippert Components was granted a tax phase-in for new manufacturing equipment in 2013. The phase-in included three manufacturing locations in Goshen: 2703 College Ave., 1701 Century Drive and 2475 Kercher Road. Brinson provided a summary of the employment and investment included in the original Statement of Benefits that was submitted with the phase-in application and incorporated into Resolution 2013-19. Also shown was the actual employment and investment as stated in the Compliance with Statement of Benefits (CF-1) filed for 2021. These figures are for all three facilities combined:

Goal vs. Actual	Manufacturing Equipment Investment	Job Retention	New Employees	Wages
As estimated on SB-1	\$10,000,000	1078	376	\$45,521,144
Actual (end of 2021)	\$24,636,268	903	0	\$58,228,994
Difference	\$14,636,268	(175)	(376)	\$12,707,850

Brinson reported that Lippert exceeded the investment goal, but actually reduced the total number of employees at these locations, although total annual wages did exceed the original goal by \$12.7 million. The company provided a letter explaining why the employment numbers were below the estimate.

Brinson also reported that the Council would need to review the CF-1 and determine whether Lippert had substantially complied with the Statement of Benefits.

In a letter to Deputy Mayor Brinson, Joseph M. Salsbury, CPA, Tax Manager for Lippert Components Mfg., formally requested the property tax abatement for operations located at 2703 College Avenue, 1701 Century Drive and 2475 Kercher Road, Goshen as originally approved by Resolution 2013-19. Salsbury reported:

In terms of Total Employees, the company had expected to retain 1,078, plus projected number of new employees of 376 for a total of 1,454 and total salaries of \$45,521,144. The actual employees retained were 903, plus no new employees for a total of 903 and total salaries of \$58,228,994. This was an increase of 13 employees over the prior year. As such, the company fell short of its projected total number of employees, but exceeded the total salary goal by \$12,707,850.

In terms of Cost and Values, the total values before project was expected to be \$28,813,584 plus projected value of proposed project of \$10,000,000 for a total value upon completion of project \$38,813,584. The actual total values before the project was \$28,813,584, plus actual value of proposed project of \$24,636,268 for a total value upon completion of project \$53,449,852. As such, the company exceeded the projected value of the proposed project by \$14,636,268.



In his letter, Joseph M. Salsbury, CPA, Tax Manager for Lippert Components Mfg. further stated Lippert has:

- **Invested substantially** in the City of Goshen as it continues to play a vital role in the company's manufacturing operations.
- **Exceeded the project spend by \$14.6 million** during the project timeline.
- **Spent an additional \$30.9 million** in real estate improvements and equipment at the abatement location after the completion of the project on which the company is paying property taxes. This investment generates over **\$400,000 of additional annual of property tax revenue** to the City, Schools, and County that Lippert did not request an abatement on.
- **Invested heavily in other projects in the City of Goshen.** Over the past four years, Lippert has spent \$50 million in real and personal property improvements at Plant 19, over \$13 million in improvements at Plant 228 and over \$17 million at other facilities located in the City of Goshen. This investment generates over **\$750,000 of additional annual property tax revenue** to the City, Schools, and County that Lippert did not request an abatement on.
- **Employed 4,192 individuals** in the City of Goshen.

Salsbury concluded his letter by stating that based on the above, Lippert contended that its investment has met the threshold of substantial compliance and requested that the Council approve the current year Form CF-1 / PP as being in substantial compliance.

JUNE 6, 2022 STAFF PRESENTATION & DISCUSSION OF RESOLUTION 2022-10:

Mayor Stutsman invited Deputy Mayor Mark Brinson to provide background and context to Councilors.

Deputy Mayor Brinson said Resolution 2022-10 concerned a tax abatement for Lippert Components and this matter has been before the Council a few times. **The process began in 2013, he said, when the Council approved the tax abatement for Lippert for the purchase of new equipment at facilities at 2703 College Avenue, 1701 Century Drive and 2475 Kercher Road in Goshen.** Brinson said the abatement requires Lippert to file an annual report of its compliance with the original Statement of Benefits filed at the time the tax abatement was approved.

Although normally administratively approved based on a review of the reports, **Brinson said in this case, in 2021, Lippert exceeded the investment amount and total wages, but didn't hit the target for additional employees.**

At this point, Brinson said the Council had two options:

- **Option 1** – Find that the property owner/taxpayer is in substantial compliance with the Statement of Benefits, or that the failure to substantially comply was caused by factors beyond the control of the property owner/taxpayer, and therefore, the property owner/taxpayer is considered to be in substantial compliance.
- **Option 2** – Find that the property owner/taxpayer has not made reasonable efforts to substantially comply with the Statement of Benefits and the failure to substantially comply was not caused by factors beyond the control of the property owner/taxpayer. Therefore, the property owner/taxpayer is not considered to be in substantial compliance with the Statement of Benefits.

Brinson said if the Council approved Option 1, the City would sign off on the required form and send it to the Elkhart County Auditor and the company would file for its tax deduction. He said if the Council determined that Lippert had not been in substantial compliance with the Statement of Benefits, the next step would be to schedule a special public hearing, which is required by state statute, and the company could state its case at that hearing.

Joe Salsbury of Lippert was at the meeting. He requested the Council's continued support, said Lippert appreciated Goshen and offered to answer any questions.



Councilor King asked if there were any years when Lippert met the goal for the total number of employees. **Joe Salisbury** said it had not, but continued to try to make progress toward the goal. He said in the entire City, Lippert had about 4,200 employees. King said she appreciated that Salisbury was present and for the jobs that Lippert provided. Still, King said she felt uncomfortable that the City was changing the conditions of the original agreement after the fact, in terms of the number of employee hired, although she acknowledged the increase in wages paid. **Council President Weddell** said that in previous presentations Lippert officials have discussed the company's job creation efforts at other facilities in the City. **Salisbury** agreed. Council President Weddell also commented on the wage increases paid to its employees at the three facilities in question.

Through **Council President Weddell**, **Councilor Schrock** asked about the number of remaining years for the tax abatement. **Deputy Mayor Brinson** responded that it was a complicated process over seven years and a staggered process. **Salisbury** said this was seventh year of the initial investment and that two years remained. Brinson further clarified the issue, explaining that the abatement term depended when equipment was purchased.

Councilor Pérez asked a series of clarifying questions about why Lippert failed to meet its hiring goals and what the company was doing to increase the number of employees at the three plants. **Salisbury** said Lippert has faced a tight labor market and that it has been difficult to attract new workers. He also said that as a result of automation and increased efficiencies, Lippert has determined that it needs fewer employees than it anticipated in 2013. Still, he said the company has needed and hired more employees elsewhere.

Councilor Pérez asked if Lippert expected this trend of automation to continue. **Salisbury** said manufacturing is in a state of constant evolution. Still, Salisbury said Lippert has not sought to lay off employees and instead has found them jobs in other company plants.

Councilor Pérez asked if it was possible Lippert would not add any more employees at the three plants receiving the tax abatement because of automation. **Salisbury** said that was a probably an accurate assessment.

Councilor Nisley made a motion that the Council approve Option 1 – a determination that Lippert was in substantial compliance. Council President Weddell seconded the motion.

Mayor Stutsman asked if there was Council discussion on the motion.

Councilor King said that in her research she learned that Lippert's president and CEO (Jason Lippert) had an annual salary that was 206 times that of the average semi-skilled worker. **Council President Weddell** asked how that pertained to the matter before the Council. **Councilor King** said it spoke to the company's resources and that it might not need this tax abatement.

Councilor Pérez noted Lippert's continued automation and said he appreciated the increase in employee salaries, which he said enhanced stability in the community. Pérez said that because it appeared likely Lippert would not meet the employee hiring goals in the future, he asked if the terms of the original agreement could be amended.

Deputy Mayor Brinson said he was unaware of any way to amend the agreement for an abatement that was previously approved. Brinson said the Council could deny the annual compliance certification, which would effectively end the tax abatement, but that he knew of no way to amend the agreement; **City Attorney Stegelmann** concurred, stating that he knew of no way to amend the original agreement;

There were no further comments or questions from Councilors at this time.

At 6:32 p.m. Mayor Stutsman opened a public hearing on Resolution 2022-10.



Glenn Null of Goshen said that in the past the Council has forgiven a company when its ability to comply with requirements was out of its control. He said this was once the case for the Supreme Corporation, which was allowed an abatement at time the company wasn't doing as well and could have closed operations in the City. Null said at present, it's difficult for employers to hire workers. Null said that he supported the tax abatement for Lippert and believes the company has tried to hire and keep employees.

Pamela Weishaupt of Goshen said she was uncomfortable with Lippert getting the tax abatement despite not meeting the employment goals even though that may not have been possible due to automation. She asked if the agreement could be restructured since it didn't appear Lippert would be able to meet the hiring goals. Citing the gap in the pay of Lippert's CEO and line employees, Weishaupt also said it was a matter of integrity and she would rather City tax abatements go to other companies.

At 6:37 p.m. Mayor Stutsman closed the public hearing on Resolution 2022-10.

Council President Weddell responded that since **Pamela Weishaupt** mentioned integrity, he wanted to mention that Lippert employees have donated many millions of dollars of volunteer hours in the community. He said that every week, Lippert employees volunteer their time to cook and serve dinner at the VFW post. He further said he didn't mean to suggest Weishaupt said Lippert employees lacked integrity, but wanted to make this point.

Pamela Weishaupt acknowledged those volunteer efforts. Still, she said Lippert's CEO isn't affected as are his employees by gas price increases and that the pay disparity was inappropriate. She said that continuing the tax abatement was "troublesome."

Councilor Pérez discussed the history of the tax abatement and its requirements and stated that the employee hiring goals will not be met. **Joe Salisbury of Lippert** responded that it was difficult for the company to have projected future needs, but did acknowledge that automation increased faster than anticipated.

Mayor Stutsman briefly recalled the history of the tax abatement and the economic climate in Goshen at the time it was approved. He said Lippert has missed the mark in terms of hiring employees, but has exceeded investment goals. He also mentioned Lippert's changing employee needs at various plants.

Council President Weddell asked how many plants Lippert has in Goshen. **Salisbury** responded that Lippert has 15-20 plants in Goshen. Council President Weddell said Lippert is a huge company. In contrast, he said his business has 15 employees, but he also faces an ever-changing dynamic and must make quick business decisions. Council President Weddell said he is sure Lippert made good faith representations in 2013 based on what leaders thought would happen, but with so many plants and employees, it was naive to believe needs would not change,

Mayor Stutsman said that when he was on the Council, he voted for the tax abatement because of Lippert's role in community and its plans for growth in the number of employees.

Councilor Nisley said he made his decisions to support Lippert based on the same factors, including the company's contributions to the City. He said the company has also moved employees to other plants so they didn't lose their jobs. He said that it has made a big difference to him that Lippert has retained employees.

Councilor King asked **Deputy Mayor Brinson** the total amount of money the tax abatement represented to Lippert. **Brinson** said he had no information about that. **Salisbury** provided a general estimate. **Councilor King** responded that she didn't believe denying the tax abatement should be considered a punishment for a company that's doing as well financially as Lippert. She also applauded Lippert's success.



Councilor Eichorn noted that this appears to be the last tax phase-the Council has approved in a while. She added that if the Council approves a future tax abatement, it should learn from this case and make later adjustments if conditions change. Eichorn added that she wasn't against tax phase-ins and said Lippert does many great things for the community and employs many people.

Mayor Stutsman asked about the impact of a "no" vote and whether a hearing automatically would be held. **City Attorney Stegelmann** said the pending motion was to approve Option 1 – that Lippert was in substantial compliance – and that a hearing only would be held if the Council approved the second option.

Mayor Stutsman said a "yes" vote on **Councilor Nisley's** motion meant Lippert was in substantial compliance and it would receive the tax benefit and a "no" vote would only prompt a hearing to decide the issue.

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

On a roll call vote, Councilors approved Resolution 2022-10 - Preliminary Finding Concerning Lippert Components Manufacturing, Inc.'s Compliance with Statement of Benefits for Personal Property by a 6-1 margin, with Councilors Eichorn, Nisley, Pérez, Riegsecker, Schrock and Weddell voting "yes" and Councilor King voting "no" at 6:49 p.m. Youth Adviser Karen C. Velazquez Valdes voted "pass."

3) **Planning Department: Ordinance 5123 - Amend Ordinance 3011 by Rezoning Real Estate Hereinafter Described, and Commonly Known as 620 E Douglas Street, from Industrial M-1 District to Residential R-3 District with a Planned Unit Development (PUD) Overlay District, to be Known as the Ariel Cycleworks PUD** **Mayor Stutsman** called for the introduction of *Ordinance 5123 - Amend Ordinance 3011 by Rezoning Real Estate Hereinafter Described, and Commonly Known as 620 E Douglas Street, from Industrial M-1 District to Residential R-3 District with a Planned Unit Development (PUD) Overlay District, to be known as the Ariel Cycleworks PUD.* **Council President Weddell** asked the Clerk-Treasurer to read **Ordinance 5123 by title only, which was done.** **Weddell/Eichorn** moved to approve **Ordinance 5123.**

BACKGROUND:

On March 21, 2022, the Common Council considered **Resolution 2022-06, an Economic Development Agreement with AP Development LLC and AP Cycleworks LLC for the acquisition, financing and development of the property at 620 East Douglas Street in Goshen, which is also known as the former Western Rubber Inc. manufacturing site.**

AP Development LLC and AP Cycleworks LLC proposed a mixed-use development with approximately 138 units of residential apartments and 5,000 square feet of commercial/institutional space.

Over nearly two hours, the Common Council engaged with City staff and developer Jonathan Anderson about the proposal and listened to extensive public comments for and against it. **Councilors** also engaged in extensive discussion about the proposal, and ultimately **voted unanimously to table Resolution 2022-06.**

On April 18, 2022, the Common Council's next meeting, the **Council again considered Resolution 2022-06.** Councilors again engaged with City staff and developer Jonathan Anderson about the proposal and listened to extensive public comments for and against it. Councilors also extensively discussed the proposal.



Councilor Nisley made a motion to amend the development agreement to reduce the 100% TIF allocation, with repayment in 25 years, to a 75% TIF allocation with repayment in 20 years. Councilor Riegsecker seconded the motion. After extensive discussion, **Councilor Nisley made a friendly amendment to change the TIF repayment from 20 years to 25 years, which Riegsecker accepted.**

On a roll call vote, **Councilors failed to pass Councilor Nisley's motion to amend the proposed development agreement to reduce the 100% TIF allocation to 75%, with repayment in 25 years, by a 3-3 margin,** with Councilors Nisley, Riegsecker, and Weddell voting "yes" and Councilors Eichorn, King, and Pérez voting "no" and Councilor Schrock voting "pass." Youth Adviser Mora also voted "no."

Council President Weddell then made a motion to reduce the TIF allocation from 100% to 85% with repayment in 25 years. Councilor King seconded the motion. In response to developer Jonathan Anderson's comments about the motion, **Council President Weddell thanked Anderson for his comments and withdrew his motion. Councilor King withdrew her second to the motion.**

On a roll call vote, Councilors then approved Resolution 2022-06 by a 5-2 margin, with Councilors Eichorn, King, Pérez, Schrock and Weddell voting "yes" and Councilors Nisley and Riegsecker voting "no." Youth Adviser Mora voted "yes." **That action meant the proposal could advance for further consideration by the City.**

Ordinance 5123 - Amend Ordinance 3011 by Rezoning Real Estate Hereinafter Described, and Commonly Known as 620 E Douglas Street, from Industrial M-1 District to Residential R-3 District with a Planned Unit Development (PUD) Overlay District, to be Known as the Ariel Cycleworks PUD

In a Memorandum to the Common Council, which was included in the Agenda packet for the June 6, 2022 meeting, City Planning & Zoning Administrator Rhonda Yoder provided the following background and context of the issue before Councilors on June 6, 2022. She reported:

The Goshen Plan Commission met May 17, 2022, in regular session and considered a request for a rezoning from Industrial M-1 District to Residential R-3PUD (Planned Unit Development) and PUD preliminary site plan approval, for a mixed-use development containing commercial and multi-family residential uses, with the following outcome:

Forwarded to the Goshen Common Council with a favorable recommendation by a vote of 5-4

The favorable recommendation was based on the following, with the following conditions:

1. The proposed development is compatible with the existing mixed use corridor, is less intensive than an industrial use, and is consistent with the 9th Street corridor plan goals of developing a sense of place and promoting intra-community connectivity.

2. The proposed development is consistent with the Comprehensive Plan, including:

- Land Use, Goal L-1: Prioritize the reuse and redevelopment of existing land and structures.
- Land Use, Goal L-7: Encourage small-scale, neighborhood commercial development.
- Neighborhoods & Housing, Goal N-1: Revitalize, sustain and enhance urban core neighborhoods.
- Neighborhoods & Housing, Goal N-6: Encourage compact and connected residential development.
- Neighborhoods & Housing, Goal N-7: Expand housing options and opportunities.
- Natural Environment, Goal NE-2.4: Direct growth toward existing development and away from undeveloped space such as farmland, wetlands and forests.

3. Except as modified by specific PUD conditions, the approved PUD preliminary site plan is Ariel Cycleworks Goshen, Exhibit B, dated April 27, 2022, by Jones, Petrie, Rafinski, permitting:



- A mixed-use development containing commercial and multi-family residential uses;
- A 10' building setback along Plymouth Avenue;
- A 5' building/parking/aisle setback along 10th Street;
- A 5' parking/aisle setback along Douglas Street;
- A 0' patio setback for Building A;
- One four story building;
- One building approximately 325' in length;
- Parking stall depth of 18 feet;
- Up to 136 dwelling units with approximately 1,250 square feet of lot area per unit;
- Commercial parking calculated at one space per 400 square feet, and residential parking calculated at 1 space per studio and one-bedroom units and 1.5 spaces per two-bedroom unit;
- Screening similar to what is shown on the PUD preliminary site plan; and

Signs as follows:

- One wall or monument freestanding sign per building for Buildings B, C, D and E, limited to 20 square feet in area and 5' in height (if freestanding).
- For Building A: One sign located on the short screen wall near the outdoor patio, limited to 20 square feet in area; one monument freestanding sign, limited to 20 square feet in area and 5' in height; two wall signs, limited to 20 square feet in area.
- One ground sign (8 square feet in area and 3' in height) for each public street driveway access.
- All signs shall be non-illuminated, internally and externally.
- All signs shall be located completely on private property, with no specific setback requirements, subject to visibility requirements.
- Freestanding signs, except ground signs, shall be located in landscaped areas as defined by the Zoning Ordinance.
- Permitted wall signs may be flush mounted or projecting.
- Temporary and/or mobile signs shall be prohibited.

4. Except as modified by the PUD, development shall follow R-3 District requirements.

5. Lighting shall be directed down and away from adjacent residential properties, and shall prevent illumination, glare or reflection on adjacent properties, with a lighting plan required as part of the PUD final site plan submittal.

6. Sidewalks are required adjacent to all public streets, except Douglas Street.

7. A PUD final site plan, including landscaping and lighting plans, shall be submitted and approved prior to a zoning clearance form/building permit being issued.

8. In consultation with Goshen City Engineering, a traffic analysis is required.

9. Site plan approval by Goshen City Engineering is required for site drainage, post construction, site utilities and right-of-way access, as applicable, before a zoning clearance/building permit is issued.

10. The Goshen Fire Department shall approve the plan for fire protection (including hydrant placement and access) as part of Technical Review.

City Planning & Zoning Administrator Rhonda Yoder reported that at the Plan Commission meeting, public comments were received both in support and with concerns:



Concerns:

- Traffic
- Stormwater
- Parking
- Density
- Neighborhood impact

Support:

- Housing of all types is a huge need
- Location is appropriate near downtown
- Project fits with 9th Street Corridor vision

In a project analysis prepared for the Plan Commission and the Common Council, **City Planning & Zoning Administrator Rhonda Yoder** further reported:

- The **subject property is located at 620 E Douglas Street**, with approximately 355' frontage on Douglas Street and Plymouth Avenue, approximately 478' frontage on 10th Street, and containing \pm 3.93 acres.
- The subject property is a single tax parcel, **the former Western Rubber site, located within the 9th Street industrial corridor, and zoned Industrial M-1**. The 9th Street industrial corridor generally lies between 9th and 10th Streets, extending from Madison Street on the north to College Avenue on the south. **The land use in the corridor is a mix of industrial, commercial and institutional uses, surrounded on both sides by residential uses**, and including residential uses within the corridor. In places, the industrial zoning extends to the west side of 9th Street and the east side of 10th Street. The M-1 zoning in the corridor goes back to the City's first zoning map in 1961.
- The subject **property was acquired by the City of Goshen in 2008, demolition began in 2009, and environmental remediation activities occurred in 2012-13**. A No Further Action Determination was issued by IDEM (Indiana Department of Environmental Management) on April 1, 2014, for closure of the environmental remediation. An Environmental Restrictive Covenant (ERC) was recorded January 16, 2019. The ERC requires amending in order for the residential use to proceed.
- **In 2011-12, the 9th Street Industrial Corridor Plan was developed, focusing on remediation and future development**. Goals included mixed use development, developing a sense of place, improving mobility and safety, and intra-community connectivity. Activities have included the 9th Street bike/pedestrian path (implemented) and the development of a railroad Quiet Zone (ongoing).
- The **proposed rezoning to Residential R-3PUD is requested for a mixed-use commercial/residential development, with approximately 5,150 square feet of retail/commercial space, and up to 136 apartments in five buildings**. The R-3 District is the only zoning district that permits residential apartment development, and the PUD is proposed to approve the mixed use and address developmental requirements.
- Because of the compact nature of the 9th Street corridor, and the close proximity to residential land uses, **many existing industrial uses have been granted variances for continued development, and new uses of all types within the corridor would likely require variances in order for development to be permitted**.



- When a PUD is developed, it contains specific use and developmental requirements that are in addition to, or in place of, the underlying zoning district requirements. A PUD is always tied to a site plan, with a PUD preliminary site plan adopted when a PUD is established or modified, and a detailed PUD final site plan reviewed as development occurs. **PUD preliminary site plans require review as a public hearing at Plan Commission, with final approval by Council.** A PUD is intended to streamline the review process and provide flexibility based on specific site conditions

In her project analysis, **City Planning & Zoning Administrator Rhonda Yoder** further reported:

Mixed Use: In a Planned United Development (PUD), uses may be more or less restrictive and commercial uses may be included with residential uses. The 5,150 square feet of commercial space is proposed within the south building, which is a four story building with 20,220 square feet on each floor. The commercial space would be approximately 25% of one floor, and a very small percentage of the total building and total development.

Setbacks & Building Height: In a PUD, there are no specific building height or yard requirements, but deviations from the requirements are noted, as follows: a 10' building setback along Plymouth Avenue (where 30' is required); a 5' building/parking/aisle setback along 10th Street (where 25' is required); a 5' parking/aisle setback along Douglas Street (where 25' is required); a 0' patio setback for Building A; and one four story building (where three stories are permitted)

Building Length: The R-3 District limits building length to 200 feet, and one building is proposed approximately 325' in length. This is the south building, proposed along the Plymouth Avenue frontage, which at this location should have no adverse impact.

Density: The R-3 District requires 2,000 square feet of lot area per dwelling unit, with gross density not exceeding 20 units per acre. The site has ±3.93 acres which would allow 78 units. Up to 136 unit are proposed, in four, three-story buildings and one, four-story building, with approximately 1,250 square feet of lot area provided per unit. The proposed density is not inconsistent with the development that exists within the 9th Street corridor, which maximizes use of site area.

Parking: The proposed commercial space could hold a number of uses, such as a coffee shop, business incubator space, or offices, and each use has different parking calculations, so one space per 400 square feet of floor area is proposed for the commercial area, with 5,150 square feet requiring 13 spaces. For multi-unit residential uses, parking is based on the number of bedrooms. The proposed development would have 27 studio units (requiring 1 space each) and 109 one- and two-bedroom units (requiring 1.5 spaces each), for a total of 191 required parking spaces. If the 64 one-bedroom units were calculated at 1 space per unit, the total number of required residential spaces would be 159. The total number of required spaces would then be 172, with 174 spaces provided. Parking spaces 18' in depth are proposed, with 24' driving aisles.

Access: Two access points are proposed on 10th Street. In consultation with Goshen Engineering, a traffic analysis will be required.

Sidewalks. New sidewalks are proposed along Plymouth Avenue and 10th Street. Douglas Street no longer connects across the railroad tracks, and no sidewalk is therefore proposed/required.

Landscaping: The PUD preliminary site plan includes streetside and parking lot trees meeting Zoning Ordinance requirements, along with foundation landscaping and trees along the west property line.

In the R-3 District, partial landscaping is required adjacent to neighboring one- and two-family residential land use, with neighboring including across the street.



In this case, there is neighboring one family residential land use on the east side of 10th Street and along 22-03R 3 a portion of the south side of Plymouth Avenue. Screening as shown along 10th and Plymouth, including small trees, shrubs and streetside trees, is proposed to buffer the apartment development from adjacent one family residences.

JUNE 6, 2022 STAFF PRESENTATION & DISCUSSION OF ORDINANCE 5123:

Mayor Stutsman invited City Planning & Zoning Administrator Rhonda Yoder to provide the background and context of Ordinance 5123 to Councilors.

Yoder briefly discussed the Plan Commission's favorable recommendation for Ordinance 5123, the rezoning from Industrial M-1 District to Residential R-3PUD (Planned Unit Development) and PUD preliminary site plan approval, for a mixed-use development containing commercial and multi-family residential uses. She also summarized the proposed development's consistency with the Comprehensive Plan.

Mayor Stutsman said the Common Council, the Plan Commission and City of Goshen staff members have received substantial community input on the project. The Mayor said he and staff members have listened to resident concerns and have considered how to address them while considering many options. He said **City Redevelopment Director Becky Hutsell** would present to the Council an overview of what is being considered and would then be available to answer questions. He also said there would be time for Council discussion and public comments.

Hutsell said she has been considering the community input on the project and seeking to address questions and concerns. Before the meeting, Hutsell distributed to Common Council members a three-page document showing a map of the 9th Street Industrial Corridor with key aspects of its Strategic Plan, proposed 10th Street improvements, and a diagram showing 31 new proposed parking spaces on Douglas Street (**EXHIBIT #1**). Hutsell described the three-page document using a PowerPoint presentation for the Council and the audience.

Referring to the map of the **9th Street Industrial Corridor**, **Hutsell** discussed work that has already been accomplished to improve the area and future improvements.

Next, **Hutsell** discussed the following **planned 10th Street improvements**: water main replacement; roadway reconstruction; installation of curbing and dry wells to facilitate drainage; sidewalk reconstruction and on-street parking clearly defined for existing 10th Street residents. She said work would begin this year with a survey and meetings with residents and complete project design, solicit bids and begin construction in 2023-2024.

Finally, **Hutsell** showed a diagram of showing **31 new proposed parking spaces on Douglas Street** to address resident concerns about a lack of parking in the neighborhood. She said she could not say when the parking spaces would be added, but said this would be considered by the Redevelopment Commission.

Mayor Stutsman said the City has been seeking to address the community's three leading concerns about the project – traffic, parking and stormwater. He said many residents have asked why no studies on all three issues have been completed. The Mayor said the procedure is that such studies cannot be completed until a project moves forward. He said all of those aspects will be addressed during the review and approval process. In response to another community concern, **Mayor Stutsman** said he knows of no Councilor or City staff member who is seeking to push out any business from the area. He also said the City is simply responding to a project that is pending and seeking to ensure it would benefit the neighborhood and the community.

Mayor Stutsman asked if the developer wanted to make any comments.



Jonathan R. Anderson, the principal/attorney for Anderson Partners LLC and the developer of the Western Rubber site, said he wanted to thank the Mayor and the City of Goshen. He said there was a good discussion about the project by the Plan Commission, which recommended approval of the project. He said the developers remained "bullish" about the proposal and moving forward with the plan and was open to answering any questions or concerns after the public comment period.

At 7:02 p.m., Mayor Stutsman opened a public hearing on Ordinance 5123.

Les Eger said he lives in the neighborhood and was never contacted for his opinion about the project. He said the project "does not belong in this area." He said the City has gotten involved in the real estate business and it has ignored the first rule of that business, which "is location, location, location." He said this is the wrong location for the project. Eger said that he agreed with some of the other criticisms of the project, but his major concern is the financing. Eger said he objected to taxpayer funds being used for the project. He said if project is as good as supporters say, they should be able to pay for it with private funds. He also said taxpayer funds should be used for essential services, such as trash collection. Eger asked Councilors to reject the project and instead allow industrial development or single-family homes on the site.

Adrian Mora of Goshen said the project is positive and good for the community. He said it will provide housing for essential workers, which he supports. He noted that the site is a former brownfield, and building on the site was a positive development. Mora also said the project will ease the City's housing shortage.

Former City Councilor **Julia Gautsche** said she supported the proposed rezoning of the site from industrial to residential, adding that housing would be a good use of the property. Gautsche said she lives in neighborhood and owns two properties across from the project site. She said she appreciated the proposed design, which will avoid a large wall of apartment buildings being constructed. Gautsche said was she is aware of concerns from neighbors about the project's density as well as traffic and parking. However, she said she believes the extra proposed parking spaces will help address some of those issues. She said a train quiet zone will be helpful, and asked when it might happen. **Mayor Stutsman** responded that he hopes it will be done this year. **Gautsche** also mentioned the need for curbs and gutters on 9th Street and concluded by repeating her support for the project.

Jim Minnich, who lives on 10th Street, said his family has lived in the area since 1952. He expressed concern about the impact of the project on parking. He said most couples who live in apartments don't work at the same place, so a single parking space per apartment won't work. He said parking in the neighborhood is already bad and some people have to wait outside their homes to get their mail. Minnich also said he was worried about railroad safety issues.

Linda Wertman, who lives on 11th Street, said she is a longtime resident and opposes the project. She mentioned issues related to the railroad and also objected to the financing of the project.

Brenda Bleile, who lives on 11th Street, said she has lived in the area for 30 years and opposes the project.

Kristine Borzeniatow, who lives on 9th Street, said she opposes the project because of traffic concerns. She said when traffic is backed up at railroad crossings, visibility is hindered and people crossing streets could be hit.

Former City Councilor **Tom Stump** asked if the vote tonight would be the last one by the Council on the project.

Deputy Mayor Mark Brinson responded that if the project is approved tonight, there still would need to be a vote on a related bond issue and a few other pieces.

Stump said he opposes project and spoke at the Council's last meeting about his opposition because of traffic and financing concerns.



Stump said if the City sold the property to Gleason Industries, the City could still regulate what took place on the site. He also said that after a new building was completed, the City could begin collecting taxes on it in as little as two years, which would be a much better financial decision. Stump said he was concerned the project wouldn't have enough parking and would have a negative impact on traffic. Stump also said that Goshen already has enough apartments and needs more single-family homes. He said he remains opposed to the project.

Tim Doyle, who lives on 7th Street, said the project was a bad financial deal for Goshen residents. He said taxpayers will bear the burden of providing police and fire services to the apartment complex. He said the complex would provide low-income apartments, which tend to require a higher level of public services. Doyle objected to the many variances that were proposed for the project. He also expressed concern about traffic and parking from the project, adding that it may be a good project, but it is a bad location.

Hollie Rieth, who lives across from project site, said she objected to the apartments because of parking, traffic and safety concerns. She said the project is too close to the railroad tracks, adding that people will not want to live there. She said the project will decrease her home's property value. Rieth also said she was worried about the possible impact of low-income housing on the site.

Lewis Morse, who lives in the neighborhood, raised a concern about snow accumulating on the site. He said Goshen High School faces the same problem. He objected to paying for the project with taxpayer dollars. Morse also expressed concern about traffic.

David Pinkerman, the president of the United Food and Commercial Workers Union in Goshen, said he has spoken before to the Council about his concerns about the project. He said many concerns have been raised about the project. Regardless of the outcome, Morse encouraged Councilors to "get it right for everyone."

Bill Malone, the vice president and general manager of Gleason Industries, said the company has been located in the neighborhood since 1891. He discussed the detrimental impact of the project on Gleason's operations and its employees. For example, he said his employees take their breaks very close to the proposed apartments. Malone said the City has made a mistake by not conducting a traffic study before considering the rezoning. He said he believes the apartments will double the amount of traffic on 10th Street. Malone said the apartments will have a detrimental impact on Gleason's operations and said it was "nonsensical" and "insane" for the City to even consider this project. He also said that he will consider filing a lawsuit if the City approves the project.

Nick Kieffer, president and CEO of the Goshen Chamber of Commerce, said the Chamber Board supports the apartment project for the former brownfield site. He said the mixed-use development of housing and retail space will benefit the community. He said both housing and commercial space are in short supply. Kieffer also said the Chamber Board was encouraging the City to continue working with neighbors to address their concerns.

At 7:38 p.m., Mayor Stutsman closed the public hearing on Ordinance 5123.

Mayor Stutsman said he and City staff met with **Bill Malone** to discuss parking issues on Douglas Street and on 10th Street. He also said the City has worked hard to address neighborhood concerns. **Malone** attempted to respond to the Mayor's comments, but was advised that the public comment period was now closed.

Mayor Stutsman asked **City Attorney Bodie Stegelmann** a question that was asked by a Council member: If the Council made an amendment tonight, would the matter have to return to the Plan Commission? Stegelmann said he was not sure. **City Planning & Zoning Administrator Rhonda Yoder** said she would research the question.

Mayor Stutsman invited Council discussion on Ordinance 5123.



Councilor Riegsecker said he has considered this matter extensively and prepared a written summary of his analysis of the project. He made the following points:

- Residential Tax Increment Financing (TIF) is a new concept that has just come up recently;
- He is still in favor of this approach and wants to be for it and knows that Goshen needs housing;
- When he first heard of the apartment project, he wanted to proceed very cautiously;
- The City is still developing a template or guidelines to work through issues related to TIF financing for housing and trying to determine what is good and bad about it;
- The Greenwood Rental Properties Project on Indiana Avenue was for about \$11.5 million and the City came up with 75% of the TIF revenue (for the developer), allowing 25% of the revenue to go back into that area;
- For the Greenwood project, the Council approved a 20-year bond and a 0 percent interest rate;
- The original amount in the TIF was revamped so that everyone was on the same playing field and the definition of infrastructure was expanded to include anything below the slab, which was easy to track;
- For the Aerial Cycleworks proposal, this is a \$32 million total project, \$4.5 million in bond revenue, an interest rate of 4% and the Council discussed a 20-year bond, which is what he favored, but settled on 25-year bond with 100% of TIF revenue for the project, so no money for rest of the area to do anything else;
- There has been neighborhood opposition to the project and the issues that have come up have included traffic congestion, parking, the type of housing and the number of units;
- The last Council vote was 5-2 in favor, and the project then went to Plan Commission, for the rezoning and approval of the Planned Unit Development (PUD) Overlay District, and the vote was 5-4 vote, which was in no way unanimous and one vote would have changed the outcome to the opposite side;
- Here are some things the City has relaxed, through the Plan Commission vote, to approve this project: a 10' building setback along Plymouth Avenue where 30' are required; a 5' building/parking/aisle setback along 10th Street where 25' is required; a 5' parking/aisle setback along Douglas Street where 25' is required; a 0' patio setback for Building A; one four story building allowed where three stories are permitted; one building approximately 325' in length where a maximum of 200' maximum is allowed; parking stall depth of 18 feet where 20' is required; up to 136 dwelling units with 1,250 square feet of lot area per unit where 25 units max on this property with 2,000 square feet of lot area per unit is allowed; 174 parking spaces where 204 would be required; and five free-standing signs where three are permitted.
- As he reviewed the project, these were among his concerns.
- He likes the developer and the project, but the City is giving up more than he is comfortable with.
- He is willing to consider residential TIFs with limitations until the City develops a template with guidelines on what should be allowed;
- The City already approved one residential TIF with limitations, which he feels are good and help both the developer and the City of Goshen;
- The 5-4 vote by the Plan Commission was not good reassurance to him that this project was in the best interests of the neighborhood or the City of Goshen and one vote would have changed the outcome;
- If the City had proposed relaxing only a few zoning requirements, as is usual, maybe that would be worth consideration, but 10 zoning requirements would need to be relaxed for this project;
- Again, he likes the project, but it's massive and it takes up the whole area;



Councilor Riegsecker continued his analysis:

- With the Greenwood Rental Properties Project it feel like the City was jumping into the residential TIF “pool” from the shallow end, but this project feels like the City is jumping into the deep end;
- He is willing to waive some zoning requirements, but not this many;
- Goshen needs housing, but he doesn’t know the answer for the area.

Mayor Stutsman said he wanted to clarify that the apartment proposal is for traditional Tax Increment Financing and is not a housing TIF. **Councilor Riegsecker** thanked the Mayor for the clarification.

Councilor Nisley said along same lines as **Councilor Riegsecker**, he also believes the project is a good one, but it is too big for the area. He said the developer is proposal a four-story building that will be more than 50-feet tall along Plymouth Avenue that will overshadow anything in the area. He said the project is too big for the area. He said the City has proposed a number of measures that could be done to ease concerns from neighbors, but without an actual commitment to do those things. Nisley also cited concerns about parking, curb and sidewalk issues and the substantial opposition from residents.

Councilor Pérez asked **Redevelopment Director Becky Hutsell** to clarify improvements proposed along 10th Street. Hutsell and Mayor Stutsman described the proposed improvements and the planned engagement by residents. **City Public Works and Utilities Director Dustin Sailor** also described the proposed improvements.

Councilor King asked for clarification of what the Council was being asked to approve tonight. **City Planning & Zoning Administrator Rhonda Yoder** said the Council was being asked to establish the preliminary Planned United Development (PUD) site plan and approve the rezoning.

Yoder also responded to **Mayor Stutsman’s** question – that if the Council made an amendment tonight, would the matter have to return to the Plan Commission? Yoder said the Council may adopt or reject Ordinance 5123, but if it makes any major amendments, the ordinance would need to go back to the Plan Commission for consideration.

Councilor King clarified that there have been no amendments to the ordinance yet. However, she asked if the Council could approve the rezoning and still make changes afterward to aspects of the project.

Deputy Mayor Mark Brinson said there will be an administrative process after a rezoning which will include a technical analysis by City Engineering, Planning, Fire (Department), Stormwater and Streets. He said a team will carefully review the project, including a review of traffic. Brinson said this will be a careful review of final plans; at present, the City only has the project’s conceptual plans.

In response to a question from **Councilor Nisley**, **Mayor Stutsman** clarified tonight’s Council vote.

Councilor Eichorn said the post-rezoning process will be the same for any similar project. **Brinson** agreed. **Mayor Stutsman** said the Indiana Avenue apartment proposal has gone through the same process, including a post-approval traffic study. **Redevelopment Director Becky Hutsell** said that project completed its traffic study before the project’s technical review and is being required to implement the recommended modifications.

In response to comments from **Councilor Riegsecker**, **Hutsell** said she wanted to clarify that this entire area is in the River Race Corridor TIF. So, when the parcel is carved out for this development and establish it as own TIF, the corridor remains. And Hutsell said the City’s intent would be to use those funds for the improvements along 10th Street and Douglas Street just as the City has along 9th Street. **Councilor Riegsecker** thanked Hutsell.

Councilor Nisley asked if the City has received an indication the project will receive the requested READI grant through the South Bend | Elkhart Regional Partnership. **Mayor Stutsman** said the application has not been filed yet.



In response to **Councilor Riegsecker's** comments about the number of required variances for the project, **Deputy Mayor Brinson** said the number of requested variances is not extreme for a development in an older part of the City of higher density and in-fill sites. He said the City's zoning ordinances are written more for "greenfield" development. He said this many variances is not unusual. **Councilor Eichorn** thanked **Brinson** for that clarification, which she said she had planned to ask about. **Hutsell** said the City's new Parks maintenance facility, which is on 9th Street, required six variances just to make it compliant as well and any development on the Western Rubber site would require that many variances.

In response to a question from **Councilor Pérez**, **Mayor Stutsman** said he asked about the impact of possible amendments, but was not aware any would be proposed by Councilors.

Council President Weddell asked how tall the four-story building on the site would be. **Deputy Mayor Brinson** estimated about 10 feet per story or 45 feet. Asked about other building heights in the area, Mayor Stutsman said two-story buildings downtown are about 33 to 35 feet tall and the Hawks Building is about 45 feet tall.

Councilor King said it was a legitimate issue, but just because a building this tall hasn't been built in the City doesn't mean it shouldn't be allowed. **Council President Weddell** said he was raising the issue to contrast the size of the proposed four-story building with the surrounding structures in the neighborhood. **Council President Weddell** asked **Bill Malone** the height of the Gleason Industries Building. **Malone** said it is 17 feet tall. In continued discussion, it was determined that the Western Rubber Building on the site had been three stories or about 33-40 feet tall. And the proposed new building would have a 10-foot setback to Plymouth Avenue.

Jonathan R. Anderson, the principal/attorney for Anderson Partners LLC and the developer of the Western Rubber site, said the original zoning would have specified that buildings be located in the center of the site, surrounded by parking. However, Anderson said he didn't want that, so he asked for variances to allow for more open greenspace.

Council President Weddell asked about Western Rubber's footprint on the site as well as its setbacks. **Anderson** said there were minimal setbacks. **Hutsell** said there were many buildings on the site, some right next to property lines. And, she said, the buildings were surrounded by asphalt and concrete.

Councilor Riegsecker said it seemed that if there were only 75 units on the site, there would be adequate room for the usual setbacks and not as many variances needed. However, he said he understood that more units were proposed on the site to make the project more economically viable.

Councilors briefly discussed the Plan Commission's 5-4 vote in favor of the project.

Mayor Stutsman asked if there were further comments by Councilors or questions for the developer or City Staff.

Councilor King said she had some hesitancy, but wanted to be supportive of the project. She said people are thinking carefully about the project because of the good questions and concerns that have been raised. King said that it was important to her is that City staff is looking into the issues. She said that she wants to trust that all concerns have been considered and that commitments made will be honored. Still, King said she also understood the hesitation of neighbors.

Council President Weddell said many concerns have been voiced by area residents and neighbors. He said if Councilors were uncomfortable about the number of proposed variances, perhaps the developer could alter his plans and present them to the Plan Commission. He also said this has been a challenging project because of the many issues involved, including in-fill development and building on a brownfield site.

Mayor Stutsman said Goshen has had the stigma among developers of being a City that is that hard to work with. He said the City has that reputation because City staff members are sticklers for making sure projects are done correctly. And he said it's important that people trust that City staff members know how to do their jobs.



In response to the comments about building heights and variances, **Jonathan Anderson, the developer of the Western Rubber site**, said that besides some minor details, the Council had before it the same site plan previously presented to the Council except for the creation of some more parking. Anderson said otherwise the plans haven't changed. He added that the City was now promising to make improvements on 10th Street and Douglas Street a higher priority and that he has continued to address the concerns of neighbors.

Councilor Nisley said he voted "no" the last time the project was before the Council, knowing that it would move forward. He asked if the City would consider advancing the project or if this was the last chance to vote on it. Nisley also said the strong neighborhood opposition to the project should be taken into consideration.

Councilor Schrock asked if a Council majority vote against the project tonight would kill it.

City Planning & Zoning Administrator Rhonda Yoder said if the Council rejected Ordinance 5123 tonight, the Plan Commission could not hear or consider the same application within one year of the date of the decision unless the Plan Commission voted unanimously to reconsider a modified application.

Council President Weddell said the Council previously considered a project that had near-unanimous neighborhood opposition and this opposition was strongly considered by Councilors in denying that project.

Councilor Eichorn said that in that case, the proposal was for a storage facility and there appeared to be a consensus that the City had enough storage facilities. In this case, Eichorn said, the City doesn't have enough housing. While Eichorn said she respects the views and feelings of neighbors, there are other neighborhood residents who support the project. She also said there are negative effects of not having enough housing in the City. And she said that the Council should allow this project to proceed. Eichorn also echoed **Councilor King's** comments. And she said she believes the project will be a good fit for the neighborhood.

Councilor King agreed with **Councilor Eichorn's** comments about the storage unit proposal and said she heard no support for it. In this case, King said some neighborhood residents support the apartment project.

Councilor Pérez, who represents District 5, said he hasn't heard many of his constituents discussing the apartment project. So, he said he was glad to hear so many comments and valid concerns from neighborhood residents. Given the concerns from residents, Pérez said this will be a hard vote for Councilors. However, he said even if it was rejected tonight, the project could still come back in some form.

Mayor Stutsman said he was unsure what Councilors were thinking and whether they would approve or deny the project. He also asked if any Councilors wanted to make any amendments. None indicated an interest in doing so.

Mayor Stutsman said this would be a tough decision and that projects like this are difficult, especially when many concerns are expressed about them. **Council President Weddell** concurred, noting "These (votes) aren't fun." He said he likes 95 percent of what he does as a council member and hates 5 percent. "This isn't fun."

Councilor Nisley said he was ready to vote. In response to a question from the **Mayor**, **Council President Weddell** said the Council was ready to vote. **Mayor Stutsman** asked the Clerk-Treasurer to call the roll on the motion by **Council President Weddell/Councilor King** to approve Ordinance 5123 on first reading.

On a roll call vote, Councilors failed to pass Ordinance 5123 on first reading by a 4-3 margin, with Councilors Nisley, Riegsecker, Schrock and Weddell voting "no" and Councilors Eichorn, King and Pérez voting "yes" at 8:18 p.m. Youth Adviser Velazquez Valdes also voted "no."

Mayor Stutsman called for a brief break in the meeting.



At 8:25 p.m., Mayor Stutsman reconvened the Council meeting. He announced that **Councilor Eichorn left the meeting during the break** to drive to Indianapolis and represent the City at an event tomorrow.

6) Clerk-Treasurer's Office: Six proposed fund ordinances:

Ordinance 5124 - Establishing an ARP Aviation Grant Fund (Grant No. 3-18-0029-023-2021)

Ordinance 5125 - Establishing an ARP Arts District Grant Fund (Grant No. NEA 1863369-61-20)

Ordinance 5126 - Establishing an ARP Police Equipment Grant Fund (Grant No. ARP 062335)

Ordinance 5127 - Establishing an ARP Bike Track Grant Fund (Grant No. ARP 062148)

Ordinance 5128 - Establishing an Airport Improvement Program Grant Fund (Grant No. 3-18-0029-019-2019)

Ordinance 5129 - Establishing a Fire Grant Fund (Grant No. EMW-2021-SS-00032)

Mayor Stutsman called for the introduction of six related fund ordinances. The Mayor asked the Clerk-Treasurer if the ordinances could be considered together or whether they had to be considered individually. Clerk-Treasurer Aguirre said he would prefer guidance on this question from City Attorney Bodie Stegelmann. City Attorney Stegelmann said he would prefer the ordinances be introduced, discussed and voted on individually.

Ordinance 5124 - Establishing an ARP Aviation Grant Fund (Grant No. 3-18-0029-023-2021)

Mayor Stutsman called for the introduction on first reading of Ordinance 5124, *Establishing an ARP Aviation Grant Fund (Grant No. 3-18-0029-023-2021)*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5124 by title only, which was done.

Weddell/Pérez moved to approve Ordinance 5124 on first reading.

Deputy Clerk-Treasurer Jeffery Weaver provided the background and context of Ordinance 5124 and the five related ordinances. He said in past years, the city maintained one fund for all grants received by the City and expenses related to grants would be paid out of that fund. Weaver said this system worked well for quite a while. However, Weaver said in the past few years, the City has received more grants and the federal government wants to ensure the city is using the grant funds appropriately and complying with grant agreements, some of which have exacting requirements. As part of tracking down grant expenditures, he said the State Board of Accounts is requiring municipalities to establish separate funds for each grant.

While Weaver said he is a bit grumpy about having to establish so many new funds, in the end this helps the City with tracking expenditures from the beginning to the end. He said earlier today, the Clerk-Treasurer's Office concluded accounting work on an older grant and it feels good to have everything in one place.

So, Weaver said the Clerk-Treasurer's Office is proposing the establishment of six new funds for six grants. He said the first proposed fund is an aviation grant fund. Weaver said the City received \$59,000 from the Federal Aviation Administration (FAA) and the grant proceeds will be deposited into that fund and the City can spend out of that fund and all grants received and expenditures will be managed from that one fund. As an aside, he said establishing the funds will make state auditors happy – "or as happy as auditors can get."

Mayor Stutsman thanked Weaver and asked if there were any comments or questions from Councilors. There were none. The Mayor also invited public comments on Ordinance 5124, but there were none.



Councilors indicated they were ready to vote on Ordinance 5124.

On a voice vote, Councilors approved Ordinance 5124 on first reading by a 6-0 margin, with all Councilors present voting "yes" at 8:29 p.m. Councilor Eichorn previously left the meeting.

Councilors gave unanimous consent to move to a second and final reading of Ordinance 5124.

Mayor Stutsman called for the introduction on second reading of Ordinance 5124, *Establishing an ARP Aviation Grant Fund (Grant No. 3-18-0029-023-2021)*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5124 by title only, which was done.

Weddell/King moved to approve Ordinance 5124 on second and final reading.

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

On a voice vote, Councilors approved Ordinance 5124 on second and final reading by a 6-0 margin, with all Councilors present voting "yes" at 8:30 p.m.

Ordinance 5125: Establishing an ARP Arts District Grant Fund (Grant No. NEA 1863369-61-20)

Mayor Stutsman called for the introduction on first reading of Ordinance 5125, *Establishing an ARP Arts District Grant Fund (Grant No. NEA 1863369-61-20)*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5125 by title only, which was done.

Weddell/King moved to approve Ordinance 5125 on first reading.

Mayor Stutsman said this was the same kind of fund, but for an arts district grant fund.

There were no questions or comments from the public.

Council President Weddell said this fund was for a \$5,000 grant. There were no further comments or questions from Councilors, who also indicated that they were ready to vote.

On a voice vote, Councilors approved Ordinance 5125 on first reading by a 6-0 margin, with all Councilors present voting "yes" at 8:30 p.m.

Councilors gave unanimous consent to move to a second and final reading of Ordinance 5125.

Mayor Stutsman called for the introduction on second reading of Ordinance 5125, *Establishing an ARP Arts District Grant Fund (Grant No. NEA 1863369-61-20)*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5125 by title only, which was done.

Weddell/King moved to approve Ordinance 5125 on second and final reading.



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

On a voice vote, Councilors approved Ordinance 5125 on second and final reading by a 6-0 margin, with all Councilors present voting "yes" at 8:31 p.m.

Ordinance 5126: Establishing an ARP Police Equipment Grant Fund (Grant No. ARP 062335)
Mayor Stutsman called for the introduction on first reading of Ordinance 5126, *Establishing an ARP Police Equipment Grant Fund (Grant No. ARP 062335)*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5126 by title only, which was done.
Weddell/Schrock moved to approve Ordinance 5126 on first reading.

Mayor Stutsman asked if there were questions or comments from the public or the Council.
Council President Weddell said this fund was for a \$19,600 grant. There were also no further comments or questions from Councilors, who also indicated that they were ready to vote.

On a voice vote, Councilors approved Ordinance 5126 on first reading by a 6-0 margin, with all Councilors present voting "yes" at 8:32 p.m.

Councilors gave unanimous consent to move to a second and final reading of Ordinance 5126.

Mayor Stutsman called for the introduction on second reading of Ordinance 5126, *Establishing an ARP Police Equipment Grant Fund (Grant No. ARP 062335)*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5126 by title only, which was done.
Weddell/Nisley moved to approve Ordinance 5126 on second and final reading.

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

On a voice vote, Councilors approved Ordinance 5126 on second and final reading by a 6-0 margin, with all Councilors present voting "yes" at 8:33 p.m.

Ordinance 5127: Establishing an ARP Bike Track Grant Fund (Grant No. ARP 062148)
Mayor Stutsman called for the introduction on first reading of Ordinance 5127, *Establishing an ARP Bike Track Grant Fund (Grant No. ARP 062148)*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5127 by title only, which was done.
Weddell/Pérez moved to approve Ordinance 5127 on first reading.

Mayor Stutsman asked if there were questions or comments from the public. There were none.



Council President Weddell said this fund was for a \$10,000 grant. He asked the **Mayor** what would happen if Councilors voted against the establishment of a fund for the ARP Bike Track Grant. **Mayor Stutsman** asked if the grant had already been received and spent. **Deputy Clerk-Treasurer Weaver** said the grant has yet to be received or spent. Weaver said the Council's failure to create a fund could result in a state audit comment and this could affect the City's ability to receive future grants or the City could be required to return the grant funds.

Councilor King asked if the **Council President** was asking a theoretical question or if he had a problem with the Bike Track Grant. **Council President Weddell** said he had a "terrible problem" with the bike track project.

Asked by **Councilor Pérez** to say more, **Council President Weddell** said he didn't think it was a good idea and has heard only complaints about it, including from property owners. He said the Traffic Commission cast a vote of no confidence against the project last year, and yet it still moved forward. He said there haven't been positive comments about the project.

Mayor Stutsman said the City is conducting a trial and seeking public comments about the project. **Councilor King** said she has received positive comments from people who have used the bike track. **Councilor Schrock** said he has received positive and negative comments, but more negative comments.

Mayor Stutsman said that if Councilors would like to start turning down grants that staff members have worked diligently on, he would appreciate that they indicate which ones should be pursued and which grants to avoid.

Council President Weddell said he would vote in favor of the establishment of the fund, but just wanted to say that he didn't appreciate the project.

Mayor Stutsman again indicated that he would appreciate Council feedback on grants to pursue or avoid.

Councilor Riegsecker asked if the fund was to pay for the entire bike track or just a portion. **Mayor Stutsman** said it only provided partial funding and that other organizations contributed to the project. **City Director of Public Works & Utilities Dustin Sailor** said the City received adequate funds for the project and that the City would need to identify a different location for bike improvements to use these grant funds.

Council President Weddell said he wished this information had been provided earlier. He repeated that he has only heard opposition to the bike track project. **Sailor** clarified the approach moving forward.

Mayor Stutsman said a survey will be conducted to assess the public's reaction to the project. In response to a question from the **Council President**, he said the City also may conduct a bike count study.

Councilor King said she appreciated the **Council President's** comments, but said she hoped individual Councilors would not have the ability to stop grant applications. **Mayor Stutsman** said that would not occur, but also said he would welcome the Council's comments about grants.

Council President Weddell said he had no intention of micro-managing staff members when it came to grants and just wanted to express his opinion on a specific project. **Councilor King** acknowledged those comments. The **Council President** said he also appreciated that these grant funds will be used for something else.

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

On a voice vote, Councilors approved Ordinance 5127 on first reading by a 6-0 margin, with all Councilors present voting "yes" at 8:38 p.m.

Councilors gave unanimous consent to move to a second and final reading of Ordinance 5127.



Mayor Stutsman called for the introduction on second reading of Ordinance 5127, *Establishing an ARP Bike Track Grant Fund (Grant No. ARP 062148)*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5127 by title only, which was done.

Weddell/Riegsecker moved to approve Ordinance 5127 on second and final reading.

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

On a voice vote, Councilors approved Ordinance 5127 on second and final reading by a 6-0 margin, with all Councilors present voting "yes" at 8:39 p.m.

Ordinance 5128: Establishing an Airport Improvement Program Grant Fund (Grant No. 3-18-0029-019-2019)
Mayor Stutsman called for the introduction on first reading of Ordinance 5128, *Establishing an Airport Improvement Program Grant Fund (Grant No. 3-18-0029-019-2019)*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5128 by title only, which was done.
Weddell/Nisley moved to approve Ordinance 5128 on first reading.

Councilor Riegsecker said that this fund was for a major grant, for \$652,860. Council President Weddell, agreed and said he wanted to thank whoever applied for the grant.

Deputy Treasurer Weaver said this was the first non-ARP grant this evening. He said this has been a continuing grant and its third iteration. He said the airport is planning for some substantial work on the runways. Weaver said the City has already had some related expenses from the grant, and now is the time to move it to its own fund for tracking purposes

Mayor Stutsman asked if there were questions or comments from the public or the Council. There were none. Councilors, who also indicated that they were ready to vote.

On a voice vote, Councilors approved Ordinance 5128 on first reading by a 6-0 margin, with all Councilors present voting "yes" at 8:41 p.m.

Councilors gave unanimous consent to move to a second and final reading of Ordinance 5128.

Mayor Stutsman called for the introduction on second reading of Ordinance 5128, *Establishing an Airport Improvement Program Grant Fund (Grant No. 3-18-0029-019-2019)*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5128 by title only, which was done.
Weddell/Nisley moved to approve Ordinance 5128 on second and final reading.

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



On a voice vote, Councilors approved Ordinance 5128 on second and final reading by a 6-0 margin, with all Councilors present voting “yes” at 8:42 p.m.

Ordinance 5129: Establishing a Fire Grant Fund (Grant No. EMW-2021-SS-00032)

Mayor Stutsman called for the introduction on first reading of Ordinance 5129, *Establishing a Fire Grant Fund (Grant No. EMW-2021-SS-00032)*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5129 by title only, which was done.

Weddell/King moved to approve Ordinance 5129 on first reading.

Mayor Stutsman asked if there were questions or comments from the public or the Council.

Council President Weddell said this fund was for a \$135,347.87 grant.

Deputy Treasurer Weaver said this grant was for a fire-suppression foam trailer and was an exciting addition.

Mayor Stutsman said the trailer was well on its way.

City Fire Department Chief Dan Sink concurred, and said the equipment was on its way. He said the department was awaiting pieces and parts to fully assemble the trailer. He said the foam trailer will help with use at the airport and will help supplement the county's hazardous materials team. Sink concurred with the Mayor that the foam trailer would have helped extinguish a fire at a plant off College Avenue a few years ago. He said the trailer will likely be housed downtown or at the station on 22nd Street.

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

On a voice vote, Councilors approved Ordinance 5129 on first reading by a 6-0 margin, with all Councilors present voting “yes” at 8:44 p.m.

Councilors gave unanimous consent to move to a second and final reading of Ordinance 5129.

Mayor Stutsman called for the introduction on second reading of Ordinance 5129, *Establishing a Fire Grant Fund (Grant No. EMW-2021-SS-00032)*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5129 by title only, which was done.

Weddell/Pérez moved to approve Ordinance 5129 on second and final reading.

Councilor Nisley asked a clarifying question about the trailer, which Chief Sink addressed.

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

On a voice vote, Councilors approved Ordinance 5129 on second and final reading by a 6-0 margin, with all Councilors present voting “yes” at 8:45 p.m.



Elected Official Reports:

Council President Weddell said that someone in his office asked today, in light concerns about school safety, what Goshen was doing in that regard. He said he assured the person that because of the City's new training facility and enhanced police training, officers are being trained to properly respond. He said the person was pleased to hear that.

The **Council President** also asked if the City had a contract to lock in fuel prices. **Mayor Stutsman** responded that about every six months, the City locks in its fuel prices to guarantee the price for that time period. He said the City enrolled in a program last year to allow City vehicles to be refueled at more gas stations at a lower price. He also said that with escalating prices, the City has been paying more than if it had locked in prices for the most recent period. However, he said that six-month period would have ended in February, so the City still would have been coping with high fuel prices. He added that this wouldn't be a good time to lock in prices. In response to a question from **Councilor Nisley**, the **Mayor** said the airport has not locked in its fuel prices.

Councilor Schrock said that the City is seeking volunteers for the dunk tank at the Water Fest, which will be June 11 at Mill Street Park. **Mayor Stutsman** said this will be a great event and will feature a cleanup of Rock Run Creek. He said he will be in the dunk tank from 1-1:30 p.m. He encouraged Councilors to volunteer for the dunk tank.

Council President Weddell asked if the Cemetery Board should be asked to address the questions raised by Glenn Null about the condition of the cemeteries for Memorial Day. **Mayor Stutsman** responded that the Cemetery Department has struggled to hire seasonal staff to better maintain the cemeteries. He said it's difficult to fill part-time jobs and the department's two employees are trying to fill the gap. He said the City is doing its best to keep up with the required maintenance of parks and cemeteries. The **Mayor** also responded to a question from **Councilor Nisley** addressing the weeds along Highway 33. **Council President Weddell** said perhaps Councilors could help out.

Councilor Riegsecker expressed his appreciation to staff involved in the Memorial Day activities. He said he attended two of the four events – at the Courthouse and at Oakridge Cemetery. He said **Fire Chief Dan Sink** did a great job. **Mayor Stutsman** said this was the first year he was unable to attend all of the events. He said all of the sponsors did a great job on the events.

Councilor Schrock thanked **Deputy Mayor Mark Brinson** and **City Redevelopment Director Becky Hutsell** for their work on the Western Rubber site apartment proposal. Schrock said he knows how much work they did. **Mayor Stutsman** said he respected the Council's vote on the project and acknowledged all of the staff work that went into helping develop the proposal.

Councilor Pérez said it was wonderful to see so many young people at the Council meeting to say goodbye to the outgoing youth advisors and welcome the new advisors. He thanked the **Mayor** for the youth advisor program and said he wanted to welcome **Youth Advisor Velazquez Valdes** to the Council. **Mayor Stutsman** said he informed **Youth Advisor Velazquez Valdes** during the break that they would be meeting soon so she can learn about the City. He also said that women swept the Goshen High School election for youth advisers. **Councilor King** encouraged **Youth Advisor Velazquez Valdes** to contact Councilors if she had any questions or ideas. **Council President Weddell** agreed.

Mayor Stutsman asked **Youth Advisor Velazquez Valdes** if she wanted to comment on her experience tonight.



Youth Advisor Velazquez Valdes said she found the meeting to be super interesting and cool and that she wasn't bored. She said she would probably have to look up some information that she heard tonight. Council President Weddell responded that Councilors don't know everything and it's OK to seek answers. Councilor King agreed and said tonight was an interesting meeting and Council meetings aren't always this well attended. Councilor Nisley said there may not be as many people at the next meeting.

Youth Advisor Velazquez Valdes also said that even though Councilors voted differently, they were still cordial to one another, "and that's not what I see in politics usually." Mayor Stutsman said Councilors seek to work together in Goshen.

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 Pérez. On a voice vote, Councilors voted to adjourn the meeting by a 6-0 vote, with all members present voting "yes."

Mayor Stutsman adjourned the meeting at 8:58 p.m.

EXHIBIT #1: A three-page document prepared by City Redevelopment Director Becky Hutsell showing a map of the 9th Street Industrial Corridor with key aspects of its Strategic Plan, proposed 10th Street improvements, and a diagram showing 31 new proposed parking spaces on Douglas Street. Hutsell presented this exhibit to Council members during consideration of Ordinance 5123 and also showed it to the Council and audience members using a PowerPoint presentation.

APPROVED:

Jeremy P. Stutsman, Mayor of Goshen

ATTEST:

Richard R. Aguirre, City Clerk-Treasurer

GOSHEN COMMON COUNCIL

Minutes of the June 17, 2022 Special Meeting

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

At 3:00 p.m. on Friday, June 17, 2022, Mayor Jeremy P. Stutsman called the special meeting to order and led the Pledge of Allegiance.

Mayor Stutsman asked Deputy Clerk-Treasurer Jeffery Weaver 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 Karen C. Velazquez Valdes (Non-voting member)

Absent: None

Approval of Agenda: Mayor Stutsman asked the Council's wishes regarding the meeting agenda. Councilor Schrock made a motion to add an agenda item, *A Motion to Reconsider Ordinance 5123*, and approve the agenda as amended. Councilor Eichorn seconded the motion. The motion passed on a 7-0 voice vote.

1) **Redevelopment Department: Resolution 2022-12: Amended Development Agreement with Last Dance, LLC (for the East College Avenue Industrial Development)**

Mayor Stutsman called for the introduction of Resolution 2022-12 - *Amended Development Agreement with Last Dance, LLC (for the East College Avenue Industrial Development)*. Council President Weddell asked the Deputy Clerk-Treasurer to read Resolution 2022-10 by title only, which was done.

Council President Weddell/Councilor Riegsecker moved to approve Resolution 2022-12.

At Mayor Stutsman's request, Redevelopment Director Becky Hutsell described the June 2021 agreement which covered infrastructure (water mains, internal public roadways, utilities and stormwater components) benefiting both the City and Elkhart County under the Development Agreement with Last Dance, LLC for the East College Avenue Industrial Development. She said the agreement required revision because contractor bids received were substantially higher than anticipated in the original agreement. The new agreement would increase the bond amount to \$24,084,000 over 25 years. If revenues fall short, Hutsell said the developer would be responsible for repaying the bond.

Mayor Stutsman asked for public comment on Resolution 2022-12. No one asked to speak.

At the Mayor's invitation, Ryan Thwaites, the developer and owner of Last Dance, LLC, discussed the amended agreement and requested that he be notified of any project change orders at least a week before the change-orders went before the Redevelopment Commission in order to voice his opinion. He also requested that the Council waive tap fees on the northern property on CR 36, projecting the fees as \$400,000.

Council President Weddell made a motion to amend Resolution 2022-12 by adding, "The City shall notify Last Dance, LLC of any change orders to contracts contemplated by the Amended Development Agreement at least one (1) week prior to a Board of Public Works and Safety meeting at which a change order will be considered." Councilor Nisley seconded the motion.

Council discussion ensued regarding change orders. There were no public comments on the motion.

On a voice vote, and by a 7-0 margin, Councilors approved the motion to amend Resolution 2022-12 by adding, "The City shall notify Last Dance, LLC of any change orders to contracts contemplated by the Amended Development Agreement at least one (1) week prior to a Board of Public Works and Safety meeting at which a change order will be considered."

Councilor Riegsecker asked questions about various aspects of the project, including the expansion of the City's water mains and the size of the retention ponds. Council President Weddell asked about the contingency amounts and construction material cost estimates. Councilor Nisley asked if tap fees could be delayed instead of waived. Ryan Thwaites agreed that delayed fees would work for him.

Council President Weddell made a motion to amend Resolution 2022-12 by adding, "The Common Council requests that the Board of Public Works and Safety approve the delayed payment of tap fees over a seven (7) year period." Councilor Nisley seconded the motion.

No members of the public asked to speak on the motion. There was council discussion on the motion.

By a 4-3 margin, Councilors approved the motion to amend Resolution 2022-12 by adding, "The Common Council requests that the Board of Public Works and Safety approve the delayed payment of tap fees over a seven (7) year period." Voting for the motion were Councilors Nisley, Schrock and Weddell. Voting against the motion were Councilors Eichorn, King and Pérez.

Council discussion ensued regarding the merits of a residential project instead of a commercial project, the nature of another manufacturing facility supporting the RV industry, automation in local industries, and compliance with development agreements. Councilors also discussed which businesses can be regulated or supported by City projects.

Mayor Stutsman invited public comment on Amended Resolution 2022-12.

Mike Stump from Forest River Inc. asked if the project will be set up as a stand-alone TIF or be consolidated into a current TIF. Mayor Stutsman said that the East College Avenue project will be a stand-alone TIF.

There were no further public comments, so Mayor Stutsman closed the public comment period.

On a roll call vote, Councilors approved Resolution 2022-12 by a 4-3 margin, with Councilors Nisley, Riegsecker, Schrock and Weddell voting "yes" and Councilors Eichorn, King and Pérez voting "no."

2) Redevelopment Department: Ordinance 5130: Amended and Restated Ordinance Authorizing the City of Goshen, Indiana to Issue its "Economic Development Revenue Bonds, Series 2022 (College Avenue Project)" and Approving Other Actions in Respect Thereto

Mayor Stutsman called for the introduction of Ordinance 5130 - *Amended and Restated Ordinance Authorizing the City of Goshen, Indiana to Issue its "Economic Development Revenue Bonds, Series 2022 (College Avenue Project)" and Approving Other Actions in Respect Thereto*. Council President Weddell asked the Deputy Clerk-Treasurer to read Ordinance 5130 by title only, which was done.

Council President Weddell/Councilor Nisley moved to approved Ordinance 5130 on first reading.

Redevelopment Director Becky Hutsell explained that due to the substantial increase in construction costs for the public infrastructure for the College Avenue project, it was necessary to amend the previously adopted Ordinance which authorized the issuance of economic development revenue bonds to finance economic development facilities of Last Dance, LLC.

Redevelopment Director Hutsell said Ordinance 5130 would increase the maximum amount of the bonds to an amount not to exceed \$24,084,000, would increase the term of the bonds to 25 years, and restate the previous terms. There was some discussion by Councilors.

On a roll call vote, Councilors approved Ordinance 5130 on first reading by a 4-3 margin, with Councilors Nisley, Riegsecker, Schrock and Weddell voting "yes" a and Councilors Eichorn, King and Pérez voting "no."

At the request of Mayor Stutsman, Councilors gave their unanimous consent to immediately consider Ordinance 5130 on second and final reading.

Mayor Stutsman called for the introduction on second reading of Ordinance 5130 - *Amended and Restated Ordinance Authorizing the City of Goshen, Indiana to Issue its "Economic Development Revenue Bonds, Series 2022 (College Avenue Project)" and Approving Other Actions in Respect Thereto*. Council President Weddell asked the Deputy Clerk-Treasurer to read Ordinance 5130 by title only, which was done.

Council President Weddell/Councilor Nisley moved to approved Ordinance 5130 on second and final reading.

There was no further comments by members of the public or the Council.

On a roll call vote, Councilors approved Ordinance 5130 on a second and final reading by a 4-3 margin, with Councilors Nisley, Riegsecker, Schrock and Weddell voting "yes" a and Councilors Eichorn, King and Pérez voting "no."

3) Motion to Reconsider Ordinance 5123 - Amend Ordinance 3011 by Rezoning Real Estate Hereinafter Described, and Commonly Known as 620 E Douglas Street, from Industrial M-1 District to Residential R-3 District with a Planned Unit Development (PUD) Overlay District, to be Known as the Ariel Cycleworks PUD

Mayor Stutsman said that because Councilor Schrock was on the prevailing side when the Council majority rejected Ordinance 5123 on June 6, 2022, his motion to reconsider meant the matter would be reconsidered by the Council on June 27, 2022.

Councilor Schrock said he was making a motion to reconsider Ordinance 5123 on the condition that the developer make some changes to the proposal, such as removing the maker space, reducing the size of the main building, increasing the setback adjacent to Plymouth Avenue and the Redevelopment Commission making a strong commitment to pursue improvements on 10th Street from Plymouth Avenue to Reynolds Street.

Mayor Stutsman respectfully asked Councilors to table the matter to the next Council meeting without further discussion at this time.

Councilor King made a motion to table further consideration of Ordinance 5123 to the Council's next meeting on June 27, 2022. Council Member Eichorn seconded the motion.

On a voice vote, Councilors approved the motion to table further consideration of Ordinance 5123 to the June 27, 2022 Council meeting, with a majority of Councilors present voting "yes." After the vote, one councilor indicated that he intended to abstain and another said he did not vote.

There was no further business to come before the Common Council, so Councilor Nisley made a motion to adjourn the meeting. Councilor Pérez seconded the motion.

On a voice vote, Councilors voted to adjourn the meeting by a 7-0 vote, with all members present voting "aye"

Mayor Stutsman adjourned the meeting at 4:14 p.m.

APPROVED:

Jeremy P. Stutsman, Mayor of Goshen

ATTEST:

Jeffery Weaver, Deputy Clerk-Treasurer

ORDINANCE 5131

**AN ORDINANCE ESTABLISHING COMMON COUNCIL DISTRICTS
FOR THE CITY OF GOSHEN BASED ON THE 2020 DECENNIAL CENSUS**

WHEREAS Indiana Code § 36-4-6-4(b) and (g)(1) requires the Common Council to adopt an ordinance to divide the city into five (5) districts during the second year after a year in which a federal decennial census is conducted.

WHEREAS the Redistricting Advisory Commission established by Ordinance 5116 has submitted a recommendation to the Goshen Common Council for the division of the city into five (5) districts, along with the accompanying map and report.

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

SECTION 1. Division of City into Five Districts

- (a) All territory within the corporate limits of the City of Goshen shall be divided into the following five (5) districts. The districts are composed of contiguous territory; are reasonably compact; do not cross precinct boundary lines except as provided by 36-4-6-4 (c) or (d); and contain, as nearly as possible, equal population. Each district is depicted on the map attached to this Ordinance.
 - (1) **DISTRICT ONE.** District One shall consist of the following areas:
 - (A) Elkhart Township Precinct 01;
 - (B) Elkhart Township Precinct 05, Census Blocks 1014, 3006, 3007, 3008, 3009, 3010, and 3011;
 - (C) Elkhart Township Precinct 06;
 - (D) Concord Township Precincts 31 and 32;
 - (E) Harrison Township Precinct 01.
 - (2) **DISTRICT TWO.** District Two shall consist of the following areas:
 - (A) Elkhart Township Precinct 05, Census Blocks 2000, 2001, 2002, 2003, 2004, 2009, and 2010;
 - (B) Elkhart Township Precinct 07, Census Blocks 2007, 2012, 2013, 2017, 2018, 2019, 2020, 2021, 2022, and 4000;
 - (C) Elkhart Township Precinct 08, Census Blocks 1004, 1005, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1033, 1034, 1035, 1036, 1037, 1038, 2002, 2003, 2004, 2005, 2006, 2009, 2010, 2011, 2023, 3002, 3003, 3004, and 3019;
 - (D) Elkhart Township Precincts 09 and 10; and
 - (E) Elkhart Township Precinct 11, Census Blocks 3001, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, and 3020.
 - (3) **DISTRICT THREE.** District Three shall consist of the following areas:
 - (A) Elkhart Township Precincts 03 and 04;

- (B) Elkhart Township Precinct 07, Census Blocks 2001, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2022, 2023, 4008, 4009, 4010;
 - (C) Elkhart Township Precinct 08, Census Blocks 1000, 1001, 1002, 1003, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1020, 1021, 1022, 1023, 1026, 1027, 1028, 1029, ,1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 2000, 2006, 2026, and 2027;
 - (D) Concord Township Precincts 27 and 33; and
 - (E) Jefferson Township Precinct 02.
- (4) **DISTRICT FOUR.** District Four shall consist of the following areas:
- (A) Elkhart Township Precinct 04, Census Block 1009;
 - (B) Elkhart Township Precinct 08, Census Blocks 1028, 1029, 1030, 1031, 1032, 2000, 2001, 2002, 2003, 2004, 2005, 2009, 2010, 2011, and 2012;
 - (C) Elkhart Township Precinct 11, Census Blocks 2007, 2008, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2024, 2027, and 3000;
 - (D) Elkhart Township Precinct 12, Census Blocks 1029, 1030, 1031, 1032, 1039, 1040, 1041, 1042, 1043, 2020, 2021, 2022, 2023, 2025, 2026, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, and 2038;
 - (E) Elkhart Township Precinct 13;
 - (F) Elkhart Township Precinct 14, Census Blocks 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 4006, 4007, 4008, 4009, and 4010; and
 - (G) Elkhart Township Precinct 15.
- (5) **DISTRICT FIVE.** District Five shall consist of the following areas:
- (A) Elkhart Township Precinct 12, Census Blocks 1004, 1005, 1006, 1007, 1008, 1016, 1017, 2000, 2001, 2002, 2004;
 - (B) Elkhart Township Precinct 14, Census Blocks 1000, 1001, 1002, 1003, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1018, 1019, 1020, 1021, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2016, 2018, 5007, 5008, 5011, and 5012; and
 - (C) Elkhart Township Precincts 17, 18, 19, 20, and 21.
- (b) For the purposes of this ordinance, the corporate limits of the City of Goshen and the precincts refer to the corporate boundary lines or precinct boundary lines as existing on the date of the adoption of this Ordinance.

SECTION 2. Common Council Members; Voting for Candidates

The Goshen Common Council is composed of five (5) members elected from the districts established in Section 1, with one (1) member elected from each of the districts, as well as two (2) at-large members. Each voter of the city may vote for two (2) candidates for at-large membership and one (1) candidate from the district in which the voter resides. The two (2) at-large candidates receiving the most votes from the whole city and the district candidates

receiving the most votes from their respective districts are elected to the Goshen Common Council.

SECTION 3. Repeal of Prior Ordinances

This ordinance repeals Ordinance Number 4719. All ordinances, or parts thereof, that are inconsistent, or conflict, with the terms of this ordinance are repealed to the extent of the inconsistency or conflict.

SECTION 4. 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 5. 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.

SECTION 6. Filing of Ordinance

The Clerk-Treasurer is instructed to file a copy of this ordinance, along with a map of the district boundaries, with the Elkhart County Circuit Court Clerk no later than thirty (30) days after the ordinance is adopted.

PASSED by the Goshen Common Council on the _____ day of _____, 2022.

Presiding Officer

ATTEST:

Richard R. Aguirre, Clerk-Treasurer

PRESENTED to the Mayor of the City of Goshen on the _____ day of _____, 2022, at the hour of ____:____.m.

Richard R. Aguirre, Clerk-Treasurer

APPROVED and ADOPTED on the _____ day of _____, 2022.

Jeremy P. Stutsman, Mayor

**GOSHEN COMMON COUNCIL
RESOLUTION 2022-15**

**A Resolution of the Common Council of the City of Goshen, Indiana,
Endorsing and Urging Passage of Indiana Legislation Establishing
Driver Cards for Undocumented Indiana Residents**

WHEREAS, the safety of all people using Indiana roads should be a primary consideration of elected officials in the State of Indiana; and

WHEREAS, under the current Indiana law, undocumented immigrants are not allowed to obtain a driver's license; and

WHEREAS, at the present time, many undocumented Indiana residents are driving on the streets and highways of Indiana, without adequate training, certification or insurance; and

WHEREAS, statewide legislation providing undocumented Indiana residents with a pathway to obtain a Driver Card will encourage undocumented Indiana residents to be trained, certified, and insured; and

WHEREAS, in 2021, Indiana House Bill 1138 and Senate Bill 319 establishing Driver Cards in Indiana failed to move forward; and

WHEREAS, at the present time, similar legislation has passed in 16 states; and

WHEREAS, such legislation will improve public safety by requiring all undocumented residents desiring to drive legally to pass a written test of knowledge of driving laws and road signs, a vision test and a driving test; and

WHEREAS, such legislation will benefit Indiana's insurance industry by reducing costs per policyholder and increasing the number of insured state residents while at the same time reducing the number of uninsured residents; and

WHEREAS, such legislation will promote commerce by permitting undocumented residents desiring to drive legally to support the State of Indiana's businesses for their basic needs; and

WHEREAS, such legislation will contribute to the tax revenue of the State of Indiana; and

WHEREAS, such legislation will improve public safety and promote positive relations with law enforcement by reducing the fear of traffic stops and by reducing any incentive to leave the scene of an accident; and

WHEREAS, a Driver Card will provide an easily identifiable and distinguishable identification that will not be valid for voter identification; and

WHEREAS, on January 6, 2022, legislation was again introduced in the Indiana Senate (Bill 200) to establish Driver Cards for undocumented residents; and

WHEREAS, the Common Council believes that all Indiana drivers should be trained, certified, and insured in order to promote public safety, a growing economy and positive relations with law enforcement.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Common Council as follows:

Section I. The Goshen Common Council hereby endorses and urges passage of state legislation to provide a pathway for undocumented Indiana residents to be able to obtain a Driver Card.

Section II. The Goshen Common Council also hereby endorses and urges passage of state legislation to provide prerequisites to obtaining a Driver Card such as training, certification and insurance.

Section III. The Goshen Common Council urges City of Goshen residents to support the passage of such legislation by making their opinions known to their state legislators.

PASSED by the Goshen Common Council on July _____, 2022.

Presiding Officer

ATTEST:

Richard R. Aguirre, Clerk-Treasurer

PRESENTED to the Mayor of the City of Goshen on July _____, 2022, at the hour of _____:_____ .m.

Richard R. Aguirre, Clerk-Treasurer

APPROVED and ADOPTED on July _____, 2022.

Jeremy P. Stutsman, Mayor

**Goshen Common Council
Resolution 2022-11**

City of Goshen Flood Resilience Plan

WHEREAS a Flood Resilience Plan has been developed for the City of Goshen which identifies flood resilience strategies to be considered in an effort to improve flood resilience in the City. A copy of the City of Goshen Flood Resilience Plan, dated July 2022, is attached to and made a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Goshen Common Council finds that the City of Goshen Flood Resilience Plan, dated July 2022, contains worthy goals and recommended strategies to improve flood resilience citywide.

BE IT FURTHER RESOLVED that the Goshen Common Council hereby accepts the City of Goshen Flood Resilience Plan and directs the City's Departments further study and endeavor to implement flood resilience strategies in an effort to better prepare and plan for, absorb, recover from, and more successfully adapt to flooding events that may affect the City of Goshen.

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

City of Goshen

Flood Resilience Plan

JULY 2022

Prepared for:

City of Goshen
Department of Environmental Resilience
Rieth Interpretive Center
410 West Plymouth Avenue
Goshen IN 46526

Prepared by:

Christopher B. Burke Engineering, LLC
115 W. Washington St., Ste. 1368 S.
Indianapolis, IN 46204

Burke Project No. 19.R200137.00000



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- APPENDIX 2: BLANK FLOOD RESILIENCE STRATEGIES CHECKLIST
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EXECUTIVE SUMMARY

Many communities in Indiana and across the United States have experienced damages from flooding. Despite the use of expensive, engineered solutions to reduce flooding risk such as elevating buildings and constructing levees, flood damage losses continue to increase. Moreover, climate change projections suggest that floods will intensify in most regions of the United States, especially in the Midwest and Northeast. These trends are creating a sense of urgency among communities to look for better ways to deal with flooding and build flood resilience, particularly in states like Indiana that are expected to experience increased flooding in the future. Flood resilience is the ability to prepare and plan for, absorb, recover from, and more successfully adapt to adverse flood events.

This flood resilience plan identifies smart growth strategies to improve flood resilience in the City of Goshen. The approach is two-pronged. The first uses land-use planning policies to direct growth, economic development, and capital improvement projects to areas that are less vulnerable to flooding. This will help to prevent the problem from spreading and getting worse. The second is to implement projects to protect the people and critical assets that already exist in the vulnerable flood risk areas. This planning effort may challenge local leaders, decision-makers, and stakeholders to think differently about how to grow and develop while at the same time become resilient to the floods that have previously devastated the City of Goshen. This approach recognizes that the city may not be able to mitigate the increasing extreme rainfall events we have been experiencing from climate change and which are forecasted to further intensify into the foreseeable future. The plan does, however, emphasize strategies to adapt to the unavoidable climate change impacts through adoption and implementation of appropriate flood resilience strategies. This will result in the most immediately achievable and sustainable positive outcome for the city.

The flood resilience strategies are grouped by overall, citywide strategies and into six different planning areas defined by the geographic regions of a river valley. Overall, citywide strategies include updating and synchronizing plans, policies and regulations. These consist of enhancements to the comprehensive plan, zoning ordinance, city code, and stormwater ordinance. Improving risk communication, education and outreach is discussed, as well as, evaluating the effectiveness of the stormwater utility to fund capital projects.

The six flood resilience areas consist of 1) the river corridor impact area which is the floodway and/or fluvial erosion hazard area, whichever is larger; 2) the undeveloped high hazard/flood storage area defined as the undeveloped land in the floodway fringe; 3) the moderate flood hazard area which incorporates the 0.2% annual exceedance probability or 500-year flood zone; 4) the vulnerable developed area comprised of existing developed land in the special flood hazard area; 5) the safer area outside the floodplain all together and within the city's planning jurisdiction; and 6) the watershed or entire drainage area.

The flood resilience strategies identified for the six flood resilience planning areas include protecting open, undeveloped land in the river corridor and floodway fringe and, where development is unavoidable in the floodway fringe, require compensatory flood storage. Strategies for vulnerable developed areas include preparing a flood response plan and stormwater master plan. As well as relocating and/or buying out structures, floodproofing and bringing nonconforming uses into compliance. This plan guides growth and development, and critical facilities, to safer areas, outside known flood hazard areas and encourages cooperation and partnerships throughout the watershed to slow, spread and infiltrate floodwater.

GLOSSARY OF KEY TERMS

Flood Insurance Rate Map (FIRM) – the map produced for a community participating in the National Flood Insurance Program that has been officially adopted by that community. The flood zones and Base Flood Elevations (BFEs) shown on the FIRM are used to determine flood insurance rates and requirements. Communities also use the FIRM to manage development and make floodplain management decisions. The adopted map is called the Effective FIRM or regulatory flood map. A Preliminary FIRM includes new or revised flood data and is for review and guidance only.

Floodway – the channel of a river or stream and those portions of the floodplains adjoining the channel which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.

Floodway Fringe – the portion of the regulatory floodplain lying outside the floodway.

Indiana Best Available Floodplain Mapping – DNR has determined base flood elevations and floodplain boundaries for previously unstudied Approximate Zone A streams. This information is used statewide to supplement community adopted FIRMs.

Fluvial Erosion Hazard (FEH) Area - the area of the stream and land adjacent to the stream where stream processes may occur that enable the stream to re-establish and maintain a stable slope and dimensions over time. FEH area boundaries attempt to capture lands most vulnerable to fluvial erosion in the near term and indicate the type, magnitude, and frequency of fluvial adjustments anticipated during flood events.

National Flood Insurance Program (NFIP) – FEMA program that provides flood insurance to property owners. The NFIP works with communities to adopt and enforce floodplain management regulations that help mitigation flooding effect.

Special Flood Hazard Area (SFHA) – the land defined on the flood insurance rate map subject to inundation by the one percent annual chance or regulatory flood (also known as the 100-year flood). These areas are shown on the maps as Zone AE, AH, AO, A.

1% Annual Exceedance Probability (AEP) – the flood that has a one percent chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter A is subject to the one percent annual chance flood. Also referred to as the 100-year flood.

0.2% Annual Exceedance Probability (AEP) – the flood that has a 0.2 percent chance of being equaled or exceeded in a given year. The area shown on the FIRM that is outside the SFHA and labeled Zone X (unshaded). Also referred to as the 500-year flood.

CHAPTER 1: INTRODUCTION AND BACKGROUND

Many communities in Indiana and across the United States have experienced damages from flooding. Despite the use of expensive, engineered solutions to reduce flooding risk such as elevating buildings and constructing levees, flood damage losses continue to increase. Moreover, climate change projections suggest that floods will intensify, especially in the Midwest and Northeast. According to a 2018 National Climate Assessment report, the Midwest has experienced a greater increase in extreme precipitation over the past few decades than most other regions in the United States; between 1958 and 2016, the Midwest saw a 42% percent increase in the amount of precipitation from very heavy events (**Figure 1-1**).

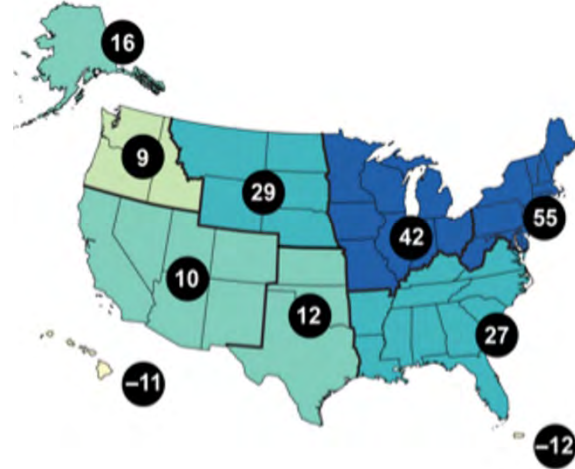


Figure 1-1: Observed Change in Heavy Precipitation 1958 - 2016

A recent study from the Indiana Climate Change Impact Assessment (INCCIA) reported an increase in annual precipitation of 4.8 inches in north central Indiana from 1895 to 2016 (**Figure 1-2**). Over the next 30 years, the pace of this increase is predicted to quicken; annual precipitation is expected to increase an additional 6-8%. It is also predicted that Indiana will experience a 25% increase in winter precipitation and 20% increase in the spring, and a 5% decrease in the summer and fall precipitation. Additional precipitation in the winter and spring, when the ground is frozen and trees are dormant, will increase runoff and the risk of flooding.

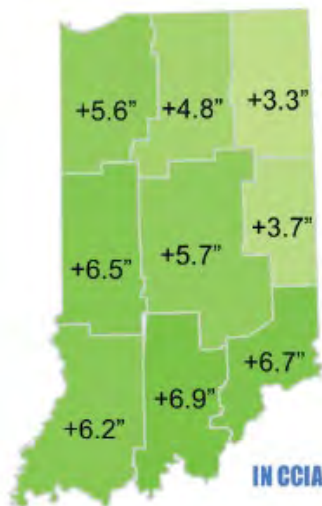


Figure 1-2: Change in Annual Average Precipitation 1895 - 2016

The most extreme rainfall events, defined by the top 1% daily total rainfall occurrences on record, are occurring more frequently and trending to continue in doing so. The INCCIA estimates that a one-to two-day increase in the average number of days per year with extreme precipitation is likely. Regional observations have also indicated more intense storms, and an increase in the amount of rain falling during these extreme events.

These trends are creating a sense of urgency among communities to look for better ways to deal with flooding and build flood resilience, particularly in states like Indiana that are expected to experience increased flooding in the future. As used in this report, flood resilience is the ability to prepare and plan for, absorb, recover from, and more successfully adapt to adverse flood events.

In 2014, the U.S. Environmental Protection Agency (EPA) Office of Sustainable Communities, in partnership with the Federal Emergency Management Agency (FEMA), published a report entitled: “Planning for Recovery and Long-Term Resilience in Vermont”. This report, which includes smart growth approaches for disaster-resilient communities, describes a process through which communities could achieve flood resiliency through auditing, updating, integrating, and revising their plans, policies, and regulations as well as adopting and implementing specific land use policies. The concept and methodologies used in that report, including a flood resilience checklist, was subsequently utilized and further modified and refined by Christopher B. Burke Engineering, LLC (Burke) for use in Indiana.

The purpose of this plan is to explore smart growth strategies to improve flood resilience. The approach is two-pronged. The first uses land-use planning policies to direct growth, economic development, and capital improvement projects to safer areas that are less vulnerable to flooding. This will help to prevent the problem from spreading and getting worse. The second is to implement projects to protect the people and critical assets that already exist in the vulnerable flood risk areas. This planning effort may challenge local leaders, decision-makers, and stakeholders to think differently about how to grow and develop while at the same time become resilient to the floods that have previously devastated the City of Goshen and other communities in Indiana.

The two-pronged approach noted above recognizes that we, as a nation or globally, may not be able to mitigate the increasing extreme rainfall events we have been experiencing because of climate change and which are forecasted to further intensify into the foreseeable future. That realization would force the communities to select one of the following three paths:

1. **Flooding Source Mitigation:** Secure major funding, allocate, and spend the ever-increasing necessary funds to try to reduce the flooding through major structural projects such as flow diversion, flood control facilities, or levees (if even effective or feasible without adverse impacts to others downstream or upstream).
2. **Adaptation:** Adapt to these unavoidable climate change impacts by adopting and implementing appropriate flood resilience strategies (which may include small scale structural measures to protect assets and buildings).
3. **Do Nothing/Status Quo:** Suffer the consequences of ignoring the previous two options and brace for more devastation and economic uncertainty.

Focusing on adaptation, path number two, which promises to result in the most immediately achievable and sustainable positive outcome for the city, this flood resilience plan provides background on the city, a summary of past flood studies, an overview of this planning process, a set of overall and geographically specific resilience strategies, and recommended flood resilience implementation measures for the City of Goshen.

CHAPTER 2: ABOUT THE CITY OF GOSHEN

The City of Goshen is in north central Indiana and serves as the county seat of Elkhart County. This 18 square mile city is home to 34,517 people. The city is located southeast of the City of South Bend and the City of Elkhart near the Indiana-Michigan state line. The city appropriately promotes itself with the tagline an “uncommonly great” place to live, study, work or visit. It is home to Goshen College, a private university known for leadership in intercultural and international education, sustainability and social justice.

Maintaining a healthy population of residents and businesses is important to the social and economic stability of any community, and Goshen is no exception. This challenge is even greater for Goshen with approximately 10% of the city is in a flood risk area. As shown in **Figure 2-1**, Elkhart River enters the city from the south and meanders through the city before merging with Rock Run Creek on the east side. The geometry of these watercourses, along with low-lying elevations, encroachment from neighboring land uses, stretched with limited riparian cover, and eroding streambanks all contribute to the flooding problems present in the city. To compound the problem, the City of Goshen is located downstream of a large watershed.

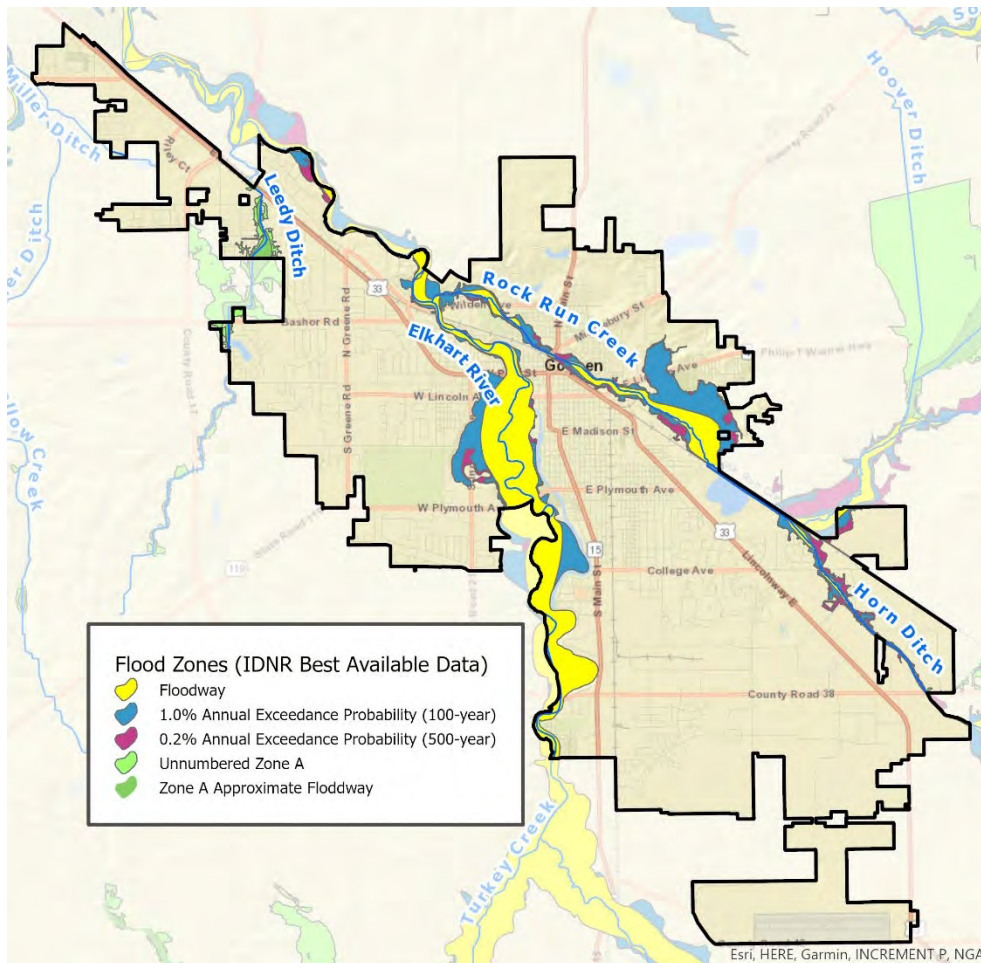


Figure 2-1: City of Goshen and Flood Risk Areas

CHAPTER 3: SUMMARY OF FLOODING AND FLOOD STUDIES

The impetus for the preparation of this plan was the widespread flood-related damage that Goshen and the surrounding areas sustained in February 2018, resulting from approximately ten inches of snow accumulation in early February followed by unusually warm weather and a record-breaking five inches of rainfall a few weeks later. According to the National Weather Service (NWS), the local geology was primed for a big flood. Ten inches of snow equates to about 1 to 1.5 inches of melted water causing the ground to become saturated and local river levels to rise. The five inches of rainfall was the heaviest recorded in a

three-day period for any one month since the early 1900s. Compound this with the time of year in February when vegetation is dormant and less effective at absorbing or reducing runoff.

The NWS Advance Hydrologic Prediction Service (AHPS) co-located at the Elkhart River at Goshen United States Geological Survey (USGS) stream gage indicated that on February 21, 2018, the Elkhart River (at Goshen) crested at 12.49 feet, as shown on **Figure 3-1**. Later the NWS confirmed the crest was 12.53 feet which set a

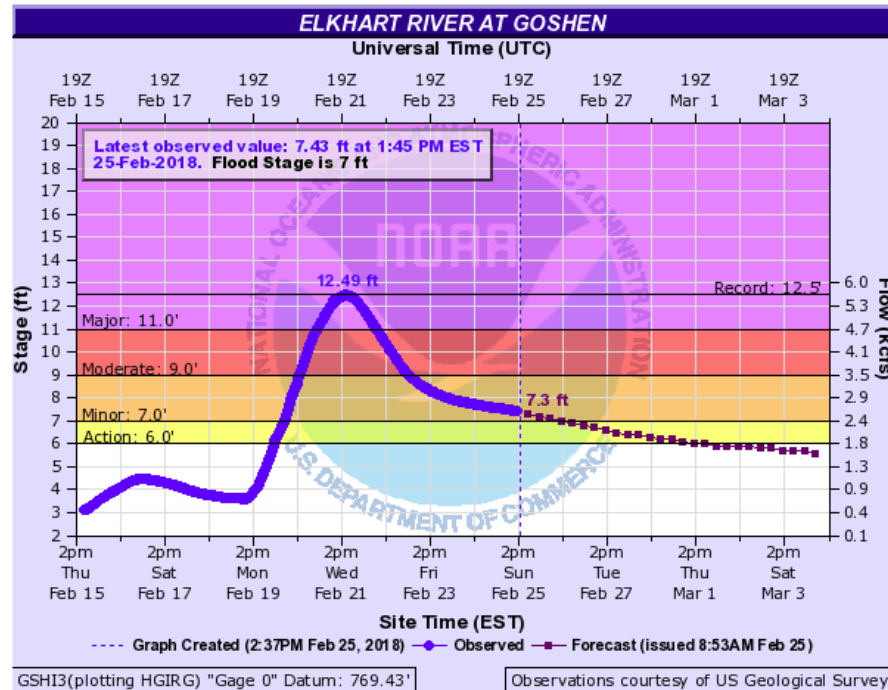


Figure 3-1: Stream Gage Reading during the February 2018 Flood in Goshen

new flood record for this gage. Figure 3-1 shows how the flood event escalated quickly in about 48 hours from below action stage to a major flood stage. Historic crest data for this gage date back to the 1930s. Since that time, there have only been three other major stage floods recorded and all within the last 40 years. These include:

- 11.94 feet on 3/14/1982
- 11.87 feet on 2/24/1985
- 11.03 feet on 12/30/1990

While the flood of February 2018 was not the first flood to impact Goshen, the extent and severity of flooding was widespread and unprecedented. As shown in **Figure 3-2** and **Figure 3-3**, numerous buildings were damaged, streets overtopped, neighborhoods evacuated and businesses forced to close. The mayor declared a state of emergency and the county commissioners recognized the situation was beyond local response capabilities and issued a disaster declaration for Elkhart County, the City of Goshen and the City of Elkhart. Travel advisories were issued to limit traffic on flooded roads. The February 2018 flood became a catalyst for the City of Goshen to think differently about flood preparedness and mitigation. In a statement from the mayor, he expressed the need for the city to find ways to be more adaptable to flooding in the future.

A large concern is that the flooding could get worse. The greatest impact may be from the increase in heavy rainfall. As noted earlier, the 2018 National Climate Assessment shows that in the Midwest areas, the heaviest 1% of all daily rainfalls has increased by 42% from 1958 to 2016, and that trend is predicted to continue. The effects of an increase in heavy rainfall can also be seen in interior drainage issues and urban flooding. Large areas of impervious cover increase stormwater runoff volume and velocity to infrastructure that was not designed for these more intense and frequent storms. Also impacted are the areas upstream in the watershed. Changing farm practices and the continued draining of depressional areas. These modifications contribute to increased stream flow and flooding. While elimination of flooding may not be a near term possibility, there are ways, including non-structural alternatives, to at least prevent it from becoming worse and increase the City of Goshen's resiliency to flooding. The following summarizes recent studies and reports that relate to stormwater and flooding.



Figure 3-2: Flooding on Lincoln Avenue and Linway Plaza



Figure 3-3: Flooding at Creekside Estates Mobile Home Park

3.1 STORMWATER DRAINAGE STUDIES AND PROJECTS

Stormwater drainage studies and projects are completed to protect life and property against flooding and to meet regulatory requirements. These studies are often in response to a flooding or stormwater drainage problem. The following are recently completed studies in the City of Goshen.

- **Century Drive Drainage System Capacity Study (2005)** – this study evaluated the capacity of the existing stormwater infrastructure to accommodate nearby development runoff.
- **Goshen Industrial Park Stormwater Study (2006)** – this study evaluated past flooding and provides recommendations to improve onsite stormwater storage potential.
- **Crescent Street Stormwater Study (2008)** – this study provided proper sizing for reconstruction of this street and future stormwater improvements on Seventh Street.
- **Wilson Avenue Drainage Study (2009)** – this study evaluated the size of pipes needed to properly drain Wilson Avenue between Plymouth Avenue/SR 119 and Lafayette Street and between Mill Race Canal and Main Street/SR 15.
- **Chicago Avenue and Indiana Avenue Drainage Study (2011)** – this study evaluated the outfall pipe size at this intersection south to Wilkinson and west to Riverside Boulevard.
- **West Goshen Stormwater Study (1981, 2011)** – this study evaluated drainage problems in this area and recommended improvements. The study was updated and is being used as a guide for future drainage improvement projects.
- **Former Western Rubber “Genesis” Drainage Study (2014)** – this study evaluated options for offsite stormwater management for the property at Tenth Street and Plymouth Avenue to maximize the site redevelopment potential.
- **Horn Ditch Reconstruction (2016)** – this project converted 1.81 miles of Horn Ditch to a two-stage ditch and removed approximately 50 acres from the floodplain to allow for development.
- **Goshen Dam Pond Report (2019)** – this report evaluated options to increase flood storage/flood control of the Goshen Dam Pond and concluded that without completely rebuilding the dam, additional flood storage is not possible.
- **Crossing Subdivision Stormwater Improvements (2020)** – this project includes the design and construction of a series of interconnected detention basins to alleviate flooding and allow the Crossing subdivision and a future subdivision to the south to be built out.
- **Lippert/Dierdorff TIF Stormwater Master Plan (2021)** – this plan identified solutions to address flooding and allow for new industrial development in the southeast TIF district.

3.2 FLOOD RISK REVIEW / RISKMAP STUDY

In early 2020, FEMA completed a Flood Risk Review study of select streams in the St Joseph River Watershed in Indiana and Michigan through the RiskMAP program. The draft results show several differences in the limits of the floodway and floodplain between this new study and the effective FIRM. The RiskMAP team met with the City of Goshen in August 2020 to review and comment on the draft results of the completed analyses. These results will eventually be used to revise and update the FIRM following the city’s thorough review, approval and adoption process.

Since the RiskMAP study is under review and will most likely be refined, these areas were not used to determine the flood resilience areas in this plan. However, once approved, the RiskMAP areas may be used to amend, refine, or revise flood resilience areas in the future. Land use decisions in the city should consider the potential for flood risk based on updated data and flood modeling.

3.3 ST. JOSEPH WATERSHED FLOOD RISK REPORT

In March 2021, FEMA’s RiskMAP program published a Flood Risk Report for the St Joseph Watershed. This report provides non-regulatory flood risk information to assist local floodplain managers, planners and emergency managers to better understand their flood risk, take steps to mitigate those risks and communicate those risks to their citizens and local businesses. This report includes a summary of flood risk data for each of the communities in the St Joseph Watershed. **Table 3-1** below shows the estimated potential losses for flood event scenarios for the City of Goshen using FEMA’s HAZUS risk modeling software. Without mitigation and adaptive measures in place, substantial losses to structure, content and business operations can be expected during a large flood event however, this data shows potential for large losses during a smaller 10-year flood event which are more common and more likely to occur.

Table 3-1: Estimated Potential Losses for the City of Goshen

Building Type (Percent)	Estimated Dollar Losses by Flood Event			
	10% (10-yr)	2% (50-yr)	1% (100-yr)	0.2% (500-yr)
Residential (52%)	\$2.9M	\$1.0M	\$4.0M	\$6.4M
Commercial (28%)	\$4.6M	\$1.0M	\$8.9M	\$12.6M
Other (20%)	\$2.2M	\$400K	\$4.7M	\$6.6M
Total Building	\$9.7M	\$2.4M	\$17.6M	\$25.5M
Business Disruption	\$55.3M	\$64.8M	\$82.7M	\$104.1M
TOTAL LOSSES	\$65.0M	\$67.2M	\$100.3M	\$129.6M

3.4 CLIMATE ACTION PLAN

The goal of the City of Goshen Climate Action Plan for Local Government Operations is to reduce greenhouse gas emissions and achieve net zero emissions from municipal operations by 2035. Climate change directly influences flooding. A warmer climate allows the atmosphere to hold more moisture and when this warm moist air rapidly cools, the result is heavy and sometimes record-breaking rainfall. The Climate Action Plan, adopted by City Council in July 2021, identifies nine major emission reduction strategies. The following strategies directly relate to stormwater and flooding:

S4: Sustainable Infrastructure – need for higher standards to accommodate more intense and heavier rainfall; need to incorporate nature-based solutions such as green infrastructure

S6: Sustainable Land Use – need to preserve, enhance and acquire land in the floodplain and maintain its natural and beneficial function for flood storage

S7: Tree Canopy – need to increase the urban tree canopy to 45% by 2045, trees naturally reduce stormwater runoff by intercepting, capturing and storing rainfall

3.5 VULNERABILITY ASSESSMENT FOR STORMWATER

The City of Goshen is in the process of finalizing a Climate and Socio-Economic Vulnerability Assessment for Stormwater with assistance from the Great Lakes Integrated Sciences and Assessments (GLISA). This study assesses the vulnerability of 18 system components throughout Goshen, shown in **Figure 3-4**, by evaluating their sensitivity to climate change and their adaptive capacities. Several landscape and demographic factors were considered to inform evaluations of sensitivity and adaptive and many of these factors were mapped to understand geographic vulnerabilities in the city. For example, flood damage data from the February 2018 was analyzed for density of damaged structure (**Figure 3-5**).

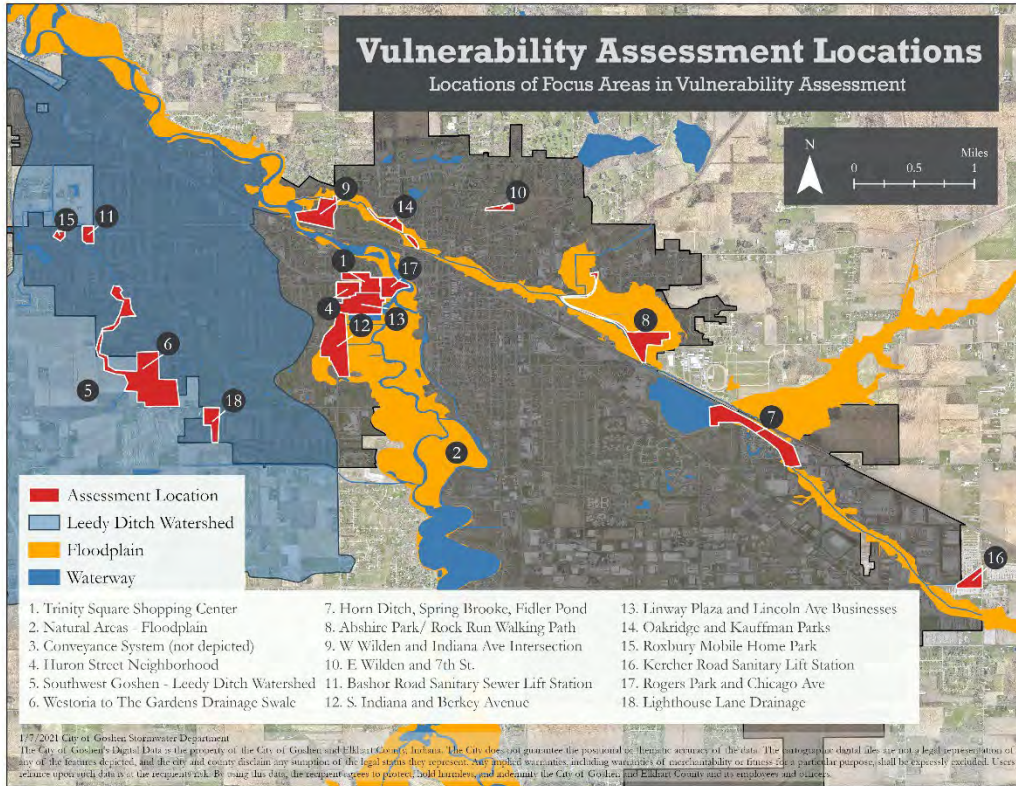


Figure 3-4: Location of Vulnerable System Components

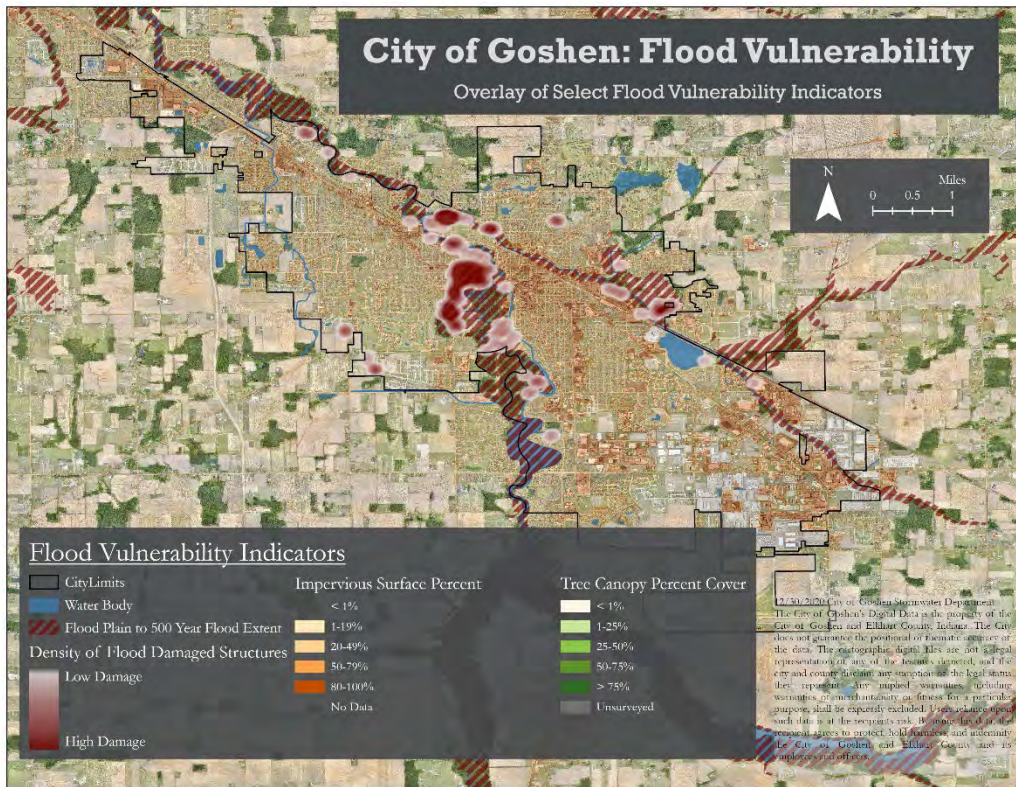


Figure 3-5: Flood Vulnerability Indicators

3.6 FLOOD FACTOR ANALYSIS

Flood Factor is an interactive online mapping and comprehensive risk assessment tool that assigns a flood risk score from 1 to 10 to individual properties. Those properties with a higher score are more likely to experience flooding over a 30-year period. While this tool does not account for flood protection measures such as sump pumps, sealed or elevated homes, it does provide a resource to discuss flood risk and associated flood damage with the public. In the City of Goshen, the flood factor tool identified approximately 1,400 properties that are at risk to flooding and that this number is expected to increase based on climate change predictions. **Figure 3-6** shows the distribution of properties at risk to flooding and severity of flooding expected. This tool is a product of First Street Foundation, a non-profit research and technology group.

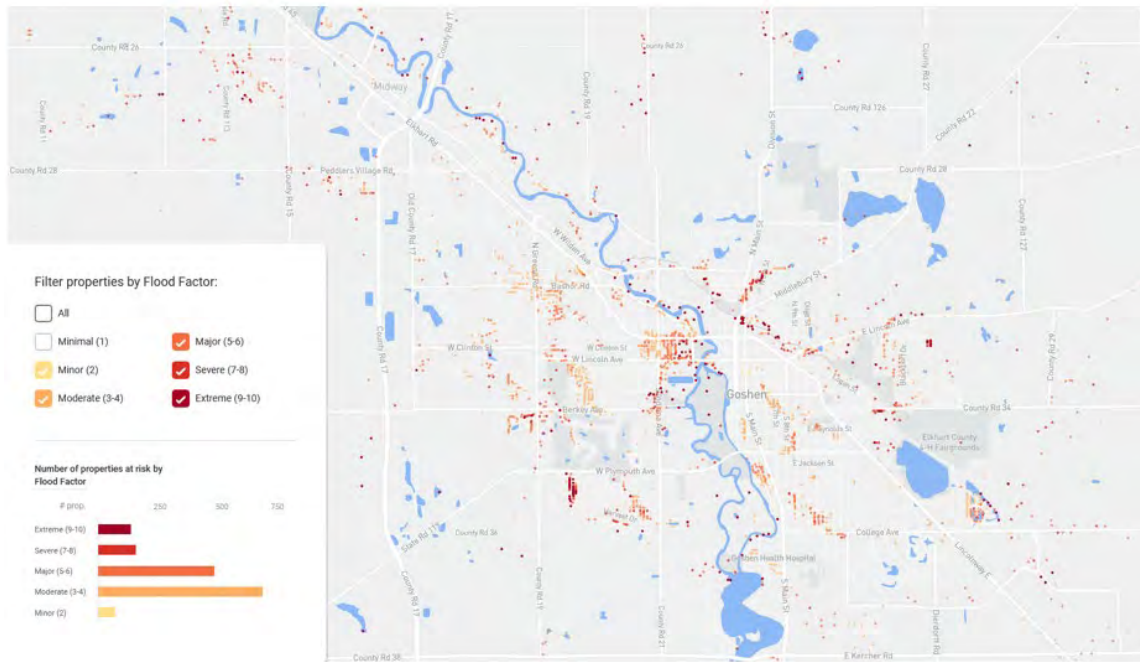


Figure 3-6: Properties at Risk to Flooding

3.7 NORTH BRANCH ELKHART RIVER FLOOD RISK MANAGEMENT PLAN

The St Joseph River Basin Commission (SJRBC) completed the North Branch Elkhart River Corridor Flood Risk Management Plan in 2020 to investigate the overall stream function and flooding on the mainstem of the North Branch Elkhart River in Noble and LaGrange Counties, upstream of the City of Goshen. As it related to flood control, the study concluded that there are no feasible alternatives to eliminate or significantly reduce flood peaks or volumes being experienced within the North Branch Elkhart River floodplains. Communities in this watershed should accept flooding will continue to occur and adopt strategies to prevent flooding from getting worse and to minimize flood damages through community-wide and geographic area specific flood resilience strategies.

CHAPTER 4: OVERVIEW OF THE PLANNING PROCESS

The following sections provide an overview of the major planning steps in the development of the City of Goshen Flood Resilience Plan. These include reviewing and consolidating available flood-related data; project team meetings and decision-making; and defining flood resilience planning areas for the City of Goshen. The strategies associated with the flood resilience planning areas are discussed in **Chapter 6**.

4.1 REVIEW AND CONSOLIDATION OF FLOOD-RELATED DATA

Burke reviewed available flood data, studies, and maps as well as planning documents, development codes, and stormwater and flood hazard ordinances to identify opportunities to incorporate/enhance flood resilient strategies into the city's policies, programs, and projects. The following lists the materials that were reviewed:

- City of Goshen Comprehensive Plan (2016)
- City of Goshen Zoning Ordinance (1984)
 - Article IV Section 4270: Flood Control District (Overlay) Regulations (2020)
 - Article V Section 5000: Landscape Regulations for Development
 - Article V Section 5110 Parking Requirements
- City of Goshen Subdivision Control Ordinance (1960)
 - Article V Section 512: Drainage Plan
- City of Goshen City Code (2016)
 - Title 6 Article 6: Stormwater Management
 - Title 6 Article 8: Trees
- City of Goshen Redevelopment Five-Year Capital Plan (2020-2024)
- City of Goshen Comprehensive Five-Year Park System Master Plan (2019)
- City of Goshen Tree Canopy Policy (2020)
- City of Goshen Climate Action Plan (2021)
- City of Goshen Climate and Socio-Economic Vulnerability Assessment for Stormwater (2021)
- Elkhart County Multi-Hazard Mitigation Plan (2016)
- Elkhart River Watershed Management Plan (2008)
- Effective FIRM (2011) and FIS (2011)
- Flood Risk Review St Joseph River Watershed RiskMAP Update (2020)
- Flood Risk Report St Joseph Watershed (2021)
- Goshen Dam Pond Report of Findings (2019)
- West Goshen Drainage Study (2012)

4.2 GUIDANCE FROM THE PROJECT TEAM

A project team of city staff from multiple departments and elected officials was assembled to guide the development of the Flood Resilience Plan. **Table 4-1** lists the project team members.

In December 2020, Burke met with the project team to introduce the project and discuss past flood events and actions needed for the City of Goshen become a flood resilient community. At this initial meeting, Burke lead the project team through a customized flood resilience checklist. The checklist includes strategies that assess how well the City of Goshen is positioned to avoid or reduce flood damage and recover from floods. Through a series of yes or no questions, the checklist evaluates the strengths and weaknesses of current policies and regulatory tools and non-regulatory programs as they relate to flood mitigation and adaptation. As intended, much discussion was generated by each of the questions including

where city policies, programs and projects could be added or enhanced as well as development trends and potential areas of expansion in the city. **Appendix 1** includes the completed checklist.

Table 4-1: Project Team List and Affiliation

Name	Responsibility
Aaron Satwatsky-Kingsley	Project Manager/Environmental Resilience Director
Jeremy Stutsman	Mayor
Rhonda Yoder	Planning & Zoning Administrator
Mark Brinson	Community Development Director
Dustin Sailor	Public Works Director
Jason Kauffman	Stormwater Coordinator
Mattie Lehman	Stormwater Specialist
Theresa Sailor	Environmental Educator
David Gibbs	Street Commissioner
Julia King	City Council
Matt Schrock	City Council
Jennifer Tobey (<i>invited</i>)	Elkhart County Emergency Management

The project team met again in February 2021 to review flood impact areas from the 2018 flood, land use designations and Flood Insurance Rate Maps (FIRM). Using the ArcGIS Online platform, Burke shared suggested boundaries for flood resilience planning areas. More information on the flood resilience planning areas is in Section 4.3 below.

Burke reached out to individual city staff from planning, redevelopment, engineering, stormwater and environmental resilience to better understand existing policies, programs and projects and discuss the types of flood resilience strategies that would work best for the City of Goshen. In May 2021, the full project team reconvened to review and prioritize recommended flood resilience strategies as well as discuss the method, resources, and timeline for implementation of these strategies. The project team met in August 2021 to discuss the implementation checklist and review the draft Flood Resilience Plan. Meetings were held with the stakeholders and the public in March 2022. Following revisions, the draft plan was presented to City Council in July 2022. Appendix 1 also includes summaries and worksheets from the project team meetings, presentations to the stakeholders and the public and comments received.

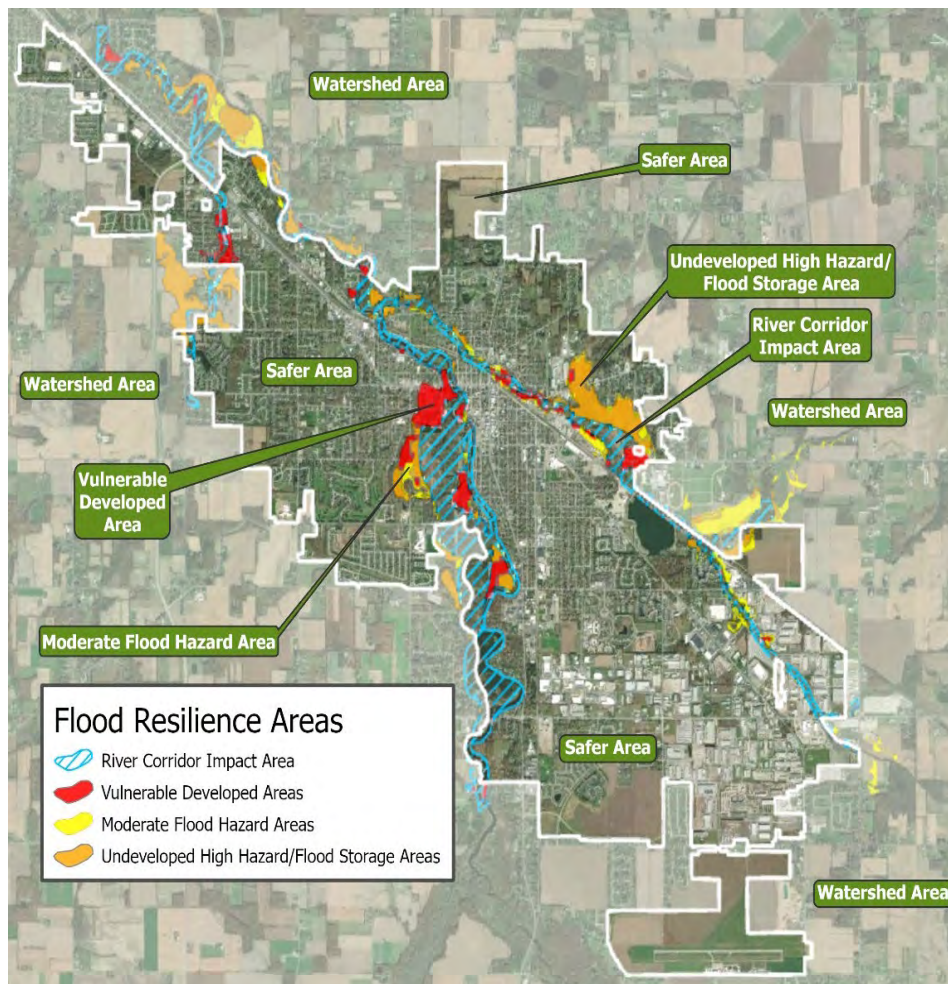
4.3 DEFINE FLOOD RESILIENCE PLANNING AREAS

As discussed in Chapter 1, EPA Office of Sustainable Communities, in partnership with FEMA, published a report in 2014 entitled: “Planning for Recovery and Long-Term Resilience in Vermont”. This report defined four flood resilience planning areas based on the different geographic regions within a river valley. To better suit Indiana communities, Burke further refined these into six flood resilience planning areas. These include the river corridor impact area, undeveloped high hazard/flood storage area, moderate flood hazard area, vulnerable developed area, safer area and watershed. **Table 4-2** lists each flood resilience planning area, the geographic boundary used to define it and the purpose of the strategies for each area.

In the City of Goshen, the flood resilience areas were defined using the Effective FIRM and the Indiana Department of Natural Resources (IDNR) best available floodplain mapping. **Figure 4-1** is a graphical representation of these areas in the City of Goshen and **Exhibit 1** provides a larger, more detailed image.

Table 4-2: Flood Resilience Planning Areas

Planning Area	Geographic Boundary	Purpose of Strategies
River Corridor Impact Area	Floodway or fluvial erosion hazard area, whichever is greater	To conserve land and prohibit development
Undeveloped High Hazard/Flood Storage Area	Undeveloped land in the floodway fringe	To conserve land and maintain the natural and beneficial function of the floodway fringe and discourage future development
Moderate Flood Hazard Area	0.2% AEP or 500-year flood zone	To highlight areas that are subject to flooding during extreme events and to discourage placement of critical facilities in these areas, which are considered to be the near future high hazard (1% AEP) areas due to ongoing climate change
Vulnerable Developed Area	Existing developed land in the SFHA (floodway and floodway fringe)	To protect people, buildings and facilities vulnerable to flooding and reduce future flood risk
Safer Areas	Outside the SFHA, 0.2%AEP floodplain and localized flooding areas; within the planning jurisdiction	To plan for and promote development in areas that are less vulnerable to future floods
Watershed	Entire drainage area	To promote coordination and partnerships and implement practices to slow, spread, and infiltrate floodwater



Note: a large, detailed map (Exhibit 1) is available at the end of the report

Figure 4-1: Flood Resilience Planning Areas

4.4 DEVELOP FLOOD RESILIENCE STRATEGIES

The approach to develop flood resilience strategies is two-pronged. The first uses land-use planning policies to direct growth, economic development and capital improvement projects to safer areas that are less vulnerable to flooding. This will help to prevent the problem from spreading and getting worse. The second is to identify projects to protect people and critical assets that already exist in the vulnerable flood risk areas. **Chapter 5** includes a discussion on overall citywide strategies and **Chapter 6** discusses each flood resilience planning area in more detail and lists recommended strategies to achieve flood resilience.

CHAPTER 5: OVERALL STRATEGIES FOR FLOOD RESILIENCE

Overall strategies are meant to improve resiliency citywide. They emphasize the importance of syncing plans, policies, and regulations for consistency of resiliency concepts and strategies. The following includes a discussion on each of the overall strategies reviewed and prioritized by the project team.

5.1 UPDATE STORMWATER ORDINANCE AND CONDUCT TRAINING

Under state and federal regulations, the city is required to establish a regulatory mechanism for managing stormwater quality and quantity. Currently the City of Goshen relies on the 2015 Indiana Stormwater Drainage Manual and the 2007 Indiana Stormwater Quality Manual to meet this requirement. These are both good resources however, they are not tailored to the city's specific needs, nor do they include higher standards to address climate change or incorporate recent regulation updates. Purdue Research Foundation through the Local Technical Assistance Program (LTAP) has recently completed a comprehensive Model Stormwater Ordinance and Technical Standards with the intent for Indiana communities to customize and adopt locally. As it relates to flood resilience, this document includes requirements for fluvial erosion hazard (FEH) areas, channel protection volume, compensatory flood storage and promotes low impact development/green infrastructure as an alternative to conventional development.

Recommended flood resilience strategy

- Customize and adopt the LTAP Model Stormwater Ordinance and Technical Standards and include requirements for fluvial erosion hazard (FEH) areas, channel protection volume, compensatory flood storage, low impact development/green infrastructure and climate change.

Green infrastructure has been of particular interest to the city as a stormwater management practice. There are several projects where it has been implemented and, in some cases, it is performing well. An example is the permeable paver system installed on Jefferson Street (**Figure 5-1**). Of concern among city staff is the lack of knowledge as it relates to design, construction and long-term maintenance of these practices. The detailed best management practice (BMP) fact sheets referenced in the LTAP Model Stormwater Ordinance and Technical Standards, provides guidance on the design, review, construction, inspection, and long-term maintenance of green infrastructure practices. Customizing the LTAP Model Stormwater Ordinance and Technical Standards to promote green infrastructure should result in more of these facilities being implemented on public and private property. For the city to maintain the public green infrastructure installations, inspection and maintenance staff will need to be trained.



Figure 5-1: Installation of Permeable Paver System in Goshen

Recommended flood resilience strategy

- Train city stormwater inspection and maintenance staff about green infrastructure practices to improve function, performance and appearance.

5.2 IMPROVE FLOOD RISK COMMUNICATION AND EDUCATION

Communicating flood risk is central to achieving flood resilience. If done correctly, communication strengthens people’s risk awareness and motivates them to take measures to protect themselves and their property. The typical method of communicating flooding and flood risk uses data, confusing terminology and static maps which does not always achieve the desired result. People need to perceive the risk to act. The City of Goshen is very good at sharing flood information on the city webpage including the link to the stream gage, listing areas that are expected to flood and where to pick up sandbags to protect personal property. The city is working on a series of online story maps that give guidance and provide interactive maps that cover themes like stream river gages, historic flooding, floodplain maps and information on the percentage chance of flooding over the lifetime of a 30-year mortgage.

The city should expand on these efforts and develop a flood risk education and outreach program to help people understand their risk and take the appropriate action. This effort should target all groups including elected officials, local leaders, business owners and residents. The Association of State Floodplain Managers (ASFPM), FEMA, USGS and others have good resources and tools to improve flood risk communication and methods for education and outreach. **Appendix 3** includes a list of resources to help the city get started.

Recommended flood resilience strategy

- Expand current flood communication efforts and develop a flood risk education and outreach program to improve people’s risk awareness and motivate them to take measures to protect themselves and their property.

5.3 CONDUCT REGULAR AUDITS OF PLANS, PROGRAMS AND POLICIES

Critical to the successful implementation of this plan and flood resilience in the City of Goshen is to update, integrate, and revise the plans, programs and policies to include the overall resilience strategies in this chapter and the strategies for each of the flood resilience planning areas discussed in Chapter 6. **Appendix 2** includes a blank copy of the flood resilience checklist that was used early in this planning process to assess the strengths and weaknesses of current plans, programs, and policies related to flooding. This checklist should be revisited annually.

Recommended flood resilience strategy

- Complete the flood resilience checklist at least annually to track progress made and continue to do so until all questions are marked “yes.”

5.4 UPDATE THE CITY CODE AND ZONING ORDINANCE

Preventative measures integrated into the City Code and Zoning Ordinance can reduce future vulnerability to flooding, especially in areas where development has not yet occurred. For flood resiliency, there are two areas where enhancements or new requirements are recommended. These include trees and landscape standards and flood hazard regulations.

In 2019 the city adopted a goal to have 45% urban tree canopy cover by 2045 or 45 by ‘45. Achieving this goal will double the current tree canopy. **Figure 5-2** shows one of the tree-lined city streets in Goshen. As

this relates to flood resilience, trees naturally reduce stormwater runoff by intercepting, capturing and storing rainfall. Title 6 Article 8 of the City Code covers tree planting, maintenance and removal of street trees. The recommended tree list includes trees tolerant the urban environment however not all are native to Indiana. Native species are adapted to local growing conditions and will require less maintenance.



Figure 5-2: Tree-lined Street in Goshen

The city has a cost-share program to assist property owners, excluding developers, to plant new street trees. When street trees need to be removed for widening or construction, the city will compensate the property owner or replace the tree (1:1).

Article V Section 5000 of the Zoning Ordinance includes landscape regulations for development. Robust landscaping standards are in place for streetside, bufferyards, foundation (optional) and off-street parking. Naturalized landscaping is permitted providing it is maintained and free of noxious weeds. The city offers a credit for preserving existing trees and vegetation. This policy requires a preservation landscape plan and the area to be designated as a Tree Save Area. Should the trees or vegetation preserved become damaged or die within three years, replacement landscape is required that equals or exceeds the requirements of the landscape regulations. Currently there is not a policy to replace mature trees or stands of trees that are removed for private or public development. The city should consider expanding the tree preservation language to mitigate for lost tree canopy and promote species diversity. The following recommendations should help bolster the city's tree canopy goal and promote native species and green infrastructure practices.

Recommended flood resilience strategies

- Expand the tree preservation language in the Zoning Ordinance to include replacement of trees lost to development. Consider a tree mitigation ratio of 5:1 based on tree size and require a variety of native species to reduce the risk of mass tree casualties from future pest damage.
- Promote the use of native plants in the Zoning Ordinance by requiring a higher percentage to meet the landscape standards and update the recommended tree list in the City Code to include more native species and cultivars.
- Allow vegetated green infrastructure practices, including parking areas, to count toward landscape requirements in the Zoning Ordinance.

The Flood Control District (Overlay) regulations are included in Article IV Section 4270 of the Zoning Ordinance. These regulations were updated in 2020 and follow the model flood hazard ordinance language recommended by IDNR. The regulations state that no structure shall be located, extended, converted or structurally altered and no land or stream shall be altered in the SFHA without full compliance of these regulations.

Critical facilities are structures that are vital to the community's ability to provide essential services and protect life and property, are critical to the community's response and recovery activities, and/or are the facilities the loss of which would have a severe or catastrophic impact. These typically include fire stations,

police stations, schools, and hospitals for example. Current floodplain regulations in the City of Goshen allow critical facilities to be constructed in the SFHA, if no feasible alternative site is available. However, due to the importance of these facilities to the operation and function of the city before, during, and after a hazard event, under no circumstances should they be in the SFHA or the 0.2% AEP (500-year) flood limits. If placement of new critical facilities in the flood hazard area is unavoidable, the facility, including access, should be protected to at least one foot above the 0.2% AEP flood elevation. These requirements are consistent with the intent of Executive Order 11988, Floodplain Management as well as federal agencies requirements for funding and/or permitting for critical facilities. However, facilities such as water and wastewater treatment plants that are typically located within the floodplain due to their function should be excluded.

In the floodway, construction of non-substantial additions/improvements to residences are allowed without a permit from IDNR. Also, the current city codes allow non-residential structures to be placed within the regulatory floodway with a permit from IDNR (which only considers the 1% AEP or 100-year flood). To minimize cumulative impacts of the loss of flood conveyance on various flood frequencies, minimize the potential increase in erosion, and preserve the natural and beneficial functions of the stream corridor, all new development, residential or commercial, should be prohibited and if not possible, discouraged in the floodway. To the extent possible redevelopment in the floodway should also be discouraged. Note that rebuilding of structures destroyed by fire or other means are not considered redevelopment and are subject to provisions in the Flood Control District regulations.

The regulatory floodplain limits area based the 2011 FIRM and in the absence of published FEMA maps, the city refers to IDNR's best available floodplain mapping. In August 2020, the city met with FEMA's RiskMAP team to review draft results of updated floodplain analyses. These results will eventually be used to revise and update the FIRM following the city's thorough review, approval and adoption process.

The flood resilience planning areas defined in this plan will need to be added to the Flood Control District regulations. These are included below and in more detail in Chapter 6.

Recommended flood resilience strategies

- Amend the Flood Control District regulations to require new critical facilities to be located outside of known flood hazard areas only, including the 0.2% AEP. If placement of new critical facilities in flood hazard area is unavoidable, the facility, including access, should be protected to at least one foot above the 0.2% AEP flood elevation.
- Amend the Flood Control District regulations to prohibit and if not possible, discourage new development or redevelopment within the floodway and undeveloped high flood hazard storage areas in the floodway fringe.
- Update flood resilience planning areas based on updated FIRM information.

5.5 UPDATE THE STORMWATER UTILITY FEE

A stormwater utility is a proven method of providing a reliable funding source for managing stormwater programs. It can generate funds for a variety of stormwater needs including capital improvement projects, regulatory compliance, drainage plans and studies, operation and maintenance of infrastructure, equipment, vehicles and staff training. In 2005 the City of Goshen, in partnership with Elkhart County, City of Elkhart and City of Bristol, established a stormwater utility fee. The rate structure is set up to collect a flat fee of \$1.25 per month for residential properties and a variable rate for nonresidential properties based on actual impervious cover. There are about 95 stormwater utilities in Indiana with an average single family residential fee of \$5.74 per month. The average fee for the 12 stormwater utilities in the northeast portion of the state, where the City of Goshen is located, is \$5.29. This is over four times the city's stormwater

utility fee. While the funds collected currently cover some of the city’s stormwater program costs, it does not generate enough revenue to tackle larger, much needed capital projects to mitigate flooding. The city should first work with the county to study and increase the stormwater utility fee or pursue this work on their own.

Recommended flood resilience strategy

- Work with the County to study and update the stormwater utility rate collectively, otherwise complete an independent Stormwater Utility Rate Study that includes stormwater program costs and a fair and equitable rate structure; update the stormwater utility fee accordingly within the City of Goshen.

5.6 INTEGRATE FLOOD RESILIENCE INTO THE COMPREHENSIVE PLAN

The comprehensive plan represents the community’s vision for growth and development and as such can play an important role in flood resilience. The City of Goshen’s Comprehensive Plan was updated in 2016 with a strong natural environment chapter. Throughout this chapter there are several references to maintaining the natural and beneficial function of the floodplain, preserving the ecological integrity of riparian corridors, promoting of native plants and landscaping, directing growth toward existing development and away from undeveloped open space including floodplains, work with landowners along the river to promote low impact uses, purchase land or development rights along the river and partner with county/regional organizations and landowners to reduce runoff upstream in the watershed. The vision, goals and objectives in the city’s Comprehensive Plan align with the strategies in this Flood Resilience Plan.

Recommended flood resilience strategies

- Add a discussion on flooding, climate change, and flood resilience planning areas to the Comprehensive Plan.
- Cross-reference the Flood Resilience Plan, Redevelopment Capital Plan and Elkhart County MHMP for strategies and mitigation measures related to flooding, growth and development priorities.

5.7 INCLUDE FLOOD RESILIENCE IN CAPITAL PROJECTS

The City of Goshen established the Goshen Redevelopment Commission and the Department of Redevelopment to act as a catalyst for new development in targeted areas. This is done through techniques including real estate acquisition, site preparation, environmental remediation and providing public infrastructure to the site. Financing resources generally used are Tax Incremental Financing (TIF) and Redevelopment General Obligation Bonds. The city maintains a five-year capital plan for redevelopment projects. In the current plan, there are several properties in the SFHA. Reuse of these properties should reflect the strategies in this Flood Resilience



Figure 5-3: Illustration of Mill Race Pavilion and Floodplain Open Space

Plan. Based on studies conducted by the National Institute of Building Sciences' Multihazard Mitigation Council, on average, every \$1 spent on mitigation (including preservation of floodplain land and floodplain development restrictions) results in a \$6 return of avoided future losses, a 6:1 benefit-cost ratio.

Figure 5-3 is an illustration of the Mill Race Pavilion and surrounding open space for flood storage in the Elkhart River floodplain. There has been some early discussion among city staff about the need to prepare a Future Growth Plan for the City of Goshen. This plan should incorporate the flood resilience planning areas as should the proposed Stormwater Master Plan discussed in 6.4.2.

Recommended flood resilience strategies

- Focus redevelopment efforts (site preparation, remediation and public infrastructure) in locations that are designated as safe growth areas outside the 0.2% AEP floodplain and local flooding areas.
- Continue to acquire available land in the SFHA for flood storage and compatible open space uses; build on the city-owned parkland along the Elkhart River and create a Central Park like amenity for the city and region.
- Consider climate change and flood impacts in capital projects; promote low impact development/green infrastructure to manage stormwater.
- Incorporate the flood resilience planning areas into the proposed Future Growth Plan.
- Cross-reference the Flood Resilience Plan, Comprehensive Plan and Elkhart County MHMP for strategies and mitigation measures related to flooding, growth and development priorities.

5.8 IMPLEMENT THE MHMP FLOOD MITIGATION MEASURES

FEMA requires communities to prepare Multi-Hazard Mitigation Plans (MHMP) to reduce or eliminate risk from natural hazards. A community must have a MHMP to receive hazard mitigation and disaster recovery funding from FEMA. Elkhart County Emergency Management Agency (EMA) prepared a multi-jurisdictional MHMP in 2016 that includes the City of Goshen. This plan provides several mitigation strategies to prevent or reduce the potential damages caused by flooding. Additionally, the MHMP suggested a timeline of implementation for each strategy. The following lists the mitigation measures in the MHMP that support flood resilience in the City of Goshen and where they are discussed in the Flood Resilience Plan.

Recommended flood resilience strategies

- Minimize impacts of flooding by retaining stormwater onsite using low impact development/green infrastructure practices (see 5.1).
- Maintain channels and regulated drains to prevent localized flooding (see 6.1.3, 6.2.3 and 6.6.4).
- Educate the population of known flood hazard areas (see 5.2).
- Prohibit development of new critical facilities in known flood hazard areas; protect existing critical facilities (see 5.4 and 6.3.1).
- Relocate, buyout or floodproof (nonresidential) existing structures that are subject to repetitive flooding (see 6.4.4 and 6.4.5).
- Maintain a database of accurate and community specific information following each hazard event including extent, magnitude, cost, response and recovery efforts (partner with EMA).
- Establish procedures to alert and evacuate the population in known hazard areas (see 6.4.1).
- Incorporate hazard information, risk assessment and hazard mitigation practices into plans and policies to better guide future growth and development (see 5.3).
- Reduce flood insurance premiums through participation in the NFIP Community Rating System (see 6.4.3).

- Support FEMA flood depth mapping (RiskMAP) to better understand the flood risk potential (see 5.4).
- Encourage restoration of the natural stream corridor in new and redevelopment projects (see 6.6.2).
- Cross-reference the Flood Resilience Plan, Comprehensive Plan and Redevelopment Capital Plan for strategies and mitigation measures related to flooding, growth and development priorities (see 5.6 and 5.7).
- Participate in the MHMP five-year update; multi-departments needed (partner with EMA).

CHAPTER 6: STRATEGIES FOR FLOOD RESILIENCE PLANNING AREAS

As introduced in Section 4.3, six flood resilience planning areas were identified for the City of Goshen. These are based on the different geographic regions of the river valley. These include the river corridor impact area, undeveloped high hazard/flood storage area, moderate flood hazard area, vulnerable developed areas, safer area and the watershed. The strategies most effective at enhancing flood resilience will differ depending on the flood resilience planning area while at the same time offer multiple and interrelated benefits. For example, directing development out of the floodplain and into safer areas not only keeps people and property safe, but it also maintains the ability of floodplains to hold and slow down floodwater before it reaches development downstream. Based on the review of available flood data and studies as well as input from project team, the following are the recommended strategies to improve flood resilience in the City of Goshen.

6.1 RIVER CORRIDOR IMPACT AREA

The river corridor impact area is defined by the floodway or FEH area boundary, whichever is greater (Figure 6-1 and enlarged in Exhibit 1). The floodway encompasses the channel of a river or stream and those portions of the floodplains adjoining the channel which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream. During a flood, the velocity and volume of water in the floodway is great and can be destructive to obstacles in its path.

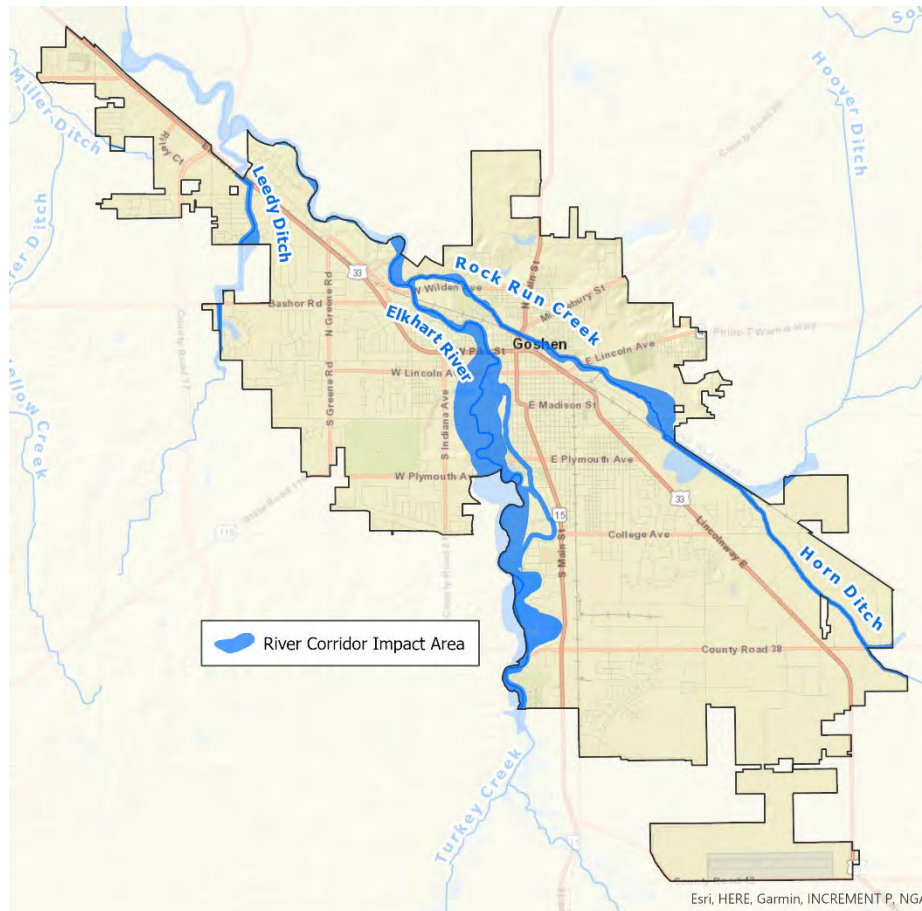


Figure 6-1: River Corridor Impact Area

In addition to carrying floodwater, the land adjacent to the channel is needed for the river to adjust laterally over time and maintain its natural stable form and become less prone to severe flooding. In many cases, flood damage is not only the result of inundation, but erosion as well. Development and infrastructure that encroach in this area may be adversely affected by the natural stream processes and exacerbate flooding and erosion potentials in other areas. Conserving land and prohibiting development in this particularly vulnerable area is imperative to improving flood resilience in the City of Goshen. The following strategies detail how to successfully achieve this.

6.1.1 Adopt Fluvial Erosion Hazard (FEH) Regulations

Floodplain regulations regulate land use in floodplains and are primarily in place to protect insured structures from flood-related losses. They do not necessarily address erosion or the negative impact development can have on other property owners or the natural and beneficial functions of the floodplain.

Because of this area's susceptibility and vulnerability to flooding and erosion, development should be prohibited and if not possible, discouraged. This includes structures, infrastructures and utilities, as well as any land disturbance activities including parking areas, land clearing, excavation, and grading.

In Indiana, FEH boundaries have been determined as part of a 2014 initiative by Indiana Silver Jackets, through funding obtained from the Indiana Office of Community and Rural Affairs (OCRA), and available on the IDNR Division of Water website. As shown in **Figure 6-2**, the floodway and FEH do not always occupy the same space.

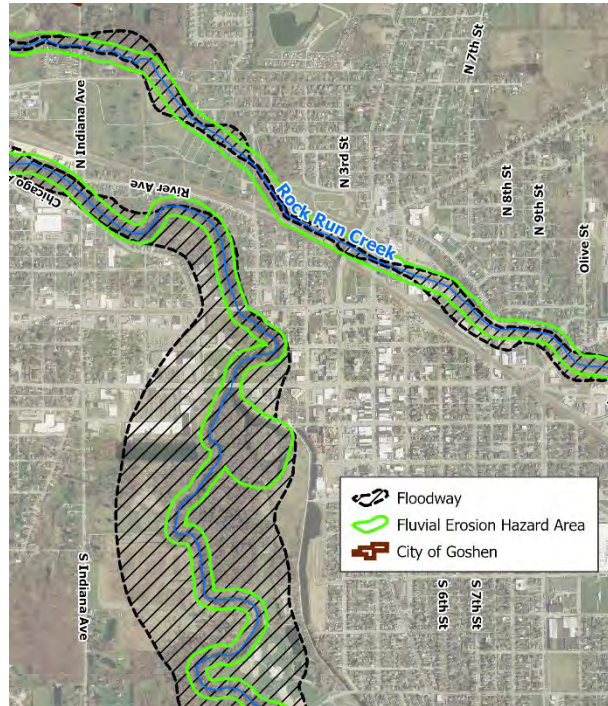


Figure 6-2: Floodway and Fluvial Erosion Hazard Areas

For this reason, the city should adopt FEH regulations in addition to enforcing the existing floodway requirements in the Flood Control District.

Recommended flood resilience strategy

- Adopt standalone fluvial erosion hazard regulations to prohibit and if not possible, discourage new development and redevelopment in this area or include it as part of the customized LTAP Model Stormwater Ordinance and Technical Standards recommendation.

6.1.2 Protect Undeveloped Land in the River Corridor Impact Area

For this area to function and provide critical conveyance for floodwater and stream movement, it should remain undeveloped. This includes encroachment from structures, infrastructures, and utilities, as well as any land disturbance activities including parking areas, land clearing, excavation, and grading that should be avoided.

The City of Goshen has done a great job acquiring land in the floodplain and using it as parkland. In the river corridor district, 31% of the land is owned by the city; 82%, of which, is designated as parks. Along the Elkhart River, the amount of city-owned parkland is even greater. As shown in **Figure 6-3**, much of the land in the river corridor impact area between Lincoln Highway (US 33) and Goshen Dam Pond is a city-owned park. This large green, Central Park like swath, includes Rogers Park, Linway Lake, Mullett Park, Shanklin Park, Millrace Park, Larry L. Beachy Forest and Shoup-Parsons Woods. On the city's eastside, the city owns Oakridge Park, Mill Street Park and Abshire Park adjacent to Rock Run Creek

As land and funding become available, the city should continue to acquire properties within the river corridor impact areas to allow for critical conveyance for floodwater and stream movement.

Another method to preserve the river corridor impact area, is for the city to identify landowners of undeveloped land and partner them with local land trusts, United States Department of Agriculture (USDA), IDNR, and the Elkhart County Soil and Water Conservation District (SWCD) organizations that can purchase, accept land donations, or hold conservation easements. Many of these programs have incentives to help with implementation such as cost-share funding, purchase agreements, and property tax reductions. Depending on the program, funds may be available to restore or enhance natural features on the site like wetlands, forest, or prairie as well as provide long-term maintenance of the protected property. **Appendix 4** contains a list of land trusts, agencies, and cost-share programs in Indiana. This list should be updated as other organizations and programs become available.

Recommended flood resilience strategies

- Prohibit and if not possible, discourage new development in the river corridor impact area.
- Continue to acquire undeveloped land from willing landowners in the river corridor impact area as land becomes available and funding allows.
- Identify willing landowners of undeveloped land in the river corridor impact area and partner them with entities willing to purchase, accept donations or hold conservation easements.

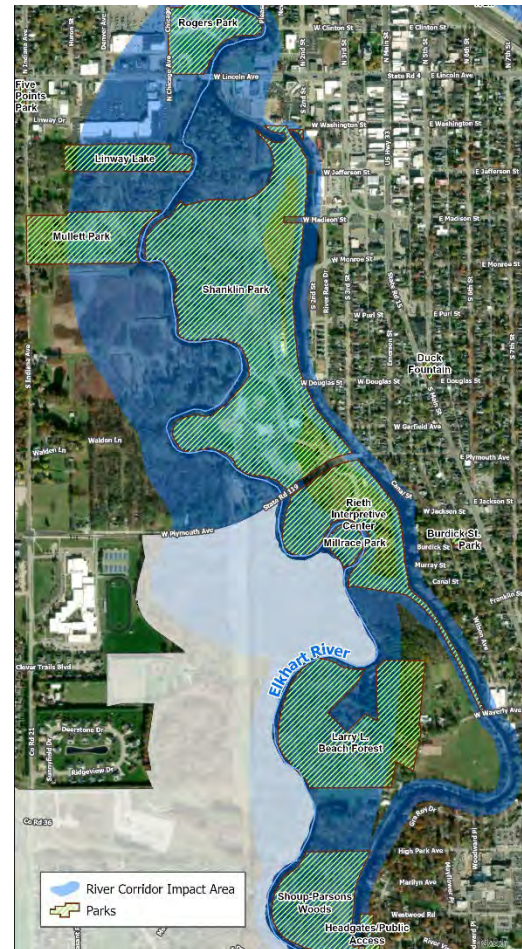


Figure 6-3: Parks in the River Corridor Impact Area

6.2 UNDEVELOPED HIGH FLOOD HAZARD/FLOOD STORAGE AREA

Undeveloped High Flood Hazard/Flood Storage Area includes the undeveloped land in the floodway fringe (**Figure 6-4** and enlarged in Exhibit 1). The intent of the strategies for this flood resilience planning area is to conserve land and maintain the natural and beneficial function of the floodway fringe.

While the floodway is critical for flood conveyance, the floodway fringe is critical for flood storage. Flooding in this area is an essential part of the river's hydrologic and hydraulic processes, geomorphic processes, and biologic processes that shape and maintain this natural system. Encroachment in the floodway fringe upsets this delicate balance and disturbs the functions and overall health of the river's ecosystem. The short-term economic gain from developing in the floodplain is unsustainable and ultimately shifts the adverse environmental impacts to future generations.

Like the river corridor, conserving land and prohibiting development in this particularly vulnerable area is imperative to improving flood resiliency in the City of Goshen. The following strategies detail how to successfully achieve this.

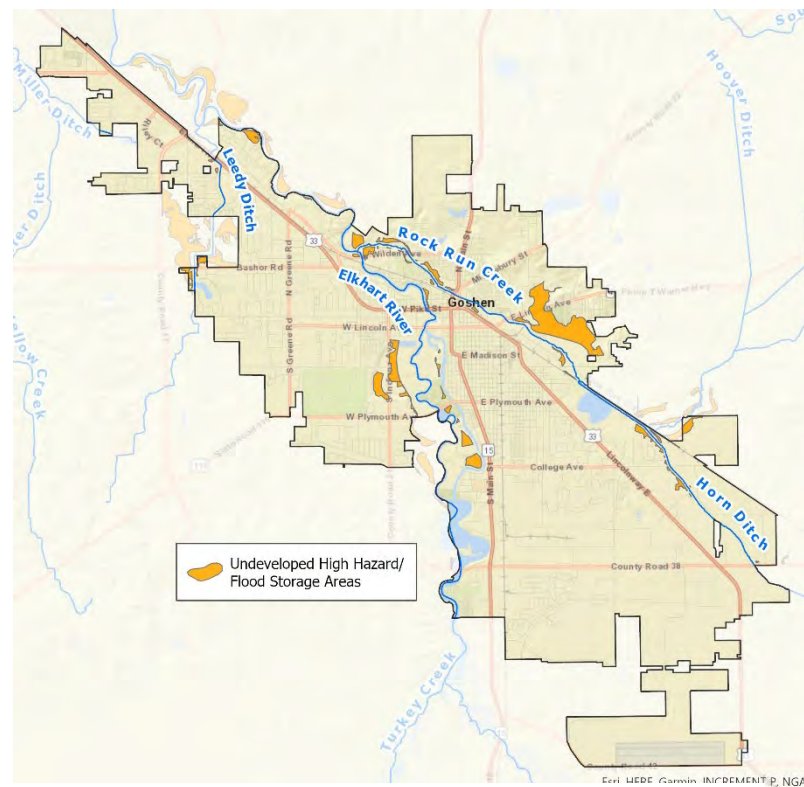


Figure 6-4: Undeveloped Land in the Floodway Fringe

6.2.1 Protect Undeveloped Land in the Floodway Fringe

For the floodway fringe to function and provide critical storage for floodwater, it must remain undeveloped. The same approach used in 6.1.2 to protect undeveloped land in the river corridor impact area can be used to protect undeveloped land in the floodway fringe. The city should continue to purchase land in the floodway fringe as land and funding is available. Where city ownership is not feasible, the city should partner willing landowners with local land trusts, USDA, IDNR, and SWCD organizations that are willing to outright purchase, accept land donations, or hold conservation easements.

Recommended flood resilience strategies

- Prohibit and if not possible, discourage new development in the undeveloped high flood hazard storage areas in the floodway fringe.
- Continue to acquire undeveloped land from willing landowners in the undeveloped high hazard/flood storage area as land becomes available and funding allows.
- Identify willing landowners of undeveloped land and partner them with entities willing to purchase, accept donations or hold conservation easements.

6.2.2 Establish Compensatory Floodplain Storage Requirements

It is necessary to preserve the natural storage within the floodplain because loss of floodplain storage on one property could lead to increases in flood depths and frequency of flooding and negatively impact other properties along the stream or within the watershed. Floodplain storage is

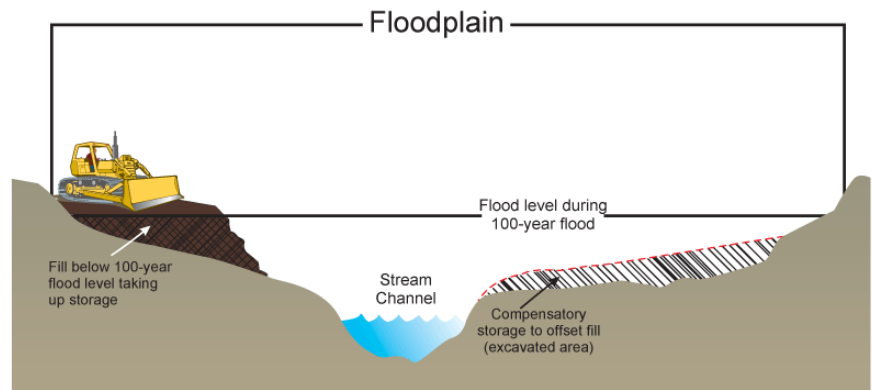


Figure 6-5: Illustration of Compensatory Storage

lost when a portion of the floodplain is filled, occupied by a structure, or when there is a change in the channel hydraulics that reduces the existing available floodplain storage volumes. In some circumstances when placement of fill within the floodway fringe is considered unavoidable, compensatory floodplain storage can be an effective regulatory tool to compensate for loss of flood storage (but not necessarily the loss of other beneficial functions of a floodplain) due to fill, structure, or other materials above grade in the regulatory floodplain that temporarily or permanently displaces floodplain storage volume. **Figure 6-5** provides an illustration of how compensatory storage works.

The City of Goshen does not currently have a compensatory flood storage requirement. In the rare circumstance where the placement of fill in the floodway fringe is unavoidable, and a variance has been granted, the city should require a minimum 3:1 compensation of the floodplain storage that is lost.

Recommended flood resilience strategy

- Adopt a standalone minimum 3:1 compensatory flood storage requirement or include it as part of the customized LTAP Model Stormwater Ordinance and Technical Standard recommendation (see 5.1.1).

6.3 MODERATE FLOOD HAZARD AREA

The Moderate Flood Hazard Area encompasses the land in the 0.2% AEP flood zone (**Figure 6-6**). The intent of this flood resilience planning area is to highlight areas subject to flood risk during extreme flood events, to avoid placement of critical facilities and, to the extent possible, preserve these areas as additional flood storage areas that will likely be needed as the impacts of the ongoing changes in climate makes

inundation of these areas in the future like how the 1% AEP floodplain is inundated in today's climate. The following strategies detail how to successfully achieve this.

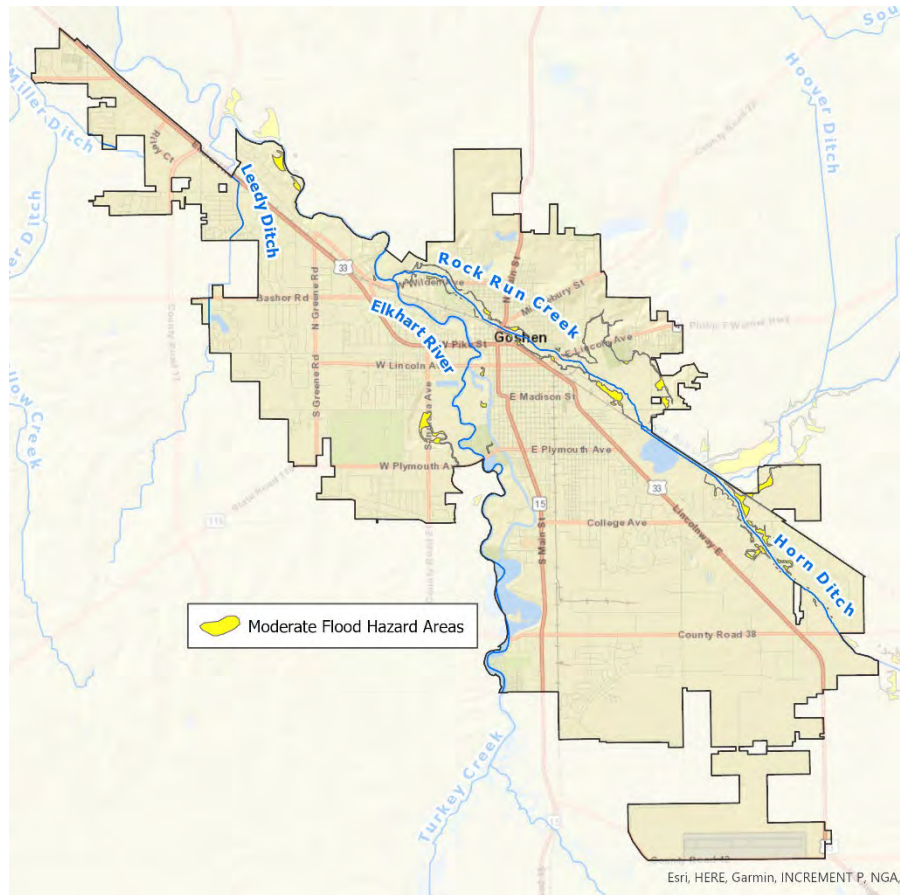


Figure 6-6: Moderate Flood Hazard Area

6.3.1 Discourage New Development, Especially Critical Facilities

Since it is likely that the moderate flood hazard area will flood during extreme events, development should be discouraged, especially critical facilities. The City of Goshen's Flood Control District regulations states that the construction of new critical facilities shall be, to the extent possible, located outside the limits of the SFHA. Critical facilities are permissible in the SFHA if no other feasible alternative site is available however, access routes must be elevated to or above the flood protection grade to the extent possible. This language should be updated to include the 0.2% AEP flood zone or be protected to one foot above 0.2% AEP. Critical facilities such as police, fire, medical facilities, and schools should not be in areas vulnerable to flooding. Facilities for drinking water and wastewater treatment plants that are typically located within the floodplain due to their function may be excluded from such requirements.

Recommended flood resilience strategies

- Discourage new development and preserve the 0.2% AEP flood zone for additional flood storage for extreme flood events.
- If placement of new critical facilities in flood hazard area is unavoidable, the facility, including access, should be protected to at least one foot above the 0.2% AEP flood elevation.

6.3.2 Require Higher Standards for Buildings

Development in the floodplain is regulated to protect people and property and reduce vulnerability to future flood risk. Currently buildings in the 0.2% AEP flood zone are not required to meet the same requirements as those in the SFHA. The moderate flood hazard area is a known flood risk area and as such new development and redevelopment in this area should be to a higher standard than currently regulated. The following are recommended to improve flood resilience in this area.

Recommended flood resilience strategies

- Require new development and redevelopment in the 0.2% AEP flood to have a flood protection grade equal to or greater than that required in SFHA (a minimum of two feet above the 1% AEP).

6.4 VULNERABLE DEVELOPED AREA

Vulnerable developed areas are, as name suggests, existing developed areas within high flood or erosion hazard areas, i.e., within the river corridor impact area and floodway fringe (**Figure 6-7** and enlarged in

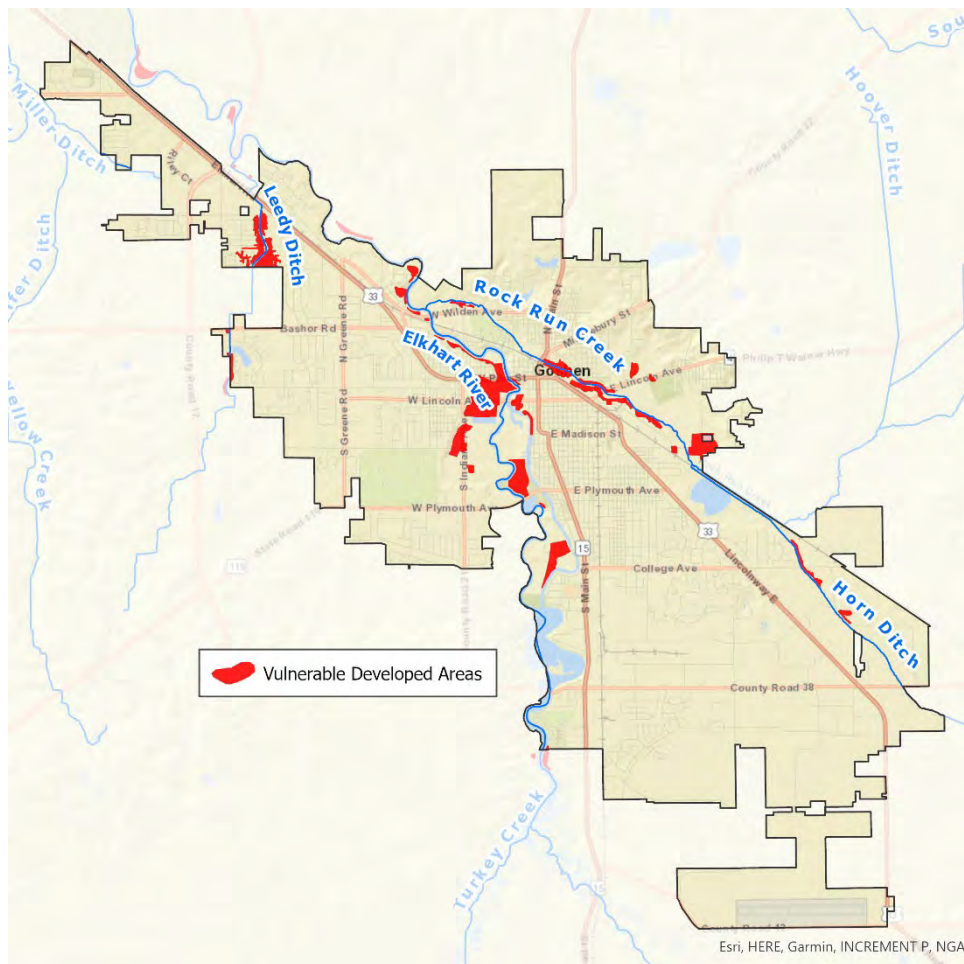


Figure 6-7: Vulnerable Development Area

Exhibit 1). The intent of this flood resilience planning area is to protect people, buildings, and facilities in vulnerable areas and reduce future flood risk.

While ideally removing these structures through a buyout program provides the best protection from future flood-related or erosion-related losses, it is unlikely that such a strategy can cover the entire affected area because of the number of structures in the high flood hazard areas. In the City of Goshen there are 558 structures in the high flood hazard areas. **Table 6-1** shows a breakdown of the structures for the Elkhart River, Rock Run Creek, Horn Ditch and Leedy Ditch. These areas make up older, established neighborhoods, commercial and industrial developments. As evident following the 2018 flood, there is a willingness and strong desire to repair and/or rebuild structures damaged by major floods.

A report on the value of mitigation by the National Institute of Building Sciences, reviewed over 20 years of federally funded mitigation grants, not only from FEMA, but also from the US Economic Development Administration (EDA) and the US Department of Housing and Urban Development (HUD). From this broadened review, it has been determined that for every \$1 spent on mitigation, \$6 are saved on disaster and recovery costs. Further, by designing and constructing buildings which exceed select items in the 2015 International Code, an additional \$4 can be saved for every \$1 invested in those changes. Given these findings, every effort should be taken to mitigate the flooding impacts in the vulnerable developed area.

Table 6-1: Structures in the SFHA

WATERWAY	STRUCTURES IN RIVER CORRIDOR IMPACT AREA		STRUCTURES OUTSIDE RIVER CORRIDOR (in floodway fringe)	
	Primary	Accessory	Primary	Accessory
Elkhart River	176	64	111	42
Rock Run Creek	71	18	31	10
Horn Ditch	5	4	3	0
Leedy Ditch	111	85	50	26
TOTAL	363	171	195	78

Note: Structure count does not include those removed through Letter of Map Change

Below are strategies to safeguard development and redevelopment in areas that are susceptible to flooding. Although in many cases the risk to flooding cannot be eliminated entirely, these strategies will help reduce the potential damage from future flooding events.

6.4.1 Prepare a Flood Response Plan

With every major flood, there comes an overwhelming level of activity and a need for quick information and response. A Flood Response Plan documents the flood response process, informs those involved in the chain of command, lists specific responsibilities and task assignments, and provides a schedule of activities tied to stages of the flood fight, including flood safe routes for evacuation (**Figure 6-8**). A good plan helps prevent duplication of effort and wasted resources and helps avoid gaps in response and recovery. The City of Goshen currently posts flood information on the city webpage. This includes the link to the stream gage, areas expected to be impacted and where sandbags are available. While general flood fighting procedures may have been established following the latest flood, the process needs to be formalized. The city should prepare a formal Flood Response Plan to document 1) event forecast, detection and classification, 2) event-based warning and notification, 3) recommended response actions and 4) event termination and follow-up.

Recommended flood resilience strategy

- Prepare a Flood Response Plan that documents flood detection, warning, response and follow-up protocols.

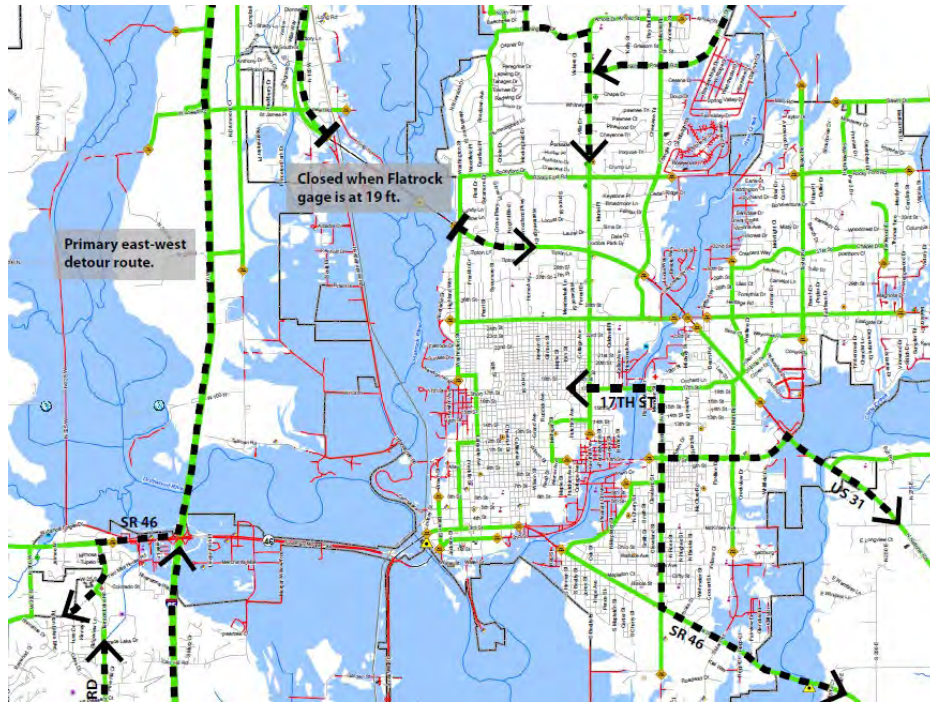


Figure 6-8: Example of Flood Safe Routes from a Flood Response Plan

6.4.2 Prepare a Citywide Stormwater Master Plan

The purpose of a Stormwater Master Plan is to provide an overall understanding of the drainage, flooding, and water quality conditions citywide. This type of plan provides recommended solutions that will solve or reduce existing water quality/quantity problems; prevent an increase in water quality/quantity problems as growth occurs; and preserve the natural and beneficial function of the floodplain. The City of Goshen does not currently have a comprehensive citywide Stormwater Master Plan but rather completes individual drainage studies and projects in response to specific flooding or drainage problems. The most recent list is included in Section 3.1 of this plan. The draft Stormwater Vulnerability Assessment (Section 3.4) identified 18 areas impacted by the 2018 flood. These include the Trinity Square Shopping Center, Linway Plaza and Lincoln Avenue businesses, Huron Street neighborhood, Roxbury Mobile Home Park as well as multiple road and intersections and sanitary sewer lift stations. Depending on the level of analysis and recommendations from the GLISA study discussed in Section 3.5, this potentially could function as a Stormwater Master Plan or at very least provide the foundation for a more detailed planning effort.

Recommended flood resilience strategy

- Prepare a comprehensive citywide Stormwater Master Plan to understand drainage, flooding and water quality conditions citywide.

6.4.3 Participate in the NFIP Community Rating System

The Community Rating System (CRS) is a voluntary program that provides reduced flood insurance premiums for policy holders in communities that go above and beyond the NFIP standards. Communities must apply to participate in the CRS and commit to implement and certify activities that contribute to reduced flood risk and improve flood resiliency. Examples of eligible activities include preserving open space in the floodplain, enforcing higher standards, developing mitigation plans, maintaining drainage systems, and monitoring flood conditions and issuing warnings. Although eligible, due to minimum statewide higher standards, the City of Goshen does not currently participate in the CRS program. However, after the implementation of recommendations contained in this plan, the city will be in a great position to bring about significant discounts on flood insurance premiums paid by property owners. In Indiana, 32 communities participate in the CRS program.

Recommended flood resilience strategy

- Upon implementation of flood resilience strategies, participate in the NFIP Community Rating System (CRS) program to reduce flood risk, improve flood resiliency and reduce the flood insurance premiums for all flood insurance policy holders within the city.

6.4.4 Relocate and/or Buyout Structures Inside the River Corridor Impact Area

Relocation and buyouts (or voluntary acquisitions) removes individual flood prone structures from harm's way by physically moving the structure or demolishing and rebuilding in a safer location. Not only does this greatly reduce the flood risk to the building and its contents but the land becomes designated as open space in perpetuity which provides more area for storage or conveyance of floodwater. FEMA provides 75% of the funding for voluntary acquisition projects through the Building Resilient Infrastructure and Communities (BRIC) grant program. These grants are highly competitive and the process from application to site restoration can take several years. The city should prepare a Voluntary Acquisition Plan that includes property details, the location within the floodway or river corridor impact area, depth of flooding and repetitive loss, for example. As shown in Table 6-1 above, 65% or 363 of the structures in the City of Goshen SFHA are in the river corridor impact area. Removal of structures in the river corridor impact area should be prioritized followed by those outside of the river corridor impact area but inside the SFHA (see 6.4.5).

Recommended flood resilience strategies

- Prepare a Voluntary Acquisition Plan to prioritize structures for relocation and/or buyout in the vulnerable developed area.
- Acquire and demolish structures in the river corridor impact area as properties become available and funding allows.

6.4.5 Retrofit, Relocate and/or Buyout Structures Outside the River Corridor Impact Area

Floodproofing is an option for nonresidential structures with less than three feet of flood depth. Floodproofing methods include elevating the building and/or utilities, building perimeter flood protection measures, dry floodproofing (sealing a building to prevent floodwater from entering) or wet floodproofing (letting water enter the structure but protecting/elevating/removing everything that could be damaged by floodwater). Each method is better suited to different building construction and site conditions. Floodproofing costs vary depending on the site considerations and the method selected. Nonresidential structures in the SFHA (outside the River Corridor Impact Area) are potential

candidates for floodproofing. Some funding may be available from FEMA through the BRIC grant program, disaster declarations, and/or increased cost of compliance programs to assist with floodproofing efforts. The city should establish a Floodproofing Assistance Program that prioritizes structures for floodproofing based on flood depth and frequency of flooding, identifies landowners and floodproofing options, and assists with securing available funding.

Priority for relocation and/or buyouts should be first in the river corridor impact area and then in the remaining SFHA. Structures should be prioritized in the Vulnerability Acquisition Plan based on depth of flooding and repetitive loss like those in the river corridor impact area.

Recommended flood resilience strategy

- Create a Floodproofing Assistance Program to prioritize nonresidential structures for floodproofing, establish partnerships with willing landowners and secure available funding.
- Acquire and demolish structures outside the river corridor impact area and inside the SFHA as properties become available and funding allows (based on Voluntary Acquisition Plan developed in 6.4.4).

6.4.6 Bring Nonconforming Uses into Compliance

Nonconforming uses are defined as uses and structures that may have met the development regulations at the time they were permitted or constructed but because of changes to the regulations, these uses are no longer in compliance. Even though the City of Goshen is in good standing with the NFIP and regulates development in the floodplain, there are older structures that do not meet the most recent flood regulations.

Normally, a nonconforming use will be brought into compliance during a major repair as the result of substantial damage from a flood, wind, fire, or similar. A major renovation will also trigger compliance with the current regulations. However, minor repairs or renovations will not. If uses and structures are going to remain in the SFHA they should follow the most recent flood regulations to reduce future losses and damages.

The City of Goshen should implement a Flood Compliance Program to encourage owners of all nonconforming uses to voluntarily come into compliance, or even partial compliance, with the most recent flood regulations. This can be achieved by using flood-resistant materials, installing vents, or elevating HVAC equipment (**Figure 6-9**). The city will need to identify incentives such as cost-share programs or waived permit fees to improve participation in the program.



Figure 6-9: Example of Compliance with Flood Ordinance Requirements

Recommended flood resilience strategy

- Implement a Flood Compliance Program to encourage owners of nonconforming uses to voluntarily meet flood regulations.

6.5 SAFER AREAS

Safer areas are located outside the SFHA and moderate flood hazard areas and not subject to localized flooding in low lying areas, but within the planning jurisdiction (**Figure 6-10** and enlarged on Exhibit 1). The intent of this flood resilience planning area is to plan for and promote growth and development in areas that are less vulnerable to future floods. The following strategies can be taken to foster growth in these areas.

6.5.1 Guide Growth and Development to Safer Areas

At the core of the comprehensive plan is the land use section which provides a general pattern for the location, distribution, and character of the future land uses in the city. The land use section reflects the city's vision of its future self and becomes the foundation for zoning designations. The land use section of the City of Goshen Comprehensive Plan (L-4) encourages development that is sensitive to the natural environment. Specifically, this includes directing growth toward existing development and away from undeveloped open space including floodplains. To achieve this, the city should target future capital improvements, extend utilities, and infrastructure in locations that are designated as safer areas by formally coordinating local capital improvement plans with the city's Comprehensive Plan. By prioritizing capital improvements in safer areas, Goshen can provide incentives for development to locate there. This may include TIF districts, flexible zoning practices, or permit waivers as examples.

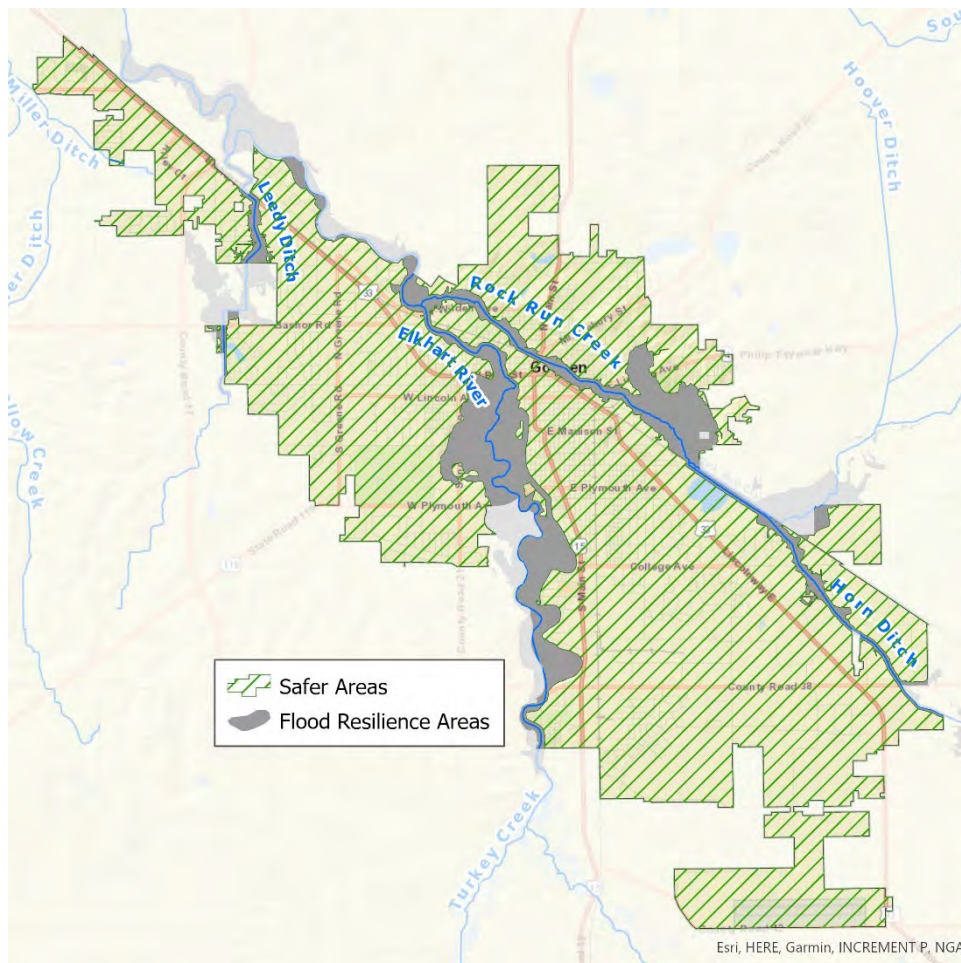


Figure 6-10: Safer Areas for Growth and Development

Recommended flood resilience strategy

- Guide growth and development including utilities and infrastructure to safer areas outside the SFHA, 0.2% AEP flood zone and localized flooding areas.

6.5.2 Promote Conservation Design and Development

Conservation design is a land development practice that allows for growth and development while protecting sensitive ecological resources, prime agricultural lands, scenic landscapes, as well as historic and cultural resources. **Figure 6-11** illustrates this practice and compares a traditional residential development to a conservation residential development approach. Conservation design is an effective tool to preserve the natural and beneficial function of the floodplains, wooded areas, and wetlands for stormwater and floodplain management. The open space is typically held and managed as a conservation easement by a land trust or similar organization. While less common, the same approach can apply to commercial and industrial land use categories as well. Economically, conservation design allows developers to distinguish themselves in a competitive market. Houses in conservation design neighborhoods tend to appreciate faster than their traditional counterparts.

The land use section of the City of Goshen Comprehensive Plan (L-4) states that the impact of new development on the natural environment should be minimized and this can be achieved by identifying natural features and promote their inclusion in the design process. The city's zoning ordinance allows this through the Planned Unit Development (PUD) process (Article IV Section 4250).

Recommended flood resilience strategy

- Promote development that is sensitive to the natural environment through conservation design and development.

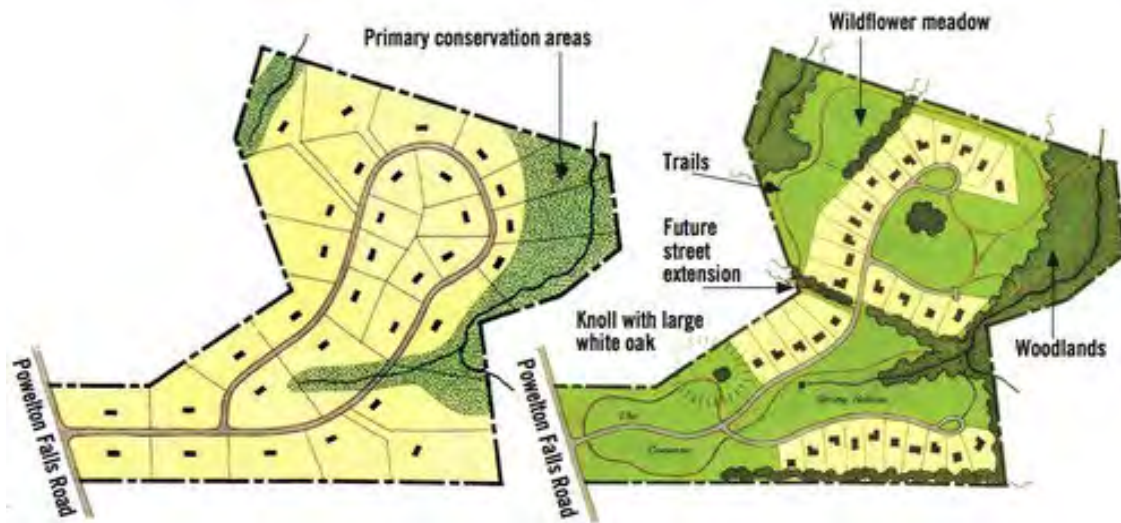


Figure 6-11: Illustration Comparing traditional and Conservation Design Approach

6.5.3 Promote Placement of Critical Facilities in Safer Areas

As discussed in 5.1.4, new critical facilities should only be permitted in safer areas outside of known flood hazard areas.

Recommended flood resilience strategy

- Require new critical facilities to be constructed exclusively in safer areas outside the SFHA and 0.2% AEP flood zone.

6.6 WATERSHED

The watershed flood resilience planning area is outside the SFHA and includes the entire drainage area (**Figure 6-12**). The intent of this planning area is to promote coordination and partnerships in the watershed and implement practices to slow, spread, and infiltrate floodwater. Stream gages upstream in the watershed can provide early warning to downstream communities. The following lists the watershed planning area strategies.

6.6.1 Support USGS Stream Gages

USGS maintains a network of gages nationwide to provide local, real-time streamflow information for emergency managers, local official, and the public. USGS gages are supported through matching local funds. There is a stream gage on the Elkhart River in Goshen. Flood forecast information for this gage is provided during times of high water only. This gage is in the center of the city near River Avenue and as such is unable to provide much flood warning. The next gage upstream is in Noble County on the North Branch Elkhart River at Cosperville. This gage is too far away to provide reliable flood forecast information for the City of Goshen. An additional gage upstream on the Elkhart River would help with flood detection and early warning. The addition of probabilistic and daily forecast information to the gage in Goshen would be beneficial as well.

Recommended flood resilience strategies

- Partner with the USGS to add a new gage upstream of Goshen to improve flood detection and provide early warning through the NWS.
- Partner with the NWS to expand the capabilities of the Elkhart River at Goshen gage to provide daily forecast information.

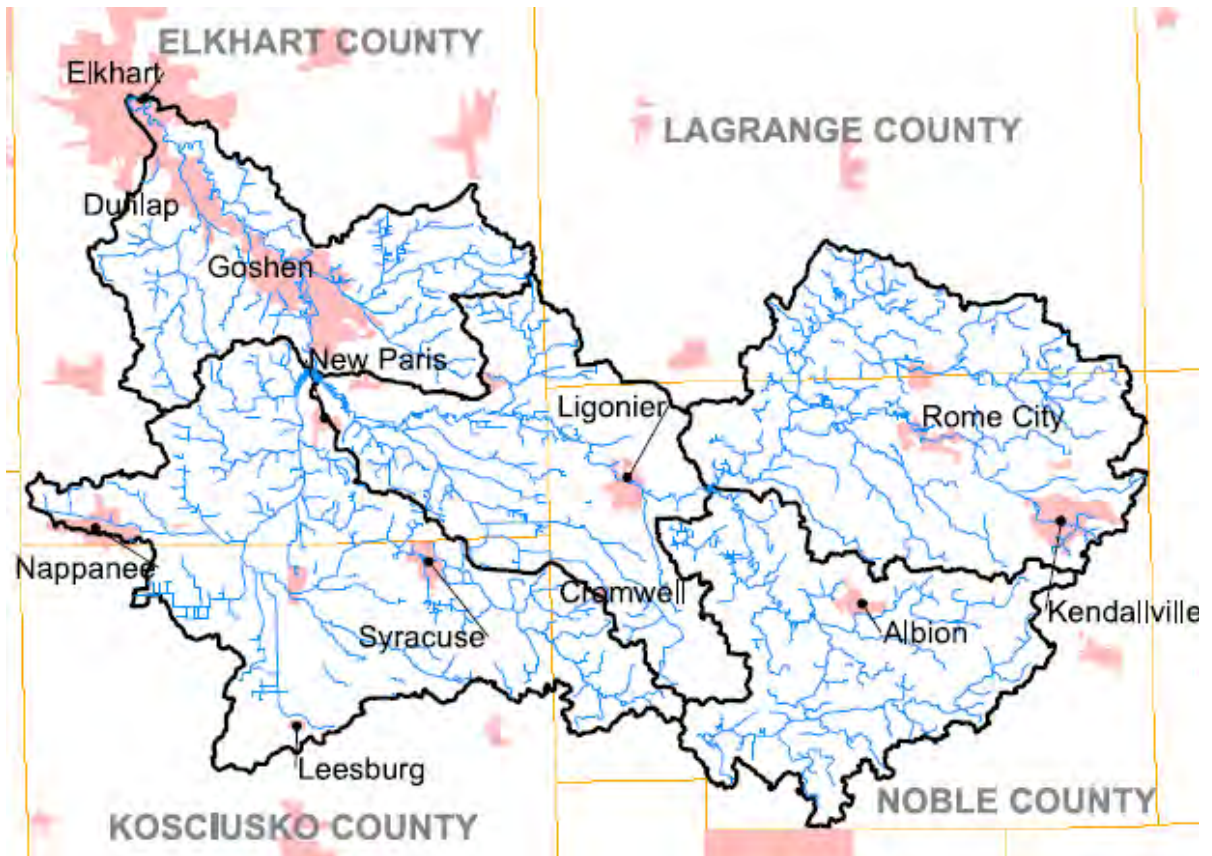


Figure 6-12: Elkhart River Watershed

6.6.2 Build Partnerships within the Watershed

The Elkhart River Restoration Association (ERRA) is a locally led organization that received an EPA 319 grant through IDEM to develop a watershed management plan for the Elkhart River Watershed. This plan focused on excessive sediment loading (especially as it relates to the Goshen Dam Pond), problematic *E.coli* levels, nutrient loading, rapid land use change and loss of wildlife habitat. This study identified agricultural and urban BMPs to address these concerns. The City of Goshen is downstream of a large area of row crops and pasture. Implementation of agricultural BMPs will help slow, spread and infiltrate floodwater before it reaches the city. Implementation of the urban BMPs in the city will capture, treat and store stormwater and reduce localized flooding.

The St Joseph River Basin Commission (SJRBC) includes the Elkhart River Watershed and several others to the east, west and north into Michigan. The SJRBC was established by the Indiana General Assembly to improve water quality, encourage conservation and increase coordinated management of the water and related land resources with the St Joseph River Basin. The SJRBC develops plans and tools to improve water quality and mitigate flooding as well as hosts an annual symposium for entities in the basin to network and collaborate on watershed efforts.

The City of Goshen should partner with the SJRBC and other jurisdictions in the watershed to encourage establishment of a natural resource overlay zone in the watershed. The overlay zone will be managed by each participating jurisdiction. This overlay should encompass open water, floodplains, riparian corridors, wetlands, woodlots, and urban tree canopy. These natural areas have a tremendous

ability to capture, store, and treat floodwater. Protecting and enhancing these areas throughout the watershed will go a long way toward the city's flood resiliency. The implementation of a natural resource overlay zone does not have to restrict agricultural practices or plans for development if it supports the natural and beneficial function of natural resources.

On the watershed scale, No-Adverse-Impact (NAI) is an effective floodplain management approach that ensures the action of any community or property owner, public or private, does not adversely impact the property and rights of others. The City of Goshen should work with the SJRBC to promote the adoption of comprehensive NAI ordinance and standards by all counties and communities in the watershed.

Recommended flood resilience strategies

- Participate in the Elkhart River Restoration Association and the St Joseph River Basin Commission planning activities and studies that help slow, spread and infiltrate floodwater upstream in the watershed.
- Partner with the St Joseph River Basin Commission to define a natural resource overlay zone and support local adoption throughout the basin.
- Work with St Joseph River Basin Commission to promote adoption of comprehensive No-Adverse-Impact development ordinance and standards, as reflected in the LTAP Model Stormwater Ordinance and Technical Standards, by all counties and communities within the watershed.

6.6.3 Support SWCD Programs

The Elkhart County Soil and Water Conservation District (SWCD) established the Stormwater Alliance Management Program (SWAMP) to provide financial assistance to landowners for implementing conservation practices that reduce non-point source pollution and sediment loading into waterways. Practices funded through this program must be functional for five years and include cover crops, filter strips, grade stabilization structures, and grassed waterways. These practices add organic matter and improve overall soil health and productivity. Cover crops for example, increase storage of water within soil layers, which helps to reduce the frequency of the stream flows that determine the channel size, thereby reducing increases in streambank erosion and sedimentation (**Figure 6-13**).



Figure 6-13: Cover Crops Increase Water Storage in Soil

Recommended flood resilience strategy

- Support (non-monetary) SWCD programs upstream in the watershed to improve flood resiliency in the City of Goshen.

6.6.4 Reduce Impact from Tile and Surface Drains in the Watershed

Tile and surface drains from agricultural practices drain fields quickly and contribute to flooding downstream. The City of Goshen should work with the Elkhart County Surveyor's Office to explore ways, like two-stage ditch reconstruction or regional flood control facilities, to compensate the impact of additional drainage tiles and surface drains as they are considered and allowed within the watershed.

Recommended flood resilience strategy

- Partner with the County Surveyor to investigate methods to store floodwater in the watershed, in flood control facilities, two-stage ditches or similar, to reduce flooding downstream.

CHAPTER 7: IMPLEMENTATION CHECKLIST

Preparation and adoption of this Flood Resilience Plan is a necessary first step for the City of Goshen to reduce its vulnerability to future flooding events. However, the plan by itself is not going to bring flood resiliency to the city unless its recommendations are implemented in a sustained and methodical manner. The following checklists provides a summary of the flood resilience strategies identified in this plan. These are grouped by the mechanism necessary for their successful implementation. The numbers following each strategy refer to the section of the report where the recommendation is discussed in greater detail. **Appendix 5** includes a table that lists each flood resilience strategy, interim steps for implementation, the department or entity that should lead implementation and timeline. Successful implementation for the recommended strategies will depend on available funding and staff resources.

7.1 COMPREHENSIVE PLAN

- Add a discussion on flooding, climate change, and flood resilience planning areas to the Comprehensive Plan. (5.6)

7.2 ORDINANCES AND CODES

Stormwater Ordinance

- Customize and adopt the LTAP Model Stormwater Ordinance and Technical Standards and include requirements for fluvial erosion hazard areas, channel protection volume, compensatory flood storage, low impact development/green infrastructure and climate change. (5.1)
- Adopt standalone fluvial erosion hazard regulations to prohibit and if not possible, discourage new development and redevelopment in this area or include it as part of the customized LTAP Model Stormwater Ordinance and Technical Standards recommendation. (6.1.1)
- Adopt a standalone minimum 3:1 compensatory flood storage requirement or include it as part of the customized LTAP Model Stormwater Ordinance and Technical Standard recommendation. (6.2.2)

City Code and Zoning Ordinance – Landscape Standards

- Expand the tree preservation language in the Zoning Ordinance to include replacement of trees lost to development. Consider a tree mitigation ratio of 5:1 based on tree size and require a variety of native species to reduce the risk of mass tree casualties from future pest damage. (5.4)
- Promote the use of native plants in the Zoning Ordinance by requiring a high percentage to meet the landscape standards and update the recommended tree list in the City Code to include more native species and cultivars. (5.4)
- Allow vegetated green infrastructure practices, including parking areas, to count toward landscape requirements in the Zoning Ordinance. (5.4)

Zoning Ordinance – Flood Control District

- Update flood resilience planning areas based on updated FIRM information. (5.4)

- Amend the Flood Control District regulations to require new critical facilities to be located outside of known flood hazard areas, including the 0.2% AEP flood zone. If placement of new critical facilities in flood hazard area is unavoidable, the facility, including access, should be protected to at least one foot above the 0.2% AEP flood elevation. (5.4, 6.3.1 and 6.5.3)
- Amend the Flood Control District regulations to prohibit and if not possible, discourage new development and redevelopment in the floodway and undeveloped high flood hazard storage areas in the floodway fringe. (5.4, 6.1.2 and 6.2.1)
- Discourage new development and preserve the 0.2% AEP flood zone for additional flood storage for extreme flood events. (6.3.1)
- Require new development and redevelopment in the 0.2% AEP flood to have a flood protection grade equal to or greater than that required in SFHA (a minimum of two feet above the 1% AEP). (6.3.2)
- Guide growth and development including utilities and infrastructure to safer areas outside the SFHA, 0.2% AEP flood zone and localized flooding areas. (6.5.1)

Zoning Ordinance – Land Use

- Promote development that is sensitive to the natural environment through conservation design and development. (6.5.2)

7.3 CAPITAL PROJECTS

Redevelopment

- Focus redevelopment efforts (site preparation, remediation and public infrastructure) in locations that are designated as safe growth areas outside the 0.2% AEP floodplain and local flooding areas. (5.7)
- Consider climate change and flood impacts in capital projects; promote low impact development/green infrastructure to manage stormwater. (5.7)

Land Acquisition

- Continue to acquire available land in the SFHA for flood storage and compatible open space uses; build on the city-owned parkland along the Elkhart River and create a Central Park like amenity for the city and region. (5.7, 6.1.2 and 6.2.1)
- Acquire and demolish structures in the river corridor impact area first then acquire and demolish structures outside the river corridor impact area and inside the SFHA as properties become available and funding allows. (6.4.4 and 6.4.5)

7.4 COMMUNICATION, EDUCATION AND TRAINING

- Train city stormwater inspection and maintenance staff about green infrastructure practices to improve function, performance and appearance. (5.1)

- Expand current flood communication efforts and develop a flood risk education and outreach program to improve people’s risk awareness and motivate them to take measures to protect themselves and their property. (5.2)

7.5 SUPPORTING EFFORTS AND PARTNERSHIPS

- Complete the flood resilience checklist at least annually to track progress made and continue to do so until all questions are marked “yes”. (5.3)
- Cross-reference the Flood Resilience Plan, Comprehensive Plan, Redevelopment Capital Plan and Elkhart County MHMP for strategies and mitigation measures related to flooding, growth and development priorities. (5.6, 5.7 and 5.8)
- Ensure the City of Goshen is represented in the MHMP five-year update. (5.8)

Plans, Programs and Studies

- Work with the County to study and update the stormwater utility rate collectively, otherwise complete an independent Stormwater Utility Rate Study that includes stormwater program costs and a fair and equitable rate structure; update the stormwater utility accordingly within the City of Goshen. (5.5)
- Incorporate the flood resilience planning areas into the proposed Future Growth Plan. (5.7)
- Identify willing landowners of undeveloped land and partner them with entities willing to purchase, accept donations or hold conservation easements. (6.1.2 and 6.2.1)
- Prepare a Flood Response Plan that documents flood detection, warning, response and follow-up protocols. (6.4.1)
- Prepare a comprehensive citywide Stormwater Master Plan to understand and resolve drainage, flooding and water quality conditions citywide. (6.4.2)
- Upon implementation of flood resilience strategies, participate in the NFIP Community Rating System (CRS) program to reduce flood risk and improve flood resiliency and reduce flood insurance premiums for all flood insurance policy holders within the city. (6.4.3)
- Prepare a Voluntary Acquisition Plan to prioritize structures for relocation and/or buyout in the vulnerable developed area. (6.4.4 and 6.4.5)
- Create a Floodproofing Assistance Program to prioritize nonresidential structures for floodproofing, establish partnerships with willing landowners and secure available funding. (6.4.5)
- Implement a Flood Compliance Program to encourage owners of nonconforming uses to voluntarily meet flood regulations. (6.4.6)

County Partnerships

- Support (non-monetary) SWCD programs upstream in the watershed to improve flood resiliency in the City of Goshen. (6.6.3)
- Partner with the County Surveyor to investigate methods to store flood water in the watershed, in flood control facilities, two-stage ditches or similar, to reduce flooding downstream. (6.6.4)

Watershed Partnerships

- Partner with the USGS to add a new gage upstream of Goshen to improve flood detection and provide early warning through the NWS. (6.6.1)
- Partner with the NWS to expand the capabilities of the Elkhart River at Goshen gage to provide daily forecast information. (6.6.1)
- Participate in the Elkhart River Restoration Association and the St Joseph River Basin Commission planning activities and studies that help slow, spread and infiltrate flood water upstream in the watershed. (6.6.2)
- Partner with the St Joseph River Basin Commission to define a natural resource overlay zone and support local adoption throughout the basin. (6.6.2)
- Work with the St Joseph River Basin Commission to promote adoption of comprehensive No-Adverse-Impact development ordinance and standards, as reflected in the LTAP Model Stormwater Ordinance and Technical Standards, by all counties and communities within the watershed. (6.6.2)

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http://www.in.gov/dnr/water/files/407_all.pdf

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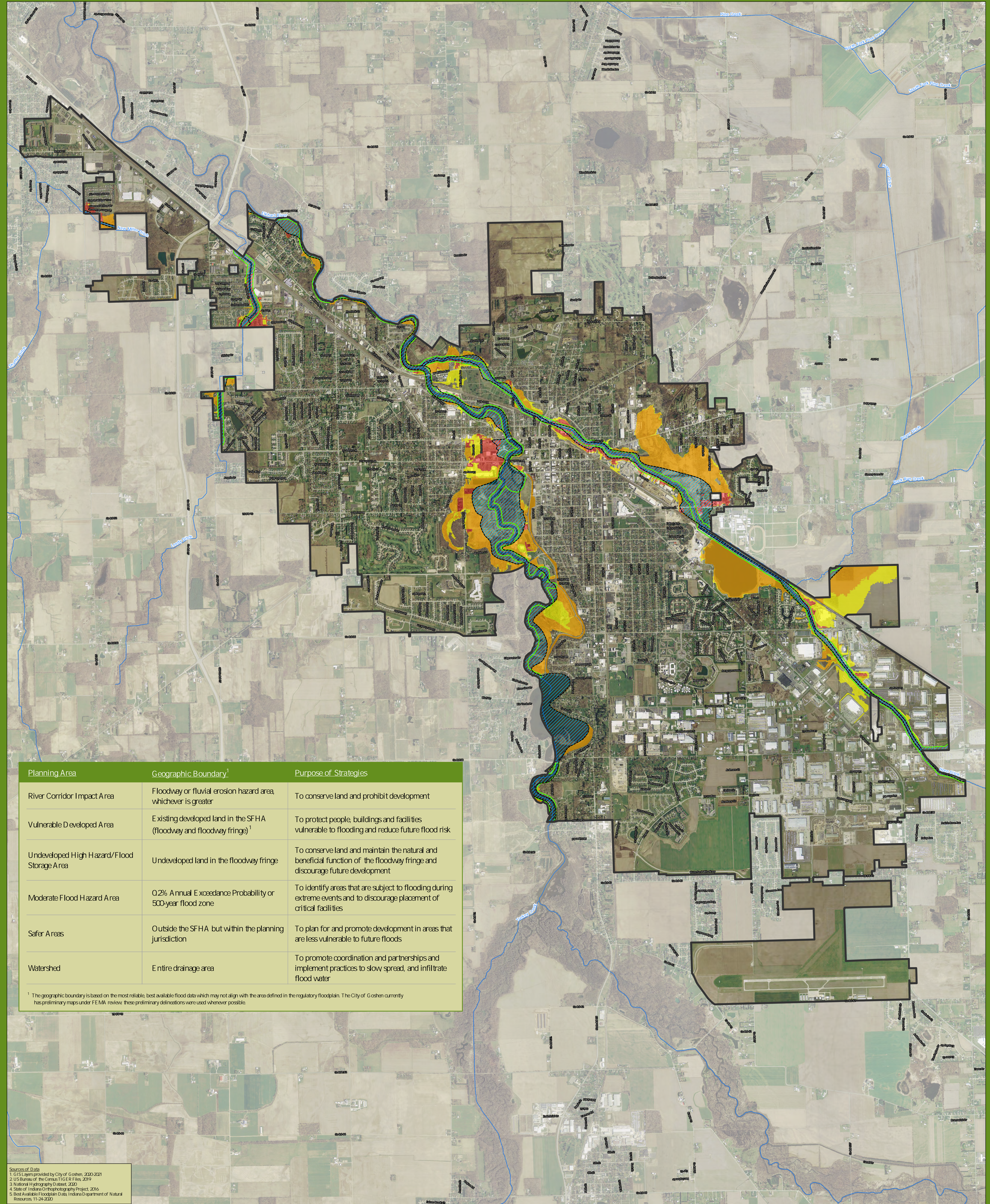
National Institute of Building Sciences News & Press: News Release “National Institute of Building Sciences Issues New Report on the Value of Mitigation” <https://www.nibs.org/news/381874/National-Institute-of-Building-Sciences-Issues-New-Report-on-the-Value-of-Mitigation.htm>

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EXHIBIT

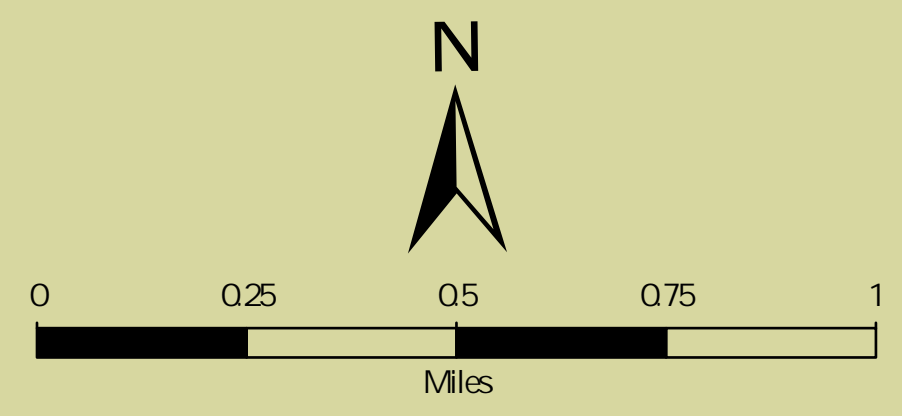


Planning Area	Geographic Boundary ¹	Purpose of Strategies
River Corridor Impact Area	Floodway or fluvial erosion hazard area, whichever is greater	To conserve land and prohibit development
Vulnerable Developed Area	Existing developed land in the SFHA (floodway and floodway fringe) ¹	To protect people, buildings and facilities vulnerable to flooding and reduce future flood risk
Undeveloped High Hazard/Flood Storage Area	Undeveloped land in the floodway fringe	To conserve land and maintain the natural and beneficial function of the floodway fringe and discourage future development
Moderate Flood Hazard Area	0.2% Annual Exceedance Probability or 500-year flood zone	To identify areas that are subject to flooding during extreme events and to discourage placement of critical facilities
Safer Areas	Outside the SFHA but within the planning jurisdiction	To plan for and promote development in areas that are less vulnerable to future floods
Watershed	Entire drainage area	To promote coordination and partnerships and implement practices to slow spread, and infiltrate flood water

¹ The geographic boundary is based on the most reliable, best available flood data which may not align with the area defined in the regulatory floodplain. The City of Goshen currently has preliminary maps under FEMA review; these preliminary delineations were used whenever possible.

Sources of Data
 1. GIS Layers provided by City of Goshen, 2000-2021
 2. US Bureau of the Census TIGER Files, 2019
 3. National Hydrography Dataset, 2001
 4. State of Indiana Orthophotography Project, 2016
 5. Best Available Floodplain Data, Indiana Department of Natural Resources, 11-24-2020

- River Corridor Impact Area
- Vulnerable Developed Areas
- Undeveloped High Hazard/Flood Storage Areas
- Moderate Flood Hazard Areas
- Effective Floodway (Preliminary)
- Fluvial Erosion Hazard Area
- City of Goshen



Christopher B. Burke Engineering LLC PNC Center, Suite 1368 South 115 West Washington Street Indianapolis, Indiana 46204 BURKE (317) 266-0000 www.cbburke.com	PROJECT: Flood Resilience Plan City of Goshen, Indiana	PROJECT NO: 20-0137	APPROX SCALE: as shown
	TITLE: Flood Resilience Planning Areas	DATE: 07/2021	EXHIBIT: 1

**APPENDIX 1: PROJECT TEAM MEETING SUMMARIES, WORKSHEETS,
PRESENTATIONS AND PUBLIC COMMENTS**

City of Goshen Flood Resilience Plan
Project Team Meeting (Zoom)
1 pm Thursday, December 17, 2020

SUMMARY

City of Goshen:

Mark Brinson, Community Development Director
Jason Kauffman, Stormwater Coordinator
Mattie Lehman, Stormwater Specialist
Aaron Sawatsky-Kingsley, Environmental Resilience Director
Dustin Sailor, Public Works Director
Theresa Sailor, Environmental Educator
Jeremy Stutsman, Mayor
Rhonda Yoder, Planning and Zoning Administrator

Christopher B. Burke Engineering:

Siavash Beik
Sheila McKinley
Matt Rummel

1. Purpose, Scope, and Schedule for the Flood Resilience Plan

Burke staff opened the meeting with an overview on climate change in Indiana, the observed increased intensity and frequency of large rain events and damages that result from extreme flood events. And explained that the purpose of this planning effort is to identify and implement smart growth strategies for flood resilience in the City of Goshen. The project scope, anticipated schedule and list of project team members were reviewed. Following some discussion, the project team agreed to add representatives from City Council, the Street Commissioner and the Elkhart County EMA.

2. Discuss Past Flood Events and Areas Impacted

Burke staff initiated a discussion about past flood events, areas that flood, and road overtopping. City staff shared GIS maps that showed flood depth data collected from the 2018 flood, news articles and other resources available that could be used in this planning effort.

3. Complete the Flood Resilience Checklist

Burke staff provided some background on the Community Flood Resilience Checklist and that it has been customized based on an initial review of Goshen policies and regulatory tools. The project team talked through the strategies in the checklist and identified those that are already in place, those in place but could use some enhancements and missing strategies (attached). This checklist will form the basis of the recommendations in the Flood Resilience Plan.

4. Next Steps in the Planning Process

Burke staff shared that the next steps in the planning process will be to map flood resilience planning areas in GIS and follow-up on checklist strategies with individual protect team members to begin to draft recommended strategies. The next project team meeting will be sometime in February to review the flood resilience planning areas.

City of Goshen Flood Resilience Plan

COMMUNITY FLOOD RESILIENCE CHECKLIST

Completed December 17, 2020

The Community Flood Resilience Checklist identifies opportunities to improve resilience to future floods through policy and regulatory tools and non-regulatory programs. The checklist includes strategies that assess how well a community is positioned to avoid or reduce flood damage and recover from floods.

The strategies are organized into the following categories: improve overall resilience; conserve land and discourage development in river corridors and undeveloped floodplain; protect people, businesses and existing facilities in the floodplain; direct future growth away from vulnerable flood areas and coordinate stormwater management practices throughout the watershed.

Christopher B. Burke Engineering has adapted this checklist from the USEPA Smart Growth program and customized it for the City of Goshen. The city should revisit this checklist annually to track progress made and continue to do so until all questions are marked “yes”.

A. OVERALL STRATEGIES TO ENHANCE RESILIENCE			Notes
1. Is the Comprehensive Plan current (within 10 years) and adopted by the city?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	“Community Plan & Community Vision 2025” adopted 2016
a. Does the Comprehensive Plan include a goal to preserve the natural and beneficial function of floodplains?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	NE-1 preserve/protect lists floodplains L-4 minimize impact development on natural environment/hydric soils
b. Does the Comprehensive Plan include a goal to preserve and enhance urban tree cover for stormwater management?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	NE-4 urban forestry program benefit stormwater runoff
c. Does the Comprehensive Plan include a goal to provide connectivity of people to the waterways (trails, parks, public access points)?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	NE-2 develop Elkhart River as asset Millrace Canal Trail; Pumpkinvine Nature Trail near Rock Run Creek
d. Does the Comprehensive Plan cross-reference the Elkhart County Multi-Hazard Mitigation Plan?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
e. Did emergency managers, public works and floodplain administrator participate in the development of the Comprehensive Plan?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	City Public Safety (ROOM FOR ENHANCEMENT)

2. Is the County Multi-Hazard Mitigation Plan current (within 5 years), approved by FEMA and adopted by the city?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Approved and adopted 2016
a. Did the city planner participate in the development of the Multi-Hazard Mitigation Plan?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Listed, participation limited (ROOM FOR ENHANCEMENT)
b. Were stakeholders affected by floods involved in the development of the Multi-Hazard Mitigation Plan?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Public invited, low participation (countywide planning effort)
c. Does the Multi-Hazard Mitigation Plan include mitigation practices to preserve the natural and beneficial function of floodplains?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Land Use Planning & Zoning – overlay zones; low impact development; safe growth audit; incorporate into Comp Plan
3. Is the Flood Control District based on the IDNR State Model Flood Hazard Ordinance?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Zoning Ordinance Art IV Zoning Districts FCD Flood Control District (Overlay) Adopted 2020
a. Does the Flood Control District include a requirement for compensatory flood storage?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
b. Does the Flood Control District require critical facilities to be located outside the floodplain as well as access/egress?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	“to extent possible” (ROOM FOR ENHANCEMENT)
c. Does the city require building expansion and new accessory structures in the floodplain to meet additional requirements?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Flood District covers new construction and substantial improvements (ROOM FOR ENHANCEMENT)
d. Does the city participate in the National Flood Insurance Program (NFIP)?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
e. Does the city participate in the Community Rating System (CRS) program?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
4. Does the Stormwater Management Code promote low impact development/green infrastructure?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
a. Does the Stormwater Management Code include requirements to reduce and treat runoff from impervious areas?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	MS4 requirements only (ROOM FOR ENHANCEMENT)

b. Does the Stormwater Management Code include a requirement for channel protection volume?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
c. Does the Stormwater Management Code include a requirement for compensatory storage?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
d. If not in the Comprehensive Plan, does the Stormwater Management Code include a requirement for fluvial erosion hazard (FEH) areas?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
5. Does the Zoning/Subdivision Control Ordinances promote low impact development and green infrastructure?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
e. Does the Ordinance include maximums for impervious cover?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Minimums for street width, parking (ROOM FOR ENHANCEMENT)
f. Does the Ordinance promote native plants to meet landscape standards?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Conflict with weed ordinance Comp Plan NE-1 encourages native plants
g. Does the Ordinance include tree replacement and/or tree mitigation standards?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
6. Is the Capital Plan recent (within 5 years) and been approved and adopted by the city? (Utilities/Redevelopment)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Not unified CIP, Utilities and Redevelopment most applicable (ROOM FOR ENHANCEMENT)
a. Does the Capital Plan cross-reference the Comprehensive Plan and Multi-Hazard Mitigation Plan?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
b. Does the Capital Plan include flood mitigation projects with low impact development/green infrastructure solutions?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Not as a priority, acquisition along river for redevelopment
7. Does the city consider possible flood impacts from climate change in their plans, policies and projects?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Climate Action Plan (in progress)
8. Does the city have a stormwater utility to fund stormwater projects and programs long-term?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	\$1.50 ERU in partnership w County, Elkhart and Bristol – plans to establish own utility to generate more funds (ROOM FOR ENHANCEMENT)

a. Does the funding mechanism include an incentive to promote low impact development/green infrastructure?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Residential rain barrel cost-share program only
9. Does the city conduct an annual review/audit of plans, programs, and policies to ensure consistency?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

B. CONSERVE LAND & DISCOURAGE DEVELOPMENT IN THE RIVER CORRIDOR & UNDEVELOPED HIGH FLOOD HAZARD/FLOOD STORAGE AREAS			Notes
1. Does the Comprehensive Plan include a goal to prohibit development in stream meander zones or fluvial erosion hazard (FEH) areas?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	NE-2 directs growth from farmland, wetlands and forest (add floodplain) Flood District includes erosion hazard (ROOM FOR ENHANCEMENT)
1. Does the Zoning Ordinance include a river corridor overlay district that prohibits development and land disturbances?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
2. Does the Zoning/Subdivision Control Ordinance allow for cluster development, density bonuses as incentives to protect/conservate floodplains?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
3. Does the city use incentives or non-regulatory strategies to maintain undeveloped land in the floodplain?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
a. Does the city encourage floodplain landowners to restore infiltration properties of the soil?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
b. Does the city encourage floodplain landowners to maintain/enhance native vegetation in river corridors, floodplains and wetlands?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Education through MS4 program (rain gardens)
c. Does the city encourage floodplain landowners to partner with land trusts or SWCD to hold the land in a conservation easement through a cost-share, donation or purchase agreement?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Limited land in floodplain for conservation easement

C. PROTECT PEOPLE & EXISTING BUILDINGS IN FLOODPRONE AREAS			Notes
1. Does the Comprehensive Plan and Multi-Hazard Mitigation Plan identify developed areas that have been or are likely to flood?	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Comp Plan – no, MHMP – yes

a. Does the Multi-Hazard Mitigation Plan identify critical facilities and infrastructure in the floodplain?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Identified 3 FW & 2 1% City unfamiliar with MHMP (ROOM FOR ENHANCEMENT)
b. Does the Multi-Hazard Mitigation Plan include mitigation practices to acquire or floodproof at-risk structures?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Identified 300 structures in SFHA City unfamiliar with MHMP (ROOM FOR ENHANCEMENT)
c. Is the city willing to cost share with property owners on voluntary acquisition, relocation and/or floodproofing projects?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	More information needed (ROOM FOR ENHANCEMENT)
d. Does the city use incentives or cost-share programs to protect existing critical facilities in the floodplain including access/egress?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
2. Does land development codes and building codes promote safer building and rebuilding in floodprone areas?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
a. Does the city follow the International Building Code to promote flood-resistant design and construction?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
b. Does the city use incentives or cost-share programs to bring non-conforming use and structures into compliance?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
c. Does the city require redevelopment projects in the floodplain to provide additional flood storage/meet higher stormwater standards?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
3. Is the city able to impose a building moratorium on all new development following a disaster?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Legal question. Not necessary since delayed naturally by volume

D. PLAN FOR AND ENCOURAGE NEW DEVELOPMENT OUTSIDE OF THE FLOODPLAIN			Notes
1. Does the Comprehensive Plan guide future growth and development to areas outside the floodplain?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Not exclusively (ROOM FOR ENHANCEMENT)
2. Does the city use incentives such as TIF districts, density bonuses, stormwater utility credits to steer new development to safer areas outside the floodplain?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

3. Does the Capital Plan support development and expansion of infrastructure outside of the floodplain?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Limited by default (ROOM FOR ENHANCEMENT)
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E. IMPLEMENT STORMWATER MANAGEMENT THROUGHOUT THE WATERSHED			Notes
1. Does the city participate in watershed-based planning activities to manage stormwater?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Elkhart River Restoration Association St Joe River Basin Commission
2. Does the city participate in a multi-jurisdictional/regional effort to link and protect wooded areas, floodplains and wetlands?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
3. Does the city coordinate planning, policy, and/or projects with other communities in the watershed?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Limited beyond stormwater

City of Goshen Flood Resilience Plan

Project Team Meeting (Zoom)

2 pm Tuesday, February 23, 2021

SUMMARY

City of Goshen:

Mark Brinson, Community Development Director
Jason Kauffman, Stormwater Coordinator
Mattie Lehman, Stormwater Specialist
Julia King, City Council Member
Aaron Sawatsky-Kingsley, Environmental Resilience Director
Dustin Sailor, Public Works Director
Theresa Sailor, Environmental Educator
Mark Schrock, City Council Member
Jeremy Stutsman, Mayor
Rhonda Yoder, Planning and Zoning Administrator

Christopher B. Burke Engineering:

Siavash Beik
Sheila McKinley
Matt Rummel

1. Introduction and Recap of Project Purpose and Work to Date

Burke staff discuss the project purpose, planning approach and an overview of what work had been completed so far in the planning process.

2. Discuss Purpose and Intent of Flood Resilience Planning Areas

Burke staff shared a table (below) to introduce the different flood resilience planning areas, discussed how the area is defined and the purpose of each area. Strategies for flood resilience will be identified for each of these planning areas.

Planning Area	Area Defined	Purpose
River Corridor Impact Areas	Regulatory floodway or Fluvial Erosion Hazard (FEH) area, whichever is greater	To conserve land and prohibit development

Vulnerable Developed Areas	Existing developed land in the Special Flood Hazard Area (SFHA) including the floodway and floodway fringe	To protect people, buildings, and facilities in the vulnerable areas and reduce future flood risk
Undeveloped High Hazard/Flood Storage Areas	Undeveloped land in the floodway fringe	To conserve land and maintain the natural and beneficial function of the floodway fringe, and discourage future development in these areas
Moderate Flood Hazard Areas	0.2% Annual Exceedance Probability flood zone or 500-year floodplain	To identify areas that are subject to flooding during an extreme event and to discourage placement of critical facilities in these areas
Safer Areas	Outside the SFHA, but within the planning jurisdiction	To plan for and promote development in areas that are less vulnerable to future floods
Watershed	Entire drainage area	To promote coordination and partnerships and implement practices to slow, spread and infiltrate flood water

3. Review Mapped Areas, 2018 Flood Data and Land Use Designations

Burke staff shared an ArcGIS Online map that showed the flood resilience planning areas for the City of Goshen based on current floodplain mapping. The project team reviewed each area and stream segment and discussed areas that flood, studies and projects as well as implications of higher standards for development. Additional data was shared and will be incorporated into updated flood resilience maps.

4. Closing Comments and Next Steps in the Planning Process

Burke staff offered to update the ArcGIS Online maps with the comments from the meeting and the additional data provided by the city. The updated map will be routed for the project team to review and comment. Before the next project team meeting, Burke staff will be reaching out to individual project team members to discuss details of local plans and regulations. This will help craft the most appropriate flood resilience strategies.

City of Goshen Flood Resilience Plan

Project Team Meeting (Zoom)

9 am Thursday, May 27, 2021

SUMMARY

City of Goshen:

Mark Brinson, Community Development Director
Jason Kauffman, Stormwater Coordinator
Mattie Lehman, Stormwater Specialist
Julia King, City Council Member
Aaron Sawatsky-Kingsley, Environmental Resilience Director
Dustin Sailor, Public Works Director
Theresa Sailor, Environmental Educator
Mark Schrock, City Council Member
Jeremy Stutsman, Mayor
Rhonda Yoder, Planning and Zoning Administrator

Christopher B. Burke Engineering:

Siavash Beik
Sheila McKinley

1. Welcome and Recap of Project Purpose and Work to Date

Burke staff discuss the project purpose, planning approach and an overview of what work had been completed so far in the planning process.

2. Review and Prioritize Flood Resilience Strategies/Discuss Method, Resources and Timeline for Implementation

Burke staff introduced the recommended flood resilience strategies to the project team. Following some discussion, revisions and clarification, the team prioritized the strategies in order of importance within the individual flood resilience planning areas and then identified which were the highest priority overall. The method of how the strategy would get implemented, resources needed and timeline were discussed as well. The meeting ran long and the project team was assigned homework to finish the worksheet. The completed worksheet is attached.

3. Next Steps: Review Draft Plan

Burke staff shared that the next step is to review the draft plan which should be distributed in July.

AREA	PROPOSED STRATEGIES	PRIORITY		IMPLEMENTATION: METHOD, RESOURCES & TIMELINE
		WITHIN AREA	OVERALL (H=High)	
OVERALL/ CITYWIDE	1. Update Comprehensive Plan <ul style="list-style-type: none"> - Add discussion flood risk and climate change - Introduce/define flood resilience planning areas - Promote growth/development in safer areas - Add Urban Tree Canopy Goal 	4		M: update to CP R: draft language, maps T: 2025; possible to amend sooner
	2. Update Zoning and Subdivision Development Ordinances; City Code Trees: <ul style="list-style-type: none"> - Promote/incentivize planting/preserving natives - Add tree replacement/mitigation standards/ratios Flood Hazard: <ul style="list-style-type: none"> - Add/define flood resilience overlay zones - Prohibit development in floodway and discourage in floodway fringe Stream Buffer <ul style="list-style-type: none"> - Add streamside forest/buffer strips requirement; size proportional to waterway; 	2		M: amend codes R: draft language T: following CP update; possible to amend sooner
	3. Update Stormwater Ordinance & Technical Standards <ul style="list-style-type: none"> - Customize/adopt LTAP Model SW O&TS include compensatory storage, FEH, LID/GI 	1	H	M: model SW O&TS R: customize T: 2022
	4. Update Redevelopment Capital Improvement Plan <ul style="list-style-type: none"> - Promote growth/development in safer areas - Use LID/GI redevelopment projects - Land Use Plan/Future Growth Plan (RFP Summer 2021) 	4		M: new Land Use Plan/Future Growth Plan R: maps, projections, guidance? T: 2022
	5. Conduct policy audits and update plans for consistency <ul style="list-style-type: none"> - Revisit Flood Resilience Checklist annually - Consider flood and climate change impacts 	1		M: meeting R: Flood Resilience Plan Project Team T: annually (min)
	6. Flood Risk Communication, Education & Outreach <ul style="list-style-type: none"> - Educate all groups about flooding, flood risk - Expand existing educational programs - Need for GI design, construction, maintenance training (city) - Create future flood map/articulate frequency of storms (visual) 	1		M: expand efforts R: Maple City Now/webpage T: ongoing
	7. Stormwater Utility Fee/In-lieu Fee Program <ul style="list-style-type: none"> - Adjust fee in city limits to cover projects; maintain billing through county; if not, stand alone - Create in-lieu stormwater fee program where space is limited; regional ponds with onsite BMPs for water quality 	3		M: work w county R: rate study; billing T: 2022?
RIVER CORRIDOR	1. Adopt a River Corridor Overlay Zone <ul style="list-style-type: none"> - Prohibit (discourage) future land disturbance/development - Distinguish FW & FEH; alternatives to adopting River Corridor 	1	H	M: update zoning R: map, language T: 2022?
	2. Protect Undeveloped Land <ul style="list-style-type: none"> - Acquisition or partner landowners with organizations like land trusts - Create a “Central Park” along Elkhart River 	1	H	M: acquisition/easement R: list of options and contact information T: 2030? 2050?
	3. Reconstruct City-maintained Open/Tile Drains <ul style="list-style-type: none"> - Provide flood storage/water quality improvement with 2-stage ditch/greenway/ recreation corridor (Carter Road Ditch, Pumpkinvine Ditch, Sommers Ditch, Stutsman Ditch, Wellington Ditch, West Goshen Ditch) 	2		M: CP/CIP R: city ownership only T: as opportunity
UNDEVELOPED HIGH FLOOD HAZARD/ FLOOD STORAGE AREA	1. Protect Undeveloped Land <ul style="list-style-type: none"> - Acquisition/partner landowners with organizations willing to purchase, accept donations, easements - Expand “Central Park” concept along Elkhart River 	1		M: acquisition/easement R: list of options and contact information T: 2030? 2050?
	2. Establish Compensatory Storage Requirements <ul style="list-style-type: none"> - Minimum 3:1 compensation when fill in the floodway fringe is unavoidable 	1		M: model SW O&TS R: customize T: 2022
	3. Prohibit New Critical Facilities <ul style="list-style-type: none"> - Strengthen current language “to extent possible” 	1		M: update zoning R: draft language T: 2022?
MODERATE FLOOD HAZARD AREA	1. Discourage New Development <ul style="list-style-type: none"> - Prepare for 500-year floodplain to become the new 100-year floodplain 	1		M: update zoning R: draft language T: 2022?
	2. Require Higher Standards for Buildings <ul style="list-style-type: none"> - Require buildings to have a FPG equal or greater to that required in SFHA - Require critical facilities to have a FPG above the 0.2% chance flood elevation 	1		M: update zoning R: draft language T: 2022?

VULNERABLE DEVELOPED AREA	1. Voluntary Acquisition of Structures INSIDE River Corridor <ul style="list-style-type: none"> - 155 structures (earlier mapping) - Prioritize based on potential public use, connectivity, location - Depending on interest, may require dedicated staff 	2		M: prepare a Voluntary Acquisition Plan R: property details, depth flooding, prioritization, etc. T: 2023 plan; 2026 start?
	2. Voluntary Acquisition of Structures OUTSIDE River Corridor <ul style="list-style-type: none"> - 272 structures (earlier mapping) - Prioritize based on severity of flood risk - Depending on interest, may require dedicated staff 	4		M: prepare a Voluntary Acquisition Plan R: property details, depth flooding, prioritization, etc. T: 2023 plan; 2030 start?
	3. Floodproof Structures Outside River Corridor <ul style="list-style-type: none"> - Nonresidential only; incentive or cost-share program - Prioritize based on severity of flood risk - Depending on interest, may require dedicated staff 	3		M: establish Floodproofing Assistance Program R: FEMA floodproofing techniques/requirements, prioritize, outreach to businesses T: 2023 prog; 2026 start?
	4. Bring Nonconforming Uses into Compliance <ul style="list-style-type: none"> - Outside requirements for substantial improvement - Older structures not compliant with current flood regulations; provide incentives, cost-share, waived permit fees - Depending on interest, may require dedicated staff 	4		M: establish Compliance Program; identify incentive R: education and outreach T: 2023 prog; 2026 start?
	5. Participate in the NFIP Community Rating System <ul style="list-style-type: none"> - Program lowers flood insurance premiums for communities that have higher flood standards; 32 communities in Indiana participate 	2		M: populate checklist online, meet with CRS rep R: existing flood policies, outreach efforts, etc. T: 2022 start; annual recert
	6. Prepare a Flood Response Plan <ul style="list-style-type: none"> - Improves flood response efforts; schedule of activities tied to flood levels, prevents duplication and avoids gaps in response 	1	H	M: prepare plan R: actions for flood fight T: 2023?
	7. Prepare a Citywide Stormwater Master Plan <ul style="list-style-type: none"> - Prioritize, study and identify solutions for flood impact areas (GLISA Vulnerability Assessment – 18 areas 2018 flood) including Trinity Square Shopping Center, Linway Plaza/Lincoln Avenue Business, Huron Street Neighborhood, Roxy Mobile Home Park, road/intersection flooding, sanitary sewer lift stations and more 	1		M: Prepare plan R: detail study problem areas, prioritized solutions and costs, stormwater asset condition assessment T: following GLISA work?
SAFER AREA	1. Guide Growth and Development to Safer Areas <ul style="list-style-type: none"> - Promote smart growth principles/mixed use developments, conservation design - Prioritize capital projects in safer areas - Incentivize with TIF districts, flexible zoning practices, permit waivers - Future Growth Plan 	1		M: new Land Use Plan/Future Growth Plan R: maps, projections, guidance? T: 2022
	2. Allow Critical Facilities			M: update zoning R: draft language T: 2022?
WATERSHED	1. Watershed Partnerships <ul style="list-style-type: none"> - Increase participation in Elkhart River Restoration Association and St Joseph River Basin Commission and watershed planning activities/studies - Engage in multi-jurisdictional/regional efforts to link and protect wooded areas, floodplains and wetlands - Support uniform no-adverse impact (NAI) stormwater standards - Support sustainable design and maintenance practices for waterbodies 	1		M: city participation R: initiate ideas and support implementation T: ongoing
	2. Upstream Flood Storage <ul style="list-style-type: none"> - Investigate options for flood storage upstream using dry detention or regional pond (economic development benefit) - Controlled structures on select tributaries with dedicated flood easements on private land undeveloped land, when needed for flood storage, flood loss expenses paid to landowner by city 	2		M: study flood storage needs (component of Stormwater Master Plan?) R: volume/area needed; identify land and funding T: standalone or following GLISA work?
	3. Support SWCD Programs <ul style="list-style-type: none"> - Stormwater Alliance Management Program (SWAMP) cost-share - Soil health and tillage practices - Education, trainings, workshops, equipment rental 	2		M: city participation R: initiate ideas and support implementation T: ongoing
	4. Enhanced and Additional USGS Stream Gages <ul style="list-style-type: none"> - Add forecast capabilities to Elkhart River at Goshen gage - Add new gage upstream for advanced flood warning and notification (upstream gage is North Branch Elkhart at Cosperville) 	1		M: USGS gages R: explore options and resources needed with USGS T: tie to Flood Response Plan 2023?



Goshen Common Council
9:00 a.m. January 14, 2022 Special Meeting
Schrock Pavilion, Shanklin Park, 411 West Plymouth Avenue, Goshen, Indiana

Call to Order by Mayor Jeremy Stutsman

Roll: 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)

1. Welcome and Opening Comments – Mayor Stutsman
2. Review of past floods and climate change
3. Overview of flood resilience planning areas and strategies
4. Detailed discussion of short-term implementation strategies
5. Open discussion and next steps

Adjournment

Assessing Flood Vulnerability in Goshen

January 14, 2022

City of Goshen Stormwater Department



Shanklin and Mullet Parks (left) and Creekside Manner (right)



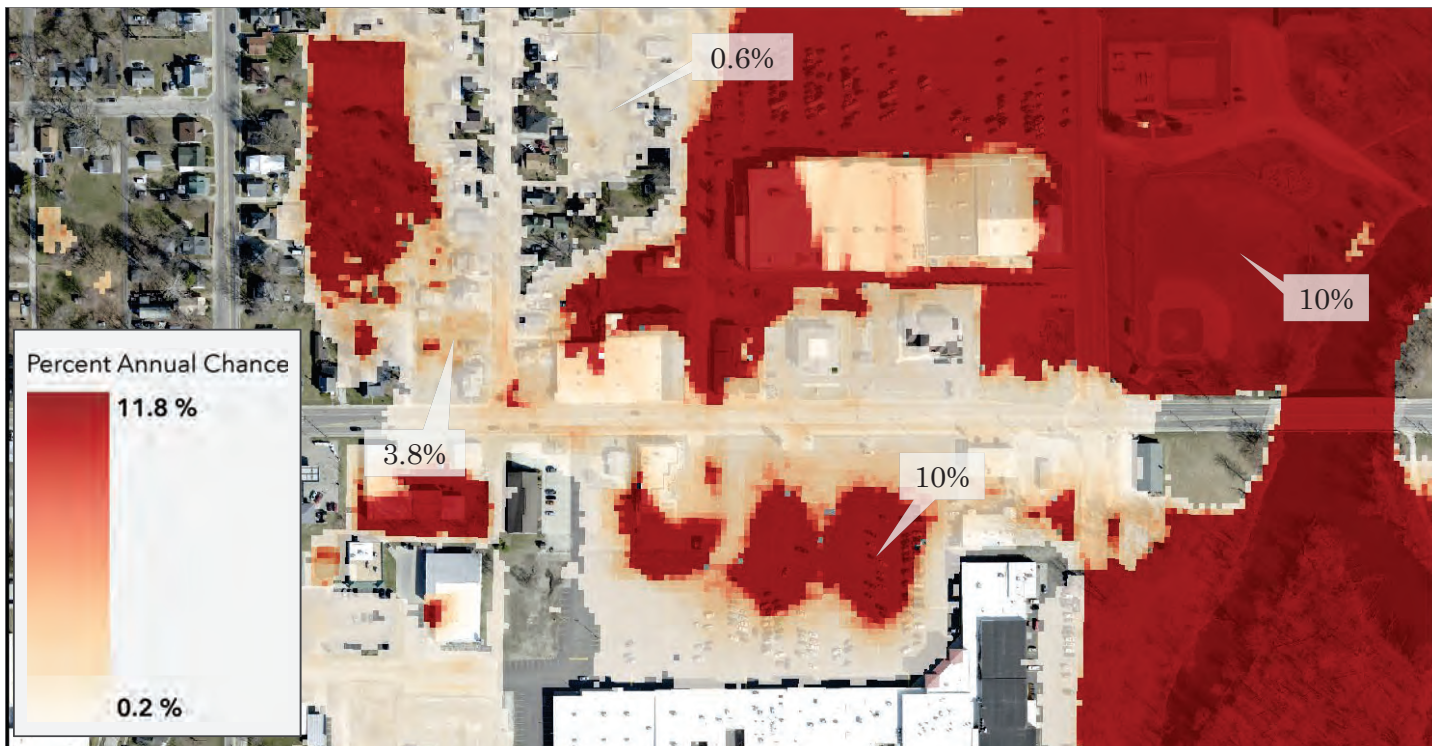
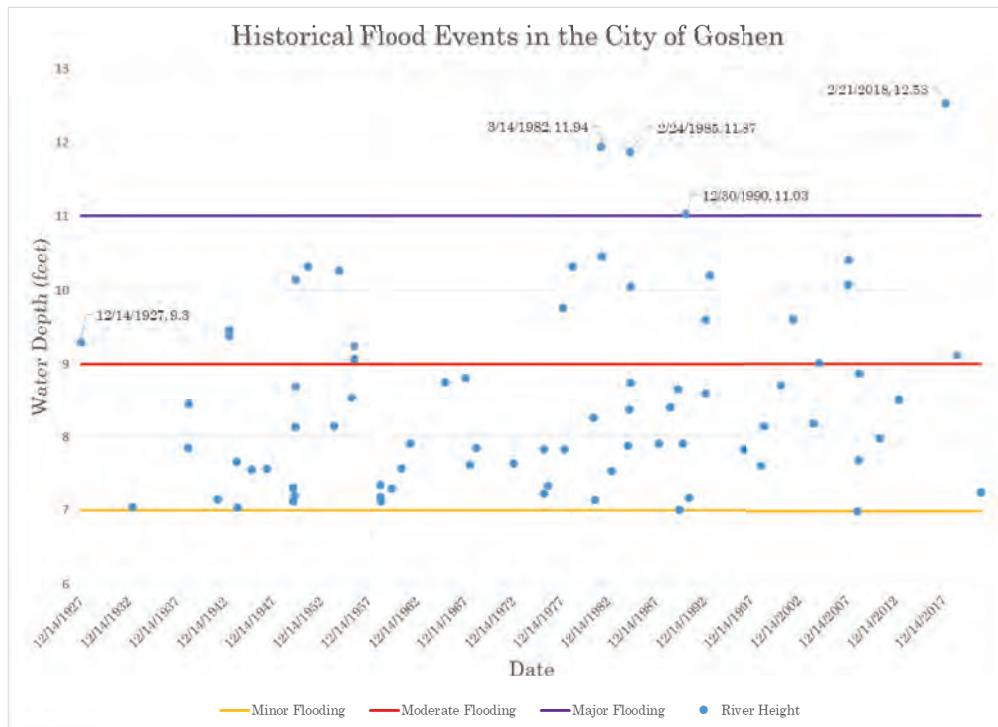
February 21, 2018 – Trinity Square and Linway Plaza



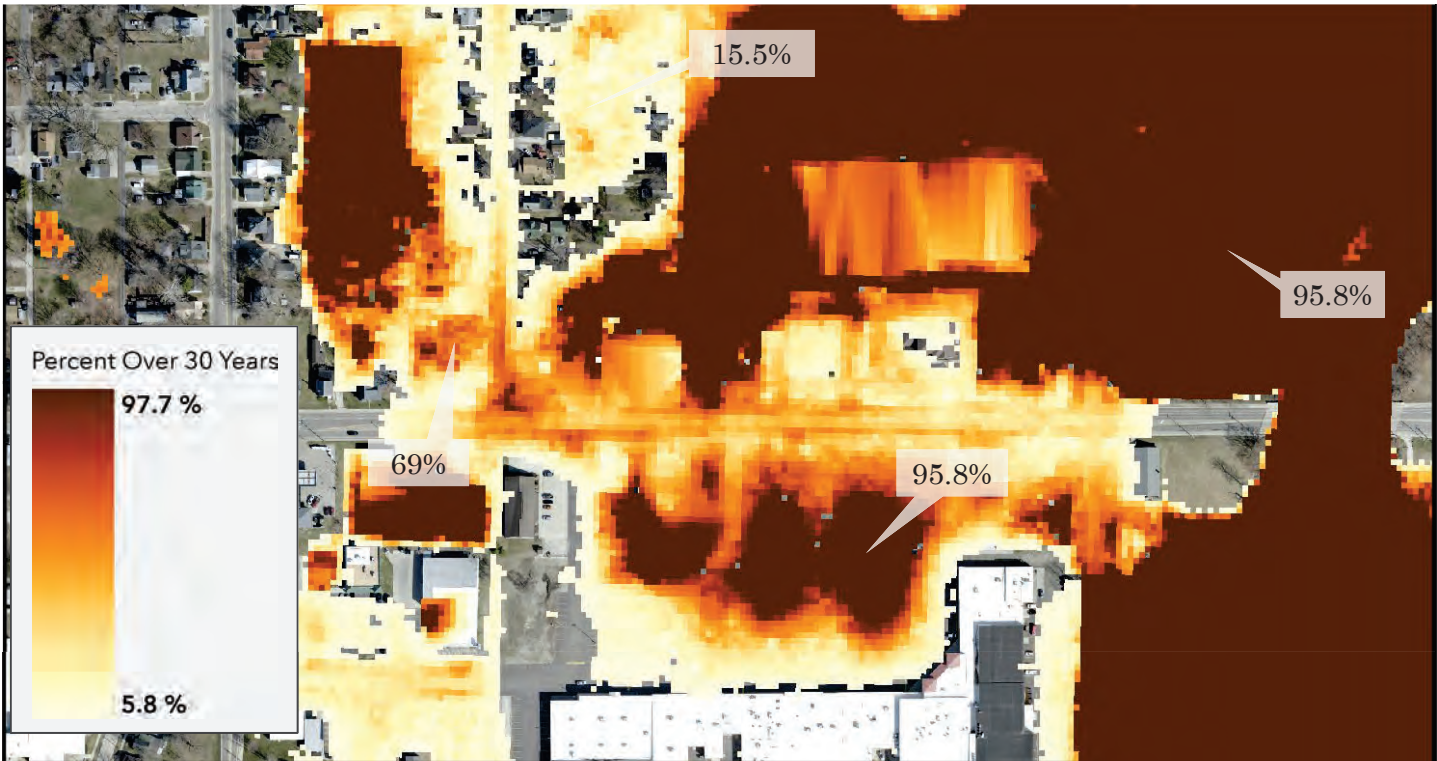
1892 – View of Lincoln Ave. bridge from County Courthouse

Major Historical Flooding Events

- USGS River Gauge has been located near N Indiana Avenue Bridge over the Elkhart River since September 11, 1924.
- First recorded flood occurred on December 14, 1927.
- Four major flood events (11+ feet) have occurred since 1982.



Percent Annual Chance of Flooding



Percent 30-year Chance of Flooding

Flooding, Stormwater, and a Changing Regional Climate

Partnering with the Great Lakes Integrated Sciences and Assessments (GLISA) for a Climate Change Vulnerability Assessment for Stormwater

Assessment at a Glance

- Regional Climate Predictions
- Social Vulnerability Indicators
- Landscape Features
- Assessment Locations
- Final Matrix

Climate Change in the Great Lakes Region			
Risk	By Mid-Century	By End of Century	Summary
Convective Weather (Severe Winds, Lightning, Tornadoes, Hail)	Uncertain*	Dam Failures	↑ ↑ ↑
Severe Winter Weather (Ice/Sleet Storms, Snow Storms)	Uncertain*	Flood Hazards	↑ ↑ ↑
Extreme Heat	↑	Wildfires	Uncertain* ↑
Extreme Cold	↓	Drought	Uncertain* ↑
		Infestation	↑ ↑

Stronger and more extreme precipitation events coupled with aging dam infrastructure will increase the probability of dam failure, if appropriate measures are not taken.

Stronger and more extreme precipitation events will be more likely to overwhelm stormwater infrastructure without appropriate adaptation efforts.

Summer drought and the number of consecutive dry days may increase in the future, despite more precipitation annually, increasing the risk of wildfires.

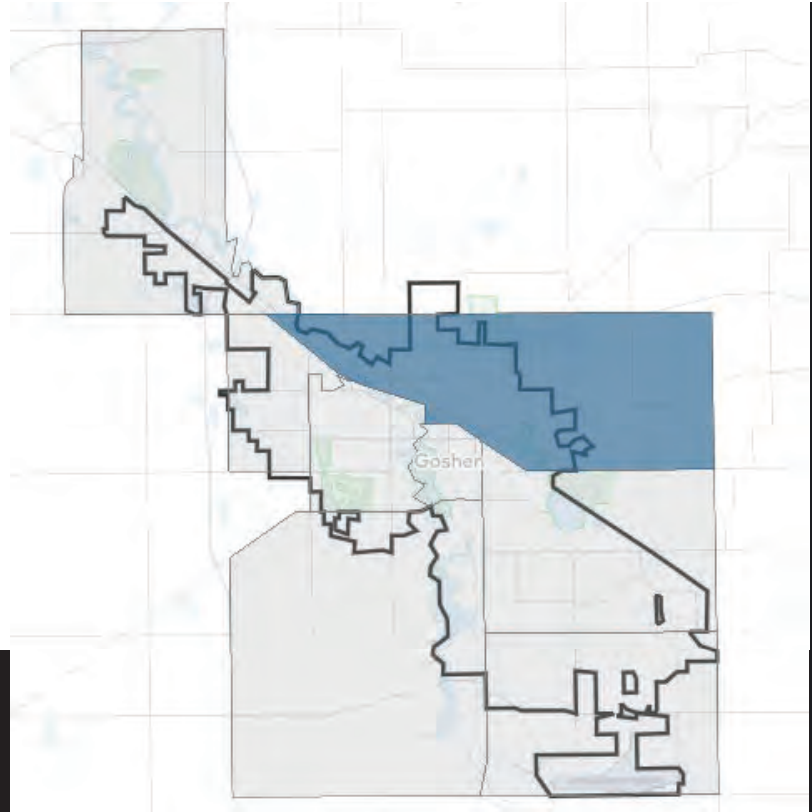
Summer drought and the number of consecutive dry days may increase in the future.

With shorter winters and longer growing seasons, conditions may become more suitable for invasive species and pests currently found elsewhere and distribute vector-borne illnesses.

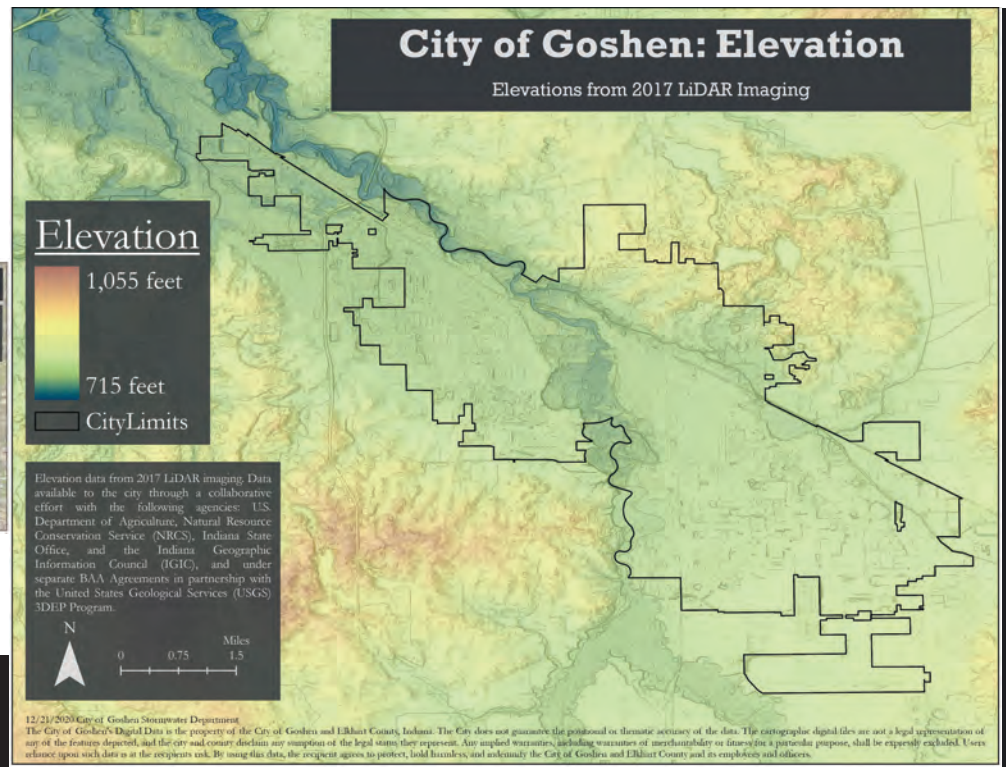
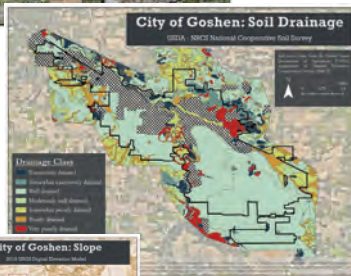
Climate Change in Great Lakes and Goshen

Section assembled from a variety of sources by the Great Lakes Integrated Sciences and Assessments (GLISA)—a NOAA supported collaboration between University of Michigan and Michigan State University.

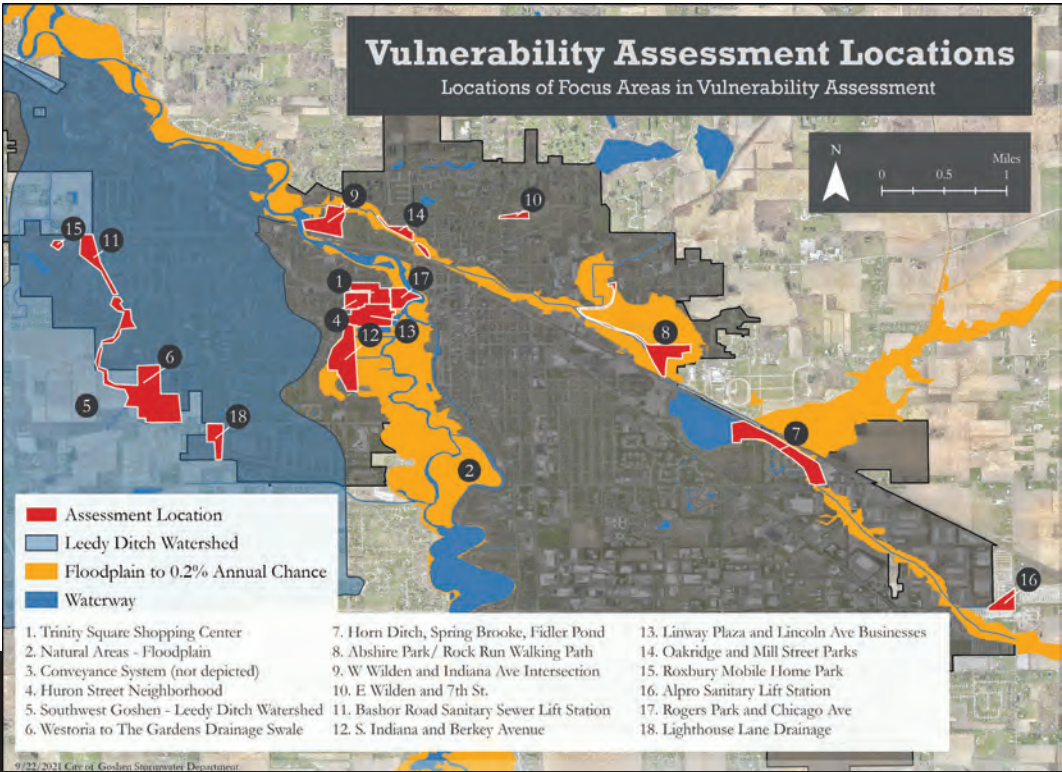
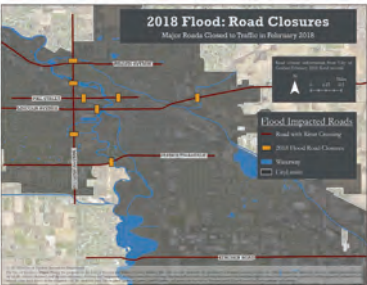
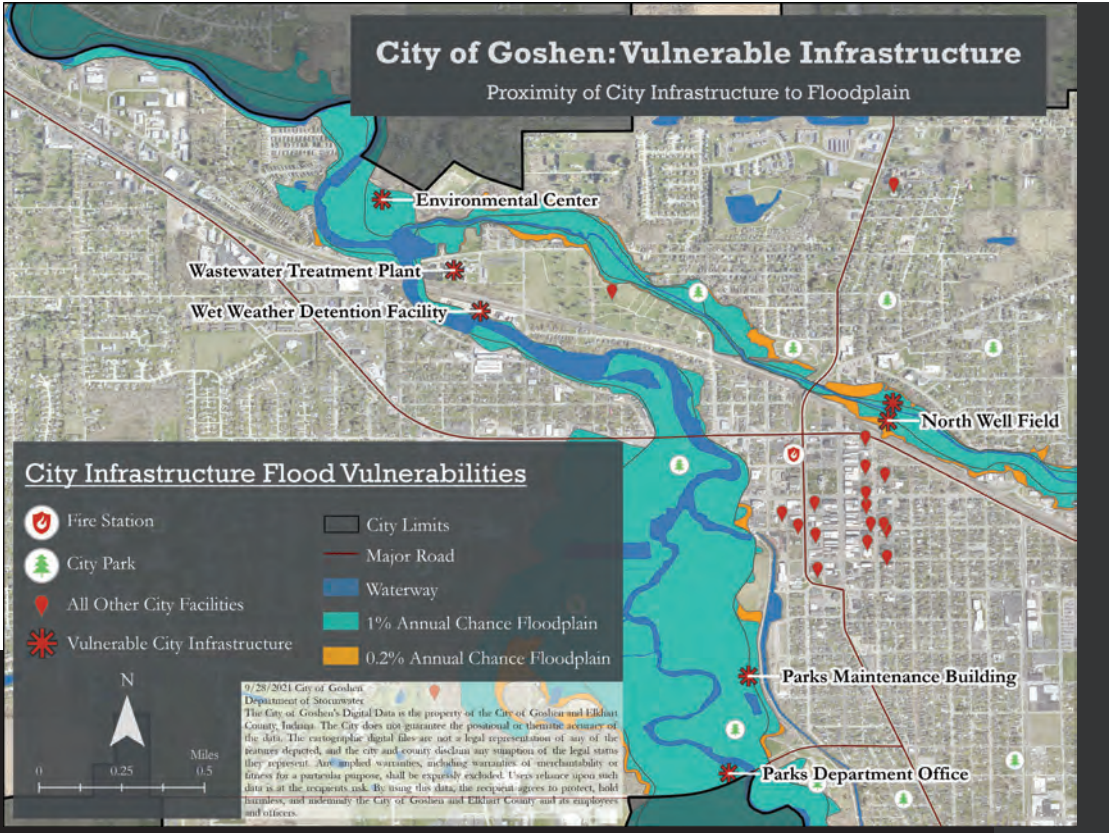
- 92nd vulnerability percentile in State
- Factors Impacting
 - Poverty
 - Limited English proficiency
 - Persons of Color or Hispanic
 - Persons without health insurance
 - Persons without a car
 - Persons with disabilities
 - Percent rental and mobile homes,
 - Persons without a high school diploma



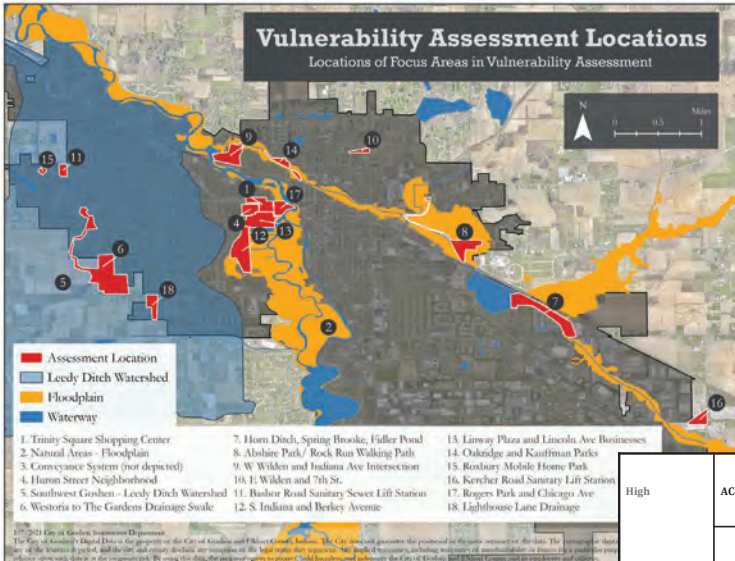
Demographic Trends



Landscape Features



Assessment Locations




Adaptive Capacity

Sensitivity

		Sensitivity					
		Low	S0	S1	S2	S3	High
High	AC4			15			
	AC3			2	8, 14, 16	6, 10, 11, 18	
	AC2					3, 5, 7, 12	9, 17
	AC1					4	
Low	AC0						1, 13



CHRISTOPHER B. BURKE ENGINEERING, LLC



FLOOD RESILIENCE PLAN

City of Goshen Common Council Work Session
Friday, January 14, 2022

1

CHRISTOPHER B. BURKE ENGINEERING, LLC



AGENDA

1. Welcome and opening comments
2. Review of past floods and climate change
3. Overview of flood resilience planning areas and strategies
4. Detailed discussion of short-term implementation strategies
5. Open discussion and next steps

2

FLOOD RESILIENCE PLAN PROJECT TEAM

<i>Name</i>	<i>Responsibility</i>
Aaron Satwatsky-Kingsley	Project Manager/Environmental Resilience Director
Jeremy Stutsman	Mayor
Rhonda Yoder	Planning & Zoning Administrator
Mark Brinson	Community Development Director
Dustin Sailor	Public Works Director
Jason Kauffman	Stormwater Coordinator
Mattie Lehman	Stormwater Specialist
Theresa Sailor	Environmental Educator
David Gibbs	Street Commissioner
Julia King	City Council
Matt Schrock	City Council
Jennifer Tobey (<i>invited</i>)	Elkhart County Emergency Management

3

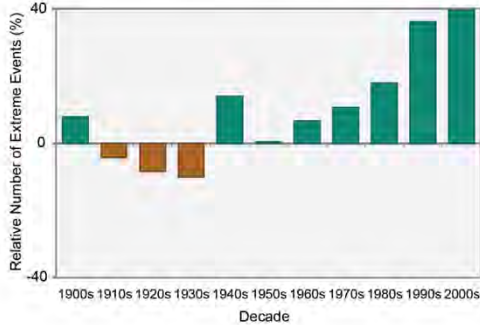
REVIEW OF PAST FLOODS AND VULNERABILITY ASSESSMENT STUDY

4

NATIONAL CLIMATE CHANGE ASSESSMENT

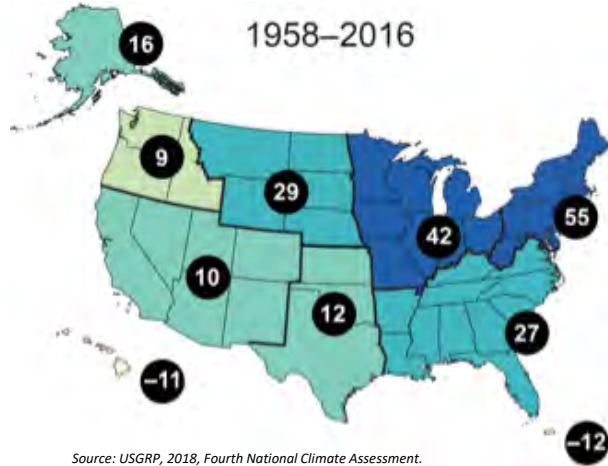
Observed Decadal Trend of Heavy Precipitation (2-day, 5-year RI) in Midwest (1901-2012 compared with 1901-1960)

Observed U.S. Trend in Heavy Precipitation



Source: USGRP, 2014, Third National Climate Assessment (adapted from Kunkel et al. 2013)

Observed % Change in Total Annual Precipitation Falling in the Heaviest 1% of Events (1958 – 2016)

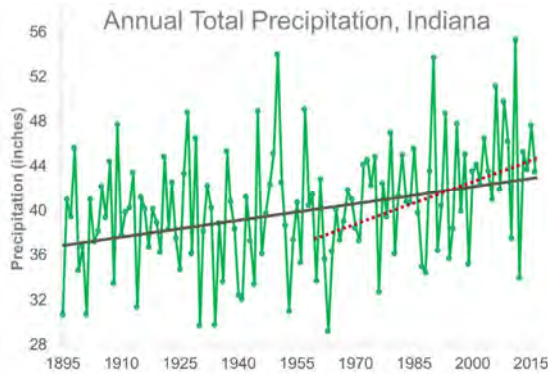
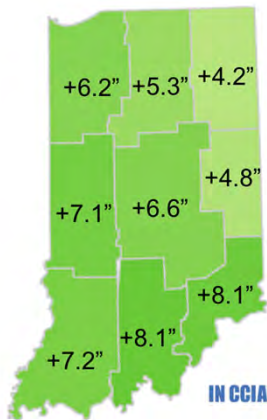


Source: USGRP, 2018, Fourth National Climate Assessment.

5

INDIANA CLIMATE CHANGE ASSESSMENT

Change In Annual Average Precipitation 1895-2019



Indiana 2050...

1. **Total Annual Precipitation:** expected to increase 6-8%
2. **Seasonal Precipitation:** expected to increase 25% in winter and 20% in spring
3. **Storm Intensity & Extreme Events:** expected to increase 42%

Source: Indiana Climate Change Impacts Assessment. Purdue University (2019)

6



MOVING FORWARD...

- 1. Mitigation:** Secure major funding, allocate, and spend the ever-increasing necessary funds to try to reduce the flooding.
- 2. Adaptation:** Adapt to these unavoidable climate change impacts by adopting and implementing appropriate flood resilience strategies.
- 3. Do Nothing/Status Quo:** Suffer the consequences and brace for more devastation and economic uncertainty.

7



FLOOD RESILIENCE PLANNING

- Ability to prepare for, absorb, recover from and adapt to adverse flood events
- Define flood resilience areas and adopt smart growth strategies
- Support natural and beneficial floodplain function – leave room for the river

8



TWO-PRONGED APPROACH:

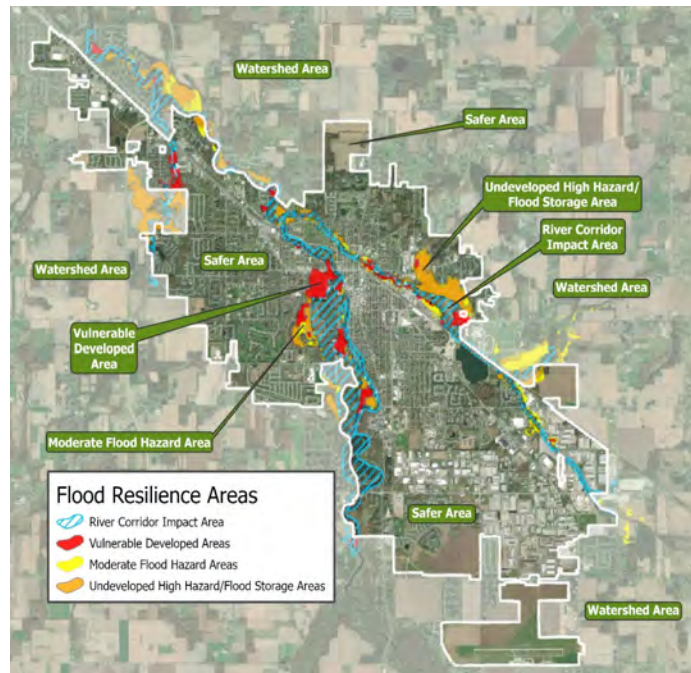
1. Use land-use planning policies to direct growth to areas less vulnerable to flooding
2. Identify and implement projects to protect those already vulnerable to flood risk

9

FLOOD RESILIENCE PLANNING AREAS

Planning Area	Area Boundary
River Corridor	Floodway or FEH area, whichever is greater
Undeveloped High Flood Hazard/Flood Storage Area	Undeveloped land in the floodway fringe
Moderate Flood Hazard Area	0.2% or 500-year flood zone
Vulnerable Developed Area	Existing developed land in the SFHA
Safer Area	Outside SFHA, 0.2% and localized flooding areas
Watershed	Entire drainage area

FEH = Fluvial Erosion Hazard
 SFHA = Special Flood Hazard Area



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1. RIVER CORRIDOR IMPACT AREA

To conserve land and prohibit development

RECOMMENDED ACTION:

1. **Adopt fluvial erosion hazard (FEH) regulations**
2. Protect undeveloped land

11



2. UNDEVELOPED HIGH HAZARD /FLOOD STORAGE AREA

To conserve land and maintain the natural and beneficial function of the floodway fringe; discourage future development

RECOMMENDED ACTION:

1. Protect undeveloped land in the floodway fringe
2. **Establish compensatory floodplain storage requirement**

12



3. MODERATE FLOOD HAZARD AREA

To highlight areas subject to flood risk during extreme flood events, to avoid placement of critical facilities, and preserve these areas as additional flood storage

RECOMMENDED ACTION:

1. Discourage new development, especially critical facilities
2. Require higher standards for buildings

13



4. VULNERABLE DEVELOPED AREA

To protect people, buildings and facilities vulnerable to flooding and reduce future flood risk

RECOMMENDED ACTION:

1. **Prepare a Flood Response Plan**
2. **Prepare a citywide Stormwater Master Plan**
3. Participate in the National Flood Insurance Program (NFIP) Community Rating System (CRS) program
4. Relocate and/or buyout structures inside the river corridor impact area
5. Retrofit, relocate and/or buyout structures outside the river corridor area
6. Bring nonconforming uses into compliance

14



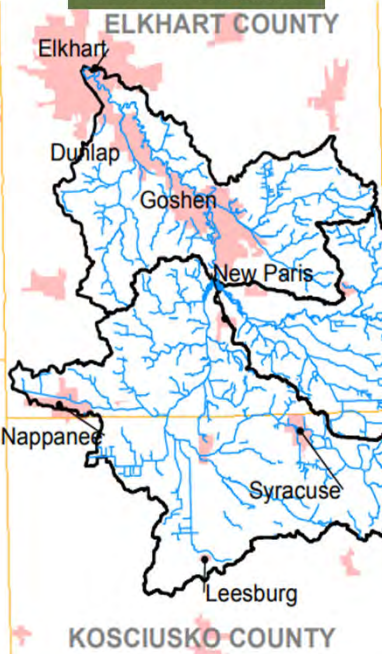
5. SAFER AREA

To plan for and promote development in areas that are less vulnerable to future floods

RECOMMENDED ACTION:

- Guide growth and development to safer areas
- Promote conservation design and development
- Promote placement of critical facilities in safer areas

15



6. WATERSHED AREA

To promote coordination and partnerships and implement practices to slow, spread and infiltrate floodwater

RECOMMENDED ACTION:

- Support USGS stream gages
- Build partnerships within the watershed
- Support SWCD programs
- Reduce impact from tile and surface drains in the watershed

16



OVERALL STRATEGIES

To improve resiliency citywide. Emphasize importance of syncing plans, policies and regulations for consistency of resilience concepts and strategies.

RECOMMENDED ACTION:

1. **Update Stormwater Ordinance and conduct training**
2. **Improve flood risk communication and education**
3. Conduct regular audits of plans, programs and policies
4. **Update City Code and Zoning Ordinance**
5. **Update the stormwater utility fee**
6. Integrate resilience into the Comprehensive Plan
7. **Include flood resilience in capital projects**
8. Implement the Multi-hazard Mitigation Plan flood mitigation measures

17

DETAILED DISCUSSION OF SHORT-TERM IMPLEMENTATION STRATEGIES

18



MODEL STORMWATER MANAGEMENT ORDINANCE

AUGUST 2021

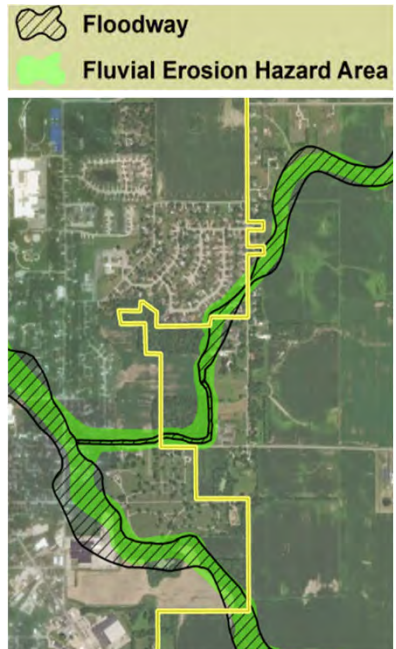


STORMWATER ORDINANCE

1. Update Stormwater Ordinance and Technical Standards
2. Adopt fluvial erosion hazard (FEH) regulations
3. Adopt compensatory flood storage requirements

Fluvial Erosion Hazard (FEH) Area

- (A) New primary building are not allowed to be constructed in FEHAs
- (B) Improvements to existing structures, and any associated fill as needed to comply with elevation requirements in the SFHA shall not decrease the distance between the existing structures and the top of bank and must comply with all compensatory flood storage requirements
- (C) Development shall not increase the potential for fluvial erosion damage on the property or on neighboring properties
- (D) Development shall not increase the potential of materials being swept onto other lands or into stream and causing damage to other properties from fluvial erosion
- (E) Development shall not cause an undue burden on public services and facilities including roads, bridges, culverts and emergency service providers during and after fluvial erosion events

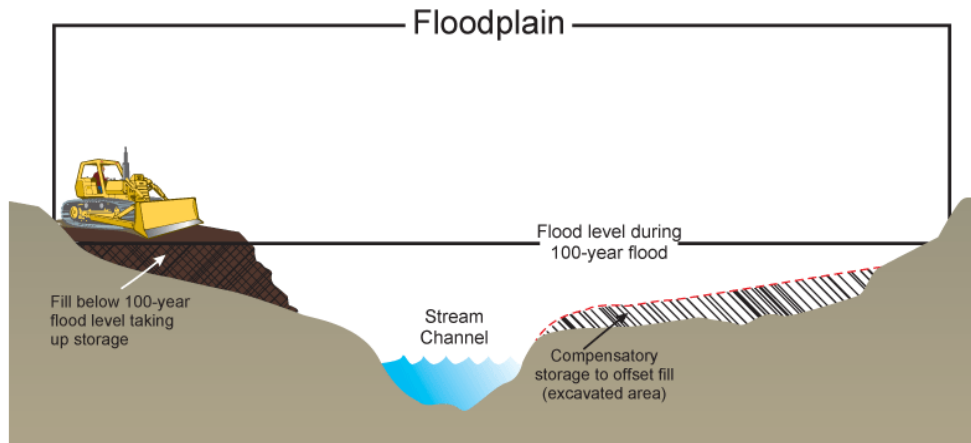


Morgan County, IN Flood Hazard Areas, Section 151.07 Fluvial Erosion Areas

Compensatory Flood Storage

Whenever any portion of the SFHA is authorized for use, the volume of space which will be occupied by the authorized fill or structure below the BFE shall be compensated for and balanced by an equivalent volume of excavation taken below the BFE. The excavation volume shall be at least equal to the volume of storage lost (replacement ratio of 1 to 1) due to the fill or structure.

Noble County, IN Ordinance for Flood Hazard Areas, Article 5: Provisions for Flood Hazard Reduction



21



LANDSCAPE STANDARDS

1. Adopt tree mitigation and tree replacement requirements
2. Promote use of native plants
3. Allow vegetated stormwater practices to count toward landscape requirements

22

Tree Replacement or Contribution to Tree Fund

1. Tree replacement ratios:
 - a. 1 to 1 tree replacement to removal for trees that are at least 5 inches DBH, but less than 16 inches DBH;
 - b. 2 to 1 tree replacement to removal for trees that are at least 16 inches DBH, but less than 24 inches DBH;
 - b. 3 to 1 tree replacement to removal for trees that are at least 24 inches DBH, but less than 30 inches DBH;
 - c. 4 to 1 tree replacement to removal for trees that are at least 30 inches DBH.
2. *[specifies location, minimum caliper and/or height, native species]*
3. In lieu of replacement, applicant shall pay \$200 per replacement tree to Tree Fund; maximum payment is \$10,000 per project



Porter County, IN Unified Development Ordinance Chapter 5 Tree Preservation Standards

23



FLOOD CONTROL DISTRICT

1. Update flood resilience planning areas based on updated FIRM information

24



REDEVELOPMENT

1. Promote growth and development in safer areas
2. Consider climate change and flood impacts in capital projects; promote low impact development and green infrastructure

25



COMMUNICATION, EDUCATION & TRAINING

1. Train city stormwater inspection staff about green infrastructure practices
2. Develop a flood risk education and outreach program

26

PLANS, PROGRAMS & STUDIES

1. Update the stormwater utility fee
2. Incorporate flood resilience planning areas into the proposed Future Growth Plan
3. Prepare a Flood Response Plan
4. Prepare a Stormwater Master Plan

27

INDIANA STORMWATER UTILITIES

MONTHLY SFR FEES AND FEE TYPES

MONTHLY SFR FEE SUMMARY

AVERAGE OF ALL 95 ENTITIES: **\$5.74** PER MONTH

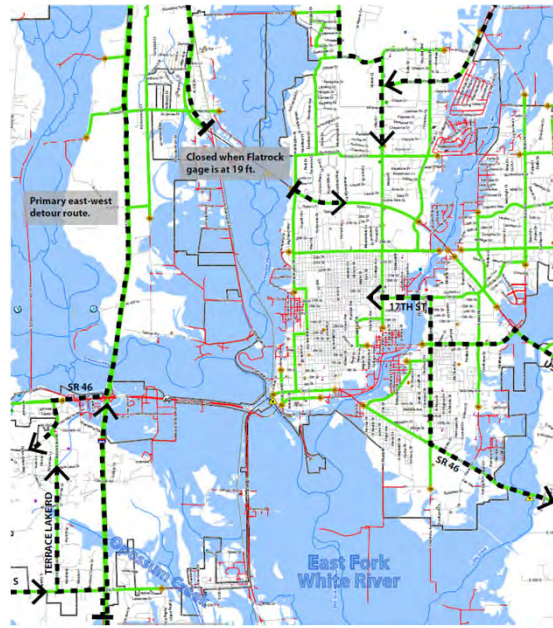
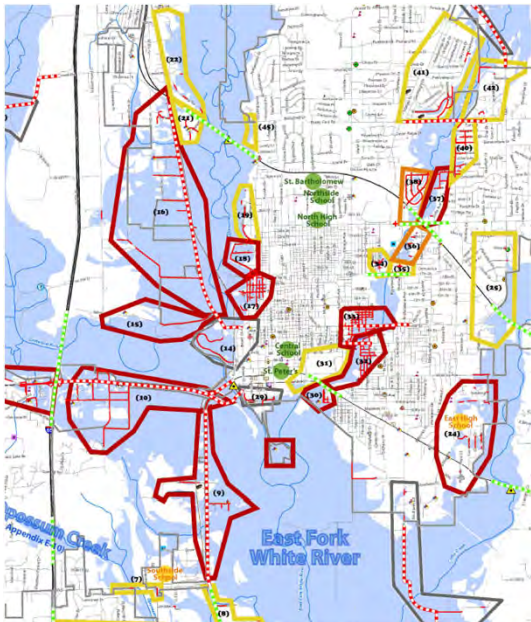
AVERAGE OF 8 COUNTY ENTITIES: **\$3.72** PER MONTH

AVERAGE OF NON-COUNTY ENTITIES: **\$5.92** PER MONTH

NOTE: Based on best available data (February 2021).

28

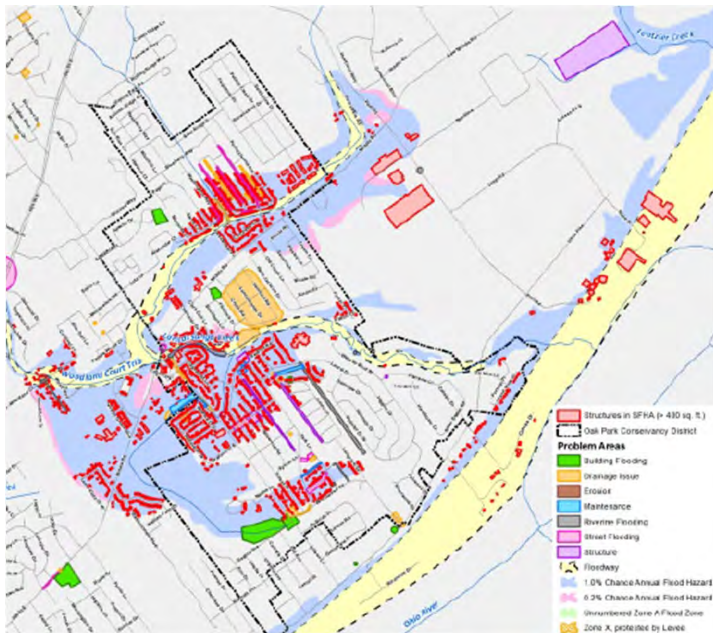
Flood Response Plan



City of Columbus, IN Flood Response & Evacuation Plan

29

Stormwater Master Plan



2012 STORMWATER MASTER PLAN RECOMMENDED PROJECTS

CITY OF JEFFERSONVILLE
Mayor Mike Moore

Quick facts on...
Bypass Channel of Lancescage Creek (Master Plan Project PS-22)

The Situation.
Much of the Oak Park Conservancy District (OPCD) area is in the Lancescage Creek floodplain. Many structures flood & roads become impassable during large rainfall events.

What Can We Do?
A 4,800 foot long bypass channel is proposed to convey floodwater away from the OPCD and reduce flooding in the area. The bypass channel would also significantly reduce the size of the Lancescage Creek floodplain within OPCD and reduce the need for structures to carry flood insurance.

What are the Next Steps?

- To correctly size the bypass channel and accurately measure its benefits, an updated stream hydraulic study for Lancescage Creek in OPCD (PS-19) is needed.
- Prepare for and meet with representatives from the Indiana Port Authority to discuss the feasibility of obtaining easements or acquiring land needed for construction of the bypass channel.
- Summarize findings and conceptual drawings in a Preliminary Engineering Report.

Target Study Areas

The larger neighborhood and regional scale problem areas identified in this Master Plan fall into the following 9 Target Study Areas:

- Buildings in the Floodplain
- CSO/Downtown Area
- Mill Creek
- Woodland Court
- Oak Park Conservancy District
- Waverly
- Lock Run
- Lentzier Creek
- Citywide Programs & Policies

ESTIMATED TIME TO COMPLETE NEXT STEP	ESTIMATED COST TO COMPLETE NEXT STEP	ESTIMATED COST FOR FULL IMPLEMENTATION OF PROJECT
6 Months	\$50,000	\$2,400,000

Jeffersonville City Council District(s) benefited by the above Stormwater Master Plan Project:

District 1	District 2	District 3	District 4	District 5	District 6
------------	------------	------------	------------	------------	------------

Visit WWW.CITYOFJEFF.NET to view the full Stormwater Master Plan

City of Jeffersonville, IN Stormwater Master Plan

30



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Flood Resilience Plan ArcGIS Online Map

<https://cbbel-in.maps.arcgis.com/apps/webappviewer/index.html?id=1544826de5ee48d8923bc79c26c6a250>

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Flood Resilience Plan Meetings

March 17, 2022

Goshen Theater, 216 S. Main St

Business Owner's Meeting, 3:00 pm

- 3:00 Welcome and Introduction – Mayor(?) / Aaron
- 3:05 History of flooding in Goshen – Jason and Mattie
- 3:15 Goshen Flood Resilience Plan Overview and Highlights – Siavash and Sheila
- 3:30 Open question and answer / discussion in the auditorium
- 4-4:15 Wrap-up, invite to attend public meeting at 6:00

Public Meeting, 6:00 pm

MC – Aaron Sawatsky-Kingsley

Presenters: Jason Kauffman and Mattie Lehman (Goshen Stormwater Department); Siavash Biek and Sheila McKinley (Christopher Burke Engineering). Hand held microphone provided.

- 6:00 Welcome – Mayor(?)
 - 6:05 Introduction – Aaron
 - 6:10 Flood History and Vulnerability – Jason and Mattie
 - 6:20 Goshen Flood Resilience Plan Overview and Highlights – Siavash and Sheila
 - 6:40 Open question and answer / discussion in the auditorium
- Mic and mic-stand will be provided on the floor for audience.
- 7-7:15 approx. As Q&A wraps up, Aaron will direct audience to Break-Out Topic sites for further discussion with staff. Two Break-Out sites will be in the back of the auditorium, and 4 will be throughout the lobby. Sites will be supplied with table and chairs.

Break-Out Topics and staff:

Climate Impacts and Flooding (southside of lobby) – Austin Pearson, Purdue Extension specialist. He would like to use one of the flat screens, and needs us to supply the HDMI cable. Kathleen Jones will help record comments and questions.

Goshen and the Wider Watershed (southwest side of lobby) – Matt Meersman, St. Joseph River Basin Commission. St. Joseph Watershed map from Stormwater. Phil Metzler will help record comments and questions.

Emergency Response (eastside of lobby) – Bruce Nethercutt, GFD. He will bring the drone. We will bring flatscreen from city courts. Theresa Sailor will help record comments and questions.

Flood Vulnerability (northside of lobby) – Jason Kauffman and Mattie Lehman. Will use a flat screen (bring HDMI cable). James Loewen will help record comments and questions.

Safe Development and the Floodplain (northwest corner of auditorium)– Dustin Sailor, Rhonda Yoder, and Siavash. Glenn Gilbert will help record questions and comments.

Green Infrastructure and Flooding (southwest corner of auditorium)– Aaron and Sheila (from Christopher Burke). Aaron will help record questions and comments.

8:00 approx. Wrap up and good night.

Stormwater Dept. is printing the following maps for the Break-Out Topics:

“Elevation Map” – Safe Development and the Floodplain, Goshen and the Wider Watershed

“Floodplain Southeast and Northwest” - Safe Development and the Floodplain

“Trinity Square Shopping Center” – Flood Vulnerability

* “Landcover” – Green Infrastructure and Flooding

“Emergency Services” – Emergency Response

“Flood Vulnerability” – Flood Vulnerability

“Comparison: Flood Plain Development” – available

* “Tree Canopy” – Green Infrastructure and Flooding

“Comparison: Percent Impervious” – Climate Impacts and Flooding



Flood Vulnerability in Goshen

City of Goshen Stormwater Department



March 17, 2022 – Flood Resilience Plan Public Meeting

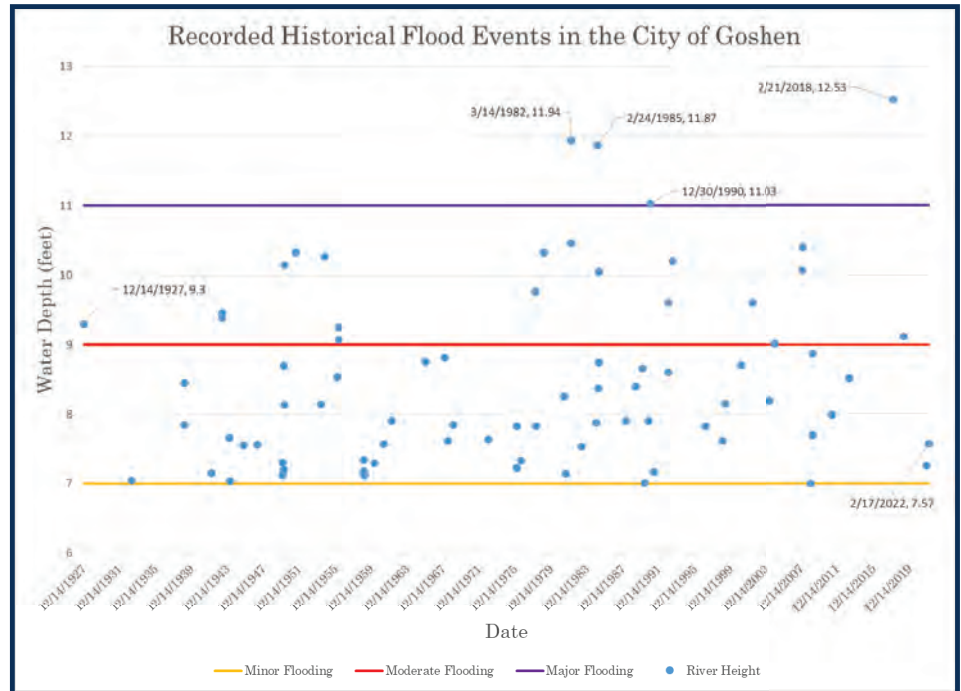
Flooding in Goshen





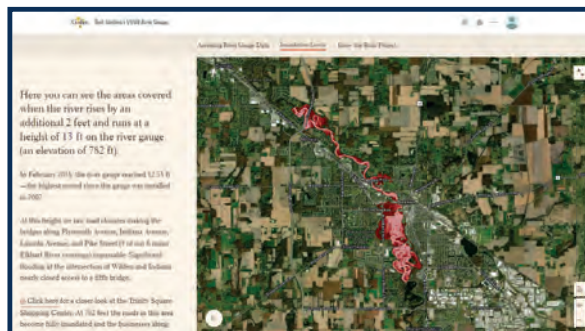
Goshen's Flood History

- **September 11, 1924**
–USGS River Gauge installed near the N Indiana Ave. Bridge
- **December 14, 1927**
–first recorded flood
- **February 17, 2022**
– last recorded flood
- **Since 1982** – four major flood stage (11+ feet) events

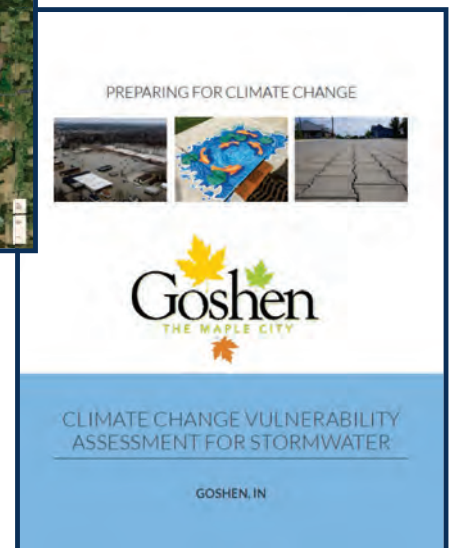


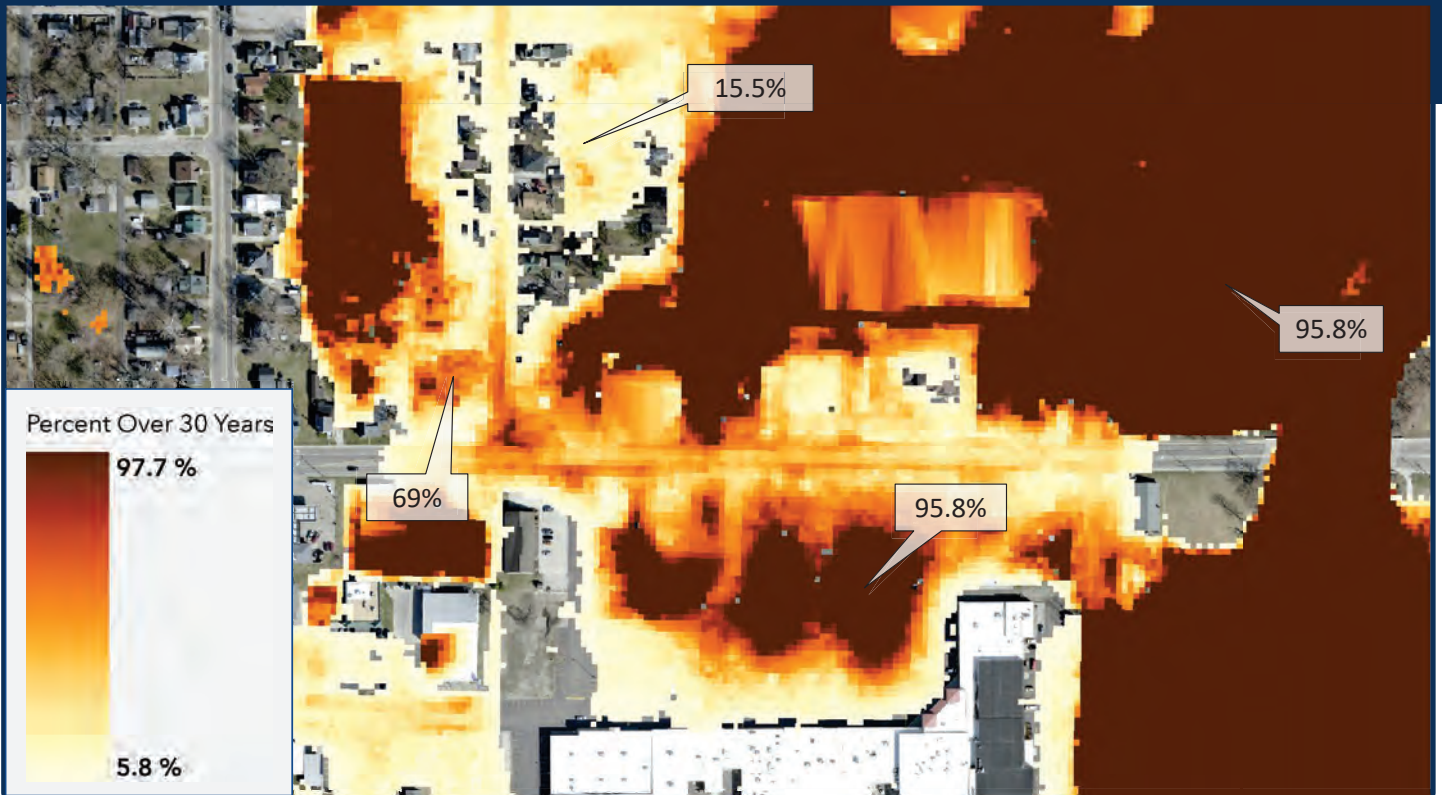
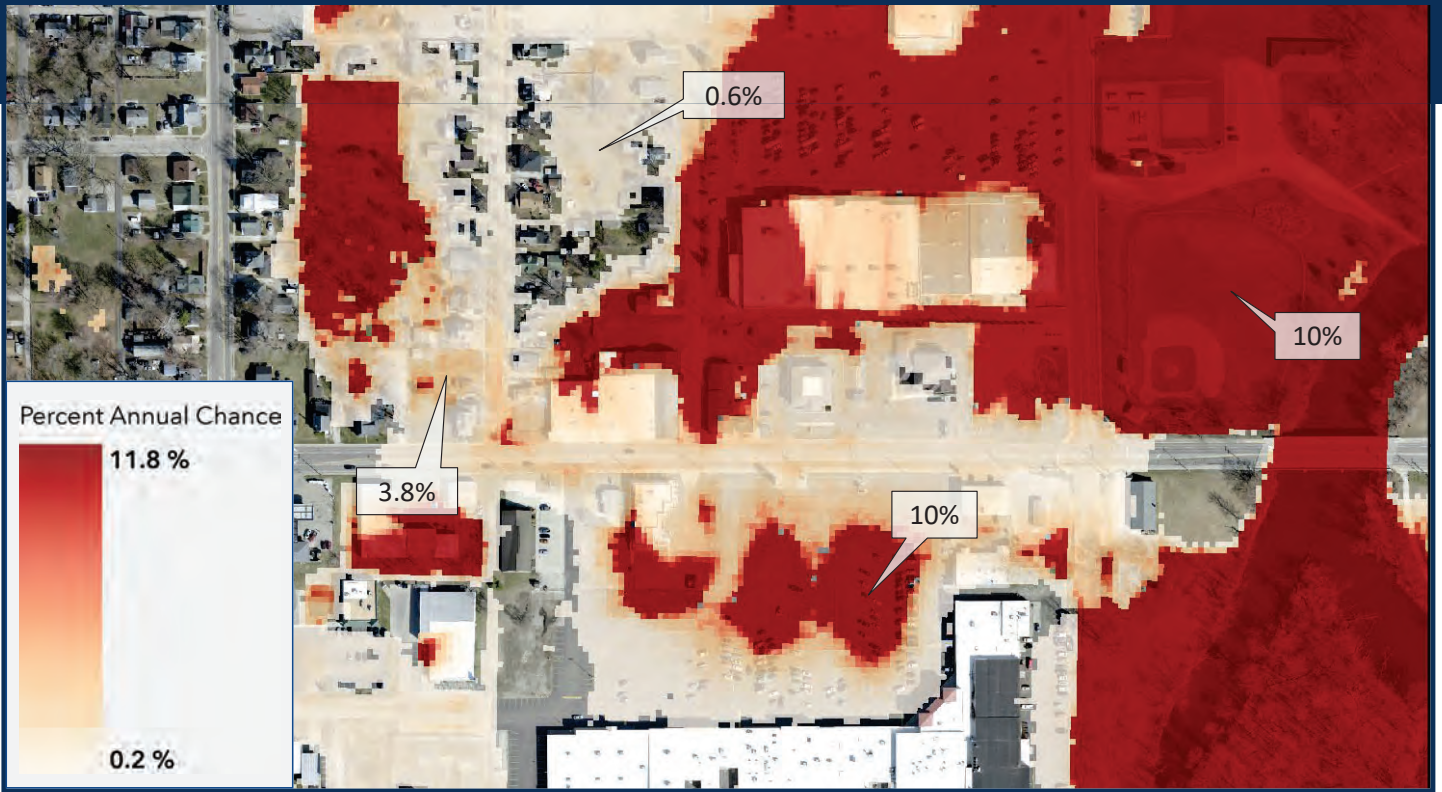
Assessing Vulnerability

- **Community Reporting**
- **Climate Change Vulnerability Assessment for Stormwater**
- **United States Geological Survey (USGS) Tools**
- **Federal Emergency Management Agency (FEMA) Risk Data**





goshenindiana.org/flood-zone





CHRISTOPHER B. BURKE ENGINEERING, LLC




FLOOD RESILIENCE PLAN

Stakeholder Meeting
Thursday, March 17, 2022

Siavash Beik, PE, CFM, D.WRE
Sheila McKinley, AICP, CFM, LEED Green Associate

1

CHRISTOPHER B. BURKE ENGINEERING, LLC



PLANNING PROCESS

- 18-month planning process, led by a 12-member planning team
- Researched past flood events and impacts
- Evaluated existing policies, programs and projects
- Developed flood resilience planning areas and strategies
- Meetings with City Council, stakeholders and public
- *Next steps: final revisions, local adoption and implementation of flood resilience strategies*

2

FLOOD RESILIENCE PLAN PROJECT TEAM

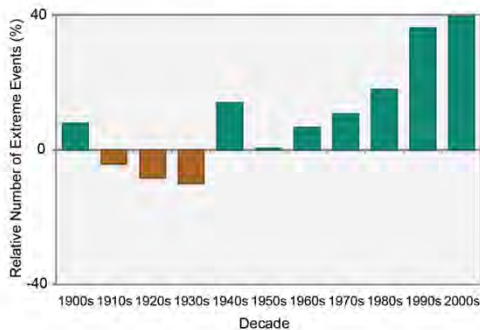
Name	Responsibility
Aaron Satwatsky-Kingsley	Project Manager/Environmental Resilience Director
Jeremy Stutsman	Mayor
Rhonda Yoder	Planning & Zoning Administrator
Mark Brinson	Community Development Director
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Mattie Lehman	Stormwater Specialist
Theresa Sailor	Environmental Educator
David Gibbs	Street Commissioner
Julia King	City Council
Matt Schrock	City Council
Jennifer Tobey (invited)	Elkhart County Emergency Management

3

NATIONAL CLIMATE CHANGE ASSESSMENT

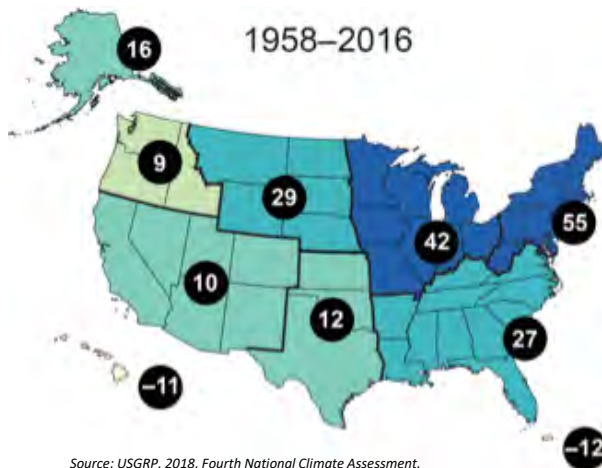
Observed Decadal Trend of Heavy Precipitation (2-day, 5-year RI) in Midwest (1901-2012 compared with 1901-1960)

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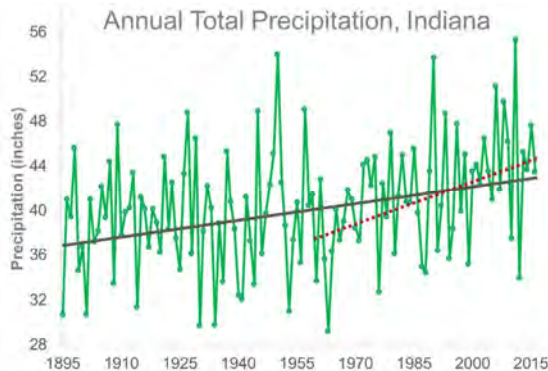
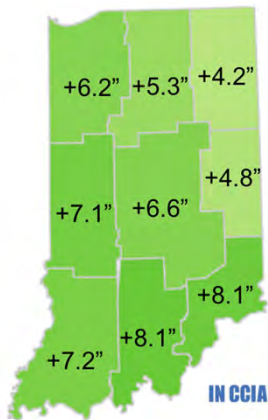


Source: USGRP, 2018, *Fourth National Climate Assessment*.

4

INDIANA CLIMATE CHANGE ASSESSMENT

Change In Annual Average Precipitation 1895-2019



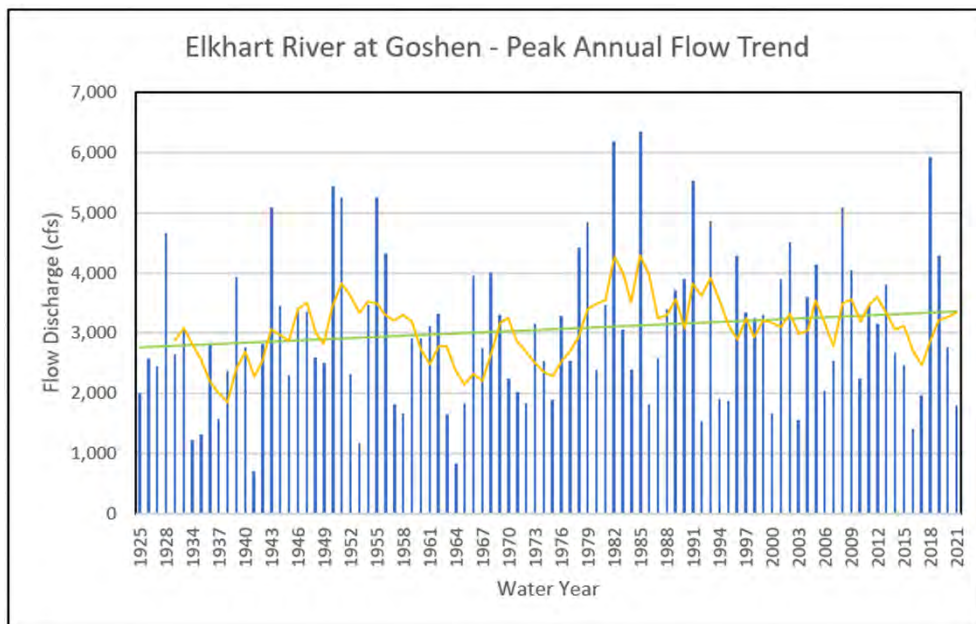
Indiana 2050...

- 1. Total Annual Precipitation:** *expected to increase 6-8%*
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Source: Indiana Climate Change Impacts Assessment. Purdue University (2019)

5

Elkhart River at Goshen - Peak Annual Flow Trend



6



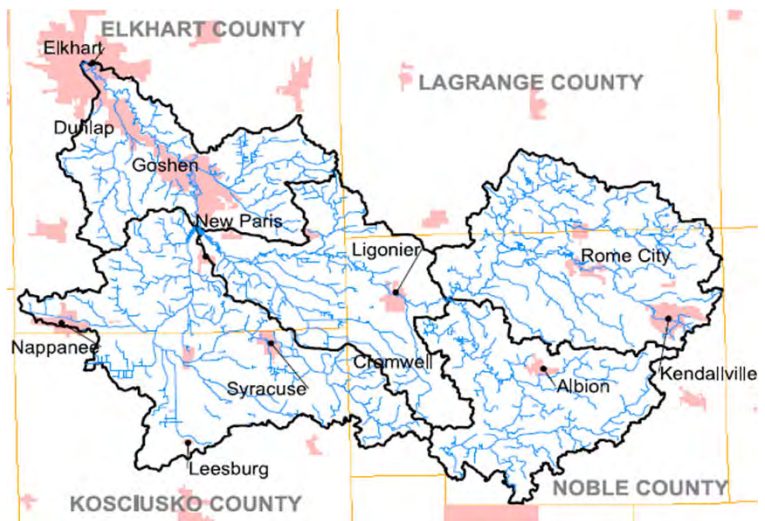
MOVING FORWARD...

1. **Mitigation:** Secure major funding, allocate, and spend the ever-increasing necessary funds to try to reduce the flooding.
2. **Adaptation:** Adapt to these unavoidable climate change impacts by adopting and implementing appropriate flood resilience strategies.
3. **Do Nothing/Status Quo:** Suffer the consequences and brace for more devastation and economic uncertainty.

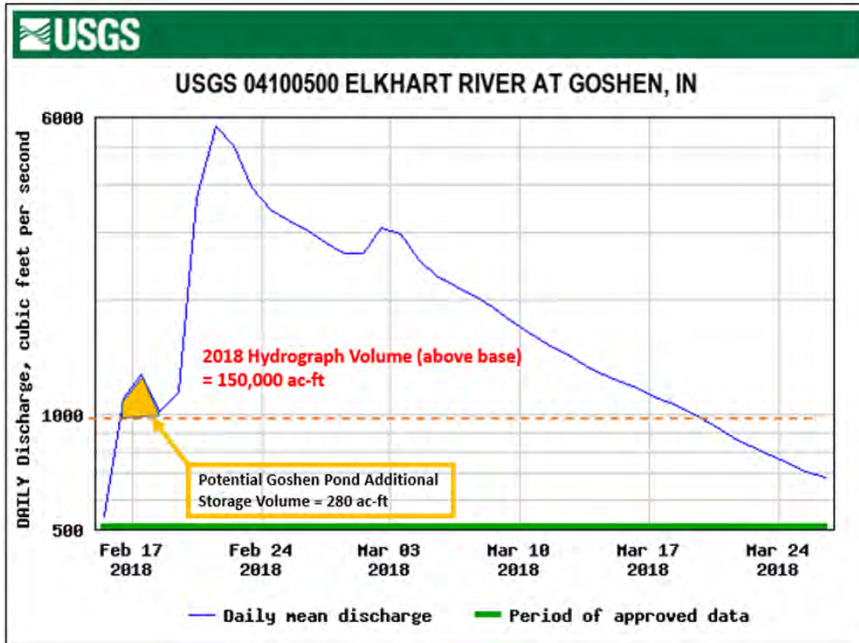
7

FLOODING SOURCE MITIGATION OPTIONS

- Additional flood storage in existing Goshen Pond
- Large flood storage upstream in watershed
- Flood protection levees
- Channel improvements
- Flow diversion/bypass



8



9



ADAPTATION THROUGH FLOOD RESILIENCE

- Ability to prepare for, absorb, recover from and adapt to adverse flood events
- Define flood resilience areas and adopt smart growth strategies
- Support natural and beneficial floodplain function – leave room for the river

10



TWO-PRONGED APPROACH:

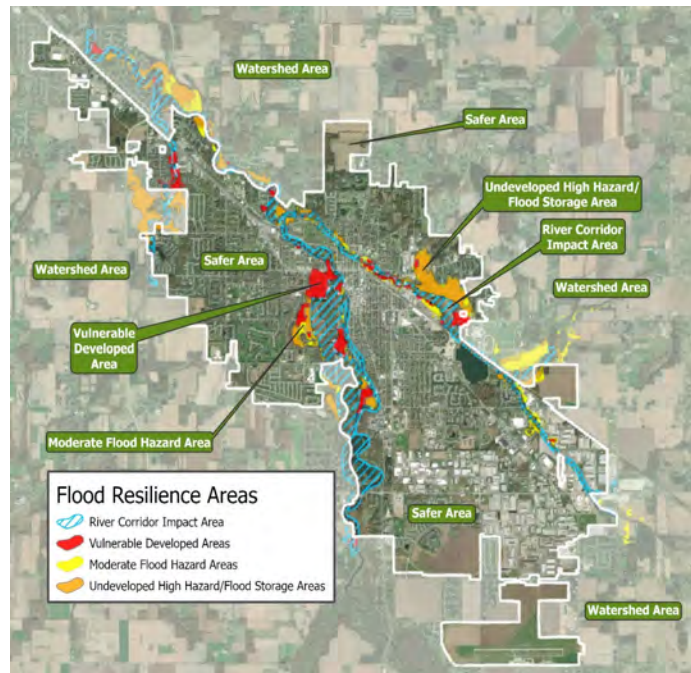
1. Use land-use planning policies to direct growth to areas less vulnerable to flooding
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11

FLOOD RESILIENCE PLANNING AREAS



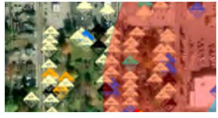
Planning Area	Area Boundary
River Corridor	Floodway or FEH area, whichever is greater
Undeveloped High Flood Hazard/Flood Storage Area	Undeveloped land in the floodway fringe
Moderate Flood Hazard Area	0.2% or 500-year flood zone
Vulnerable Developed Area	Existing developed land in the SFHA
Safer Area	Outside SFHA, 0.2% and localized flooding areas
Watershed	Entire drainage area

FEH = Fluvial Erosion Hazard
 SFHA = Special Flood Hazard Area






12

Adopt Resilience Strategies to Keep Things from Deteriorating

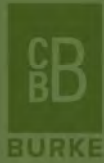
Flood Resilience Planning Areas	Area Boundaries	Intent of Area Strategies	Strategies
River Corridor Impact Area 	Floodway or fluvial erosion hazard area, whichever is greater	To conserve land and prohibit development	<ul style="list-style-type: none"> Adopt fluvial erosion hazard (FEH) regulations Perpetuate protection of undeveloped land within River Corridor through partnering with land trusts
Undeveloped High Flood Hazard/Flood Storage Area 	Undeveloped land in the floodway fringe	To conserve land and maintain the natural and beneficial function of the floodway fringe	<ul style="list-style-type: none"> Preserve floodplain storage and beneficial floodplain functions through prohibiting or strongly discouraging new development in this area Establish floodplain compensation when flood storage loss cannot be avoided Perpetuate protection of undeveloped land within SFHA through partnering with land trusts
Moderate Flood Hazard Area 	Area within 0.2% annual chance floodplain and localized flooding areas (likely future SFHA due to climate change)	To identify areas that are subject to flooding during an extreme event and to discourage future development in these areas	<ul style="list-style-type: none"> Discourage new development in this area Require buildings to have a freeboard equal or greater to that required in SFHA Require flood protection grade of critical facilities in this area to be above the 0.2% chance flood elevation

13

Adopt Resilience Strategies to Keep Things from Deteriorating

Flood Resilience Planning Areas	Area Boundaries	Intent of Area Strategies	Strategies
Vulnerable Developed Area 	Existing developed land in the River Corridor or floodway fringe	To protect people, buildings, and facilities in vulnerable areas and reduce future flood risk	<ul style="list-style-type: none"> Prepare a Flood Response Plan Prepare a citywide Stormwater Master Plan Encourage Flood Insurance and participate in CRS Protect existing critical facilities Retrofit, relocate and/or buyout of structures Bring nonconforming uses into compliance
Safer Area 	Outside the 0.2% annual chance floodplain area but within planning jurisdiction	To plan for and promote development in areas that are less vulnerable to future floods	<ul style="list-style-type: none"> Steer public policy and investment into safer areas Promote conservation design and development Promote placement of critical facilities in safer areas
Watershed 	Entire drainage area	To promote coordination and partnerships and implement practices to slow, spread, and infiltrate flood water	<ul style="list-style-type: none"> Partner in watershed-wide partnerships (Basin Commissions, Joint Drainage Boards, etc.) Encourage uniform No-Adverse-Impact stormwater standards Support USGS stream gages Promote use of cover crops and soil health practices Reduce impact from surface draining and regulated drain improvements in the watershed

14





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Director, Planning
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Christopher B. Burke Engineering, LLC
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CHRISTOPHER B. BURKE ENGINEERING, LLC




FLOOD RESILIENCE PLAN

Public Meeting
Thursday, March 17, 2022

Siavash Beik, PE, CFM, D.WRE
Sheila McKinley, AICP, CFM, LEED Green Associate

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CHRISTOPHER B. BURKE ENGINEERING, LLC



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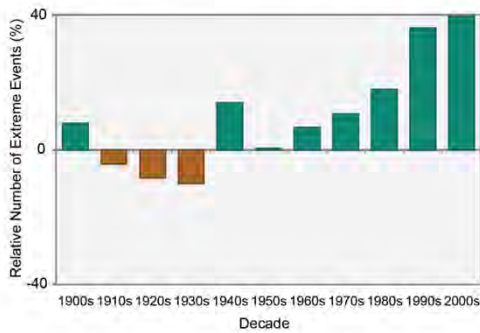
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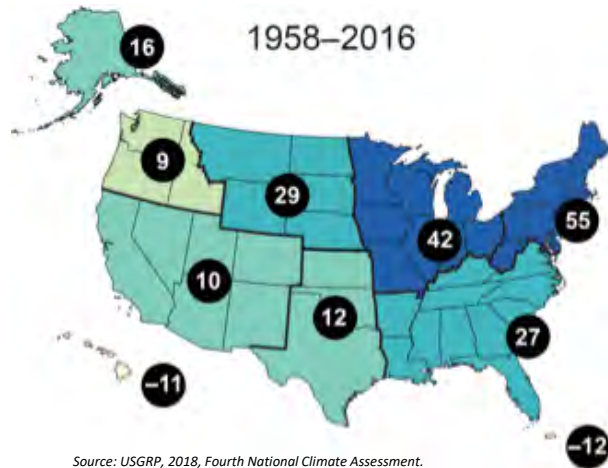
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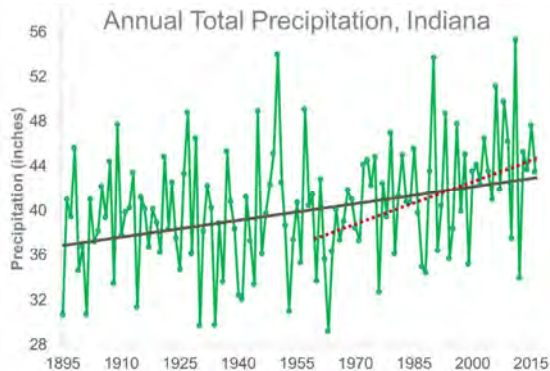
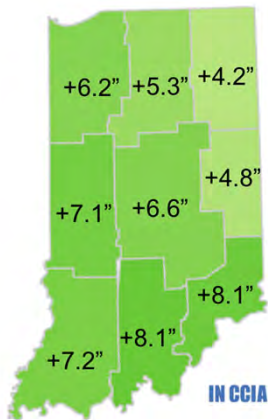


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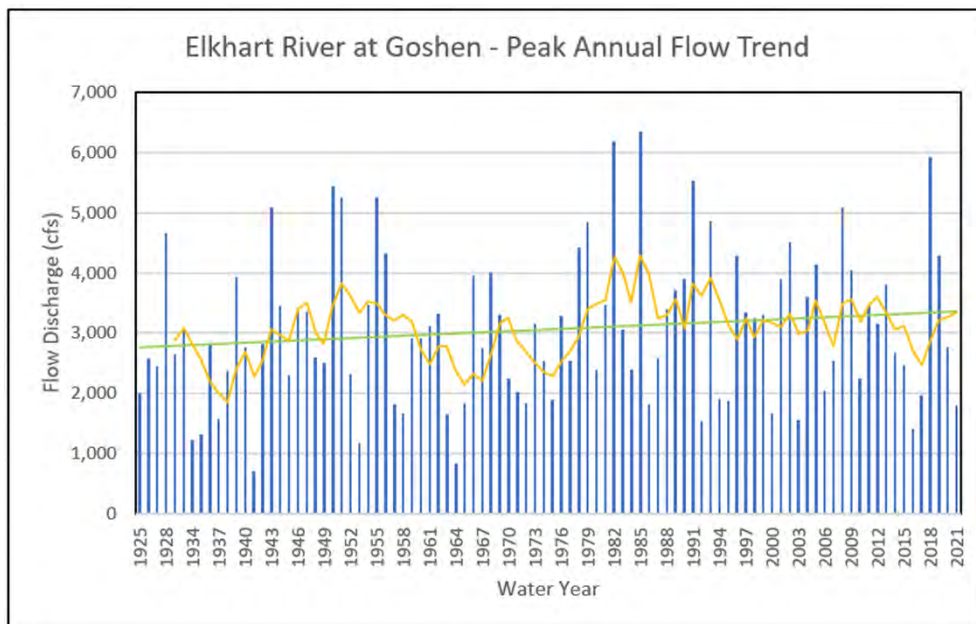
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Elkhart River at Goshen - Peak Annual Flow Trend



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MOVING FORWARD...

- 1. Flooding Source Mitigation:** Secure major funding, allocate, and spend the ever-increasing necessary funds to try to reduce the flooding.
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7



FLOOD RESILIENCE PLANNING

- Ability to prepare for, absorb, recover from and adapt to adverse flood events
- Define flood resilience areas and adopt smart growth strategies
- Support natural and beneficial floodplain function – leave room for the river

8



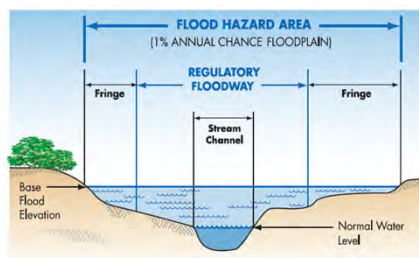
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9

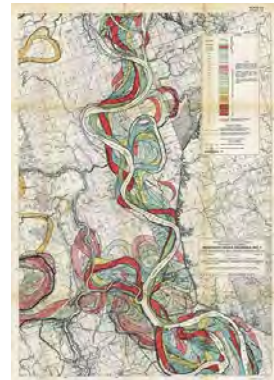
WATERSHEDS, FLOODPLAINS AND STREAMS

We all live in a watershed and land use impacts runoff



Flood Hazard Area
Special Flood Hazard Area
100-year Floodplain
1% Annual Chance Floodplain
Regulatory Floodplain

Streams move over time

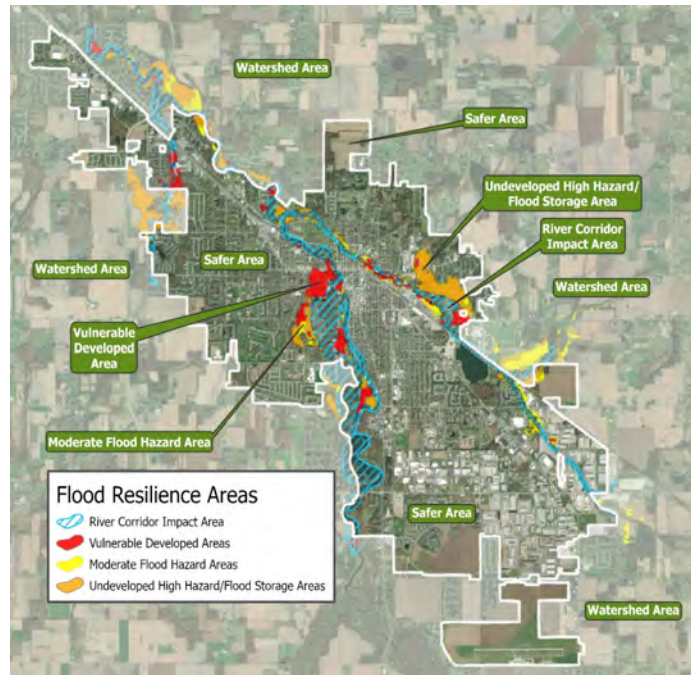


10

FLOOD RESILIENCE PLANNING AREAS

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SFHA = Special Flood Hazard Area



11



1. RIVER CORRIDOR IMPACT AREA

To conserve land and prohibit development

RECOMMENDED ACTION:

1. Adopt fluvial erosion hazard (FEH) regulations
2. Protect undeveloped land

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2. UNDEVELOPED HIGH HAZARD /FLOOD STORAGE AREA

To conserve land and maintain the natural and beneficial function of the floodway fringe; discourage future development

RECOMMENDED ACTION:

1. Protect undeveloped land in the floodway fringe
2. Establish compensatory floodplain storage requirement

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3. MODERATE FLOOD HAZARD AREA

To highlight areas subject to flood risk during extreme flood events, to avoid placement of critical facilities, and preserve these areas as additional flood storage

RECOMMENDED ACTION:

1. Discourage new development, especially critical facilities
2. Require higher standards for buildings

14



4. VULNERABLE DEVELOPED AREA

To protect people, buildings and facilities vulnerable to flooding and reduce future flood risk

RECOMMENDED ACTION:

1. Prepare a Flood Response Plan
2. Prepare a citywide Stormwater Master Plan
3. Participate in the National Flood Insurance Program (NFIP) Community Rating System (CRS) program
4. Relocate and/or buyout structures inside the river corridor impact area
5. Retrofit, relocate and/or buyout structures outside the river corridor area
6. Bring nonconforming uses into compliance

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5. SAFER AREA

To plan for and promote development in areas that are less vulnerable to future floods

RECOMMENDED ACTION:

- Guide growth and development to safer areas
- Promote conservation design and development
- Promote placement of critical facilities in safer areas

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6. WATERSHED AREA

To promote coordination and partnerships and implement practices to slow, spread and infiltrate floodwater

RECOMMENDED ACTION:

- Support USGS stream gages
- Build partnerships within the watershed
- Support SWCD programs
- Reduce impact from tile and surface drains in the watershed

17

OVERALL STRATEGIES

To improve resiliency citywide. Emphasize importance of syncing plans, policies and regulations for consistency of resilience concepts and strategies.

RECOMMENDED ACTION:

1. Update Stormwater Ordinance and conduct training
2. Improve flood risk communication and education
3. Conduct regular audits of plans, programs and policies
4. Update City Code and Zoning Ordinance
5. Update the stormwater utility fee
6. Integrate resilience into the Comprehensive Plan
7. Include flood resilience in capital projects
8. Implement the Multi-hazard Mitigation Plan flood mitigation measures

18



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March 17, 2022

①

Flood Resilience Plan Businesses/Property Owner Meeting

Q: Are there any places upstream that could be used to detain water before it reaches Croshen?

A: Siavash explained how the potential for storage is minimal due to high groundwater. Referenced the N. Branch of Elkhart River study.

Q: Can the river be cleaned of treefalls and dredged to get the water to flow downstream faster?

A: For large watersheds, like the Elkhart River, these efforts and engineering efforts (e.g., dams, levees, detention basins) will not work or change the picture (existing conditions) very much. Only works in smaller watersheds.

• ~ 600 square miles of land is flowing to ^{the} Croshen area.

Add to that how development has occurred there is more water coming to the waterways. What we need to look at is how to protect developed areas and how to slow water down in a cost effective and positive way.

Q: What is the State doing and should there be a larger conversation.

- Mayor Stutzman talked about State legislation, which ~~though~~ deregulated wetland protection and how many municipalities spoke against this.

Q: Potential for buyback programs.

Q: a question on the CR 36 diversion ~~ditch~~ ditch and the detention basin.

A: Dustin responded and explained how it has helped but there are still steps to be taken.

Public Meeting on Draft Flood Resilience Plan

Q: James Lowen - Suggestion - make the maps useable so the user can distinguish along the edges of the flooding.

↳ Are there any disagreements or pushback on the plan

A: The Mayor talked about the pushback against stormwater regulations and explained the reason why Groshen ~~is~~ implements the regulations.

- Another issue is the costs to complete some of ~~these~~ the pieces of the plan.
- Areas not being allowed to develop will be another issue.
- How to work w/ communities upstream from us to manage water runoff together.

Q: Glenn Null - Question on buyback on properties - why should taxpayers pay for properties developed in floodplains?

A: The Mayor explained how the buyback programs are new to us and something we will continue to look into to understand.

Q: Jesse Stolzfus - ~~Do~~ Is there a longterm economic impact understanding due to loss of property values and tax base?

A: No study done here, but based on other areas they have seen is that property values will go down much lower if nothing is done. Showing that a community is resilient and planned for flooding will experience less property value loss and tax impacts.

Q: The person noticed a higher percentage of flooding downtown and is that due to surface runoff or river flooding?

A - Both due to localized flooding issues and rising river waters.

Q: Rogers Park seems to be a natural area for holding water. Does the plan provide for this?

A: To simplify the plan protecting ^{the} ~~the~~ natural floodplains is important and Rogers Park is in the floodplain. It is important to allow the areas along the waterways to remain natural and act as a floodplain.

Q: What ideas are there for areas where development is removed and returned to a more natural area.

A: Any landuse that removes impervious surfaces that either allows the water to seep into the soil or just to sit there is good.

Q: Ron Hoke - Talked about the 1892 Flood and how the people of Gracien were smart to not develop that area.

- The Historic Society estimates the river crested at 15-16 feet.
- The implementation of this Plan is vital to ensure ~~this~~.

Q: Is the current status of the Gracien Dam Pond available for additional water storage?

A: Siavash explained how even if the Dam Pond was used for storage it would ~~have~~ have a minimal impact on the severity of a flood. This is due to the watershed flowing into the Dam Pond.

Flood Resilience Plan

Public Meeting

March 17, 2020, 6:00-8:00 pm

Questions and comments from breakout sessions

From Glenn Gilbert, recording at "Safe Development Away from the Floodplain" hosted by Dustin Sailor and Rhonda Yoder

From my section, the only thing I would note is there was a request (from Ron Hoke) to print maps at 15 foot floods and perhaps at 16ft.

A question was asked about the remediation work being done at Rock Run Creek and a question about using the dam pond for retention. Both questions were answered.

From Kathleen Jones, recording at "Climate Impacts and Flooding" hosted by Austin Pearson

Q: If climate change comes along and we have more rain than snow, it seems like the worst flooding comes from snowpack combined with rain. If we don't get that snowpack, does it help the flooding probability at all?

A: When you're looking at snowmelt, one inch of liquid water in ten inches of snow, but frozen ground is the biggest factor.

Q: Will we get as much frozen ground in the future? Could fewer days with frozen ground be helpful overall re: flooding?

A: The ground will be frozen less, but that will only help the problem so much, given that heavier, more intense rains are a given for our future. The ground can only absorb so much. Soil makeup is also a factor— given where we are, there is likely some sandy soil mixed in with the clay, which helps absorption to some degree.

Notes from Phil Metzler, at "Goshen and the Larger Watershed" hosted by Matt Meersman

1. Desire for improved flood prediction capacity using more gauges upstream from Goshen
 1. Improved emergency response communication

2. Cited efficiency of flood response and planning efforts in Columbus, IN (<https://www.usgs.gov/centers/ohio-kentucky-indiana-water-science-center/science/flood-alert-system-columbus-indiana>)
2. As we learn to think more holistically about flooding, how do we translate the complexity involved to be more accessible to the public?
3. Are there any opportunities to "divert" and "reroute" small waterways upstream of Goshen so they pose less risk to developed areas?
4. "We can't dig our way out" of the flooding challenges (acceptance that dredging and deepening waterways isn't a viable solution)
 1. There seems to be a need for better public understanding of dam hydrography and impact, as well as how flooding poses unique challenges in relatively flat land.
5. Discussion of the need to better maintain ditches upstream of Goshen to deal with localized flooding there led to recognition that this might increase vulnerability downstream ("passing the buck")
6. Complaints about beaver dams and damage to private property -- are they part of the floodplain?
7. Where can people access maps to get a clearer picture of the watershed?
 1. Could the library be a partner in maintaining a flood map display and information station, to make more granular information more accessible?

From Aaron Sawatsky-Kingsley, recording at "Green Infrastructure and Flooding"

One resident asked about how floodplain property could be deeded to the City – are there conservation easements or land trust options? He suggested that there might be other property owners along the flood plain who might be interested in conservation easement/land trust options for their property whether or not it is titled to the City.

Councilman Matt Schrock suggested an annual "Flood Resilience" public meeting – maybe in January – to update and educate the public on flood related topics and realities.

ObjectID	CreationDate	Question	How adequately do you think the Plan addresses flooding in Goshen?	General Comments	Why is this area of concern to you? Do you feel the Resilience Plan will address this area of concern?	Name	Phone	Email		
3	2/25/2022 17:44	When are you seriously going to look at dredging the Goshen dam pond and cleaning up the rivers? The canal is also in serious need of dredging.	The Plan does not adequately address flooding in Goshen	Goshen dam pond would be of any value to stop flooding. But you fail to realize that water levels can be dropped in the winter to make room for spring thaw. Also, due to sediment build up, beaver damage, natural factors as well as neglect, our local waterways are full of debris and clogged. Areas that were once deep are very shallow. There is no where for water to flow. When is the last time anyone on city council or the mayor actually went out on the the dam pond or down the river or canal? Did any fishing on any of them?	The Goshen dam pond is the place to start. Cleaning and dredging that, as well as the canal and river, will give the water a place to go. It will also help increase tax revenue and possibly help create jobs for watercraft, bait shops and water recreation.	Kirk Miller		snicklefritz46526@yahoo.com		
4	3/7/2022 13:55		The Plan does not adequately address flooding in Goshen							
5	3/15/2022 19:31	My car is dirt nasty low, how will this plan help alleviate my chances of getting flood water in my straight pipes?	The Plan would make Goshen significantly more flood resilient that it is now	I'm glad we won't have to live through the Great Flood of 2018 again, I hope for our childrens sake they don't have to experience the apocalyptic event in their lifetime due to the preemptive work in this plan	Hopefully, but in general this road is just terrible, winter has up and reared it's ugly head this year	Trever Rizer		trever.rizer91@gmail.com		
6	3/15/2022 19:32	Will there be any changes to the Bashor Rd wellfield?	Neutral	Previous changes made to drainage on Bashor Road are helpful but insufficient. While this is not an area of great concern as the area of Chicago and Pike, we are not in a flood zone for insurance purposes, despite being flooded out occasionally.	I live near here.	Keri Arriaga	5.74E+09	kerisarriaga@gmail.com		
7	3/15/2022 23:50		The Plan does not adequately address flooding in Goshen							
8	3/16/2022 10:57				Place of residence, and I don't feel that the plan will stop the flooding of this area.	Grant Myers	574-202-0	grantmyers1955@gmail.com		
9	3/16/2022 17:26	Will the flood probability within the country increase or decrease?, Based on the modifications within roads and other things that may not be elevated in some places.	The Plan would make Goshen significantly more flood resilient that it is now	We could start to make some strong dams in some places or places that ease the water to lower levels at a slower rate. We could add some structures or foundations for the ground maybe to help minimize the probability of floodings.	This area is of concern to me because of how residents that live around this area may suffer the damages within thier home if thier happens to be a flood thier. And if they do not have insurance for caused damages, they may have to pay some more for that loss. Or people who are living there for a while and are not in control of these circumstances or very little of it when it happens may have to pay more of thier property for this possible flood.	Aaron Ruiz Lariz		aaronruizariz@gmail.com		
11	44638.51363			Submitting a comment from Glenn Null (319 Dewey Ave) about a drainage issue he mentioned during the Flood Resilience Plan Public Meeting about how when it rains hard there is a lot of water flowing east along Hickory Street towards Dewey Avenue because the water cannot get into the storm drains due to elevation differences.						
12	44638.77632	How and when are the log jams, that are restricting water flow, going to be removed?				Grant Myers		grantmyers1955@gmail.com		
13	44646.02819	Will the natural beauty of the river basin be impacted?	The Plan would make Goshen significantly more flood resilient than it is now		Due to natural nature of our symbol of Goshen, the maple leaf, how will the areas surrounding the Elkhart River like Rogers Park be affected?					
14	44658.81168	I was unable to get to the meeting, but looked at the slides.	The Plan would make Goshen significantly more flood resilient than it is now	It was hard for me to see the map on the slides online well enough to see what exactly was in the red area and yellow areas.... We live near Shanklin Park, so I expect that the river from there to Rogers park-Krogers would be significantly affected areas. I like the plan of trying to move buildings from flood-prone areas (I think?) and build new in safer areas, also trying to protect things in the vulnerable areas. What I don't know is what happens next to the plan, and how to be kept abreast. I am pushing legislators to move quickly to adopt significant decreases in fossil fuel use in the US and urgently prioritize clean energy sources, etc. For our children and grandchildren--and those living in areas not producing the greenhouse gases, but suffering most from the rising sea levels--the US has to take national steps now. This climate change is part of what's behind the more frequent floods that we are and will be experiencing.	I said above why it is a concern to me, well, people keep having property destroyed, and this will happen more frequently if we don't take immediate actions to lower carbon levels in the atmosphere. I would be interested in a view of an enlarged map that showed the various parts of the city that are named in the resilience plan.....	Anne Meyer Byler	157462135	ambyler@gmail.com		

APPENDIX 2: BLANK FLOOD RESILIENCE STRATEGIES CHECKLIST

COMMUNITY FLOOD RESILIENCE CHECKLIST

The Community Flood Resilience Checklist identifies opportunities to improve resilience to future floods through policy and regulatory tools and non-regulatory programs. The checklist includes strategies that assess how well a community is positioned to avoid or reduce flood damage and recover from floods.

The strategies are organized into the following categories: improve overall resilience; conserve land and discourage development in river corridors and undeveloped floodplain; protect people, businesses and existing facilities in the floodplain; direct future growth away from vulnerable flood areas and coordinate stormwater management practices throughout the watershed.

Christopher B. Burke Engineering has adapted this checklist from the USEPA Smart Growth program and customized it for the City of Goshen. The city should revisit this checklist annually to track progress made and continue to do so until all questions are marked “yes”.

A. OVERALL STRATEGIES TO ENHANCE RESILIENCE		
1. Is the Comprehensive Plan current (within 10 years) and adopted by the City?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
a. Does the Comprehensive Plan include a goal to preserve the natural and beneficial function of floodplains?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
b. Does the Comprehensive Plan include a goal to preserve and enhance urban tree cover for stormwater management?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
c. Does the Comprehensive Plan include a goal to provide connectivity of people to the waterways (trails, parks, public access points)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
d. Does the Comprehensive Plan cross-reference the Elkhart County Multi-Hazard Mitigation Plan?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
e. Did emergency managers, public works and floodplain administrator participate in the development of the Comprehensive Plan?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2. Is the County Multi-Hazard Mitigation Plan current (within 5 years), approved by FEMA and adopted by the City?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
a. Did the city planner participate in the development of the Multi-Hazard Mitigation Plan?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
b. Were stakeholders affected by floods involved in the development of the Multi-Hazard Mitigation Plan?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
c. Does the Multi-Hazard Mitigation Plan include mitigation practices to preserve the natural and beneficial function of floodplains?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3. Is the Flood Control District based on the IDNR State Model Flood Hazard Ordinance?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

a. Does the Flood Control District include a requirement for compensatory flood storage?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
b. Does the Flood Control District require critical facilities to be located outside the floodplain as well as access/egress?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
c. Does the city require building expansion and new accessory structures in the floodplain to meet additional requirements?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
d. Does the city participate in the National Flood Insurance Program (NFIP)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
e. Does the city participate in the Community Rating System (CRS) program?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4. Does the Stormwater Management Code promote low impact development/green infrastructure?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
a. Does the Stormwater Management Code include requirements to reduce and treat runoff from impervious areas?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
a. Does the Stormwater Management Code include a requirement for channel protection volume?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
b. Does the Stormwater Management Code include a requirement for compensatory storage?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
c. If not in the Comprehensive Plan, does the Stormwater Management Code include a requirement for fluvial erosion hazard (FEH) areas?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
5. Does the Zoning/Subdivision Control Ordinances promote low impact development and green infrastructure?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
b. Does the Zoning Ordinance include maximums for impervious cover?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
c. Does the Zoning Ordinance promote native plants to meet landscape standards?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
d. Does the Zoning Ordinance include tree replacement and/or tree mitigation standards?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
6. Is the Capital Plan recent (within 5 years) and been approved and adopted by the City? (Utilities/Redevelopment)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
a. Does the Capital Plan cross-reference the Comprehensive Plan and Multi-Hazard Mitigation Plan?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
b. Does the Capital Plan include flood mitigation projects with low impact development/green infrastructure solutions?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

7. Does the city consider possible flood impacts from climate change in their plans, policies and projects?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
8. Does the city have a stormwater utility to fund stormwater projects and programs long-term?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
a. Does the funding mechanism include an incentive to promote low impact development/green infrastructure?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
9. Does the city conduct an annual review/audit of plans, programs, and policies to ensure consistency?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

B. CONSERVE LAND & DISCOURAGE DEVELOPMENT IN THE RIVER CORRIDOR & UNDEVELOPED HIGH FLOOD HAZARD/FLOOD STORAGE AREAS

1. Does the Comprehensive Plan include a goal to prohibit development in stream meander zones or fluvial erosion hazard (FEH) areas?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
1. Does the Zoning Ordinance include a river corridor overlay district that prohibits development and land disturbances?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2. Does the Zoning/Subdivision Control Ordinance allow for cluster development, density bonuses as incentives to protect/conservate floodplains?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3. Does the city use incentives or non-regulatory strategies to maintain undeveloped land in the floodplain?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
a. Does the city encourage floodplain landowners to restore infiltration properties of the soil?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
b. Does the city encourage floodplain landowners to maintain/enhance native vegetation in river corridors, floodplains and wetlands?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
c. Does the city encourage floodplain landowners to partner with land trusts or SWCD to hold the land in a conservation easement through a cost-share, donation or purchase agreement?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

C. PROTECT PEOPLE & EXISTING BUILDINGS IN FLOODPRONE AREAS

1. Does the Comprehensive Plan and Multi-Hazard Mitigation Plan identify developed areas that have been or are likely to flood?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
a. Does the Multi-Hazard Mitigation Plan identify critical facilities and infrastructure in the floodplain?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
b. Does the Multi-Hazard Mitigation Plan include mitigation practices to acquire or floodproof at-risk structures?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
c. Is the city willing to cost share with property owners on voluntary acquisition, relocation and/or floodproofing projects?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

d. Does the city use incentives or cost-share programs to protect existing critical facilities in the floodplain including access/egress?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2. Does land development codes and building codes promote safer building and rebuilding in floodprone areas?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
a. Does the city follow the International Building Code to promote flood-resistant design and construction?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
b. Does the city use incentives or cost-share programs to bring non-conforming use and structures into compliance?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
c. Does the city require redevelopment projects in the floodplain to provide additional flood storage/meet higher stormwater standards?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3. Is the city able to impose a building moratorium on all new development following a disaster?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

D. PLAN FOR AND ENCOURAGE NEW DEVELOPMENT OUTSIDE OF THE FLOODPLAIN

1. Does the Comprehensive Plan guide future growth and development to areas outside the floodplain?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2. Does the city use incentives such as TIF districts, density bonuses, stormwater utility credits to steer new development to safer areas outside the floodplain?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3. Does the Capital Plan support development and expansion of infrastructure outside of the floodplain?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

E. IMPLEMENT STORMWATER MANAGEMENT THROUGHOUT THE WATERSHED

1. Does the city participate in watershed-based planning activities to manage stormwater?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2. Does the city participate in a multi-jurisdictional/regional effort to link and protect wooded areas, floodplains and wetlands?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3. Does the city coordinate planning, policy, and/or projects with other communities in the watershed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

**APPENDIX 3: LIST OF EDUCATION RESOURCES FOR RISK
COMMUNICATION AND OUTREACH**

List of Education Resources for Risk Communication & Outreach

Flood Risk Communication Toolkit for Community Officials

FEMA

<https://www.fema.gov/floodplain-management/manage-risk/communication-toolkit-community-officials>

The Flood Risk Communication Toolkit was developed to help community officials begin and maintain an open channel for communication. The Toolkit includes templates and guides for designing a communication plan, effective public meetings, and a social media strategy for addressing flood risk. It is supported by story maps and [videos](#) that visually communicate the objectives of updating flood risk data and maps.

No Adverse Impact (NAI) How-to Guide for Education and Outreach

ASFPM

https://s3-us-west-2.amazonaws.com/asfpm-library/FSC/NAI/NAI_Education_2014.pdf

This guide is one of a series of how-to guides that expand on the knowledge base within the No Adverse Impact Toolkit. It identifies tools for incorporating NAI floodplain management into local regulations, policies and programs; while the How-to Guides break down, by subject matter, that information into compact, usable information communities can apply.

Understanding and Managing Flood Risk: A Guide for Elected Officials

ASFPM

<https://floodsciencecenter.org/products/elected-officials-flood-risk-guide/>

This three-part guide breaks down the key information you need to fulfill your responsibility as an elected official. Wise flood management provides the means to address your flood problems before, during, and after an event, as well as create sustainable development for future generations.

Risk Communication

NOAA

<https://www.performance.noaa.gov/risk-communication/>

Includes links to several guides and presentations on risk communication basics, behavior and techniques. Materials are based on research from NOAA and its external partners to improve the ability to deliver weather and warnings, communicate local hazards and risks, and provide guidance and decision support tools to stakeholders more effectively.

Understanding Flood Risk Decision-making: Implications for Flood Risk Communication Program Design

Resources for the Future Discussion Paper

<https://media.rff.org/documents/RFF-DP-15-01.pdf>

Floodplain land-use decisions are made by individuals in households, businesses, and local governments. Whatever the venue, the decisions made are the outcome of multiple interacting influences, with one being consideration of flood risk. The goal of a flood risk communication program may be to improve the understanding of flood risk among those making decisions. An alternative goal may be to change the decisions made. Understanding how individuals make decisions and the mental strategies they employ,

as well as understanding the larger context of decision-making, will contribute to better defining the goals of a flood risk communication program and then designing a program that will secure those goal.

Communicating Flood Risks in a Changing Climate: Nine Principles for Promoting Public Engagement
Climate Outreach

<https://climateoutreach.org/reports/communicating-flood-risks-in-a-changing-climate/>

The purpose of the workshop was to share and synthesize knowledge, as well as identify areas of agreement and 'best practice' principles for communicating flood risks in a changing climate. A draft of these best practice principles was produced during the second half of the workshop, and then developed through further analysis of audio recordings of workshop discussions. This report reflects the outcomes of the workshop

**APPENDIX 4: LIST OF LAND TRUSTS, AGENCIES AND COST-SHARE
PROGRAMS**

List of Land Trusts, Agencies, and Cost-share Programs

Offering tax or other monetary incentives is an effective way to conserve land and discourage development in river corridors and vulnerable lands. Educating landowners on available programs allows the residents to realize the benefits of enrolling in such programs. More information can be found through the following organizations and institutions:

LAND TRUSTS

Wood-Land-Lakes RC&D Land Trust

59520 County Rd 31
Middlebury, IN 46540-9203
(260) 665-7723
<https://wood-land-lakes.org/>

ACRES Land Trust

1802 Chapman Road
PO Box 665
Huntertown, IN 46748
(260) 637-2273
<https://acreslandtrust.org/>

Red-tail Land Conservancy

125 E Charles St., Ste. 200
Muncie, IN 47305-2478
(317) 288-2587
<http://www.fortheland.org>

The Nature Conservancy

INDIANA FIELD OFFICE
EFROYMSON CONSERVATION CENTER
620 E. Ohio St.
Indianapolis, IN 46202
(317) 951-8818
<http://www.nature.org/ourinitiatives/regions/northamerica/unitedstates/indiana/>

Indiana Land Protection Alliance

<http://www.nature.org/ourinitiatives/regions/northamerica/unitedstates/indiana/partners/indiana-land-protection-alliance.xml>

Land Trust Alliance

<http://www.landtrustalliance.org/>

AGENCIES & COST-SHARE PROGRAMS

Elkhart County Soil and Water Conservation District (SWCD)

59358 County Road 7

Elkhart, IN 46517

(574) 523-2030

<https://www.elkcoswcd.org/>

IDNR

Department of Natural Resources

402 West Washington Street

Indianapolis, IN 46204

(317) 232-4200 or (877) 463-6367

<http://www.in.gov/dnr/>

IDNR Division of Fish and Wildlife - Landowner Assistance Program

<http://www.in.gov/dnr/fishwild/2352.htm>

- Classified Forest and Wildlands Program
- Game Bird Habitat Development Program
- Wildlife Habitat Cost-Share Program
- Game Bird Partnership Program
- N.E. Wetland/Grassland Restoration Program

USDA Natural Resources Conservation Service

Indiana NRCS State Office

6013 Lakeside Boulevard

Indianapolis, IN 46278

(317) 290-3200

<http://www.nrcs.usda.gov/wps/portal/nrcs/site/in/home/>

- Wildlife Habitat Incentives Program (WHIP)
- Wetlands Restoration Program (WRP)
- Environmental Quality Incentives Program (EQIP)
- Conservation Reserve Enhancement Program (CREP)
- Conservation Reserve Program (CRP)
- Conservation Reserve Program (CRP) – Continuous Sign-up Program

U.S. Fish and Wildlife Service

Northern Indiana Ecological Services Sub-Office

1000 WEST OAKHILL ROAD

PORTER, INDIANA 46304-9722

(219) 983-9753

<http://www.fws.gov/midwest/northernindiana/>

- Partners for Fish and Wildlife Program

APPENDIX 5: IMPLEMENTATION GUIDANCE

Goshen Flood Resilience Plan Implementation Guidance

This table is meant to help prioritize and track implementation progress of flood resilience strategies. As circumstances change, the timeline for implementation will change and some flood resilience strategies may get implemented sooner and others later than listed below. Implementation is dependent on available funding and staff resources. This table should be reviewed and updated at least annually with the flood resilience checklist in Appendix 2.

FLOOD RESILIENCE STRATEGY	IMPLEMENTATION STEPS	REPORT REFERENCE	IMPLEMENTATION LEAD	IMPLEMENTATION TIMELINE				COMPLETED
				Short-term (1-5 yrs)	Mid-term (5-10 yrs)	Long-term (10+ yrs)	Ongoing	
COMPREHENSIVE PLAN								
Add a discussion on flooding, climate change, and flood resilience planning areas to the Comprehensive Plan.	<ul style="list-style-type: none"> Draft language from Flood Resilience Plan (Chapter 1 and Section 4.3) Incorporate into next plan update (Natural Environment) 	5.6	Planning		X			
STORMWATER ORDINANCE								
Customize and adopt the LTAP Model Stormwater Ordinance and Technical Standards and include requirements for fluvial erosion hazard areas, channel protection volume, compensatory flood storage, low impact development/green infrastructure and climate change.	<ul style="list-style-type: none"> Review model language from LTAP Customize to meet local needs and resources Adopt ordinance into City Code (Title 6, Article 6: Stormwater) May require assistance from a consultant 	5.1	Engineering	X				
Adopt standalone fluvial erosion hazard regulations to prohibit and if not possible, discourage new development and redevelopment in this area or include it as part of the customized LTAP Model Stormwater Ordinance and Technical Standards recommendation.	<ul style="list-style-type: none"> If not included in stormwater ordinance and technical standards, draft language for fluvial erosion hazard regulations Adopt language into City Code (Title 6, Article 6: Stormwater) May require assistance from a consultant 	6.1.1	Engineering	X				
Adopt a standalone minimum 3:1 compensatory flood storage requirement or include it as part of the customized LTAP Model Stormwater Ordinance and Technical Standard recommendation.	<ul style="list-style-type: none"> If not included in stormwater ordinance and technical standards, draft language for compensatory flood storage requirements Adopt language into City Code (Title 6, Article 6: Stormwater) May require assistance from a consultant 	6.2.2	Engineering	X				
CITY CODE AND ZONING ORDINANCE – LANDSCAPE STANDARDS								
Expand the tree preservation language in the Zoning Ordinance to include replacement of trees lost to development. Consider a tree mitigation ratio of 5:1 based on tree size and require a variety of native species to reduce the risk of mass tree casualties from future pest damage.	<ul style="list-style-type: none"> Draft language to specify tree species, size, etc. and agreed upon ratio for replacement Adopt language into Zoning Ordinance (Article V, Section 5000: Landscape Requirements); refer to updated native tree list in City Code (5.4) 	5.4	Planning Environmental Resilience	X				
Promote the use of native plants in the Zoning Ordinance by requiring a high percentage to meet the landscape standards and update the recommended tree list in the City Code to include more native species and cultivars.	<ul style="list-style-type: none"> Draft language to encourage use of more natives, list species Adopt language into Zoning Ordinance (Article V, Section 5000: Landscape Requirements) Adopt tree list into City Code (Title 6, Article 8: Trees) 	5.4	Planning Environmental Resilience	X				
Allow vegetated green infrastructure practices, including parking areas, to count toward landscape requirements in the Zoning Ordinance.	<ul style="list-style-type: none"> Draft language to incentivize green infrastructure Coordinate with stormwater green infrastructure standards Adopt language into Zoning Ordinance (Article V, Section 5000: Landscape Requirements) 	5.4	Planning Stormwater	X				

FLOOD RESILIENCE STRATEGY	IMPLEMENTATION STEPS	REPORT REFERENCE	IMPLEMENTATION LEAD	IMPLEMENTATION TIMELINE				COMPLETED
				Short-term (1-5 yrs)	Mid-term (5-10 yrs)	Long-term (10+ yrs)	Ongoing	
ZONING ORDINANCE – FLOOD CONTROL DISTRICT								
Update flood resilience planning areas based on updated FIRM information.	<ul style="list-style-type: none"> Compare updated FIRM boundaries and revise the flood resilience planning areas accordingly 	5.4	Planning Environmental Resilience	X				
Amend the Flood Control District regulations to require new critical facilities to be located outside of known flood hazard areas only, including the 0.2% AEP flood zone. If placement of new critical facilities in flood hazard area is unavoidable, the facility, including access, should be protected to at least one foot above the 0.2% AEP flood elevation.	<ul style="list-style-type: none"> Draft language specifying location and access to critical facilities Adopt language into Zoning Ordinance (Article IV, Section 4270: Flood Control District) 	5.4 6.3.1 6.5.3	Planning		X			
Amend the Flood Control District regulations to prohibit and if not possible, discourage new development and redevelopment in the floodway and undeveloped high flood hazard storage areas in the floodway fringe.	<ul style="list-style-type: none"> Draft language to direct growth outside flood hazard areas Adopt language into Zoning Ordinance (Article IV, Section 4270: Flood Control District) 	5.4 6.1.2 6.2.1	Planning		X			
Discourage new development and preserve the 0.2% AEP flood zone for additional flood storage for extreme flood events.	<ul style="list-style-type: none"> Draft language to preserve flood storage for extreme events Adopt language into Zoning Ordinance (Article IV, Section 4270: Flood Control District) 	6.3.1	Planning			X		
Require new development and redevelopment in the 0.2% AEP flood to have a flood protection grade equal to or greater than that required in SFHA (a minimum of two feet above the 1% AEP).	<ul style="list-style-type: none"> Draft language to set flood protection grade Adopt language into Zoning Ordinance (Article IV, Section 4270: Flood Control District) 	6.3.2	Planning		X			
Guide growth and development including utilities and infrastructure to safer areas outside the SFHA, 0.2% AEP flood zone and localized flooding areas.	<ul style="list-style-type: none"> Draft language direct growth and development outside known flood hazard areas Adopt language into Zoning Ordinance (Article IV, Section 4270: Flood Control District) 	6.5.1	Planning Redevelopment Engineering		X			
ZONING ORDINANCE – LAND USE								
Promote development that is sensitive to the natural environment through conservation design and development.	<ul style="list-style-type: none"> When reviewing site plans, offer suggestions to protect natural areas, minimize impervious footprint and onsite stormwater management Encourage use of planned unit development in the Zoning Ordinance for more innovative development options (Article IV, Section 4250) and low impact development in proposed stormwater standards update (5.1) 	6.5.2	Planning Engineering Stormwater				X	
CAPITAL PROJECTS - REDEVELOPMENT								
Focus redevelopment efforts (site preparation, remediation and public infrastructure) in locations that are designated as safe growth areas outside the 0.2% AEP floodplain and local flooding areas.	<ul style="list-style-type: none"> Identify safe growth areas; include these in the Future Growth Plan (5.7) Prioritize redevelopment efforts in safe growth areas 	5.7	Redevelopment	X				
Consider climate change and flood impacts in capital projects; promote low impact development/green infrastructure to manage stormwater.	<ul style="list-style-type: none"> Be concerned about future climate conditions and use sustainable stormwater management practices on redevelopment projects 	5.7	Redevelopment	X				

FLOOD RESILIENCE STRATEGY	IMPLEMENTATION STEPS	REPORT REFERENCE	IMPLEMENTATION LEAD	IMPLEMENTATION TIMELINE				COMPLETED
				Short-term (1-5 yrs)	Mid-term (5-10 yrs)	Long-term (10+ yrs)	Ongoing	
CAPITAL PROJECTS – LAND ACQUISITION								
Continue to acquire available land in the SFHA for flood storage and compatible open space uses; build on the city-owned parkland along the Elkhart River and create a Central Park like amenity for the city and region.	<ul style="list-style-type: none"> Identify and prioritize desirable parcels in the SFHA; determine land ownership and availability As resources allow, continue to acquire land and connect active and passive park properties and natural areas 	5.7 6.1.2 6.2.1	Redevelopment				X	
Acquire and demolish structures in the river corridor impact area first then acquire and demolish structures outside the river corridor impact area and inside the SFHA as properties become available and funding allows.	<ul style="list-style-type: none"> Inventory and prioritize structures for acquisition and demolition using the Voluntary Acquisition Plan (6.4.4) Secure funding through FEMA’s Building Resilient Infrastructure and Communities (BRIC) grant program May require additional staff to implement 	6.4.4 6.4.5	Redevelopment			X		
COMMUNICATION, EDUCATION AND TRAINING								
Train city stormwater inspection and maintenance staff about green infrastructure practices to improve function, performance and appearance.	<ul style="list-style-type: none"> Conduct regular trainings for field crews responsible for inspection and maintenance of green infrastructure practices; emphasize preventative maintenance Cross train all field crews on basic green infrastructure function to provide early detection of a problem Require green infrastructure to be designed with ease of maintenance in mind (access, limited plant varieties, etc.) May require assistance from a consultant 	5.1	Stormwater	X				
Expand current flood communication efforts and develop a flood risk education and outreach program to improve people’s risk awareness and motivate them to take measures to protect themselves and their property.	<ul style="list-style-type: none"> Use ASFPM and other resources (Appendix 3) to develop a flood risk communication program 	5.2	Mayor’s Office	X				
SUPPORTING EFFORTS AND PARTNERSHIPS								
Complete the Flood Resilience Checklist at least annually to track progress made and continue to do so until all questions are marked “yes”.	<ul style="list-style-type: none"> Annually reconvene the project team from the Flood Resilience Plan to complete the checklist (Appendix 2) Review implementation progress on these flood resilience strategies (this table) 	5.3	Environmental Resilience				X	
Cross-reference the Flood Resilience Plan, Comprehensive Plan, Redevelopment Capital Plan and Elkhart County MHMP for strategies and mitigation measures related to flooding, growth and development priorities.	<ul style="list-style-type: none"> As plans are updated, review for consistency Update plans with new information as it becomes available 	5.6 5.7 5.8	Environmental Resilience Planning Redevelopment County EMA				X	
Ensure the City of Goshen is represented in the MHMP five-year update.	<ul style="list-style-type: none"> Contact the County EMA to express interest to participate and share how implementation of this Flood Resilience Plan meets many of the mitigation strategies listed in the MHMP (5.8) 	5.8	Planning Public Safety County EMA				X	

FLOOD RESILIENCE STRATEGY	IMPLEMENTATION STEPS	REPORT REFERENCE	IMPLEMENTATION LEAD	IMPLEMENTATION TIMELINE				COMPLETED
				Short-term (1-5 yrs)	Mid-term (5-10 yrs)	Long-term (10+ yrs)	Ongoing	
SUPPORTING EFFORTS AND PARTNERSHIPS – PLANS, PROGRAMS AND STUDIES								
Work with the County to study and update the stormwater utility rate collectively, otherwise complete an independent Stormwater Utility Rate Study that includes stormwater program costs and a fair and equitable rate structure; update the stormwater utility accordingly within the City of Goshen.	<ul style="list-style-type: none"> Meet with the County to discuss their intentions and participate if a countywide rate study and rate increase is being considered If working with the County is not an option, prepare a rate study and identify a rate that meets current and future stormwater needs; explore options for billing May require assistance from a consultant 	5.5	Stormwater	X				
Incorporate the flood resilience planning areas into the proposed Future Growth Plan.	<ul style="list-style-type: none"> Analyze need and type of growth, industry trends Identify and prioritize areas for growth outside the SFHA and 0.2% AEP flood zone Document implementation timeline and funding May require assistance from a consultant 	5.7	Redevelopment Planning	X				
Identify willing landowners of undeveloped land in the SFHA and partner them with entities willing to purchase, accept donations or hold conservation easements.	<ul style="list-style-type: none"> Identify and prioritize undeveloped land in the SFHA Facilitate a meeting with landowners and conservation entities (USDA, NRCS, IDNR, SWCD and land trusts) May require assistance from a consultant 	6.1.2 6.2.1	Environmental Resilience Redevelopment				X	
Prepare a Flood Response Plan that documents flood detection, warning, response and follow-up protocols	<ul style="list-style-type: none"> Correlate river flood stages with expected extent and severity of flooding (road closures, flooded areas, evacuations, etc.) Document procedures and protocols for flood response notification, communication and expected actions Adopt, maintain and periodically test procedures in plan May require assistance from a consultant 	6.4.2	Mayor's Office	X				
Prepare a comprehensive citywide Stormwater Master Plan to understand and resolve drainage, flooding and water quality conditions citywide.	<ul style="list-style-type: none"> Identify existing and future problem areas; complete analysis and recommend structural and nonstructural solutions; conduct detailed evaluation, costs and funding; prioritize solutions for implementation Prepare report summarizing findings May require assistance from a consultant 	6.4.2	Stormwater Engineering	X				
Upon implementation of flood resilience strategies, participate in the NFIP Community Rating System (CRS) program to reduce flood risk and improve flood resiliency and reduce flood insurance premiums for all flood insurance policy holders within the city.	<ul style="list-style-type: none"> Review CRS materials and meet with ISO representative to discuss potential points Assemble initial application Once enrolled, gather documentation for annual recertification and 5-year cycle visit Annually revisit CRS checklist and look for opportunities to improve score (and flood insurance premium savings) 	6.4.3	Planning			X		

FLOOD RESILIENCE STRATEGY	IMPLEMENTATION STEPS	REPORT REFERENCE	IMPLEMENTATION LEAD	IMPLEMENTATION TIMELINE				COMPLETED
				Short-term (1-5 yrs)	Mid-term (5-10 yrs)	Long-term (10+ yrs)	Ongoing	
Prepare a Voluntary Acquisition Plan to prioritize structures for relocation and/or buyout in the vulnerable developed area	<ul style="list-style-type: none"> Inventory structures in flood hazard areas; prioritize based on inside/outside river corridor impact area and depth of flooding May require assistance from a consultant 	6.4.4 6.4.5	Redevelopment Planning Stormwater		X			
Create a Floodproofing Assistance Program to prioritize nonresidential structures for floodproofing, establish partnerships with willing landowners and secure available funding.	<ul style="list-style-type: none"> Inventory nonresidential structures in flood hazard area; identify appropriate dry and wet floodproofing methods Establish partnerships with willing landowners Secure funding through FEMA BRIC grant program May require assistance from a consultant 	6.4.5	Planning			X		
Implement a Flood Compliance Program to encourage owners of nonconforming uses to voluntarily meet flood regulations.	<ul style="list-style-type: none"> Identify noncompliant structures in flood hazard area Meet with interested landowners and secure funding through FEMA BRIC grant program May require assistance from a consultant and/or additional staff to implement 	6.4.6	Planning			X		
SUPPORTING EFFORTS AND PARTNERSHIPS – COUNTY PARTNERSHIPS								
Support (non-monetary) SWCD programs upstream in the watershed to improve flood resiliency in the City of Goshen.	<ul style="list-style-type: none"> Be aware of SWCD efforts and look for opportunities to connect landowners and support implementation of their programs 	6.6.3	Stormwater				X	
Partner with the County Surveyor to investigate methods to store flood water in the watershed, in flood control facilities, two-stage ditches or similar, to reduce flooding downstream.	<ul style="list-style-type: none"> Identify regulated drains upstream of Goshen Determine maintenance and reconstruction schedule; discuss options for regional facilities, two-stage ditch or similar 	6.6.4	Stormwater		X			
SUPPORTING EFFORTS AND PARTNERSHIPS – WATERSHED PARTNERSHIPS								
Partner with the USGS to add a new gage upstream of Goshen to improve flood detection and provide early warning through the NWS.	<ul style="list-style-type: none"> Work with the USGS to determine the location for a new gage Secure funding with partners in watershed to support placement and long-term maintenance of new gage 	6.6.1	Stormwater		X			
Partner with the NWS to expand the capabilities of the Elkhart River at Goshen gage to provide daily forecast information.	<ul style="list-style-type: none"> Work with NWS to discuss options and costs associated with expanding capabilities of gage 	6.6.1	Stormwater		X			
Participate in the Elkhart River Restoration Association and the St Joseph River Basin Commission planning activities and studies that help slow, spread and infiltrate flood water upstream in the watershed.	<ul style="list-style-type: none"> Network with watershed groups and collaborate on efforts to manage stormwater and reduce flooding 	6.6.2	Stormwater				X	
Partner with the St Joseph River Basin Commission to define a natural resource overlay zone and support local adoption throughout the basin.	<ul style="list-style-type: none"> Work collectively to delineate and define the zone (forested areas, wetlands, urban tree canopy, etc.); identify landowners and conservation entities (USDA, NRCS, IDNR, SWCD and land trusts); work to limit encroachment and fragmentation Manage overlay zone within city 	6.6.2	Environmental Resilience Stormwater Planning			X		
Work with the St Joseph River Basin Commission to promote adoption of comprehensive No-Adverse-Impact (NAI) development ordinance and standards, as reflected in the LTAP Model Stormwater Ordinance and Technical Standards, by all counties and communities within the watershed.	<ul style="list-style-type: none"> Participate in drafting NAI ordinance and standards with other entities in watershed Compare with language adopted through implementation of this Flood Resilience Plan and update/amend if needed 	6.6.2	Environmental Resilience			X		

**GOSHEN COMMON COUNCIL
RESOLUTION 2022-16**

**A Resolution of the Common Council of the City of Goshen, Indiana,
Acknowledging House Enrollment Act 1002 and Finding that
Goshen Water Utility Rates Shall Not Be Adjusted**

WHEREAS, House Enrolled Act 1002 (“HEA 1002”) eliminated Utility Receipts Tax (“URT”) beginning July 1, 2022; and

WHEREAS, HEA 1002 triggered a rate review for all utilities currently subject to URT, including Goshen’s Municipal Water Utility (“Goshen Water”); and

WHEREAS, the City’s Municipal advisor, Baker Tilly Municipal Advisors, LLC (“Baker Tilly”) reviewed the year to date operational results for 2022 as well as the impact of eliminating URT to determine the options available to the City; and

WHEREAS, Baker Tilly found that updated 2022 operation and maintenance revenue requirement needs for Goshen Water now exceed 2025 expectations; and

WHEREAS, based on the new information, Baker Tilly advises that a phase rate increase of as much as 5% may be required to offset inflation and other increased costs; and

WHEREAS, Baker Tilly advises that a downward adjustment of rates in response to HEA 1002 would further jeopardize the financial position of Goshen Water and accelerate the need for revisiting rates and increasing costs associated with additional analysis and another full rate ordinance process, while still ending up with higher rates for customers; and

WHEREAS, Baker Tilly recommends leaving utility rates at their current levels to offset inflation and other unexpected costs, to defer or eliminate the need for higher future rate changes, and to allow time for conditions to normalize rather than decrease rates in response to HEA 1002.

NOW, THEREFORE, BE IT RESOLVED that due to increased operational costs of the Goshen Water Utility and the need to produce an income sufficient to maintain the utility property in a sound physical and finance condition to render adequate and efficient service, and upon the recommendation of the Goshen Board of Public Works and Safety, the Goshen Common Council finds that the Goshen Water Utility rates shall not be adjusted due to the repeal of the

utility receipts tax in HEA 1002 in accordance with the advice of the City's Municipal advisor, Baker Tilly.

BE IT FURTHER RESOLVED that this resolution shall be effective July 1, 2022.

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

**Goshen Common Council
Resolution 2022-17**

Category Transfer

WHEREAS it is necessary to transfer funds budget categories to cover expenses.

WHEREAS certain existing budget appropriations have unobligated funds that are available for the category transfer.

NOW, THEREFORE, BE IT RESOLVED that the Goshen Common Council approves the transfer of funds within the General Fund between the following budget categories:

CATEGORY TRANSFER FROM:

- Budget Category: 410 PERSONNEL SERVICES
- Line Number: 101-510-15-411.0140
- Line Name: Building Department/Part-time
- Amount of the Transfer: (\$13,000.00)

CATEGORY TRANSFER TO:

- Budget Category: 430 OTHER SERVICES AND CHARGES
- Line Number: 101-510-15-431.0301
- Line Name: Building Department/Professional Services
- Amount of Transfer: \$13,000.00

PASSED by the Goshen Common Council on July _____, 2022.

Presiding Officer

ATTEST:

Richard R. Aguirre, Clerk-Treasurer

PRESENTED to the Mayor of the City of Goshen on July _____, 2022, at the hour of _____:_____ .m.

Richard R. Aguirre, Clerk-Treasurer

APPROVED and ADOPTED on July _____, 2022.

Jeremy P. Stutsman, Mayor

TRANSFER BETWEEN CATEGORIES

TO: CITY CLERK-TREASURER

FROM: Myron Grise OF the Building

Department of the City of Goshen, Indiana, find it necessary to request permission for a transfer between Categories which requires approval and passage of ordinance by the Common Council of the City of Goshen, and to be filed with the Indiana State Board of Tax Commissioners, the reasons listed below:

BUDGET CATEGORY TRANSFERRED FROM: 101-510-15-411.0140

LINE NUMBER TRANSFERRED FROM: _____

AMOUNT OF THE TRANSFER: \$13,000.00


TRANSFER TO:

BUDGET CATEGORY TRANSFERRED TO : 101-510-15-431.0301

LINE NUMBER TRANSFERRED TO: _____

REASON FOR TRANSFER: To continue utilizing the contracted services of Jacobi, Toombs & Lanz for the valuable services of plan review. The Building Department has multiple reviews outstanding that

require completion by JTL. We also anticipate that additional reviews will need to be assigned due to work loads. The Board of Works approved the Agreement with JTL on 12/6/2021. The current budget has not met the demand of the reviews.

SIGNED: 
Mark Brinson

TITLE: Deputy Mayor

DATED 07/13/2022

FOR COUNCIL MEETING OF 07/18/2022

**AGREEMENT
FOR
PLAN REVIEW SERVICES FOR
THE CITY OF GOSHEN BUILDING DEPARTMENT**

THIS AGREEMENT is entered into on December 14, 2021, which is the last signature date set forth below, by and between **Jacobi Toombs & Lanz, Inc.** ("Contractor"), whose mailing address, is 1060 N. Capitol, Ste., E360, Indianapolis, IN 46204 and **City of Goshen, Indiana**, a municipal corporation and political subdivision of the State of Indiana acting through the Goshen Board of Public Works and Safety ("City").

In consideration of the terms, conditions and mutual covenants contained in this agreement, the parties agree as follows:

Section 1. Contractor Duties

Contractor shall provide City the services for the Plan Review Services for the Building Department, which services are more particularly described in Contractor's proposal attached as Exhibit A (hereinafter referred to as "Duties").

In the event of any conflict between the terms of this agreement and the terms contained in the proposal attached as Exhibit A, the terms set forth in this agreement shall prevail.

Contractor's Duties under this agreement include Plan Review Services for the Building Department Plan Review.

Section 2. Effective Date; Term

- (A) The agreement shall become effective on the day of execution and approval by both parties.
- (B) Contractor shall commence the Duties on January 1, 2022.
- (C) The agreement shall be automatically renewed under the same terms and conditions for an additional one (1) year period unless written notice of the intent to terminate the agreement is delivered by either party to the other at least thirty (30) days before the expiration of the term of the original agreement. The term of the renewal shall not be longer than the term of the original agreement.

Section 3. Compensation

- (A) City will compensate Contractor for the Plan Review Services for the Building Department based on the standard hourly rates set forth in the attached Exhibit A and the actual hours worked, but in no event will the total compensation exceed Ten Thousand Dollars (\$10,000.00).

Section 4. Payment

- (A) Payment shall be upon City's receipt of a detailed invoice from Contractor. The invoice shall be sent to the following address, or at such other address as City may designate in writing.

City of Goshen
c/o Goshen Building Department
204 East Jefferson Street
Goshen, IN 46528

- (B) Payment will be made within forty-five (45) days following City's receipt of the invoice. If any dispute arises, the undisputed amount will be paid. Payment is deemed to be made on the date of mailing the check.
- (C) Contractor is required to have a current W-9 form on file with the Goshen Clerk-Treasurer's Office before City will issue payment.

Section 5. Ownership of Documents

All documents, records, applications, plans, drawings, specifications, reports, and other materials, regardless of the medium in which they are fixed, (collectively "Documents") prepared by Contractor or Contractor's employees, agents or subcontractors under this agreement, shall become and remain the property of and may be used by City. Contractor may retain a copy of the Documents for its records. Including electronic files, as instruments of professional service. Nevertheless, the final documents prepared under this agreement shall become the property of City upon completion of the services and payment in full of all monies due to Contractor.

Section 6. Licensing/Certification Standards

Contractor certifies that Contractor possesses and agrees to maintain any and all licenses, certifications, or accreditations as required for the services provided by Contractor pursuant to this agreement.

Section 7. Independent Contractor

- (A) Contractor shall operate as a separate entity and independent contractor of the City of Goshen. Any employees, agents or subcontractors of Contractor shall be under the sole and exclusive direction and control of Contractor and shall not be considered employees, agents or subcontractors of City. City shall not be responsible for injury, including death, to any persons or damages to any property arising out of the acts or omissions of Contractor and/or Contractor's employees, agents or subcontractors.
- (B) Contractor understands that City will not carry worker's compensation or any other insurance on Contractor and/or Contractor's employees or subcontractors. Prior to commencing work under this agreement, and if Contractor utilizes employees or subcontractors to perform work under this agreement, Contractor agrees to provide City a certificate(s) of insurance showing Contractor's and any subcontractor's compliance with workers' compensation statutory requirements.

- (4) Contractor becomes the subject of any proceeding under law relating to bankruptcy, insolvency or reorganization, or relief from creditors and/or debtors.
- (5) A receiver, trustee, or similar official is appointed for Contractor or any of Contractor's property.
- (6) Contractor is determined to be in violation of federal, state, or local laws or regulations and that such determination renders Contractor unable to perform the services described under these Specification Documents.
- (7) The contract or any right, monies or claims are assigned by Contractor without the consent of the City.

Section 15. Termination

- (A) The agreement may be terminated in whole or in part, at any time, by mutual written consent of both parties. Contractor shall be paid for all services performed and expenses reasonably incurred prior to notice of termination.
- (B) City may terminate this agreement, in whole or in part, in the event of default by Contractor.
- (C) The rights and remedies of the parties under this section shall not be exclusive and are in addition to any other rights and remedies provided by law or under this agreement.

Section 16. Notice

Any notice required or desired to be given under this agreement shall be deemed sufficient if it is made in writing and delivered personally or sent by regular first-class mail to the parties at the following addresses, or at such other place as either party may designate in writing from time to time. Notice will be considered given three (3) days after the notice is deposited in the US mail or when received at the appropriate address.

City: City of Goshen, Indiana
Attention: Goshen Legal Department
204 East Jefferson St., Suite 2
Goshen, IN 46528

Contractor: Jacobi, Toombs & Lanz, Inc.
1060 N. Capitol, Ste., E360
Indianapolis, IN 46204

Section 17. Subcontracting or Assignment

Contractor shall not subcontract or assign any right or interest under the agreement, including the right to payment, without having prior written approval from City. Any attempt by Contractor to subcontract or assign any portion of the agreement shall not be construed to relieve Contractor from any responsibility to fulfill all contractual obligations.

Section 12. Indemnification

Each party agrees to indemnify and hold the other party from and against any and all liability, obligations, claims, actions, causes of action, judgments, liens, damages, penalties or injuries arising out of any intentional, reckless or negligent act or omission by the party against whom indemnification is sought. Such indemnity shall include reasonable attorney's fees and all reasonable litigation costs and other expenses incurred by the party seeking indemnity only if the party against whom indemnification is sought is determined liable to the party seeking indemnity for any intentional, reckless or negligent act or omission in a judicial proceeding.

Section 13. Force Majeure

- (A) Except for payment of sums due, neither party shall be liable to the other or deemed in default under this contract if and to the extent that such party's performance under this contract is prevented by reason of force majeure. The term "force majeure" means an occurrence that is beyond the control of the party and could not have been avoided by exercising reasonable diligence. Examples of force majeure are natural disasters or decrees of governmental bodies not the fault of the affected party.
- (B) If either party is delayed by force majeure, the party affected shall provide written notice to the other party immediately. The notice shall provide evidence of the force majeure event to the satisfaction of the other party. The party shall do everything possible to resume performance. If the period of non-performance exceeds thirty (30) calendar days, the party whose ability to perform has not been affected may, by giving written notice, terminate the contract and the other party shall have no recourse.

Section 14. Default

- (A) If Contractor fails to perform the services or comply with the provisions of this agreement, then Contractor may be considered in default.
- (B) It shall be mutually agreed that if Contractor fails to perform the services or comply with the provisions of this contract, City may issue a written notice of default and provide a period of time that shall not be less than fifteen (15) days in which Contractor shall have the opportunity to cure. If the default is not cured within the time period allowed, the contract may be terminated by the City. In the event of default and failure to satisfactorily remedy the default after receipt of written notice, the City may otherwise secure similar services in any manner deemed proper by the City, and Contractor shall be liable to the City for any excess costs incurred.
- (C) Contractor may also be considered in default by the City if any of the following occur:
 - (1) There is a substantive breach by Contractor of any obligation or duty owed under the provisions of this contract.
 - (2) Contractor is adjudged bankrupt or makes an assignment for the benefit of creditors.
 - (3) Contractor becomes insolvent or in an unsound financial condition so as to endanger performance under the contract.

- (C) Contractor is solely responsible for compliance with all federal, state and local laws regarding reporting of compensation earned and payment of taxes. City will not withhold federal, state or local income taxes or any other payroll taxes.

Section 8. Non-Discrimination

Contractor agrees to comply with all federal and Indiana civil rights laws, including, but not limited to Indiana Code 22-9-1-10. Contractor or any subcontractors, or any other person acting on behalf of Contractor or a subcontractor, shall not discriminate against any employee or applicant for employment to be employed in the performance of this agreement, with respect to the employee's hire, tenure, terms, conditions, or privileges of employment or any other matter directly or indirectly related to employment, because of the employee's or applicant's race, religion, color, sex, disability, national origin, or ancestry. Breach of this covenant may be regarded as a material breach of contract.

Section 9. Employment Eligibility Verification

- (A) Contractor shall enroll in and verify the work eligibility status of all Contractor's newly hired employees through the E-Verify program as defined in Indiana Code § 22-5-1.7-3. Contractor is not required to participate in the E-Verify program should the program cease to exist. Contractor is not required to participate in the E-Verify program if Contractor is self-employed and does not employ any employees.
- (B) Contractor shall not knowingly employ or contract with an unauthorized alien, and contractor shall not retain an employee or continue to contract with a person that the Contractor subsequently learns is an unauthorized alien.
- (C) Contractor shall require their subcontractors, who perform work under this contract, to certify to the Contractor that the subcontractor does not knowingly employ or contract with an unauthorized alien and that the subcontractor has enrolled and is participating in the E-Verify program. Contractor agrees to maintain this certification throughout the duration of the term of a contract with a subcontractor.
- (D) City may terminate the contract if Contractor fails to cure a breach of this provision no later than thirty (30) days after being notified by City of a breach.

Section 10. Contracting with Relatives

Pursuant to Indiana Code § 36-1-21, if the Contractor is a relative of a City of Goshen elected official or a business entity that is wholly or partially owned by a relative of a City of Goshen elected official, the Contractor certifies that Contractor has notified both the City of Goshen elected official and the City of Goshen Legal Department of the relationship prior to entering into this agreement.

Section 11. No Investment Activities in Iran

In accordance with Indiana Code § 5-22-16.5, Contractor certifies that Contractor does not engage in investment activities in Iran as defined by Indiana Code § 5-22-16.5-8.

Section 18. Amendments

Any modification or amendment to the terms and conditions of the agreement shall not be binding unless made in writing and signed by both parties. Any verbal representations or modifications concerning the agreement shall be of no force and effect.

Section 19. Waiver of Rights

No right conferred on either party under this agreement shall be deemed waived and no breach of this agreement excused unless such waiver or excuse shall be in writing and signed by the party claimed to have waived such right.

Section 20. Applicable Laws

- (A) Contractor agrees to comply with all applicable federal, state, and local laws, rules, regulations, or ordinances. All contractual provisions legally required to be included are incorporated by reference.
- (B) Contractor agrees to obtain and maintain all required permits, licenses, registrations, and approvals, and shall comply with all health, safety, and environmental rules or regulations in the performance of the services. Failure to do so maybe deemed a material breach of agreement.

Section 21. Miscellaneous

- (A) Any provision of this agreement or incorporated documents shall be interpreted in such a way that they are consistent with all provisions required by law to be inserted into the agreement. In the event of a conflict between these documents and applicable laws, rules, regulations or ordinances, the most stringent or legally binding requirement shall govern.
- (B) This agreement shall be construed in accordance with and governed by the laws of the State of Indiana and any suit must be brought in a court of competent jurisdiction in Elkhart County, Indiana.
- (C) In the event legal action is brought to enforce or interpret the terms and conditions of this agreement, the prevailing party of such action shall be entitled to recover all costs of that action, including reasonable attorneys' fees.

Section 22. Severability

In the event that any provision of the agreement is found to be invalid or unenforceable, then such provision shall be reformed in accordance with applicable law. The invalidity or unenforceability of any provision of the agreement shall not affect the validity or enforceability of any other provision of the agreement.

Section 23. Binding Effect

All provisions, covenants, terms and conditions of this agreement apply to and bind the parties and their legal heirs, representatives, successors and assigns.

Section 24. Entire Agreement

This agreement constitutes the entire agreement between the parties and supersedes all other agreements or understandings between City and Contractor.

Section 25. Authority to Bind Contractor

The undersigned affirm that all steps have been taken to authorize execution of this agreement, and upon the undersigned's execution, bind their respective organizations to the terms of the agreement.

WITNESS WHEREOF, the parties have executed this agreement on the dates as set forth below.

City of Goshen, Indiana
Goshen Board of Public Works and Safety

Jacobi, Toombs & Lanz, Inc.



Jeremy P. Stutsman, Mayor



Printed: Michael C. Harris



Michael A. Landis, Member

Title: President




Mary Nichols, Member

Date Signed: 12/14/21



DeWayne Riouse, Member



Barb Swartley, Member

Date Signed: December 6, 2021