



Goshen Common Council

6:00 p.m., August 1, 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 – June 27, 2022 Regular Meeting

Approval of Meeting Agenda

Privilege of the Floor

1) Presentation: Goshen Theater

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

3) Resolution 2022-18, Preliminary Finding Concerning Grouper Wild, LLC's Compliance with Statement of Benefits for Personal Property (Under Benteler II ERA)

Elected Official Reports

Adjournment



GOSHEN COMMON COUNCIL

Minutes of the June 27, 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 6:06 p.m. and led all in reciting the Pledge of Allegiance.

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

Present: Megan Eichorn (District 4) Julia King (At-Large) Doug Nisley (District 2)
 Gilberto Pérez Jr. (District 5) Donald Riegsecker (District 1) Matt Schrock (District 3)
 Council President Brett Weddell (At-Large)

Absent: Youth Advisor Karen C. Velazquez Valdes (Non-voting)

Mayor Stutsman informed the audience that the meeting was convened six minutes late because of technical difficulties – an initially inoperative recording system. The Mayor said there were no minutes available for approval.

Approval of Agenda: Mayor Stutsman asked the Council's wishes regarding the meeting agenda. Councilor Julia King moved to approve the agenda as submitted. Councilor Megan Eichorn seconded the motion. The motion passed 7-0 on a voice vote.

Privilege of the Floor:

At 6:08 p.m., Mayor Stutsman invited public comments on matters not on the agenda.

William Malone of Goshen said that when the public comment period is closed, and then a developer is given the opportunity to comment again, the public is not given a chance to respond to the developer. He asked how this was possible and allowed – that no comments are permitted after a developer has spoken a second time.

Mayor Stutsman asked if this was based on what would be happening tonight.

Malone answered that this is in response to what has happened at previous Council meetings. He said the developer was given the chance to comment at will, but the public was shut down.

Mayor Stutsman said there is always a period of public comment on topics before the Council, but once that period is closed, it's up to the Council to allow additional comments from the public.

Malone asked why the developer is allowed to give additional information and the public is not allowed to respond.

Mayor Stutsman said the Council always allows petitioners to speak and answer questions from Council members.

Malone said Robert's Rules of Order allows people in the audience to respond to such comments.

Mayor Stutsman said that in the State of Indiana, the City Council must allow public comments during Privilege of the Floor and during public hearings. He said according to state law, those are the only periods that public input is required. He said the City allows additional public comments at other stages of consideration of matters, so Goshen goes "above and beyond" what the state requires.

Malone said, "So, the developer is allowed to come up and talk" twice. The Mayor responded, "If they're invited up, yes." Malone said this was unfair because a developer could comment on something an audience member said, but the audience member would not have a chance to respond. Mayor Stutsman said such back-and-forth exchanges could go on all night and this would not be allowed. He asked the City Attorney to provide his perspective.



City Attorney Bodie Stegelmann said Indiana law doesn't require public input at meetings. He said public input is only required at hearings. So, he said the Goshen Common Council, by allowing Privilege of the Floor, is actually giving the public more opportunities to speak than what the state statute requires.

Glenn Null of Goshen said there has been heavier traffic in his neighborhood since the closure of the bridge on State Road 119. He said some of that heavier traffic is not allowed and he would like to see more police patrols in the area. Null said roads in that neighborhood are already bad enough and should be redone, although he doubts that will happen for another decade. Null said there should be more patrols to deter big trucks from being driven through his neighborhood. He said even Greene Road is being adversely affected.

Pamela Weishaupt of Goshen commented on the issue raised by William Malone and statements that were made by the developer without a Council invitation to speak again. She said her larger concern, which she has expressed on her Facebook page, was that it appears the City Council has been acting arbitrarily. She said that she has observed this over the past few months, pointing to the fact that Malone was not allowed to respond to the developer. Weishaupt also pointed to Lippert Components receiving a tax break even though it had not met all requirements for receiving it. She said that made no sense to her. She also mentioned the Council's special meeting at which it approved additional funding to Last Dance, LLC for the East College Avenue Industrial Development. Weishaupt said she was concerned because she believes industrial companies will soon begin laying off employees and the City has been giving perks to industry even though she said it has been proven that "trickle-down economics just doesn't work." She said she was concerned for the City and for citizens who will bear the brunt for these actions.

Lewis Morse of Goshen said he spoke at the last City Council meeting about the proposal for an apartment complex at the former Wester Rubber site. He said the Council rejected the proposal, but that it now appeared there was a new agreement for the proposal.

Mayor Stutsman interrupted Morse and told him that since this item was on the Council agenda, he would need to wait and speak when the item was called. The Mayor said Privilege of the Floor is reserved for public comments on matters not on the Council's agenda. He told Morse that he could speak later in the meeting,

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 6:18 p.m.

1) 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 said that there had been a motion to reconsider the Council's June 6, 2022 first reading denial of Ordinance 5123. At the Council's June 17, 2022 special meeting, **Councilor Schrock** made a motion to reconsider the denial. Because of that motion, there was no need tonight to introduce the ordinance, nor to read the ordinance by title only, nor to have a motion and a second to approve Ordinance 5123. He said a discussion would proceed as if those initial steps had already taken place and as if Ordinance 5123 was being considered anew.



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 discussed the proposal. Councilors also considered two motions, one which failed and one which was withdrawn, to amend the development agreement.

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." This action meant the proposal would advance for further consideration by the City.

On June 6, 2022, the Common Council considered the following: **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 written report and comments, **City Planning & Zoning Administrator Rhonda Yoder** provided background and context of the issue. She said Ordinance 5123 was before the Councilors after the **Goshen Plan Commission – on May 17, 2022** – considered the 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 – and ultimately **forwarded Ordinance 5123 to the Goshen Common Council with a favorable recommendation, by a vote of 5-4.**

Yoder's report provided extensive information about the project, including its consistency with the City Comprehensive Plan, the specific Planned Unit Development (PUD) conditions, R-3 District requirements, the public comments received by the Plan Commission, both in support and opposition, and a detailed analysis of the project.

Mayor Stutsman said the Common Council, the Plan Commission and City of Goshen staff members had received substantial community input on the project. The Mayor said he and staff members listened to resident concerns and had considered how to address them while considering many options.

City Redevelopment Director Becky Hutsell discussed work completed to improve the 9th Street Industrial Corridor as well as planned 10th Street improvements, including a 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 (31 new proposed parking spaces on Douglas Street). Hutsell could not say when the parking spaces would be added, but said this would be considered by the Redevelopment Commission.



Jonathan R. Anderson, the principal/attorney for Anderson Partners LLC and the developer of the Western Rubber site, briefly addressed the Common Council. There was then extensive **public testimony** for and against the project. In addition, **Mayor Stutsman and Councilors** engaged in extensive conversation of the project, with input from City staff and the developer. After 40 minutes of discussion, Councilors voted.

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."

On June 17, 2022 a special meeting of the Common Council was held to consider the following agenda item: Redevelopment Department: Resolution 2022-12: Amended Development Agreement with Last Dance, LLC (for the East College Avenue Industrial Development)

After the council acted on that issue, it took up the following matter:

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.

At the Mayor's recommendation, 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.

In preparation for the June 27, 2022 Common Council meeting, City Staff circulated to Councilors, staff, the news media and other interested parties all of the background material on Ordinance 5123 that had been included in the June 6, 2022 Council packet. The June 27, 2022 Council packet also included the following memorandum, dated June 23, 2022, to Councilors from Councilor Matt Schrock.

"Dear Council Members:

"At the special Council meeting last week, I made a motion to re-consider Ordinance 5123. My motion was based on the condition that the developer would be willing to accept several amendments to address some of the neighborhood concerns. Earlier this week, I was able to meet with Jon Anderson to discuss these amendments. Attached is an updated site plan for the Ariel Cycleworks project that contains the following changes from the original plan:

- "Eliminated Makers Space and redesigned Building A, resulting in a reduction of 8,336 square feet and 8 bedrooms, moving the east wall approximately 20 feet further back from 10th Street with increased patio space.



- "Building A setback from 10th Street increased to approximately 54 feet 6 inches.
- "Changes in Building A footprint increase the requested setback at the south property line along Plymouth Ave from 10 feet to 12 feet.
- "Required parking spaces reduced from 204 to 195 with changes.
- "Added 35 additional public parking spaces on the south side of Douglas Street, for a total of 209 parking spaces (including 174 on site).

"I am planning to offer these amendments to the Ariel Cycleworks PUD at the June 27 Council meeting."

Attached to Councilor Schrock's memorandum was an updated site plan.

JUNE 27, 2022 RECONSIDERATION OF ORDINANCE 5123:

Mayor Stutsman initiated the reconsideration of Ordinance 5123 by noting its background and purpose. Addressing the audience, the Mayor said Council members work hard to listen to everyone and try to represent everyone at the table, including residents, businesses, residents, the developer and others. He congratulated **Councilor Schrock** for seeking a middle ground and being willing to present a compromise that would work for all.

Mayor Stutsman said there have been accusations made about the legality of the motion to reconsider and also the legality of one Council member to vote. The Mayor said he asked **City Attorney Bodie Stegelmann** to look into both issues. He asked the City Attorney to give a report on what he learned.

City Attorney Stegelmann said he was approached by a Council member who had heard from anonymous sources that someone claimed that the Council member was not eligible to vote on matters because the Councilor didn't reside in the district the Councilor represents. Stegelmann said he won't get into details, but he had a discussion with the Council member and that there are temporary circumstances that are causing this Council member to not reside in their home at this point. Stegelmann said his conclusion under Indiana law is that there has not been an attempt to abandon the Council member's residence and there's not been an intent to establish a new residence. And based on that, he said the prior residence is still the residence of this Councilor, which means the member has every right or authority to act on business before the Council. So, Stegelmann said he viewed this as a non-issue.

Stegelmann also addressed a challenge to the motion to reconsider Ordinance 5123. He said the motion to reconsider was made by a person (Councilor Schrock) who voted in the majority during the last vote, on June 6, 2022. So, he said, that person can make a motion to reconsider. Stegelmann said the motion to reconsider can be made one the same day or the next day in the same session on which business is held. He said Robert's Rules of Order distinguishes between a meeting and a session, He said a session could be considered a series of meetings. Stegelmann said he was not entirely clear whether the way the Goshen City Council provides public notice of meetings for an entire year is considered a session of this Council.

Stegelmann said setting aside that ambiguity, the remedy for an improper motion to reconsider would be an objection at the time the motion in question was made. He said there was no objection made to the motion, it carried and the motion was tabled until today. He said that while there's some ambiguity on whether the motion to reconsider was made in a timely manner, there was no timely objection made to the motion to reconsider. So, Stegelmann said, he has concluded that the Council can "carry on" and act again on Ordinance 5123.

Stegelmann said Robert's Rules of Order is a way to organize a meeting, to have it run properly and smoothly and, most importantly, ensure that minority voices have an opportunity to be heard. He said that's the spirit behind Robert's Rules.



Stegelmann said the rules are not to be used as a sword to defeat a motion that may not have been adopted technically correctly. Stegelmann added that was confident that every Common Council meeting violates Robert's Rules in one way or another. And, he said he has never heard once of a motion being struck down or an action being struck down because of a technical violation of Robert's Rules of Order.

Mayor Stutsman asked who can object to a motion to reconsider. **Stegelmann** said Councilors can object.

Mayor Stutsman said that he had wanted to clear up those two matters, which had been discussed the past few days, and the Council would now proceed with consideration of Ordinance 5123. He invited **Councilor Schrock** to explain his motion to reconsider Ordinance 5123.

Before making his motion to reconsider, **Councilor Schrock** read a statement explaining his reasons for making a motion to reconsider the denial of Ordinance 5123. **Schrock** said:

"Based on conversations with the developer and (Deputy Mayor) Mark (Brinson), (City Redevelopment Director) and Becky (Hutsell) and the Redevelopment Commission, I brought back this (Ordinance 5123) to the Council with a list of amendments to the original plan.

"I think these changes address some of the residents' concerns. And, of course, everybody knows that Goshen does need housing desperately – not just affordable housing, but all housing. And we now have a developer who's willing to step up and help remedy some of Goshen's housing problem.

"Voting on projects like this are always a tough decision for me. Tough decisions for me, they're just tough. I really do feel for the people that just don't want their neighborhood to change. Heck, I don't like change, either. But, as I've gotten older, and with more responsibility, like where I'm sitting right now, I accepted that some change is good and I hope some of the residents from this area might try to accept some change as I have."

Schrock then made a motion to amend Ordinance 5123 as follows:

- Eliminate the Makers Space and downsize Building A, resulting in a reduction of more than 8,000 square feet and 8 bedrooms, with increased patio space.
- Move the east wall 20-feet further back from 10th Street, increasing the setback to approximately 54 feet 6 inches. Change the Building A footprint and increase the requested setback at the south property line along Plymouth Avenue from 10 feet to 12 feet.
- Reduce the required parking spaces from 204 to 195 because of the downsizing of the building.
- Finally, add 35 additional public parking spaces on the south side of Douglas Street, for a total of 209 parking spaces (including 174 on the apartment site).

Schrock also said the Redevelopment Commission was planning to make the following improvements on 10th Street: a water main replacement, roadway reconstruction, installation of curbing and dry wells to facilitate drainage, sidewalk reconstruction and 31 on-street parking spaces clearly defined for existing 10th Street residents and not for the apartment tenants.

Councilor Pérez seconded the motion.

In response to a question from **Councilor King**, **Councilor Schrock** clarified that he was proposing elimination of the maker space, but the coffee shop would remain.

Mayor Stutsman asked the developer to address the impact of the proposed amendments on the project.



Jonathan R. Anderson, the principal/attorney for Anderson Partners LLC and the developer of the Western Rubber site, said he participated in several meetings after the Council last considered the project, on June 6, 2022. He said he met with **Councilor Schrock** and reviewed the amendments he proposed. Anderson said he then met with his design team and discussed how to respond to some of the resident concerns. He outlined some of the resulting changes in the project. He said he had a good conversation with Councilor Schrock and appreciated his engagement. Anderson also said there have been many negative comments made about him and the project over the past two months. After the last Council vote, he said the project was discussed on Facebook and there were 58 comments, some meaningful and others negative.

Councilor Pérez interrupted with a point of order. He said the **Mayor** had asked **Anderson** to respond to the proposed amendments and not comment on other matters.

Anderson resumed his presentation by responding to the amendments. He said the developers had thought the maker space would be embraced, but it has become a "lightning rod" for criticism and so it has been eliminated. He said the coffee shop and other amenities have been retained. He said the main building has been reduced in size and parking increased,

In response to a question from **Councilor Pérez**, **Anderson** confirmed eight bedrooms have been eliminated.

Councilor Nisley said that **Anderson** previously indicated that downsizing the project would no longer make it financially viable. He asked if these proposed changes would have a detrimental impact. **Anderson** said it would be fine because the unit count (136) will be the same. He said the building has been reduced in size, and that will save some money. He said the developers can still make the project work financially and it will still be attractive.

Councilor Nisley asked if the changes would have an impact on efforts to prevent stormwater from leaving the site.

Anderson said shrinking the size of the building will actually help by increasing the amount of open space.

Councilor Nisley asked if the developers would still be able to pay for stormwater upgrades if the installed system is ineffective. **Anderson** responded that he is paying engineers to make sure stormwater runoff is not a problem. He said he is confident the system will work the first time, but he will address any problems that occur. And he said he was committed to being a good developer for Goshen.

Councilor Nisley said he wanted to commend **Anderson** for meeting with **Councilor Schrock** and considering the concerns of residents and Councilors. **Anderson** said he has appreciated the process and pointed out that the developers have made many changes in the project based on the concerns of residents and the City.

Councilor Nisley said he hopes that if the project is approved that Anderson will be a "good neighbor." **Anderson** responded that Councilor Nisley was welcome to call any town that has a project developed by Anderson. He pledged he would follow through on his commitments.

Councilor Riegsecker asked Anderson to respond to the proposed addition of parking spaces for 10th Street residents, especially since it could be hard to prevent apartment residents from parking there. **Anderson** conceded the point, but said the developers believe they will be providing enough on-site parking to prevent parking by apartment residents on the surrounding streets. He said the developers will do their best to make sure apartment residents don't use the off-site parking spaces.

Councilors and **Mayor Stutsman** briefly discussed the proposed parking on Douglas Street. They also discussed sidewalks surrounding the project.



Councilor Eichorn commended **Anderson** for working with **Councilor Schrock** and trying to help the project meet the needs of the community. She commended Schrock for taking a difficult stand on something he believes in. **Councilor Eichorn** said voting on difficult projects isn't easy and it's hard because so many factors need to be considered. She said Councilors can face a lot of pressure because of strong feelings on either side of issues. She said Councilors must weigh those feelings and decide if a project is best for Goshen, best for the community and best for a specific area. Now, she said Councilors need to consider what's best for Goshen, and Goshen needs housing. **Councilor Eichorn** also said stress that has been put upon the project and on some members of the Council by individuals in the community and that has been uncalled for. She said Councilors do their best and she hopes people remember that Councilors are here for Goshen and are trying to make Goshen better and are here because they love Goshen. She said she hopes people remember that when interacting with Councilors. And she, again, thanked **Councilor Schrock** for bringing the project back to the Council.

Councilor Riegsecker said that in making his motion, **Councilor Schrock** mentioned a series of improvements proposed for 10th Street, but those improvements were not a formal part of motion. Other **Councilors** affirmed Councilor Riegsecker's understanding of Schrock's motion.

As the night's Council meeting began, **City Redevelopment Director Becky Hutsell** distributed to Councilors a memorandum, dated June 27, 2022, summarizing the proposed improvements on 10th Street, from Plymouth to Reynolds streets. The memorandum stated that it was the City's intent to begin the process of planning for the improvements so construction could begin in 2023 (**EXHIBIT #1**).

In response to a question from **Councilor Riegsecker**, **Hutsell** confirmed that it was the City's intent to move forward with the 10th Street improvements if the apartment project advanced.

Council President Weddell clarified that the Redevelopment Commission has not yet formally considered, much less approved, the 10th Street improvements.

Hutsell agreed and said the matter was discussed at the last Redevelopment Commission meeting and was supported by all members. She said the next step is to move forward with a design and other preliminary work.

Council President Weddell said it appeared there was Redevelopment Commission support for the improvements regardless what happens on the former Western Rubber Site. **Hutsell** agreed, especially the need for a replacement of the water infrastructure. **Council President Weddell** said there was a consensus to move forward with the 10th Street improvements.

Councilor King said that by having the Council discuss the issue and affirm its importance, Councilors were providing informal direction that the 10th Street improvements should move forward.

Council President Weddell said three redevelopment members were at the Council meeting and he would ask that they correct his comments if what he said was incorrect.

Councilor King thanked **Councilor Schrock** for his work on the project. She said it is always a challenge when a project is being revised. She said she appreciated the willingness of everyone to continue working on the project. She said that residents, even those who oppose the project and are angry about it, have helped to improve it.

Councilor King also said she felt better about the project than before and said that's what the process and democracy is all about.



At **Councilor Riegsecker** request, **Mayor Stutsman** clarified the motion before the Council – proposed amendments to Ordinance 5123. He stated that the amendments could be approved, denied or further amended.

John Anderson, the project developer, said that during the previous Council meetings on the project, neighbors have made many comments, including some things that are untrue. He asked Councilors to keep that in mind, adding that he would be happy to correct the record. For example, he said the apartments will not be low-income or Section 8 housing. Anderson repeated that he would like the opportunity to correct the record.

Mayor Stutsman said he believed the Council should either approve or reject **Councilor Schrock's** proposed amendments before any public comments on the project. **Councilors** affirmed that approach. **Council President Weddell** told the audience there would first be a vote on the amendments followed by public testimony.

There were no additional Council comments or questions about **Councilor Schrock's** motion.

On a roll call vote, Councilors unanimously passed Councilor Schrock's amendment to Ordinance 5123 by a 7-0 vote, with all Councilors present voting "yes" at 6:55 p.m.

Mayor Stutsman asked if there were further Council amendments on Ordinance 5123. There were none.

At 6:56 p.m., **Mayor Stutsman** reopened the public hearing on Ordinance 5123.

Clerk-Treasurer Aguirre said that perhaps **Mayor Stutsman** might suggest that those who haven't previously had a chance to testify about the project be allowed the initial opportunities to comment.

Lewis Morse of Goshen said he previously told the Council that the proposed apartments were a good project, but at a bad location. He said he still doesn't think it's a good location, but also said it's a poor housing proposal with too much density. He said it will be poor housing. He said if the project doesn't work out, Councilors won't pay for it – the neighbors will pay in terms of increased traffic and other problems. He also said he doesn't know what will happen with snow removal and water runoff from the site. Morse said it's a bad idea to put so many people in a small area. He said no one who lives on 10th Street thinks this is a good project.

Mayor Stutsman said the **Clerk-Treasurer** did raise a good point – that there have already been several public hearings on the project. He suggested and those who haven't had a chance to speak at previous meetings should be given the opportunity to testify first.

Naomi Zook of Goshen said she has followed the project for a while, liked the original plan and was surprised it was denied. Still, she thanked **Councilor Schrock** for his efforts and said it was now a better plan. Zook said she lives and works in the neighborhood. She expressed concern for the safety of kids who walk through the area after school, but said the increased setback would be helpful because it will increase visibility. She said Goshen needs housing and the project site was a good use of available space.



Zook said that three years ago she had trouble finding a place to live in the neighborhood, but would have rented an apartment on this site if it had existed. She said she likes the project's amenities, including access to the biking trail. **Elkhart County Commissioner Brad Rogers of Goshen** said the County Commission deals frequently with the need for housing. He said Goshen and Elkhart have unique opportunities to provide this type of housing. "And I know that there will be people that are upset about this, but I don't really care." Rogers said this was an ideal place for the apartments. He said some say everything increases traffic, but traffic can be controlled through proper management because – unlike a factory on the site – the apartment residents are likely to come and go at different times. Rogers also offered his congratulations to those who will vote for the project because he thinks it is very good.

Stacey Farran of Goshen said she supports the proposal, adding that it would benefit the City and the neighborhood far more than any housing developed on the edge of the City. She said housing on the outskirts of the City would generate far more traffic than housing on a centrally located spot with access to pedestrian and bike infrastructure. . She said the proposed number of parking spaces was more than adequate. She said it is very hard to find people willing to develop brownfield sites, especially for housing. She said if the City doesn't approve the apartment project, the site may remain vacant for years. Farran also said there is a countywide housing shortage and if Goshen keeps rejecting housing proposals, people will move to Elkhart. She said a "yes" vote for the project would grow local schools and benefit local businesses. She encouraged approval of the project.

Taryn MacFarlane, a staff member of the South Bend-Elkhart Regional Partnership; said the proposed project was consistent with regional plans to encourage more housing of all kinds. She said she appreciated the Council considering this project.

Glenn Gilbert of Goshen said he lives in neighborhood and appreciates elected officials who make hard decisions beyond what they might have expected when they took office. He expressed appreciation to the Redevelopment Commission for taking a site that was a liability and dealing with it in such a positive way over the years. He said he appreciates how well the Commission worked with the Environmental Protection Agency to get the Western Rubber building removed. He said that even though it took a long time, he celebrates that most of the bricks and many of the resources on the site were recycled and reused in a positive way. Gilbert said he was encouraged that the project was moving to a state of redevelopment. He said he supported the project, because it is a wonderful way to infill and would make good use of the property. He also said the project will be an asset to the neighborhood.

Council President Weddell said all that hard work on the site was by **City Redevelopment Director Becky Hutsell**. The audience responded with scattered applause.

Elkhart Council member Aaron Mishler said he came to speak about the need for more housing in the community. While he said he would love to see the project move to Elkhart, he understands that can't happen. He said that when more housing is built, it lowers the cost of housing. Mishler said Elkhart, like other communities throughout the county, is experiencing a housing crisis. He said the more housing units that are built, the lower the cost will be and everyone will benefit. He said lower housing costs will also directly benefit small businesses and downtowns and will encourage more developers to come to the county. He thanked **Councilor Schrock** for his efforts and called for passage of the project.

Ben Rogers of Goshen said he likes the project very much. As has been previously mentioned, Rogers said Elkhart County has a housing issue; the supply simply doesn't exist. He said the apartment proposal is the best scenario for a property like this.



Rogers said it isn't realistic that the property would remain a vacant lot and housing is a better alternative than a commercial or industrial development. He said housing is the least intrusive option and a positive thing for the community. Rogers said he speaks to many young professionals under 30 years old who are unable to find housing in Goshen. He said housing is becoming more expensive, which he called a market response to a limited supply. He said this project was a free market response to the limited supply. Rogers said many people also are concerned about rising property taxes due to higher assessed values. He said the only way to counter that is more housing. Rogers said the community needs all types of housing. He said that the addition of commercial space to the project also would be positive. He thanked Councilors for considering the project and urged its passage

Kyle Stockdale of Goshen said he supported the housing development. He echoed the comments by Ben Rogers about people under 30 who are seeking housing in the community. Stockdale said he fits into that category and knows many people who are trying to move to this area and are struggling to find anywhere to live.

Elkhart County Commissioner Suzie Weirick said she has been aware of project since it was first proposed. She said she represents the county commission on the South Bend-Elkhart Regional Partnership and this was one of many projects that was used to submit its application to the state for a READI grant. She said the region obtained a \$50 million READI grant and Elkhart County has worked successfully with the region to obtain other state grants. Weirick said not only is there a national housing shortage, there's a local housing shortage. She said she supported the apartment project because it was an economic development tool. She said Elkhart County is constantly seeking various types of workers and development to subsidize our tax rolls, but more importantly to diversify the county's offerings in residential and manufacturing and commercial (sectors). Weirick said mixed-use structures are a great way to meet density requirements, whether residential and commercial alongside industrial development. She said she has visited the project site and believes it will offer additional housing and clean up some of the spaces nearby. She said the project has been designed tastefully and will provide good housing and not low-end housing. Weirick also said the amendments have made the project a stronger project while being responsive to community concerns. She encouraged Council support for the project.

Paul Steury of Goshen thanked the Council for its bipartisanship, which he said was something that is important in government. When he learned the Council had rejected the project on June 6, he said he reached out to **Councilor Riegsecker**, who he called a friend. Steury applauded the City for using a brownfield site for the project, adding that they should be utilized. As an environmental educator, Steury said he was in full support of all of the "green" and sustainable elements of the project. He thanked Councilors for listening to the community. He added that he didn't think the Council was "oligarchic," but was a Council that hears and listens and sometimes doesn't hear and listen.

Marilyn Torres of Goshen said she lives four blocks from the project site. She thanked **Councilor Schrock** for reconsidering the ordinance, for listening to the community and for consulting with the developer. Torres said she has read through the ordinance and the amendments and there is some information she doesn't really understand, but what she does understand is that Goshen has a housing crisis that must be addressed. Torres said she is working this summer at the Cora Dale House, formerly known as the Elkhart County Clubhouse, and is a community of support for people with mental illness. She said one of the toughest issues its members face is finding housing in Goshen. She said it is nearly impossible for members to keep employed and address their mental health issues when they don't have reliable housing. Torres said she is also a member of Faith Mennonite Church, which owns two homes on 7th Street and allows people facing housing insecurity to stay for about three months until they can find permanent housing. She said, unfortunately in Goshen, people often need more time than that so there is always a waiting list of people looking for a place to stay.



Torres said she wishes Goshen was building more low-income housing, but that is not what is being proposed. Instead, this project would provide apartments available at 60% of the area median income. While the project is not her ideal solution for the housing crisis, Torres said it is viable one. She urged Councilors to approve the project, which she said was good for Goshen.

Brianne Brenneman of Goshen, a member of the City Redevelopment Commission, said she teaches public health and that is a framework that she uses. Brenneman said she specializes in understanding the ways our health environment impacts the health of communities and she said he knows that is something that the City of Goshen is starting to think about. Brenneman said she supports the project for three main reasons. First, she said Goshen has a demonstrated lack of housing availability for all income levels. She said some people are renting low-quality housing who could afford paying higher rent, but there's nothing available. Second, she said the proposed apartments will be affordable and because the complex will be centrally located, people will be able to walk and bike to work. Finally, Brenneman said she appreciated the developer's thoughtful integration of strategies to limit stormwater runoff and manage parking and noise pollution. She said traffic will have to be managed as Goshen continues to grow and this will take the integration of many City departments. Brenneman said she was looking forward to working with the Council on seeking ways to manage traffic. She concluded by saying the project will provide needed housing for many individuals.

Jon Hunsberger, the executive director of the Elkhart County Convention & Visitors Bureau and a former City of Goshen employee, said he often speaks with visitors about quality of place. He said he reviewed project plans from the last Council meeting and is excited about the proposal. He said he can't say enough about the need for housing in the community. Hunsberger said it is an important issue, especially for young people, those going through a transition in life and those who might want to downsize. He said all types of housing are needed. He said this project will provide housing for a wide range of residents. Hunsberger also praised the Council and City staff for working with the developer and residents on the project. He said the development process can become "scratchy," but also can result in a better project. He encouraged the Council to approve the project.

Les Eger of Goshen told **Councilor Schrock** that his first vote, against the project, was correct. He said he understood all of the arguments about the need for housing and that they were true. But he said none of those in favor of the project live in the neighborhood. He said he does live in the neighborhood and that it is too big of a project for that property and for this neighborhood of single-family homes. Eger said he objected to the project financing, which he said relied on public funding. Eger said he isn't against change as long as it's good. He said he could support a right-fit proposal for the site, but not the current project with the current financing. He also said that he understands that local manufacturers are bringing in workers from the south and also get tax breaks. He said those companies should use some of that money to provide needed housing.

Glenn Null of Goshen said the project isn't in his neighborhood, but he has concerns about it. He said at one Council meeting on this project, a long list of variances was discussed. Null said he has no problem with one or two variances, but this project had a long list of variances and this can lead to other developers seeking the same number of variances. He said if a future developer is denied as many variances, a lawsuit could be filed against the City over the issue. Null said win, lose or draw, his tax dollars will be used to pay the bills related to a lawsuit. He said that when the City grants so many variances, it can cause additional problems, including inconsistent housing standards. Null said that too many variances were being allowed for the apartment project.



Andrea Johnson of Goshen, a City Redevelopment Commission member, said that when the project was first advanced, she had reservations about it because of its density and traffic. She said she had questions about the project and spoke to the **Mayor**, who was reassuring. She said **Councilor Schrock's** amendments would improve the proposal. Johnson said she believes in the end, this project will benefit that neighborhood. She also said she believes the Redevelopment Commission will approve improvements in the neighborhood and that the project will be an asset to the community.

Peter Miller of Goshen said he supports the proposal. He said his wife's parents are in their 70s and live in rural Iowa and Miller and his wife would like them to move to Goshen. He said that for the past two years, he and his wife have been trying to find housing for them. Miller said he set up computer alerts to notify him of any available home within walking distance of his house. He said he only receives an alert every two or three months. He said at one point, a Realtor told him there were only 75 homes on the market in the entire county. He said it's difficult to ask his in-laws to drive 5½ hours to Goshen every other month to see a house and then drive back. He also said bids on homes must be submitted within three days. Miller said it's a toxic housing market right now. Miller said he was excited about the proposal to add the housing stock in Goshen. As a software engineer and urban planner, Miller said it is difficult for cities to maintain R-1 housing. In contrast, he said M-1 housing is much better in terms of tax revenue. He said R-1 housing "sucks down money" and is not a sustainable form of development. When it comes to infrastructure, for each new home, Goshen must supply each detached home with sewer lines and power lines, but can save by providing the same to apartments.

AJ Delgadillo of Goshen, the director of the City Community Relations Director, said he wanted to discuss the impact of the project on protected classes. He said the project won't provide affordable housing, but it will add housing to the market and that will increase the possibility of affordable housing, which is critical for a number of groups. He said this includes low-income people, those living on a fixed-income, the elderly and people who are differently abled. He said housing can become a woman's issue when people who cannot afford housing cannot leave their abusers. Delgadillo said there is little available housing and there will be an increasing demand for mixed-use housing. He also mentioned other benefits to the apartments, including good pedestrian access to downtown, a decrease in vehicle traffic and as a destination for talented young people.

Linda Wertman of Goshen said she lives a block away from the project. She said the area already is congested with traffic and that more housing will worsen the situation. She said she opposed the project.

David Pinkerman, the president of the United Food and Commercial Workers Union in Goshen, said he has spoken twice before in opposition to the project. He said several union members raised an issue about the proposed parking on Douglas Street. He showed Councilors a photocopy of a photo (**EXHIBIT 2**) showing the Gleason employees outdoor break area and a pickup truck adjacent to the proposed parking space on Douglas Street. He said he was concerned this would raise safety issues. He said the break area has existed for years. Pinkerman said many employees go outside during their breaks and he is concerned for their safety.

Kyle Richardson of Goshen said he lives four blocks from the project, is excited about it and has previously testified that he is in favor of it. He said he was shocked and devastated when the project was denied by the Council on June 6. He thanked Councilor Schrock for bringing back the project and urged its passage. He also said Goshen desperately needs more housing, especially close to downtown.

Mayor Stutsman said there has been nearly an hour of testimony and he asked Councilors if they wanted to extend the public comment period.



Council President Weddell said there have been 22 speakers so far.

Mayor Stutsman asked for a show of hands on how many more people wanted to speak. He said about 10 people indicated they still wanted to speak. Councilors indicated a willingness to hear 10 more speakers.

Kristine Borzeniatow of Goshen said she lives catty-corner from the project site and was shocked by the comment that was just made by the **Mayor**. She said the audience was told that those who hadn't had a chance to comment on the project could come forward to speak. And now, she said, after an hour, others will not get a chance to speak. She said "positive reinforcement has come out of the woodwork" tonight in that the Council has only heard from speakers in favor of the development. She said she isn't a "no" to development, but opposes the project because it would pack too many apartments and people into too small an area. She said Goshen needs apartments, but doesn't need that many people in that small an area. She recommended the apartments be built elsewhere, including downtown on the site of the former Elkhart County Jail. She said she was angry about the night's discussion.

Mayor Stutsman said public comments were not being shut down. He said he just asked for a show of hands after an hour of testimony to get a sense of how many more people wanted to speak.

Borzeniatow said she didn't understand because she said everyone who has spoken so far has favored the project.

Mayor Stutsman said his intent was to allow those who had not previously spoken on the project to testify.

Rose Riehl of Goshen said she lives on 10th Street and opposes the project. She said that many people who support the project don't live in the neighborhood. She said this project will affect the nearby residents due to increased traffic and parking in the neighborhood. She said she doesn't understand how it would work to have parking on Douglas Street, next to the factory. She said she opposed the proposed rooftop area. Riehl also said she doesn't understand how it is possible that the proposal, which was denied on June 6, is back before the Council. She also said she doesn't understand who would want to live on the project site and she urged a "no" vote.

In response to **Rose Riehl comments**, **Mayor Stutsman** said Robert's Rules of Order allows reconsideration of a matter by a Council member who previously voted in the majority.

Hollie Rieth of Goshen said she lives on 10th Street and that the apartment proposal was not the right project for the neighborhood and was too big. She said it should be a maximum of 78 housing units and no retail space. She said at certain times, traffic adjacent to the site is a nightmare. She said a four-story building will take away her freedom of sunshine and seeing the sky. She said every citizen of America has that right and she said 30 years of paying property taxes should ensure that right. She said the City should respect planning guidelines and not grant so many variances. Rieth said the developer should downsize the project and she objected to the use taxpayer funds for the project. She said Councilors should be ashamed of themselves. She said **Councilor Eichorn** did not speak with residents, but **Councilor Schrock** did. Rieth said she spoke to the developer, but there was inadequate consultation with the neighborhood. She added that the project was an example of the "greed of Goshen."

Kathleen Jones of Goshen said she supports the project and lives four blocks from the project site. She thanked **Councilor Schrock** for working with the developer to improve the project and thanked Councilors for their bipartisan efforts and the spirit of compromise. As a neighborhood resident, Jones said she and her family welcome the development, which she said would help the City grow and thrive.

Tim Doyle of Goshen congratulated the Council for attracting two county commissioners, a county council member, a state representative, a former mayor and many people to the hearing.



Doyle said the meeting was a great example of dialogue and trying to improve a proposal. Doyle said he continued to be concerned about the density of the project. He said the developer has tried to make this a better project. Doyle said he examined the finances of the project and said he shared with the developer that he still thought the project was too big. He said he knows the goal is to make Goshen a good place to live and provide housing for people, but projects need to benefit not only the people coming into the City, but also the people who live in the neighborhood. He said the project will infringe on those living on 10th Street and those who live nearby who will be affected by increased traffic. Doyle also said he would encourage the Redevelopment Commission to accelerate previously approved housing projects.

Tom Stump of Goshen said he lives three blocks from project and downstream from traffic from the proposed project because he lives on the corner of Plymouth and 7th streets. Stump said the amendments to the ordinance don't make much difference. He said the only thing they did was that they gave the developer 35 more parking spaces on Douglas Street, which he didn't have before. He said the City is still giving 11 zoning variances to the developer and that hasn't been done in a long time in Goshen. Stump said he agreed with the speaker who said the project is too dense to the area. He also said neighbors don't want the project. He objected to the public financing of the project and its tax expenditures. Stump said he supports housing, and it's needed, but he prefers single-family housing. He said if the City and County were more amenable to single-family housing, there would be more of it. Stump added that in his 20-plus years associated with City and county government, he never voted for project that had as many neighbors upset with it as the apartment proposal.

Lukas Bontrager-Waite of Goshen asked for an explanation of Council rules for making comments, which **Councilor King** provided.

Bontrager-Waite thanked Councilors for their hard work on the project. He said he is a junior at Goshen College and believes younger people desperately need more housing. He said for recent high school or college graduates, it would be fiscally irresponsible for them to try to live in Goshen because of the high cost of housing. He said the project will open possibilities to bettering the housing market for Goshen and the region.

Dirk Oyer of Goshen said he attended the previous Council meetings on the project. He said he lives on the west side of Goshen and supports the project and developing more housing in Goshen. He said he was disappointed by the Council's June 6 rejection of the project. Oyer said the words "density" and "affordable housing" should not be considered four-letter words. At previous meetings, Oyer said he heard many complaints about traffic, but this project will actually reduce traffic because it is so close to downtown. He said it is a good project for the site and will provide significant benefits to the City. He thanked Councilors for working with the developer and reconsidering the proposal.

Sawyer Landes Biddle of Goshen said he lives four blocks from the project site and supports the apartment proposal. He said he has heard extensive conversation about traffic and sidewalks. He said he rides his bicycle on Plymouth Street a lot and encouraged Councilors to support infrastructure improvements to reduce traffic.

Katrina Graber of Goshen said she lives on 9th Street, directly across from the project site, and also works at Goshen High School. She said she originally opposed the proposal. She said she is conflicted about it because she agrees that Goshen needs housing, but worries about the project's impact, including on parking and traffic. She said she supported the amendments and any other ways to reduce the number of apartments and variances. Graber said she would support further amendments to help the project fit in the available space.



William Malone, Vice President of Gleason Industrial Products, said Gleason has been located in the neighborhood for 132 years and its property line is right next to 10th Street. Since the beginning, and before there were homes in the neighborhood, Malone said that Gleason has placed trucks on 10th Street. Now, he said the City is threatening to end this practice, making it impossible for the company to operate. He said the City was “running me out of town.” Malone said Gleason has 125 jobs, none of which are RV related and he predicted a downturn in the RV industry will soon arrive. He said Gleason has provided 125 jobs for 125 years, but the city doesn’t seem to care about that. Malone said the proposed project was too dense for the area and that the City should be using other downtown sites for housing. He said the City isn’t doing enough to provide housing. Malone criticized the financing of the project. Malone said his plant operates six days a week, three shifts a day and generates noise, but neither the developer nor the City has asked about the impact of noise on the project at, for example, 2:30 a.m. He said people will be parking 15 feet away from the plant’s break table area. Malone also said sooner or later, Norfolk Southern will install a dual rail line, which will affect the plant’s operations. Malone provided Councilors with a Norfolk Southern diagram showing the Gleason Industries facilities and the current rail restrictions (**EXHIBIT 3**).

Barb Hassan of Goshen said she was working hard to contain her emotions even as she recognized this was a very emotional subject. She said she hopes all people will consider the benefits of the project to the community and the future of the community. Hassan thanked the Council for considering amendments, which she supported. Hassan said she understood that the Councilor who made the amendments was under a lot of pressure and bullying by members of the community. Hassan said that this was unwarranted and she hopes it will stop. She said she believes the developer has answered question about parking on Douglas Street, tree planting and water runoff. She said the developer has done a wonderful job of coming back and working with the Council on the project. She said the project would promote bike paths and walking, which she called consistent with what people in the future will want. Hassan also criticized signs that were placed along 9th Street that attacked the City and which she said were inappropriate. She thanked Councilors and said she hopes the project moves forward.

Betsy (Schrock) Garber of Goshen stepped forward to testify. **Councilor Schrock** asked her what was happening with “Morgan.” She responded that a baby had just been born, making Councilor Schrock a great uncle and Betsy Garber a great aunt. The audience applauded.

In her presentation, **Garber** said she is **Councilor Schrock’s** sister and there is a long list of things she would like to discuss. She said this has been a great meeting and she applauded the Council’s bravery to reconsider something that was not popular with some people. She said Western Rubber was located on the project site for many years. She said she also appreciated Gleason Industries being in the community for many years. However, she said that over the years, Gleason has encroached on City property and the company should be forced to return to its original boundaries and stay there. She said she would like Gleason’s CEO to know how the company is being represented in this discussion. She also thanked **Councilor Schrock** for bringing forth the proposal again.

At 8:25 p.m., Mayor Stutsman closed the public hearing on Ordinance 5123. Mayor Stutsman then declared a brief recess.

At 8:33 p.m., Mayor Stutsman reconvened the City Council meeting



Mayor Stutsman invited Jonathan R. Anderson, the principal/attorney for Anderson Partners LLC and the developer of the Western Rubber site, to offer any response to the public testimony.

Anderson thanked Councilor Schrock for bringing back the project. He said he appreciated the public comments, which he said were more balanced than in the past. He said at previous meetings, residents said that the only people supporting the project were those who lived outside the neighborhood. Tonight, Anderson said he also heard support from some neighbors. Anderson said he would be happy to respond to questions from Councilors.

Councilor Eichorn asked Anderson about the timeline if the project is approved tonight. Anderson said he "pulled back the reins" after the Council rejected the project on June 6. He said the developers are still hoping to complete construction drawings by December and to break ground in 2023. He also said he was still on track with financing. Asked for clarification about the financing by Councilor Nisley, Anderson said he was still lining up the financing and a grant application, which is due Aug. 15.

There were no further questions for the developer, so at 8:33 p.m., Mayor Stutsman invited questions and discussion from Councilors.

Councilors King and Eichorn both said they were ready to vote.

In response to a request for clarification by a Council member, Mayor Stutsman said the Common Council would be voting on Ordinance 5123 as amended.

Councilor Riegsecker said this project has been a tough one to consider. He said the project was a go, but at the last meeting, he raised concerns about the project's many variances because it seemed the City was giving the developer everything. He said when he arrived at tonight's meeting, he didn't expect any votes to change.

Riegsecker said he struggled with the many variances that were allowed for the project and was worried about future applicants making similar requests. He said this was not a Republican or Democratic issue, although there was a split on party lines last time (June 6), but Councilor Schrock has returned with a motion for reconsideration.

Riegsecker said the project is back for a reason. He said he didn't speak with Schrock and doesn't know his reasons for requesting reconsideration. He said he doesn't know what will happen. Still, he said he can count votes and assumes that Councilor Schrock has enough votes for reconsideration.

Riegsecker said the developer has returned and made some concessions. He said City Redevelopment Director Becky Hutsell has also proposed some improvements for 10th Street, which he assumes will be carried out. So, he said progress has been made to help the neighborhood.

Riegsecker said he didn't want to give the project everything. He said he agrees with the proposal for additional public parking spaces. He said he doesn't know how the project will pan out and knows that change is hard. He noted that he didn't like when Main Street was converted from four lanes to two lanes, but he likes it now.

Riegsecker said the City has gone from having a project to not having a project to having a vote to determine if there will be a project again. He said there have been some changes and there are additional steps ahead, including a traffic study. However, Riegsecker said he is comfortable with Councilor Schrock's proposal and it is the best the Council can do. And he said that was his position after a full week of struggle.



Councilor Nisley said it has been a tough week and he spoke to **Councilor Nisley** many times. He said he liked the concessions that were made, but doesn't know if they are enough. Nisley said coming into tonight, he was strictly a "no" vote, but he said Hutsell's proposal was helpful because he has wanted to help the neighborhood.

Nisley said it is a tough vote because the City needs housing. Nisley said he previously said the project was too big for the area, but its size has been reduced. Nisley said his vote would probably change tonight.

Councilor Pérez said he applauded **Councilor Schrock's** willingness to come back to the Council with a new proposal. He said it's hard to know how to provide affordable housing and how to increase vitality and provide more housing choices. He said it was interesting to listen to residents as well as those from outside the neighborhood. He thanked Schrock for meeting with the developer. While he said the amendments were not perfect, they were a step forward. Pérez also thanked Schrock for doing more work and for showing courage by stepping forward.

Mayor Stutsman said that during his eight years on the Council, he faced several tough votes. One vote was for a new overpass and that project required the demolition of some homes where people had lived for decades. So, he said he was sympathetic to the dilemma facing Councilors. He said he didn't know how the vote tonight would go, but he said there has been a lot of care for both sides. He said that when the motion for reconsideration was made, Councilors unanimously agreed not to discuss the matter until they heard more public testimony. He thanked Councilors for making sure that happened. The Mayor said some people will be happy and others unhappy about the vote tonight. But he committed that he and City staff will work with all involved to make sure it all works out.

Council President Weddell repeated what he said at the June 6 Council meeting, that this has been one of the least desirable votes and topics the Council has had to deal with during his time on the Council. He said he has been struggling with this issue. The Council President said he has "zero financial interest in any of this" and doesn't own any adjacent property. However, he said a person he considers a family member is involved in this issue and has very strong feelings about this. Council President Weddell said he has been struggling to know how to handle this. He said he hasn't shied away from making tough decisions in the past, but is having a hard time on this one. And so he said he wanted everyone to know that however he votes – and there might not be any vote for that matter – that his vote has nothing to do with the project, but has to do with a deep personal conflicts that he has.

Councilor King asked if the **Council President** would be recusing himself.

Council President Weddell said he had no financial interest in this project and no direct family involvement; but he has a strong personal conflict.

Councilor King thanked the **Councilors** who appeared to be changing their votes on the proposal. She said they held out for a good reason and hoped residents would recognize that they held out for them and for their betterment. She said it made her feel better to make decisions with other Councilors who acted in the interest of residents.

Councilor Riegsecker said he always seeks to make the best decisions that he can. He said he seeks to watch out for the neighbors, watch out for the district and watch out for the City and the county. Going forward, he said he wants to make the best decisions he can. He added that it was a good and respectful public discussion tonight.

Councilor King said the many good questions on both sides helped her understand the project better. She said everyone's engagement makes the Council better.



Councilor Nisley said initially he opposed the proposal for a 100% TIF commitment for the project. He said he wanted to guarantee to neighbors that will keep a very close eye on the project as it moves forward to make sure that their needs are met. **Councilor Schrock** seconded Nisley's sentiments.

There were no further questions or comments from Councilors.

Mayor Stutsman said the Council would now vote on the first reading of Ordinance 5123 as amended this evening. And since it was a zoning issue from the Plan Commission, if the motion passed, the Mayor said there would an automatic second reading of Ordinance 5123.

Councilors indicated they were ready to vote.

On a roll call vote, Councilors passed Ordinance 5123 on first reading by a 6-0 margin, with Councilors Eichorn, King, Nisley, Pérez, Riegsecker, and Schrock voting yes and Councilor Weddell abstaining at 8:51 p.m.

Mayor Stutsman called for the introduction – on second reading – 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 on second and final reading.

Mayor Stutsman said the council had already heard extensive public testimony about Ordinance 5123. He asked if Councilors wanted to vote or hear additional public comments. Councilors said they wanted to vote.

On a roll call vote, Councilors passed Ordinance 5123 on second and final reading by a 6-0 margin, with Councilors Eichorn, King, Nisley, Pérez, Riegsecker, and Schrock voting yes and Councilor Weddell abstaining at 8:53 p.m.

Elected Official Reports:

Council President Weddell said that to address any future concerns about Common Council rules, he wants to meet with **City Attorney Bodie Stegelmann** and put stronger and less ambiguous rules in place for motions for reconsideration. **Stegelmann** said he would be willing to meet. **Mayor Stutsman** said this would be a good idea. The **Council President** said he wanted to make sure this process was clarified.

Mayor Stutsman said he had his first visit to Washington, D.C. while serving on an advisory board for the U.S. Environmental Protection Agency (EPA).



Mayor Stutsman said he is serving on a 25-member board, which includes representatives from local government. He said it was exciting to hear acknowledgement from EPA officials about the needs of small communities, including grants, and how to improve the process. He said many communities struggle to apply for grants and to comply with reporting requirements. He said that even though the City of Goshen is better equipped than some communities, the City still struggles with the grant process. The Mayor said it was good to be part of this process.

Mayor Stutsman noted that America's Freedom Fest air show at the Goshen Airport is coming up July 9.

Councilor Pérez briefly discussed resident concerns about increased violence in the community and across the country. He said he wanted the public to know that the City is working hard to ensure that the community is safe. He said he appreciated the work that the Mayor and the Police Department are doing to assemble a gang task force and that he looked forward to working on it. He said it will be important for everyone to work together to stem violence in the community. He said he appreciated all efforts by Councilors, members of the public, the city Community Relations Commission as well as churches and civic groups seeking to bring peace to the community. Pérez thanked those who have written to him and said he was looking forward to working with others.

Mayor Stutsman said in response to more complaints about speeding vehicles, he authorized the Police Department to purchase another six or seven speed control signs for \$30,000 to encourage drivers to slow down. He said people should slow down, noting there was a recent death of a member of the community, who was struck by a speeder,

Councilor Schrock said that even though **William Malone** was already gone, "but just for the record, I wanted everyone to understand that I did none of this against Gleason products or Mr. Malone. I told him that a couple of different times, but none of this that I did had anything to do with going against Mr. Malone or his company."

Mayor Stutsman said he and City staff members have met with Malone and worked hard to relay that message.

Councilor King reported that she recently had a "very, very close call" on Elkhart River with someone shooting bullets from the woods over the river and striking very close to where she was. King said she has never experienced anything like this before. King said she, her husband and friends reported the shooting to the Sheriff's Department and the conservation officer and they investigating. She said this was an issue of gun safety, adding that people should not fire their guns if they don't know where their bullets are going. King said the shooting occurred on a very popular area of the Elkhart River and worries for the safety of other boaters. She encouraged people with guns to be responsible. **Councilor Schrock, Councilor Nisley** and other **Councilors** had a brief exchange about what happens when there is gunfire by a river and whether bullets "skip" on the water.

Councilor Riegsecker said that since the Mayor brought up speeding, he wanted to mention that a few weeks ago a speeder knocked over a speed limit sign, crashed into his yard and fled the scene. He said police investigated and the driver was caught. Riegsecker said the Police Department did an excellent job, as always. **Councilor Schrock** added his praise for police.

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



Councilor Pérez made a motion to adjourn the meeting. On a voice vote, Councilors voted to adjourn the meeting by a 7-0 vote, with all members present voting “yes.

Mayor Stutsman adjourned the meeting at 9 p.m.

EXHIBIT #1: A memorandum by City Redevelopment Director Becky Hutsell, dated June 27, 2022, that was distributed to Councilors the Council meeting. It summarized the proposed improvements on 10th Street, from Plymouth to Reynolds streets, and stated that it was the City’s intent to begin the process of planning for the improvements soon, so construction could begin in 2023.

EXHIBIT #2: Photocopy of a photograph, provided by David Pinkerman, the president of the United Food and Commercial Workers Union in Goshen, showing the Gleason employees outdoor break area and a pickup truck adjacent to the proposed parking spaces on Douglas Street.

EXHIBIT 3: Photocopy of a diagram, provided by William Malone, Vice President of Gleason Industrial Products, of a Norfolk Southern diagram showing Gleason Industries facilities and current rail restrictions at the site.

APPROVED: _____
Jeremy P. Stutsman, Mayor of Goshen

ATTEST: _____
Richard R. Aguirre, City Clerk-Treasurer

Goshen Theater 2022

At the August meeting of the Goshen City Council, Susan Visser, Executive Director of the theater, will present a slide show with images and a brief narrative. This will include information related to:

- New staff members
- Highlights of programs and events January – July
- Upcoming programs and events
- Focus on the community
- New and upcoming collaborations
- Fund development and strategic planning

The presentation will be 5-10 minutes long. A projector, screen, and connection for MacBook Air will be needed.

Thank you for your interest in and generous support of the Goshen Theater.



Richard Aguirre, City Clerk-Treasurer
CITY OF GOSHEN

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

Phone (574) 533-8625 • Fax (574) 533-9740

richardaguirre@goshencity.com • www.goshenindiana.org

To: Goshen Common Council & other interested parties
From: Clerk-Treasurer Richard R. Aguirre
Date: August 1, 2022
Subject: Ordinance 5131

At its meeting on Aug. 1, 2022, the Goshen Common Council is scheduled to continue its consideration of **Ordinance 5131**, *An Ordinance Establishing Common Council Districts for the City of Goshen Based on the 2020 Decennial Census*.

At the Council's last meeting, on July 18, 2022, Councilors received a presentation about suggested redistricting options by members of the City of Goshen Redistricting Advisory Commission. Afterward, the Council voted to narrow its redistricting choices to Option 3 and Option 4. The Council then tabled consideration of Ordinance 5131 to the Aug. 1, 2022 meeting.

The Common Council's agenda packet for the Aug. 1, 2022 meeting includes the following information about Ordinance 5131 and the redistricting process:

- An amended version of Ordinance 5131, reflecting the Council's decision to consider Options 3 and 4, which was prepared by City Attorney Bodie Stegelmann;
- A PDF of the PowerPoint presentation from the July 18, 2022 Council meeting, which was prepared by Redistricting Advisory Commission Chair Bradd Weddell. This presentation includes background on the redistricting commission, a description of the redistricting process, a map showing the current Council districts, maps of the four redistricting options considered by the commission, detailed maps of each option, with comparisons to the current council district boundaries, and the commission's final recommendation;
- Finally, detailed minutes prepared by the Clerk-Treasurer of the Redistricting Advisory Commission's four meetings, on June 3, June 17, June 30 and July 15, 2022. These minutes provide substantial background on the work and deliberations of the commission and include exhibits that commissioners reviewed.

At the Aug. 1 Common Council meeting, additional information can be provided, as needed, by members of the Redistricting Advisory Commission as well as Mayor Stutsman, City Attorney Stegelmann and Deputy Mayor Brinson.

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 (“Option 3”)

- (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 Precinct 03;

- (B) Elkhart Township Precinct 04, Census Blocks 1002, 1003, 1007, 1008, 1008, 1009, 1010, 1011, 1012, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1029, 1030, 1032, 1033, 1034, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, and 3017;
 - (C) 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;
 - (D) 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;
 - (E) Concord Township Precincts 27 and 33; and
 - (F) 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. Division of City into Five Districts (“Option 4”)

- (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 Precincts 05, 06, 09 and 10; and
 - (B) Harrison Township Precinct 01, Census Block 1033.
 - (2) **DISTRICT TWO.** District Two shall consist of the following areas:
 - (A) Elkhart Township Precincts 01 and 07;
 - (B) Harrison Township Precinct 01, Census Blocks 1000, 1001, 1002 1003, 1004, 1005, 1006, 1007, 1008, and 1030; and
 - (C) Concord Township Precincts 27, 31, 32, and 33;
 - (3) **DISTRICT THREE.** District Three shall consist of the following areas:
 - (A) Elkhart Township Precinct 03;
 - (B) Elkhart Township Precinct 04, Census Blocks 1002, 1003, 1007, 1008 (GEOID 180390002021008), 1008 (GEOID 180390003021008), 1009 (GEOID 180390002021009), 1010, 1011, 1012, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1029, 1030, 1032, 1033, 1034, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, and 3017;
 - (C) Elkhart Township Precinct 08;
 - (D) Elkhart Township Precinct 13, Census Blocks 1001, 1001, 1002, 1003 (GEOID 180390001001003), 1004 (GEOID 180390001001004), 1005, and 1006 (GEOID 180390001001006); 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 (GEOID 180390003021009);
 - (B) Elkhart Township Precincts 11 and 12;
 - (C) Elkhart Township Precinct 13, Census Blocks 1003 (GEOID 180390003021003), 1004 (GEOID 180390003021004), 1005, 1006 (GEOID 180390003021006), 1007 (GEOID 180390001001007), 1007 (GEOID 180390003021007), 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1033, 1034, 1035, 1036, 1037, 1038, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, and 2023; and
 - (D) Elkhart Township Precincts 15 and 17.
 - (5) **DISTRICT FIVE.** District Five shall consist of the following areas:

- (A) Elkhart Township Precinct 14, 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 3. 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 4. 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 5. Severability Clause

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

SECTION 6. Effective Date

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

SECTION 7. 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

City of Goshen
Electoral Districts
Redistricting

July 18th, 2022

Ordinance 5116

- ▶ Ordinance 5116 established a *Redistricting Advisory Commission*
 - ▶ The commission consisted of nine (9) members, five (5) voting members and four (4) non-voting members
 - ▶ Appointments of the voting members were made by the current five (5) Goshen Common Council members elected from a district.

▶ Voting Members

- ▶ Jenny Clark
- ▶ David Daugherty
- ▶ Shawn Miller
- ▶ Everett Thomas ★
- ▶ Bradd Weddell - Chair ★

▶ Non-Voting Members

- ▶ Councilwoman Julia King
- ▶ City Attorney Bodie Stegelmann ★
- ▶ Mayor Jeremy Stutzman
- ▶ Councilman Brett Weddell

▶ Additional Resources

- ▶ Clerk-Treasurer Richard Aguirre
- ▶ Deputy Mayor Mark Brinson ★
- ▶ Elkhart County GIS Coord. Marc Watson

Redistricting Advisory Commission

- ▶ The full Commission meet (4) times
 - ▶ June 3rd
 - ▶ June 17th
 - ▶ June 30th
 - ▶ July 15th
- ▶ Subcommittee meet (3) times
 - ▶ June 9th
 - ▶ June 14th
 - ▶ July 7th

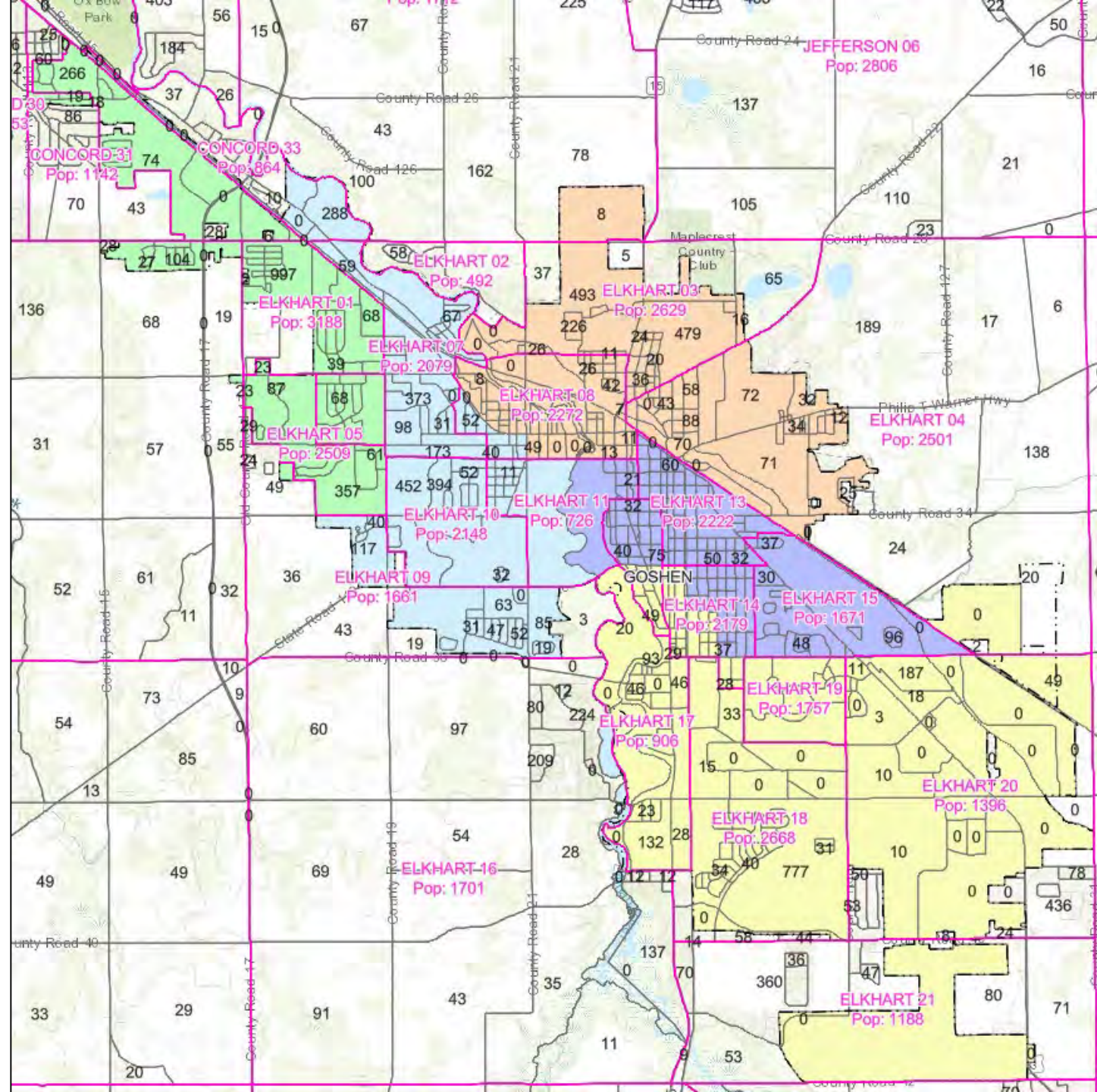
Parameters Commission Established

- ▶ Composed of Contiguous Territory
- ▶ Reasonably Compact
- ▶ As nearly as practicable, each district would be of equal population, with the population of the Largest district exceeding the population of the Smallest district by not more than ten percent (10%)
- ▶ Minimize the quantity of split precincts between Electoral Districts
- ▶ Maintain neighborhood cohesiveness
- ▶ No council member would be districted out of their elected district
- ▶ Future population growth of City not considered
- ▶ Political Party Affiliation would not be considered

Current Electoral Districts

- Split across twenty-five (25) precincts and six hundred fifty-five (655) census blocks

	Current District	
District 1	1	8,105
District 2	2	7,034
District 3	3	6,149
District 4	4	6,319
District 5	5	6,910
		34,517
	Mean	6,903
	% Diff	31.81%
	ST Dev	770.00
	Spread	1,956
Precinct Splits		6



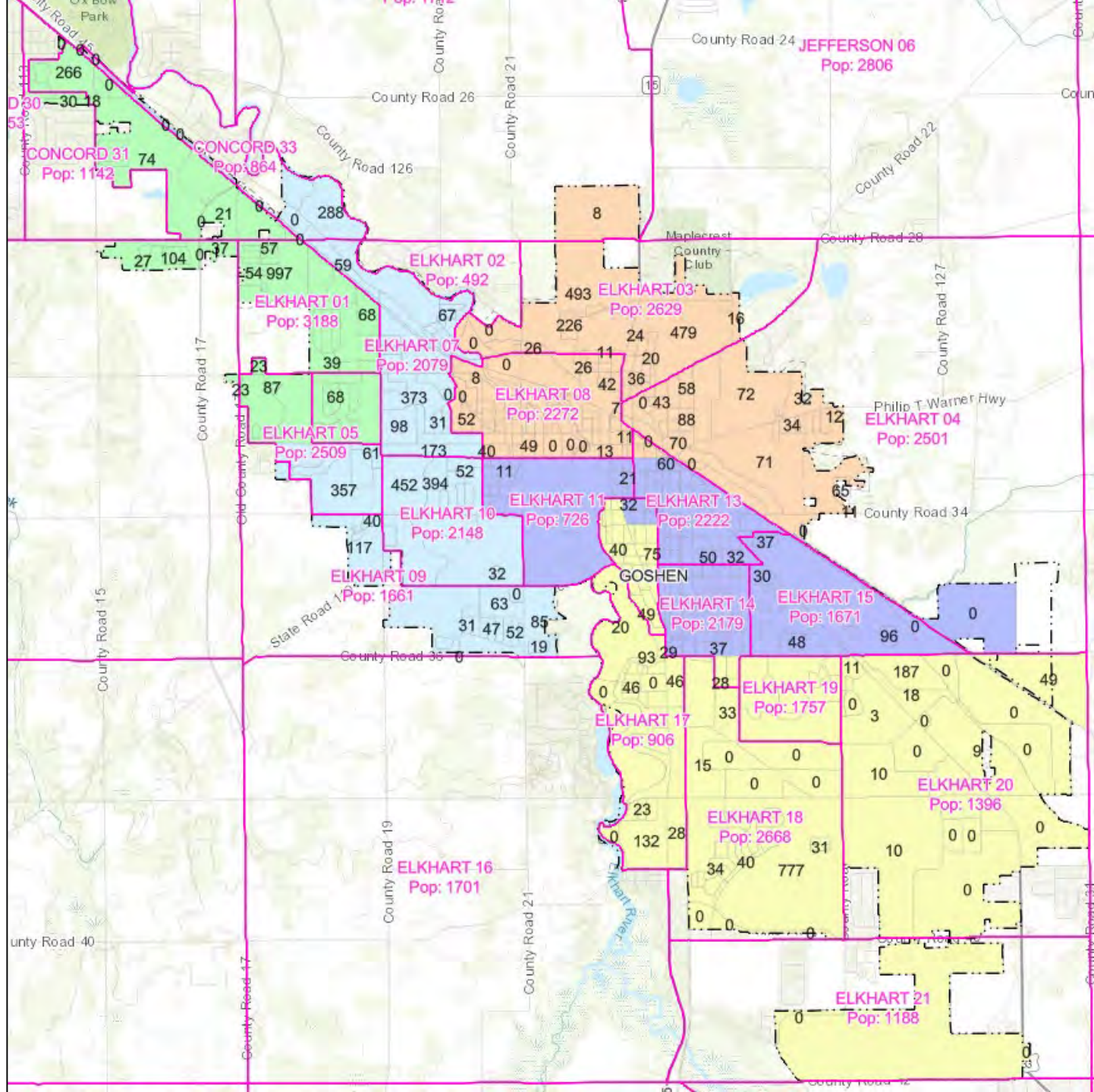
Options for Redistricting

- ▶ The Committee considered four (4) options that meet the parameters established.

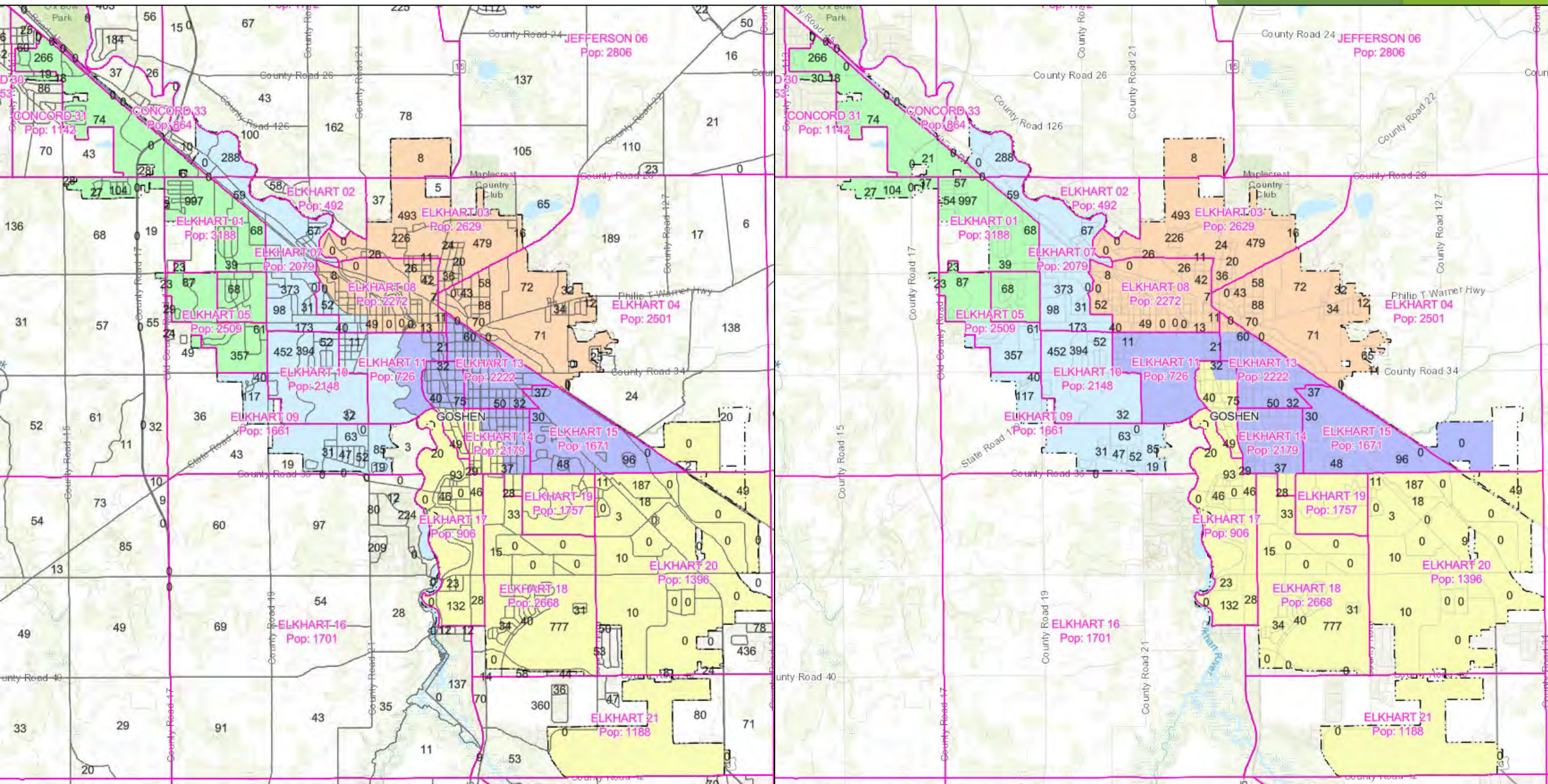
		Current District	Proposed Redistrict Option 1	Proposed Redistrict Option 2	Proposed Redistrict Option 3	Proposed Redistrict Option 4
District	1	8,105	6,984	6,984	6,984	6,984
District	2	7,034	7,160	7,160	6,988	7,160
District	3	6,149	6,698	6,698	7,058	6,698
District	4	6,319	6,835	7,001	6,813	7,001
District	5	6,910	6,840	6,674	6,674	6,674
		34,517	34,517	34,517	34,517	34,517
	Mean	6,903	6,903	6,903	6,903	6,903
	% Diff	31.81%	6.90%	7.28%	5.75%	7.28%
	ST Dev	770.00	175.52	210.17	156.80	210.17
	Spread	1,956	462	486	384	486
	Precinct Splits	6	5	5	7	2

Option 1

		Current District	Proposed Redistrict Option 1
District	1	8,105	6,984
District	2	7,034	7,160
District	3	6,149	6,698
District	4	6,319	6,835
District	5	6,910	6,840
		34,517	34,517
	Mean	6,903	6,903
	% Diff	31.81%	6.90%
	ST Dev	770.00	175.52
	Spread	1,956	462
Precinct Splits		6	5

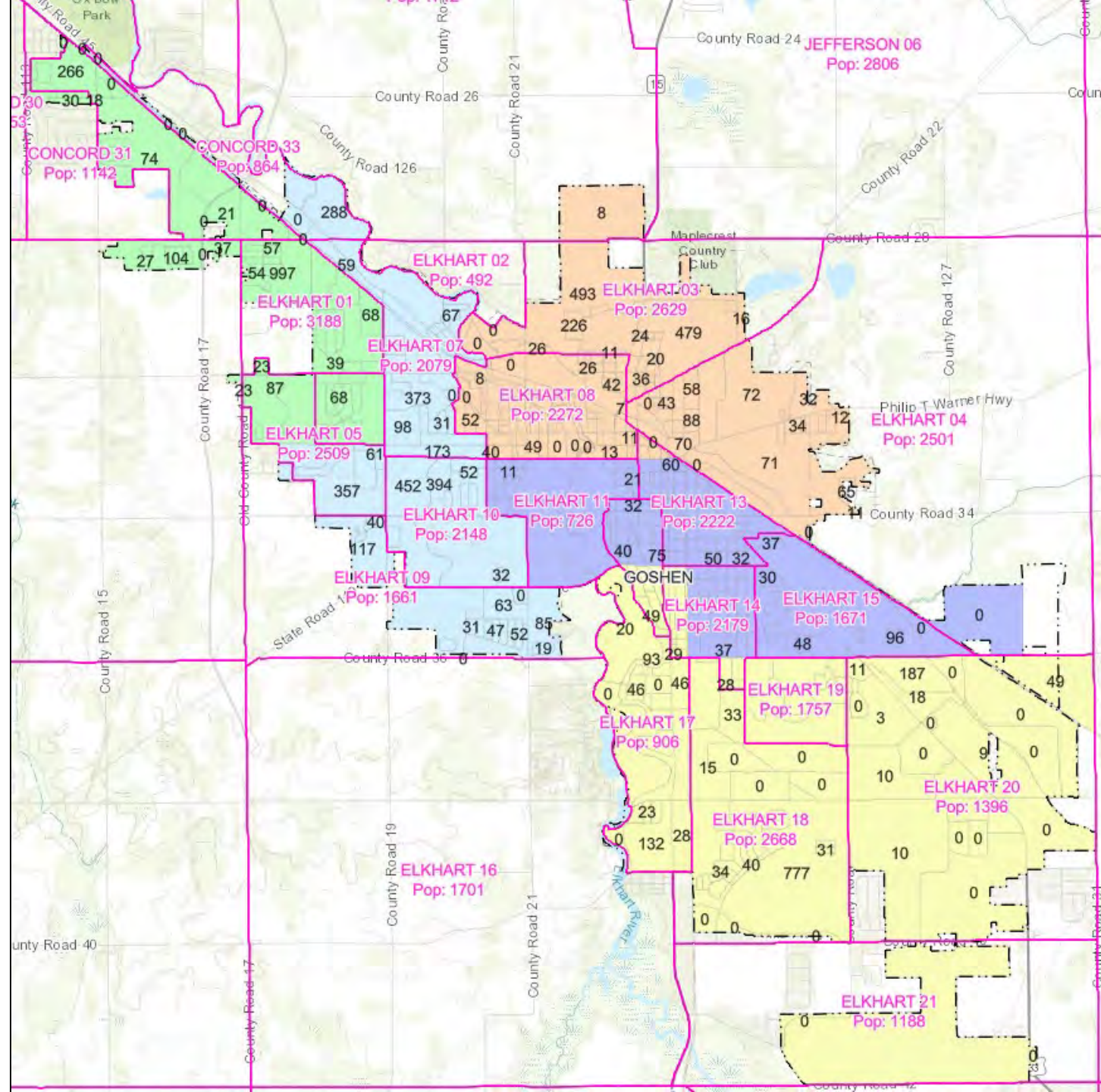


Existing compared to Option 1

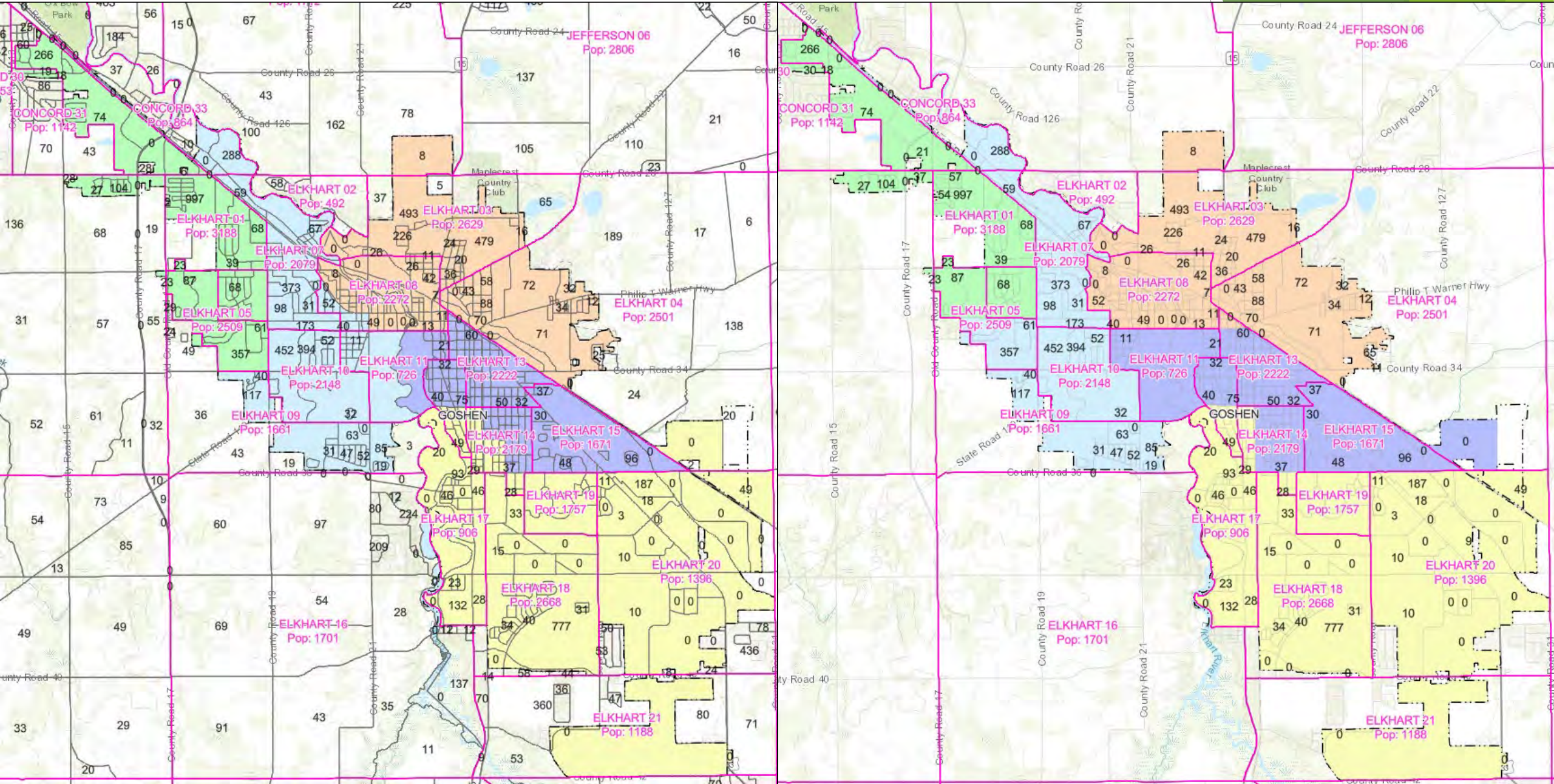


Option 2

		Current District	Proposed Redistrict Option 2
District	1	8,105	6,984
District	2	7,034	7,160
District	3	6,149	6,698
District	4	6,319	7,001
District	5	6,910	6,674
		34,517	34,517
	Mean	6,903	6,903
	% Diff	31.81%	7.28%
	ST Dev	770.00	210.17
	Spread	1,956	486
Precinct Splits		6	5

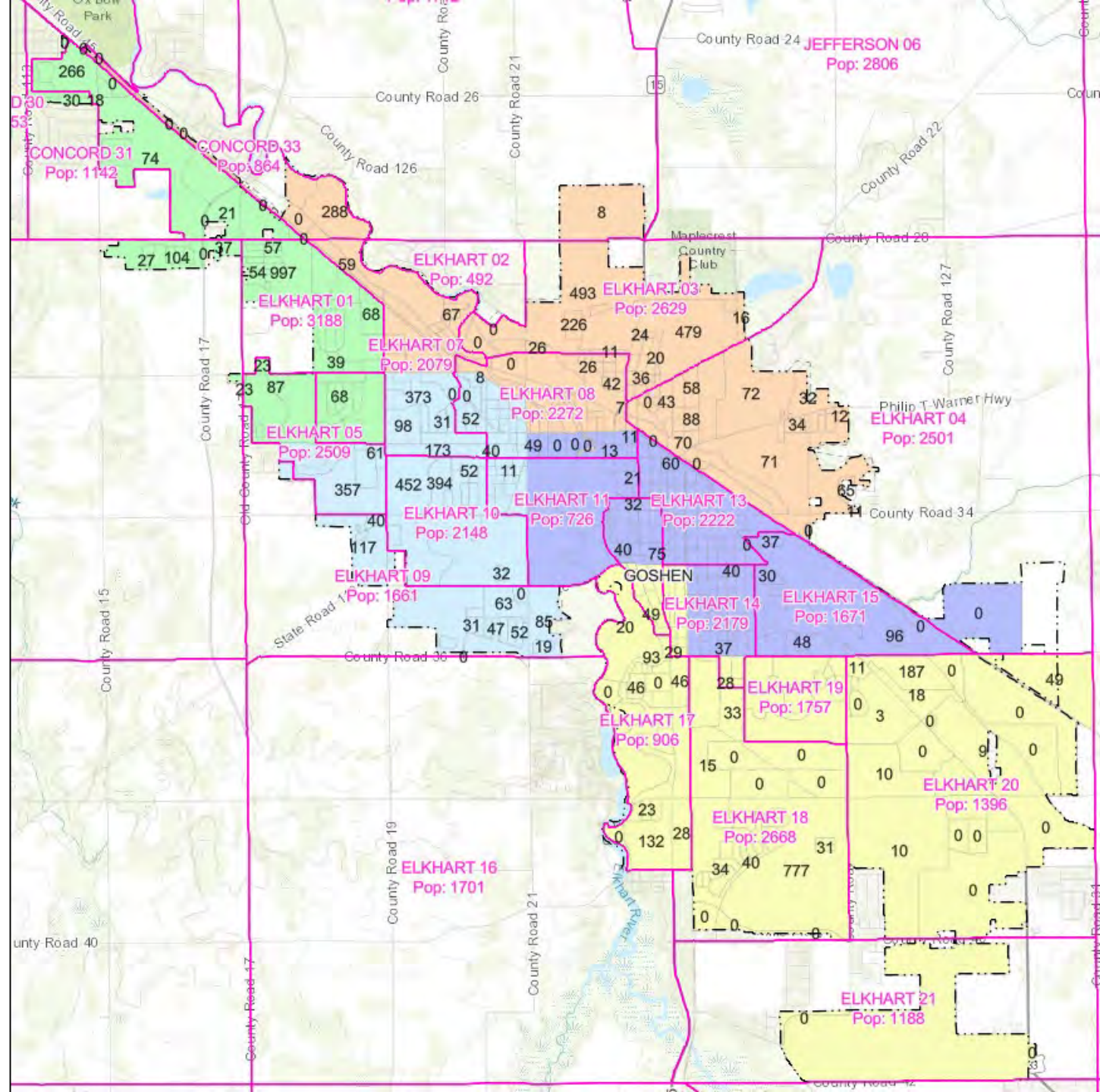


Existing compared to Option 2

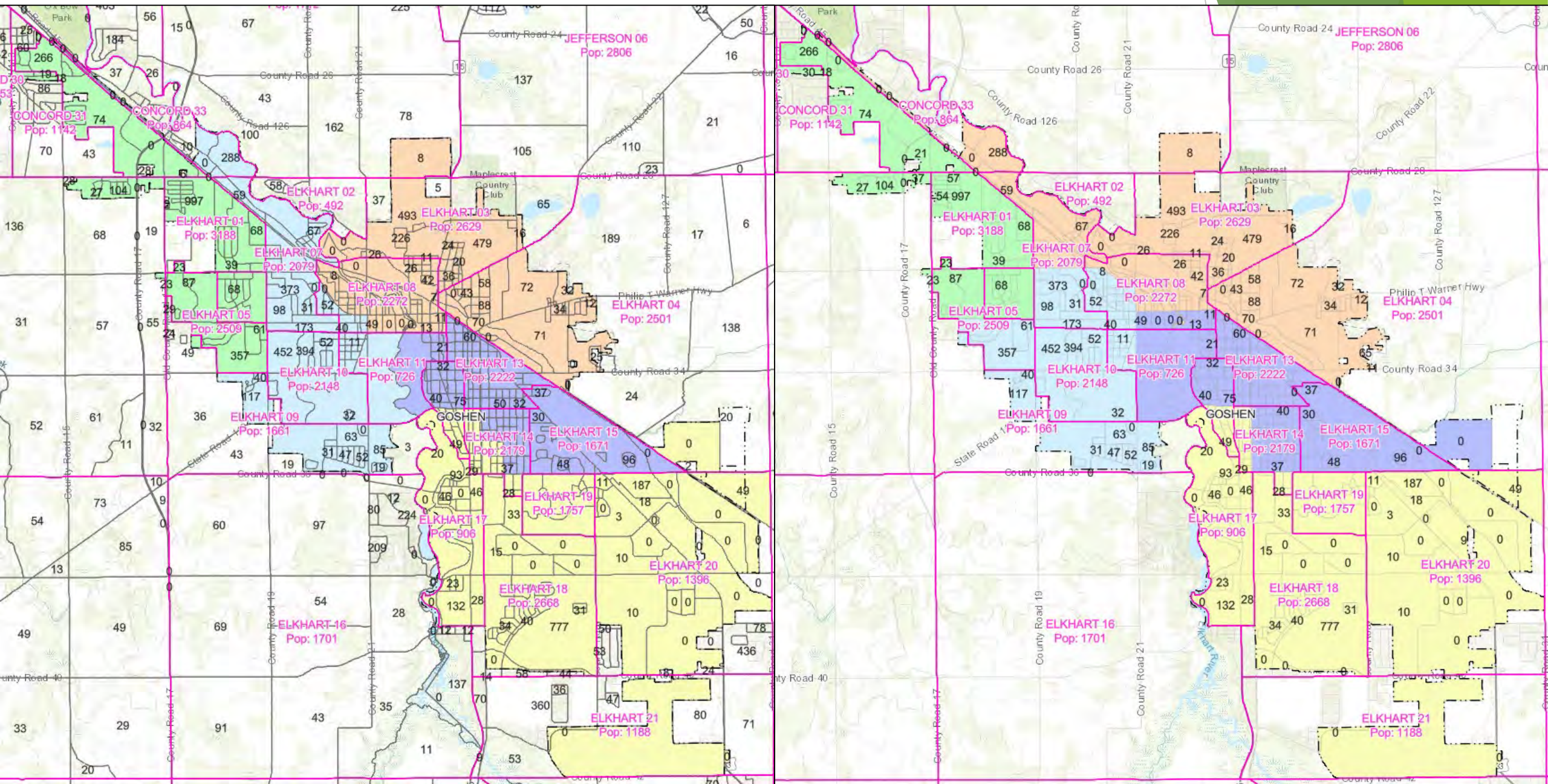


Option 3

		Current District	Proposed Redistrict Option 3
District	1	8,105	6,984
District	2	7,034	6,988
District	3	6,149	7,058
District	4	6,319	6,813
District	5	6,910	6,674
		34,517	34,517
	Mean	6,903	6,903
	% Diff	31.81%	5.75%
	ST Dev	770.00	156.80
	Spread	1,956	384
Precinct Splits		6	7

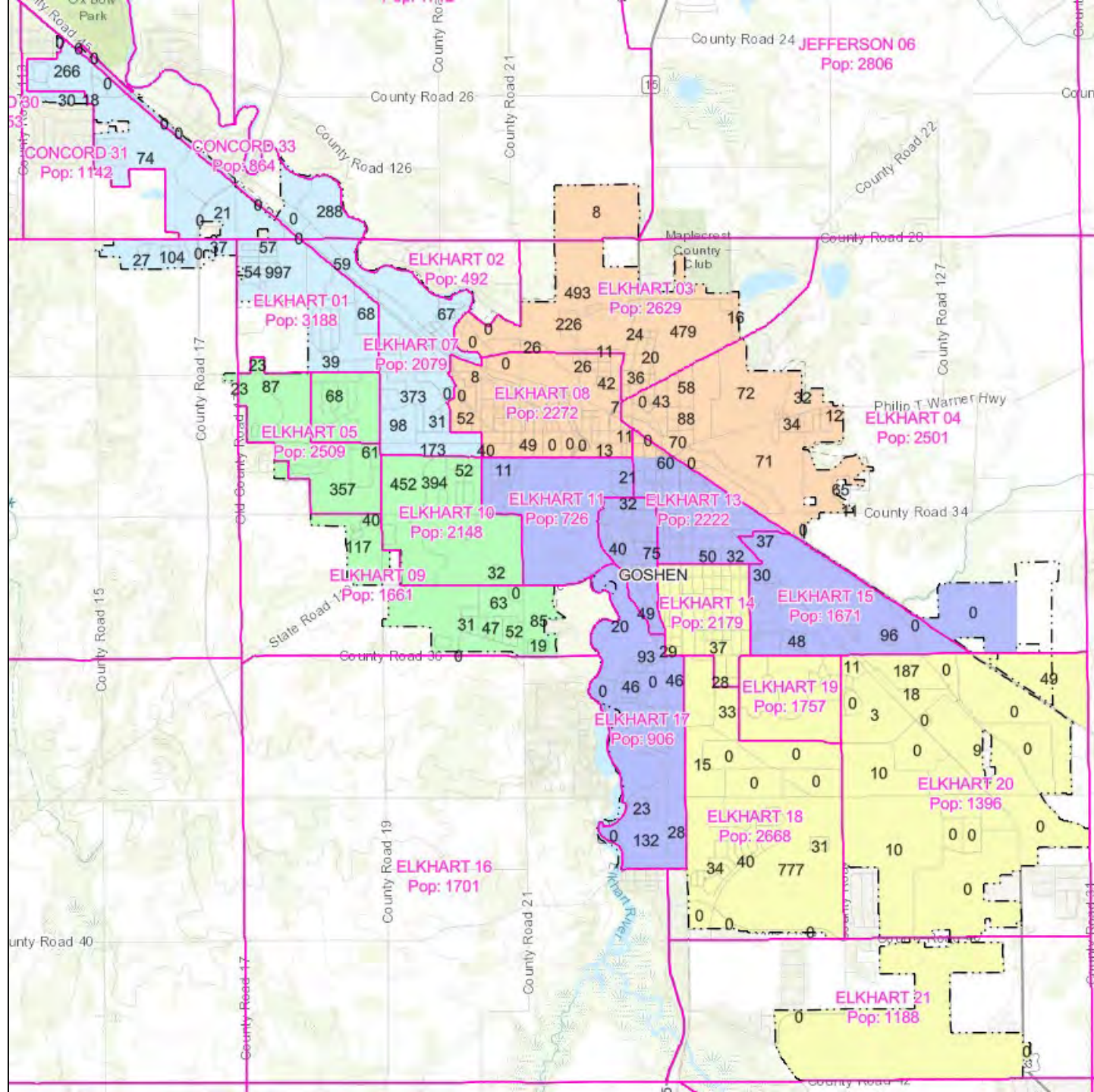


Existing compared to Option 3

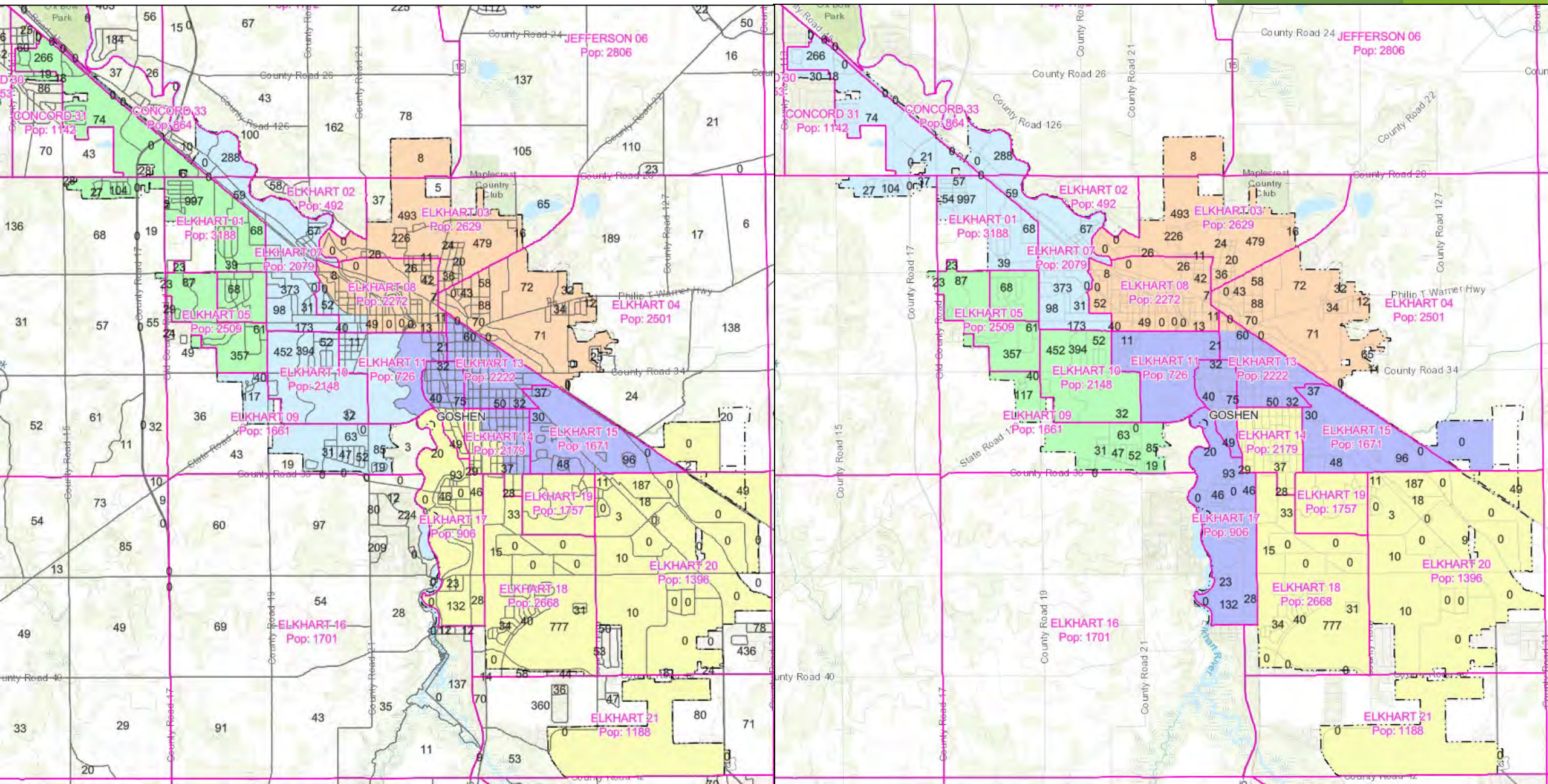


Option 4

		Current District	Proposed Redistrict Option 4
District	1	8,105	6,984
District	2	7,034	7,160
District	3	6,149	6,698
District	4	6,319	7,001
District	5	6,910	6,674
		34,517	34,517
	Mean	6,903	6,903
	% Diff	31.81%	7.28%
	ST Dev	770.00	210.17
	Spread	1,956	486
Precinct Splits		6	2



Existing compared to Option 4



Committee's Recommendation

► Preferred Option

► Option 3

		Proposed Redistrict Option 3
District	1	6,984
District	2	6,988
District	3	7,058
District	4	6,813
District	5	6,674
		34,517
Mean		6,903
% Diff		5.75%
ST Dev		156.80
Spread		384
Precinct Splits		7

► Alternate Option

► Option 4

		Proposed Redistrict Option 4
District	1	6,984
District	2	7,160
District	3	6,698
District	4	7,001
District	5	6,674
		34,517
Mean		6,903
% Diff		7.28%
ST Dev		210.17
Spread		486
Precinct Splits		2

Questions?

CITY OF GOSHEN REDISTRICTING ADVISORY COMMISSION

Minutes of the June 3, 2022 Meeting

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

Members present: Jenny Murto Clark (District 4 appointee) David B. Daugherty (District 2 appointee)
Shawn Miller (District 3 appointee) Everett Thomas (District 5 appointee)
Bradd Weddell (District 1 appointee)

Non-voting members present:

Mayor Jeremy Stutsman Councilor Julia King (At-large)
Council President Brett Weddell (At-Large)
City Attorney Bodie Stegelmann Clerk-Treasurer Richard R. Aguirre

Also present: Deputy Mayor Mark Brinson Elkhart County Clerk Christopher Anderson

1) Call to order: Mayor Stutsman called the meeting to order at 9:08 a.m. The Mayor explained the purpose, functioning and rationale for the City of Goshen Redistricting Advisory Commission:

- The Commission will hold public meetings, but the meetings will be conducted less formally than meetings for regular City Boards, Commissions and Committees and won't follow the same strict procedures;
- Earlier this year, the Mayor proposed an ordinance to establish a non-partisan commission to help with the redistricting of the Council's five single-member districts, and the Council approved the ordinance;
- The City has grown quite a bit since the 2010 Census, so changes are needed in the boundaries of the five individual Council districts because they are out of balance with big population differences between the larger and the smaller districts;
- The Commission will review data on the population totals of the current districts and which have too few or too many residents;
- There will need to be shifts in district boundaries, but it's less obvious how that should be done;
- The commission will make a recommendation to the Council; which will then vote on the new district boundaries;
- This redistricting work is intended to be non-partisan and solely a review of the population numbers;
- The Mayor was "respectfully asking" Commission members to not examine the numbers of Republicans and Democrats in the districts when not convened as a Commission and instead take a "blind view";
- The Commission should not seek to create districts that are good for Democrats or for Republicans, but instead develop districts that are fair to all;
- A fair and non-partisan redistricting process is what our community deserves and should be the goal of federal and state elected officials, but they haven't endorsed that goal or sought to achieve it;
- The Commission's voting members are made up of five appointees, each representing one of the Council's five single-member districts, along with five non-voting members – the Mayor, the two at large Council members, the City Attorney and the Clerk-Treasurer.

2) Introduction of members: Mayor Stutsman (a non-voting member) introduced himself and then asked Commission members to introduce themselves and who they were representing. Present were:

- **City Attorney Bodie Stegelmann**, who will advise the Commission and is a non-voting member;
- **Shawn Miller**, who was appointed by Councilor Matt Schrock of District 3;
- **Everett Thomas**, who was appointed by Councilor Gilberto Pérez of District 5;
- **David Daugherty**, who was appointed by Councilor Doug Nisley of District 2;
- **Bradd Weddell**, who was appointed by Councilor Donald Riegsecker of District 1;
- **Jenny Clark**, who was appointed by Councilor Megan Eichorn of District 4;
- **Brent Weddell**, an at-large Councilor and a non-voting member;
- **Julia King**, an at-large Councilor and a non-voting member;
- **Clerk-Treasurer Richard R. Aguirre**, a non-voting member, also was present to take minutes.

Mayor Stutsman asked if there were any Commission members who could not commit to not examining the Democratic and Republic makeup of the proposed new Council districts outside the Commission meetings. **Council President Weddell** jokingly responded that he and **Councilor King** could not commit to not doing so. **Mayor Stutsman** said that aside from that joke, no Commission member indicated they would not abide by a commitment to propose new district boundaries free of partisan considerations and solely based on population numbers.

3) Ordinance 5116 – Creation of Commission: **City Attorney Bodie Stegelmann** said the Commission's meeting packet included Ordinance 5116, which created the Commission. He noted that what was most important was the makeup of the group. Stegelmann said the ordinance specified that the Commission must provide recommended Council districts, and with an accompanying map, by July 18, and the Council will act on the recommendation.

4) Task – Divide City into 5 districts, consistent with the following: **City Attorney Bodie Stegelmann** said the Commission's task was to divide the City into five districts consistent with the following guidelines/criteria:

- a. Composed of contiguous territory or connected;
- b. Reasonably compact, so there shouldn't be "snakes or salamander" shaped areas wrapping around districts;
- c. Contain, as nearly as possible, equal populations;
- d. The district lines should not cross precinct boundaries lines except if the districts would not otherwise contain, as nearly as possible, equal populations;
- e. There also is a goal of not crossing Census block boundary lines;
- f. And the Commission should not put a current district Council member out of his/her district.

5) Equal Population Standards: **City Attorney Bodie Stegelmann** said Goshen has 34,517 residents. He said if that total (35,417) was divided by five, the ideal average population per district would be 6,903 residents per district. **Stegelmann** said that based on the 2020 Census, the current populations per district are: District 1, 8,439; District 2, 6,961; District 3, 5,825; District 4, 5,043; and District 5, 7,971. He said at present, the largest district (District 1) has 8,439 residents compared with the smallest district (District 4) with 5,043. Stegelmann said that means the deviation from the ideal of 6,903 residents per district is 0.49, which is a big deviation the Commission must address. **Stegelmann** said 10 years ago, there was not much of a deviation between the districts, but since then there have been annexations and population growth, which has increased the deviations. **Mayor Stutsman** asked if the Commission and Council could put fewer residents in a district if it was expected to grow over the next 10 years. **Stegelmann** said that wasn't possible. **Council President Weddell** agreed, adding that then-City Attorney Larry Barkes said seeking to make that kind of advance adjustment was not permitted.

6) **Discussion: Commission members and staff** discussed the population deviations and related matters. **Commission member Daugherty** asked if there could be a way to limit changes in the current districts. **Mayor Stutsman** said there would need to be many changes because of the increased growth in Districts 1 and 5 and because District 4 is now the smallest district.

Commission member Thomas said a neighborhood – the area between 9th and 15th streets, south of Plymouth Avenue to College Avenue –has shifted between District 4 and District 5 in recent decades. He said **Councilor Gilberto Pérez** lives in that area, but District 5 now has a very large population. So, he asked how the Commission can keep Perez in District 5 and still meet the goal of having districts of essentially the same population size.

Commission member Weddell asked if the Commission could be provided with the location of the residences of Councilors. **Deputy Mayor Brinson** responded that could be done.

Councilor King asked if the Commission might consider acquiring software that could be used to help in the redistricting process. King said some people have said redistricting is a simple process, but she asked if software would be helpful.

Commission member Weddell described the process the Goshen Community Schools Board used for its redistricting. He said a spreadsheet was created broken down by precincts and census blocks, with the population figures, and by using different formulas, it became a simple process. He said that with the data provided, the Commission could do the same and not have to purchase software.

7) **Comments by Elkhart County Clerk Christopher Anderson and Commission discussion: Clerk Anderson** described several resources he was providing to the Commission, including the population deviations of the Council districts based on the 2020 Census and the populations of each voting precinct based on the 2020 Census.

Anderson said an issue redistricting will pose is that a number of precincts in the Concord Township, Elkhart Township and Jefferson Township are split with some portions inside and others outside the City of Goshen. So, he said the Commission will need to take that into consideration. Anderson pointed to several examples of this. And he said he would get Commissioners a list of the split precincts.

Anderson described a color map he was providing to the Commission from the Elkhart County Planning Department. He said **County GIS Coordinator Marc Watson** provided invaluable assistance in the County's re-precincting, which took effect in 2012.

Anderson also said that since there is no longer voting strictly by precincts, it is less important to not split precincts when it comes to redistricting. Since the County moved in-person voting at vote centers, Anderson said voters cannot get an incorrect ballot because when they go to a vote center, they receive the correct ballot based on their home residences. And he said poll workers, give voters the correct ballot based on their residences.

While the County would prefer that precincts not be split during redistricting, Anderson said it's to do that if necessary to keep equal populations among Council districts.

Council President Weddell asked how the Commission could determine the number of City residents in the various census blocks. **City Attorney Stegelmann** said the City had a map that indicates the City residents in the Census blocks. **Anderson** said County GIS Coordinator Marc Watson also could provide that information.

Anderson said that using Watson's data, the County was able to evenly locate vote centers. He said that as a result, 98.79% of Elkhart County residents within four miles of a vote center, but that cannot be said about precincts. He said some residents of Clinton Township, that comprise one precinct, had to drive nine miles to vote. Anderson encouraged Commission members to ask Watson for his assistance.

In response to a question from **Mayor Stutsman**, **Anderson** said the length of a drive to a vote center is no longer a big issue. He said many people vote closer to their work places than their homes. That makes vote centers so effective. And he said many people drive further distances from their homes to work than in the past.

8) Open discussion by Commission members:

Mayor Stutsman said that when the City conducted its last Council redistricting, the Mayor was then on the Council, and the final plan had five split precincts. The Mayor said if that number could be reduced, it would be great, but the Commission and Council will need to do what is possible. The number of split districts might be increased, the Mayor said, but the goal would be to reduce the number of split districts.

City Attorney Stegelmann said the packet of information he provided to the Commission included the last redistricting ordinance – Ordinance 4719 – which was approved and adopted May 13, 2013 and which showed the precincts per Council district as well as the number of split precincts.

Commission member Weddell pointed out that one of the large color maps provided to the Commission had an error – all of the precincts were listed as “Elkhart” while some of those actually are in the Concord Township and others in Jefferson Township. **Clerk Anderson** acknowledged the mistake. **City Attorney Stegelmann** said the smaller maps in the packet were correctly labeled.

Mayor Stutsman said the Commission needed to elect a Chair. He suggested it should be one of the voting members. He also suggested that two appointed members meet with the staff before the Commission’s next public meeting to develop some maps that could be considered at the next meeting.

Councilor King and **Councilor President Weddell** said that they would not be casting votes on the Commission’s recommendation. **Mayor Stutsman** affirmed that the only voting members are the appointees.

City Attorney Stegelmann said that included in Commission’s packet was a printout of an Excel spreadsheet from the County of precincts and Census blocks with the corresponding populations. He said he had begun eliminating Census blocks that were outside of the City of Goshen, but further work will be necessary to ensure accuracy.

Commission member Thomas said he was puzzled by the 2020 Census figures when it came to the over-18-year-old populations in the districts. He pointed out that District 1 was the largest district, with a total population of 8,439, but the over 18 population was 5,789 compared with 6,375 people over 18 in District 5. **Commission member Weddell** said many minors live in District 1 because there are many apartments in the district. **Thomas** said District 5 also has a greater number of older people.

Council President Weddell clarified that the City will be developing districts comprised of total population figures and not of the number voters in each district. **City Attorney Stegelmann** concurred.

Mayor Stutsman said that a lot of information had been provided today and he didn’t expect Commission members to start making decisions about how to shift populations among the districts.

Clerk Anderson said that there are 13 precincts that are currently split between the jurisdictions of the City of Goshen and the County. He repeated that it not a major issue to split precincts. **Council President Weddell** clarified the details of one of the split districts.

Mayor Stutsman suggested that Commission members elect a chair, who would likely present the Commission’s recommendation to the City Council, although he said it would be good for all Commissioners to be present. The Mayor noted that the Council would need to approve and adopt a redistricting ordinance by Nov. 8, 2022.

Clerk Anderson said he believes that in order to run for Council from a district, a person must have lived in that specific district for one year and one day before the November 8, 2023 election.

Mayor Stutsman said the Commission is required to advance a recommendation to the City Council by July 18. He said that early deadline was set to allow the Council adequate time to approve and adopt a redistricting ordinance.

9) Election of Commission Chair:

Commission member Thomas asked the Mayor why the Commission chair had to be one of the appointees. **Mayor Stutsman** said Ordinance 5116 was designed with the intent that the Chair be one of the voting members. He said there was a view by some that the Mayor and the at-large Council members could not be unbiased and that the Commission should operate in as non-partisan a manner as possible. **Thomas** said that if the Chair will cast a vote on the Commission's recommendation, the Chair could be perceived as biased. He asked what other voting members thought. **Commission member Weddell** asked what the ordinance said on the issue.

Mayor Stutsman said the ordinance specified that the Chair must be a voting member, and that means the chair cannot be a non-voting member.

After an exchange between **Council President Weddell** and **Clerk Anderson** about one of the voting precincts, **Mayor Stutsman** suggested the Commission focus on electing a Chair. Mayor Stutsman asked if any of the Commission members wanted to serve as Chair.

Commission member Daugherty nominated **Bradd Weddell** to serve as Commission Chair. **Commission member Thomas** seconded the motion. By consensus, **Mayor Stutsman** declared that **Brad Weddell** was the Chair of the City of Goshen Redistricting Advisory Commission.

10) Continued Commission discussion and next steps:

Mayor Stutsman suggested that two Commission members meet with staff one of two times before the Commission's next scheduled meeting on June 17, and begin working on redistricting maps.

Numerous members expressed an interest in participating in the meeting or meetings. **Mayor Stutsman** suggested that meeting dates be arranged by members. He noted these would not be public meetings.

Clerk Anderson said he would try to be present to provide information and answer questions. **City Attorney Stegelmann** said he also would provide additional information as needed.

Commission members and staff discussed the process of eliminating non-Goshen residents from the Census block list. They also discussed next steps in the process, including compiling a list of the home addresses of current Council members, the impact of annexations on redistricting and the impact of new housing projects.

Mayor Stutsman said that funds were appropriated in the current budget in case the Commission has any expenses. He also noted that the June 17 meeting will be a public meeting.

In response to a question from the **Clerk-Treasurer**, **City Attorney Stegelmann** said that if a voting majority of the Commission decides to attend a work session, the meeting would be announced in advance and the public could attend.

In response to a question from **Councillor King**, **Stegemann** said the public can attend the Commission meetings, but residents don't have a right to speak unless it's a public hearing. **Mayor Stutsman** said the intent had been to not take public testimony at Commission meetings, which he said should be regarded like Council work sessions.

However, the Mayor said invited testimony would be allowed.

Mayor Stutsman confirmed that the Redistricting Commission will meet next at 9 a.m. on Friday, June 17, again in the Council chambers.

In response to a question from the Mayor, **Commission Chair Weddell** discussed the time it will take to start developing possible District population breakdowns. He said the process should not be overly complicated.

Commission members, the Mayor and staff discussed possible dates for a meeting to discuss the maps. It was decided that Commission members **Weddell and Thomas** would meet with staff before the June 17 meeting.

Commission member Clark said she could not be present for the June 17 meeting, but could be available via Zoom. **Mayor Stutsman** asked that the **Clerk-Treasurer** work with **Communications Coordinator Sharon Hernandez** to arrange a Zoom connection for Clark.

11) Adjournment:

There was further discussion among Commission members and staff about logistical details.

Commission member Thomas then made a motion to adjourn the meeting. **Commission Chair Weddell** seconded the motion and declared the meeting to be adjourned at 10 a.m.

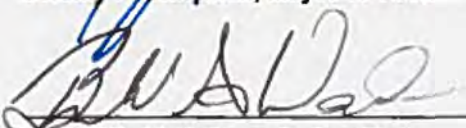
Next meeting: 9 a.m., Friday June 17, 2022 in the Council Chamber of the Police-Court Building, 111 East Jefferson Street, in Goshen.

APPROVED:



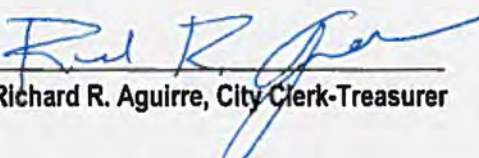
Jeremy P. Stutsman, Mayor of Goshen

APPROVED:



Bradd Weddell, Commission Chair

ATTEST:



Richard R. Aguirre, City Clerk-Treasurer

CITY OF GOSHEN REDISTRICTING ADVISORY COMMISSION

Minutes of the June 17, 2022 Meeting

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

Members present: David B. Daugherty (District 2 appointee) Shawn Miller (District 3 appointee)
Everett Thomas (District 5 appointee) Bradd Weddell (District 1 appointee)

Absent: Jenny Murto Clark (District 4 appointee)

Non-voting members present:

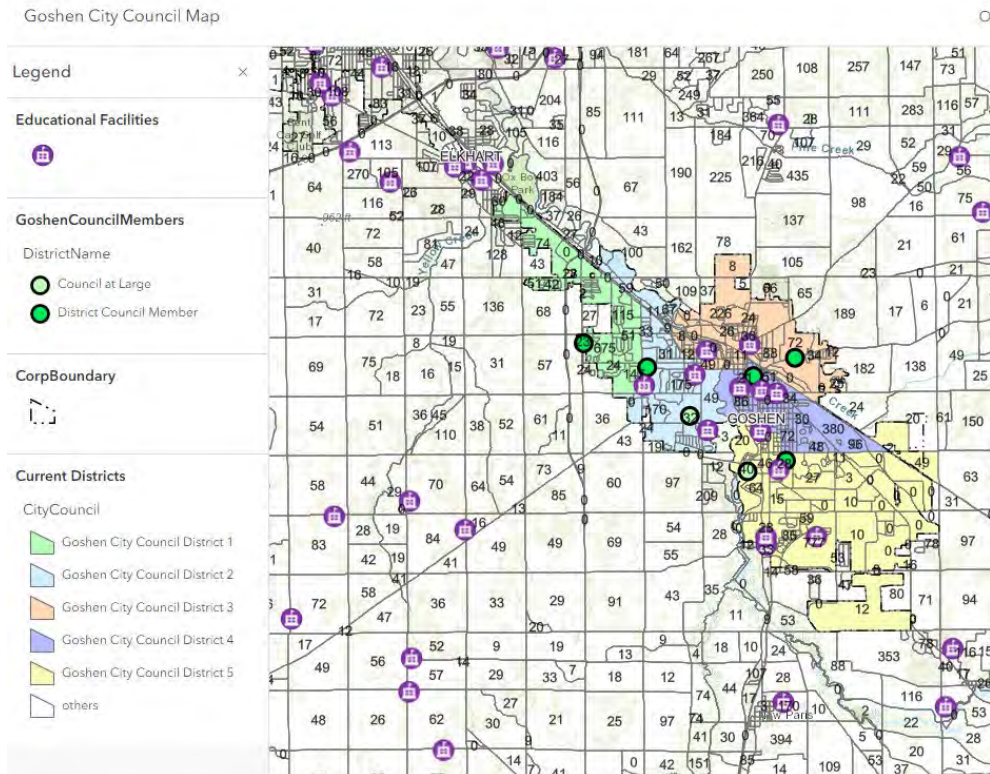
Mayor Jeremy Stutsman Councilor Julia King (At-large)
Council President Brett Weddell (At-Large) (9:44 a.m. arrival)
City Attorney Bodie Stegelmann Clerk-Treasurer Richard R. Aguirre

Also present: Deputy Mayor Mark Brinson Elkhart County Clerk Christopher Anderson
City Legal Compliance Administrator Shannon Marks

1) Call to order: Mayor Stutsman called the second meeting of the City of Goshen Redistricting Advisory Commission to order at 9:06 a.m.

Mayor Stutsman said that since the first commission meeting, a good work process was established to move the process forward. He said **Commission Chair Bradd Weddell** did a great job obtaining an interactive online map of the five current Council districts from the Elkhart County Planning Department and preparing it so can be reviewed and modified by commission members. The Mayor thanked Weddell for his expertise and work.

SCREEN SHOT OF MAP CREATED BY ELKHART COUNTY FOR COMMISSION USE DURING REDISTRICTING:



2) Review of interactive map of City of Goshen Council districts

Commission Chair Weddell reviewed and explained an interactive map of the City of Goshen five single-member districts from **County GIS Coordinator Marc Watson**. He demonstrated how commission members could use the online map in the redistricting process by evaluating voting blocks and the corresponding populations that make up each of the council districts. He said commission members could then shift voting blocks to develop new districts with near-equal populations. He also said the commission was provided an Excel file to further explore the data.

Weddell said it won't be a simple process and that it would take several meetings to develop draft redistricting plans. As a starting point, **Weddell** said he separated out the actual voting blocks, or precincts, that make up each district. When voting precincts are split between Council districts, **Weddell** said he highlighted the cells in yellow. He also highlighted the precincts that are split, with portions inside and outside the city. He added that the map as originally configured provides a starting point for the redistricting process by showing the current council district boundaries.

3) Initial discussion about the interactive map and preliminary steps:

Commission Chair Weddell said the County provided breakdowns of the populations of each of the five Council districts. He said the total number of residents of the five districts as indicated on the map was 34,239. However, he said data provided by County staff indicated the Goshen had 34,556 residents and **City Attorney Bodie Stegelmann** indicated there were a total of 34,517 Goshen residents according to the 2020 U.S. Census. **Weddell** asked **Elkhart County Clerk Christopher Anderson** if the Commission should worry about the three different population totals and the discrepancy of 317 people between the populations of the County and City population totals.

Anderson said that would not be a significant issue unless the total discrepancy was within one of the Council districts and as long as there wasn't a large deviation among districts. He also explained how the numbers would have been compiled. **Stegelmann** said the total provided by County was 49 people more than the 2020 U.S. Census figure. **Weddell** said he just wanted to point out the population issue.

Weddell said the redistricting process will involve working with the map of the current council districts and then creating new districts while monitoring the corresponding population changes in other districts. He said that as modifications are made, the interactive map will reflect and display the changes in population as commissioners seek to reduce the population deviations of the districts. **Weddell** said commissioners will need to break up the voting precincts. He said the Commission may end up breaking up four or five or more of the precincts.

Weddell said that the process will be complicated because some of the precincts have hundreds of residents and others have small populations. He said populations changes can be made quickly on the interactive map and in some districts, simply adding or take away even one precinct can cause big changes in the population totals.

Weddell said the first goal of redistricting is to retain the residences of the five current councilors in the new districts. He said the second goal is to keep all of the districts as balanced as possible in terms of population. However, **Weddell** said that keeping all of the residences of current councilors in their current districts will be the most difficult task based on initial work that he did in shifting district lines using the interactive map. He said while trying to balance populations of the districts, he found that it was easy to cut the residences of current councilors from their new districts. **Weddell** said a related challenge will be seeking to determine the final shapes of districts.

Mayor Stutsman said a key redistricting goal is to keep councilors in their districts, but he asked about the consequences if they were excluded. Specifically, he asked, if councilors could continue representing their districts if the newly-approved redistricting plan excluded their residences from their new districts.

Anderson said those Councilors would be able to continue representing their districts even if they no longer lived in the boundaries of their new districts until Dec. 31, 2023. However, they would need to seek office in the district where they now resided.

Mayor Stutsman said that in that case, two current councilors could face one another in a primary or general election. **Elkhart County Clerk Anderson** agreed, pointing out that this happened this year in a primary election for a state House district. He said state Reps. Curt Nisly and Craig Snow ended up in House District 22 as a result of redistricting and in two other state House districts, there was no incumbent. **Mayor Stutsman** said he didn't think it was a mistake that Nisly and Snow ended up in the same district. **Commission Chair Weddell** thanked Anderson and Mayor Stutsman for the clarification and said the residency issue needs to be considered. **Weddell** said a good example of the redistricting dilemma involves **Councilor Gilberto Pérez**, who lives on the edge of Council District 5. He said this will make redistricting more difficult for districts 4 and 5.

City Legal Compliance Administrator Shannon Marks pointed out that she had found an error on the County map. She pointed out an area that had several residences and was not in the City. She indicated that this could account for the population differences in total population figures provided by the County and the City. Commissioners further discussed this issue.

4) Discussion about considering the residences of Councilors and school locations:

Commission Chair Weddell and **Mayor Stutsman** briefly discussed the use of the interactive map and the importance of clearly indicating the residences of the five district councilors.

Weddell zoomed in on the interactive map and showed individual voting precincts. He explained that it will be necessary to split some of the precincts to create five districts with nearly equal populations. He said the committee will need to begin their work by making decisions about some broad theories, such as the desired shapes of the districts. In response to a question from **Councilor King**, **Weddell** said each voting precinct includes the total population and not just the voting-age population.

Commission member Daugherty said that when he thinks of logical ways to consider the areas to include in council districts, he believes it's important to consider neighborhood school boundaries and to keep those areas in the same districts. He said those areas have shared transportation and sidewalk issues. He added that one of the great things about Goshen is that the Council and School Board have joint meetings to discuss shared issues. So, he said keeping school neighborhoods together in the same districts would be a positive thing.

In response to a question from **Mayor Stutsman**, **Anderson** said the boundaries of the City of Goshen and Goshen Communities Schools are not the same. The school boundaries extend outside the City limits. **Weddell** added that Goshen Communities Schools has only four school board districts in contrast to the City's five council districts.

Daugherty said it would be good to focus on the elementary schools, noting that the neighborhoods surrounding them share many issues. **Councilor King** asked if it would be good to make the locations of schools on the map. **Daugherty** said it would be a logical thing to do. **Weddell** pointed out that Waterford Elementary School is outside the City limits and all others are inside the City.

Mayor Stutsman said it is clear that developing a redistricting plan that keeps the home of **Councilor Pérez** in District 5 will be difficult because the adjacent district (4) needs to have a larger population and Pérez lives next to District 4. **Weddell** agreed,

Commission member Thomas said Councilor Pérez lives south of College Avenue. He said the area south of College Avenue used to be in District 5. Thomas asked why Elkhart voting precinct 14 couldn't be swapped to balance the populations of the districts. **Weddell** responded that doing so might be a solution. He added that when precincts were redrawn 10 years ago, this created an odd appendage. He said this was done to balance the populations of districts 4 and 5 because 5 had to include more residents

Anderson explained how this was done and the changes made possible now because of population growth. He described the varying sizes of the voting precincts and when population data was made available.

Elkhart County Clerk Anderson added that although it's best not to split many precincts, it doesn't really matter as much as in the past because people now cast ballots in voting centers.

Commission member Daugherty said that basing redistricting on total population has a down side because it results in districts with differences in the number of potential or registered voters. He said some of those people are not served as well. **Commission Chair Weddell** agreed, noting that a far higher percentage of people vote in District 5 compared with District 3 because of the different makeups of the district populations.

In response to a question from **Councilor King**, **Anderson** clarified that redistricting must be based on population totals and not the voting-age population. **Mayor Stutsman** pointed out voting precincts have to do with voter areas while the census tracts deal only with representation.

Deputy Mayor Brinson asked if the interactive map should be modified to indicate the homes of councilors. **Weddell** said that would be helpful. **Councilor King** also suggested adding the location of schools. **Anderson** said he would ask **County GIS Coordinator Marc Watson** to add this information.

5) Discussion about district shapes, shifting boundaries and voting precincts:

Mayor Stutsman said a major goal of redistricting will be to split as few voting precincts as possible. However, he said one area of likely splits will involve efforts to keep the residences of councilors in their current districts.

Weddell agreed, noting that the City of Goshen is not square, so there will be split precincts. He said some precincts have huge populations, with as many as 3,000 residents, while others have as few as 400 residents. He said the goal will be to have about 6,900 residents per district, so shifting residents from one districts to another to achieve the needed balance will be impossible without splitting some precincts.

Weddell said it will be important for commissioners to determine the shapes of the council districts and the general areas they should encompass. For example, he said it will be important to determine whether areas divided by major roads should be kept together. So, he said commission members should decide on the rough district boundaries and then make adjustments between adjacent districts.

Commission members and Mayor Stutsman briefly discussed the modifications that likely will be necessary in the shapes and boundaries of Districts 1, 2, 3, 4 and 5. There was a consensus that District 1 has too many residents and District 3 has too few. They also discussed the voting precincts and how to begin reconfiguring the boundaries and displaying the outcomes. **Anderson** clarified the differences between census blocks and voting precincts.

6) Discussion about the steps needed to create new Council districts:

Commission Chair Weddell clarified initial steps the Commission should take in the redistricting process. That prompted discussion about ways in which to approach the task, such as adding large areas to a district and assessing the impact on the district that lost residents and keeping together in one district areas on the same side of railroad tracks. There was discussion about individual voting precincts and the impact of shifting them from one district to another. There also was discussion about two large precincts in District 1.

Mayor Stutsman said it made sense for the Commission to work first on District 3, which is the smallest current district and touches districts 2 and 4, and try to add enough residents from those two districts to reach the required number of residents, which is 6,900 people. He said the next step could then be to shift residents to districts 2 and 4 from districts 5 and 1.

Commission member Daugherty agreed with that approach and said there will need to be population shifts between districts. For example, he said that districts 1 and 5 have too many residents, so people will need to be shifted from those districts.

Commission Chair Weddell responded to those comments and discussed how the initial population shifts could be accomplished.

In response to a question from **Councilor King**, **Weddell** said this work would need to be done on multiple computer monitors displaying the map of current districts, another map that would be modified as well as the spreadsheets of the populations per district. **Weddell** said he would need help in doing this work. He added that he could use different colors to indicate new proposed districts.

Daugherty suggested that the Commission schedule a longer meeting to actually work on changing district boundaries and evaluating the impacts of those changes.

Weddell said that he had hoped to present two proposed redistricting maps at today's meeting, but didn't have time to do so. He estimated it will take four or five hours to develop an initial map. The map, he said, could then be presented to other commissioners and modified at a meeting.

Mayor Stutsman suggested that two members of the commission meet and begin developing proposed district maps. He said the entire commission could then meet and review proposed maps. He suggested using a different room with tables and plenty of room to lay out and examine large maps. However, the Mayor pointed out that he would need to consult with the Clerk-Treasurer on the location to ensure the meeting still could be recorded.

Daugherty said he would be comfortable with that approach, but wanted to know what others were thinking, noting again that districts 1 and 5 have too many residents.

(At 9:44 a.m., Council President Brett Weddell arrived at the commission meeting.)

Chair Weddell said it would be important to not have too many areas shifted to other council districts. **Daugherty** agreed, but said some changes are inevitable. When the new districts are approved, **Mayor Stutsman** said the City will publish a large map of the new district boundaries in the *Maple City Now* newsletter, which will be mailed to the homes of residents. He said this will help residents know their representatives.

Elkhart County Clerk Anderson suggested that Commission members work first on new boundaries for District 3, the smallest district. Starting with another district might take longer. **Daugherty** agreed, but noted District 4 might be the easiest district to complete. **Weddell** agreed.

Mayor Stutsman said that it would be best to first focus on District 3. **Councilor King** agreed, but noted that redistricting District 3 would be politically sensitive because certain types of population shifts could alter the partisan composition. **Daugherty** said that was a good point. **Weddell** chuckled and said he made a vow not to consider the Republican and Democratic composition of districts.

Anderson pointed that although some parts of the City will continue to gain residents and others will remain stable, population growth is not a factor in redistricting. He said districts must have roughly equal populations based on the 2020 U.S. Census. **Mayor Stutsman** said it's expected that current districts 1 and 5 are expected to grow the most in terms of population over the next decade.

7) Discussion of next steps:

Commission Chair Weddell said it appeared there was a consensus to use the interactive map to increase the populations of District 3 and District 4 by "harvesting" residents from districts 5 and 2 and then move residents from district 1 to district 2. Commissioners affirmed this approach.

Mayor Stutsman confirmed that the work group will consist of **Commissioners Weddell and Thomas** assisted by **Deputy Mayor Brinson and City Attorney Stegelmann**. **Anderson** said he also would be available to help as needed.

In response to a question from the **Mayor**, **Anderson** said the location of voter centers didn't matter for the redistricting process.

Commission member Thomas said that before convening the work group, the interactive map will need to be modified to include the locations of the residences of the five councilors and schools.

Commission Chair Weddell said that at the work group meeting he would present some initial scenarios for review and discussion. He also asked Clerk Anderson if County GIS Coordinator Marc Watson could create another file with a second interactive map, so one file could be kept as a master or base file and another could be the working file.

Councilor King asked if it might be better to purchase software to assist with redistricting. She said she wants to ensure many options can be considered. Weddell said it's easy to make adjustments on the interactive map.

Council President Weddell agreed with that assessment.

Chair Weddell said he hopes to help prepare three initial options, including one that has equal populations and a minimum number of split precincts but does not necessarily keep the residence of councilors in their current districts. Another map, Weddell said, would help show the splits that would be necessary to keep councilor residences in the same districts. Council President Weddell affirmed that approach.

Commissioners briefly discussed various areas of the City with limited populations and the number of plans to develop. Chair Weddell said he hopes the Council will approve the Commission's final plan.

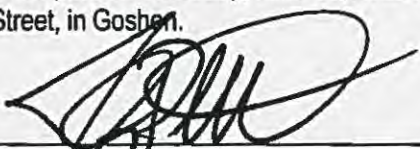
Mayor Stutsman said the Commission's next meeting will be June 30 with another on July 15. He said that if on June 30, it becomes apparent the Commission is not making progress, perhaps it could schedule one or two more meetings between June 30 and July 15. Chair Weddell said he hopes the work group will meet within a few days.

8) Adjournment

Commission member Thomas made a motion to adjourn the meeting. Members voted unanimously to approve the motion. Mayor Stutsman adjourned the meeting at 10 a.m.

Next Commission meeting: 1:30 p.m. on Thursday, June 30, 2022 in the Council Chamber of the Police-Courts Building, 111 East Jefferson Street, in Goshen.

APPROVED:



Jeremy P. Stutsman, Mayor of Goshen

APPROVED:



Bradd Weddell, Commission Chair

ATTEST:



Richard R. Aguirre, City Clerk-Treasurer

CITY OF GOSHEN REDISTRICTING ADVISORY COMMISSION

Minutes of the June 30, 2022 Meeting

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

Members present: Jenny Murto Clark (District 4 appointee) David B. Daugherty (District 2 appointee)
 Everett Thomas (District 5 appointee) Bradd Weddell (District 1 appointee)

Absent: Shawn Miller (District 3 appointee)

Non-voting members present:
 Mayor Jeremy Stutsman Councilor Julia King (At-large)
 Council President Brett Weddell (At-Large)
 City Attorney Bodie Stegelmann Clerk-Treasurer Richard R. Aguirre

Also present: Deputy Mayor Mark Brinson

1) Call to order:

At 1:45 p.m. Mayor Stutsman convened the third meeting of the City Redistricting Advisory Commission

2) Report by the small working group on redistricting plan options:

Mayor Stutsman called on Commission Chair Bradd Weddell to give a report on the activities of the Commission's small working group, which includes Chair Weddell, Commission member Everett Thomas, Deputy Mayor Mark Brinson and City Attorney Bodie Stegelmann.

Chair Weddell said that since the Commission's last meeting, on June 17, 2022, the small working group met once and completed several redistricting concepts or preliminary options it had been asked to develop to balance out the populations of the five Council districts. He said County GIS Coordinator Marc Watson helped the group by providing data to create maps so the working group could develop and display redistricting options.

Chair Weddell said both online and printed maps were developed to show the redistricting options. He said the small group has developed three options. He said Commission members can make adjustments to narrow or widen the population percentages in the districts as the commission seeks to balance out the districts.

He shared this spreadsheet (EXHIBIT #1) with the populations of the current council districts and the three options as well as their means and population deviations between the largest and smallest districts.

		Current District	Proposed Redistrict Option 1	Proposed Redistrict Option 2	Proposed Redistrict Option 3
District	1	8,105	6,984	6,984	6,984
District	2	7,034	7,160	7,160	6,988
District	3	6,149	6,698	6,698	7,058
District	4	6,319	6,835	7,001	6,813
District	5	6,910	6,840	6,674	6,674
		34,517	34,517	34,517	34,517
	Mean	6,903	6,903	6,903	6,903
	% Diff	31.81%	6.90%	7.28%	5.75%
	ST Dev	770.00	175.52	210.17	156.80
	Spread	1,956	462	486	384

Chair Weddell first discussed the populations of the five current council districts, which are: District 1, 8,105; District 2, 7,034; District 3, 6,149; District 4, 6,319; and District 5, 6,910.

Chair Weddell then discussed the population deviations, between the largest and smallest districts in each of the three redistricting options. They are: Option 1, 6.90% deviation, Option 2, 7.28% deviation and Option 3, 5.75% deviation. He said the goal is to have a 10% or less deviation from the largest to smallest council district. Weddell said it would be possible to get a lower deviation, but that would require breaking up more neighborhoods in a manner that he said would not be best for the representation of those neighborhoods.

Commission member Thomas said the Commission's goal is to create Council districts with 6,900 residents per district and that this goal should be kept in mind when evaluating the redistricting options.

Chair Weddell said the three options were the starting point for the Commission's work. He said the advantage of using the spreadsheet is once the Commission members intensify their work, they can move council district boundaries and the spreadsheet will show the resulting changes to the number of people in each district. He said the hope was that the Commission could make some of those adjustments today.

Mayor Stutsman asked that along with calculating the percentage deviation between the largest and smallest district in each option, did the working group also keep a record on the number of precincts being split. The Mayor said he knows the splitting precincts is not that big a deal anymore, but he was just curious.

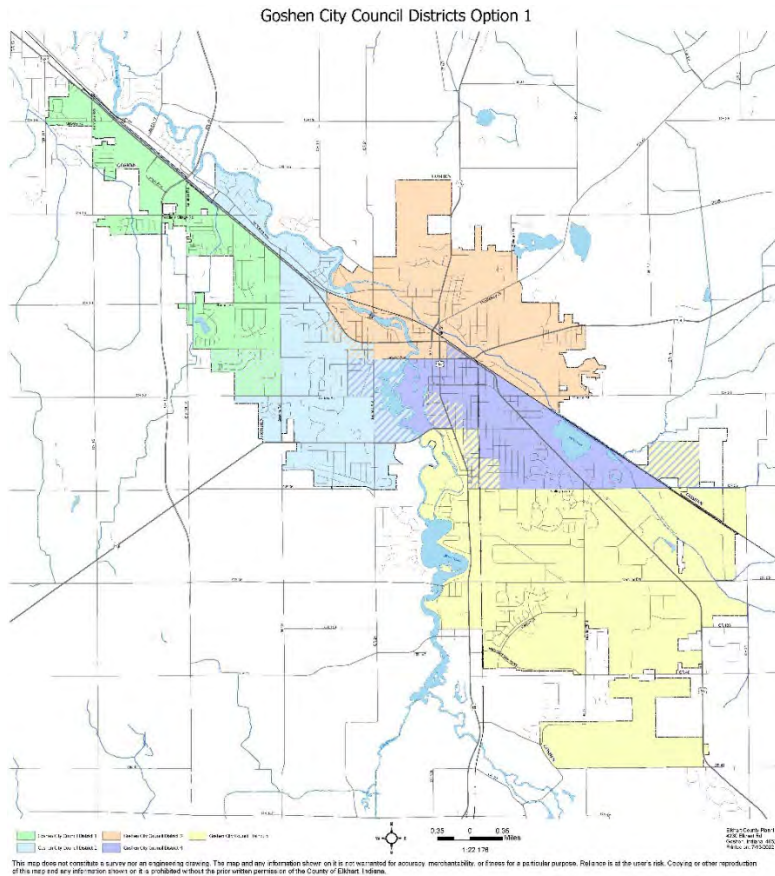
Chair Weddell said "Goal 1" was to split no precincts, but that is not possible because of how the City is laid out. In more carefully considering the redistricting options, he said the Commission will probably end up with as many split precincts as the City has had before. And, again, he said this is because of the way the City is laid out and the goal of seeking the closest balance in the populations of the districts. He said the City will probably end up with 5-8 split precincts. And he said the maps will show the split precincts.

Mayor Stutsman said that seemed good to him. He said he wanted to make sure the City would not end up with more split precincts than it has at present.

Chair Weddell said that what is great about what **County GIS Coordinator Watson** has done is that he has created a map with layers. The map also shows the homes residences of all Councilors as well as the locations of K-12 schools and Goshen College, as reference points.

3) Presentation and discussion about Council Redistricting Option 1:

Chair Weddell displayed and discussed the following map of Council Redistricting Option 1.



Chair Weddell made the following comments about Option 1:

- This plan has a 6.90% population deviation from the largest to the smallest council district;
- Compared to the current district map, District 1 was by far the largest district by population, so as a result, it was necessary to “harvest” population from District 1;
- South of Clinton Street is where a break was made; previously all of that area was in District 1, so some of that population was moved to District 2;
- That was done to balance the population out;
- Also, doing this created a split in precinct 5;
- By doing this, District 2 became large and residents had to be “harvested from District 2”;
- The big change there was that previously Elkhart precincts 8 and 11 were split precincts, so both of those precincts now became solely in a district;
- Elkhart Precinct 8 moved into District 3 and Elkhart Precinct 11 moved into solely District 4, to begin balancing some of the populations there;
- The only other large change was “cleaning up” a bit of District 5, which had an appendage on the map that went up;
- However, that has to stay for the most part because the population density is very heavy through the downtown corridor and through the College Avenue area;
- Those were the large structural changes that were made for this first plan.

Councilor King asked if there could be “redline versions” of the plans to help the changes appear more clearly.

Mayor Stutsman responded that what he hopes to do after the Commission completes its work is to assemble a packet for Councilors with the minutes of the meetings, side-by-side maps of what the districts are now and the new proposed maps for each district. He said these maps will actually show the streets;

Chair Weddell said that would be good, adding that people ask all the time about the streets and ask to be shown where they live on the district maps.

Commission member Daugherty said a good overlay over the current district map would be a simple way to show the new proposed districts in greater detail. **Commission member Clark** agreed with that approach.

Daugherty said that when Commission members begin to examine small details, he said he didn't know how exacting he would want to be compared with the larger task of seeking the balance the overall populations of the districts. He said it would feel like "nitpicking to get too much into the weeds of detail."

Mayor Stutsman agreed, saying he doesn't believe Commission members should nitpick, but that people will want that detail just because of where their house is. **Daugherty** said a fine level of detail will be needed for the final maps, so people can see where they live. But, he said, such detail is not necessary when balancing the districts.

Chair Weddell said the City should show people the boundaries of each district today and then show each proposed district going forward. He said viewing each district will be easier to comprehend vs. looking at the entire City map.

Mayor Stutsman said that in the final packet he would envision having a map of the entire City, with the current districts, and then below it a similar map showing the proposed new district boundaries. And he said he would want current and new maps of each of the five council districts.

Daugherty said it isn't easy to fully grasp the district boundaries when viewing the large map.

Chair Weddell agreed. He said he has spent substantial time working with the population numbers and it hasn't been easy to balance the populations and not end up shifting areas in districts, sometimes resulting in odd shapes. He said that if one adds too many residents to District 4, it becomes impossible to get enough population in District 5, which has a lot of area but not as many residents.

Daugherty said that kind of explanation would be helpful, because otherwise some might look at an area or appendage that sticks up, for example in District 5, and wonder whether it has been gerrymandered. **Daugherty** said there has not been gerrymandering, but the appearance might suggest there was gerrymandering.

Mayor Stutsman said that kind of explanation and language could be important in a page about the new District 5 boundaries to rebut any assumption of gerrymandering.

Chair Weddell said he has provided a "high-level" explanation of Option 1.

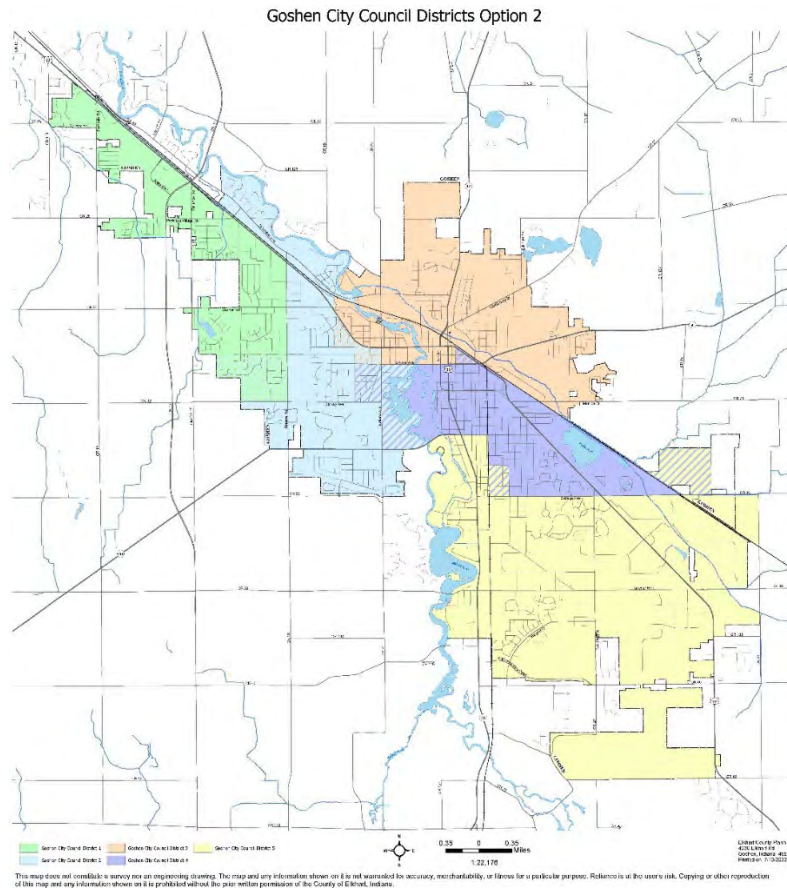
In response to a question from **Commission member Clark**, **Chair Weddell** said the population deviation was 6.9% in Option 1.

City Attorney Bodie Stegelmann asked about the number of split precincts in Option 1. **Chair Weddell** said there were four or five split precincts, which he said may have been the fewest splits among the three options.

In response to question from **Commission member Daugherty**, **Chair Weddell** provided the population breakdowns per district in Option 1: District 1, 6,984; District 2, 7,160; District 3, 6,698; District 4, 6,835; and District 5, 6,840.

Chair Weddell also briefly discussed a neighborhood – the Pickwick area – that could split up to get a better population balance, but said that would needlessly divide a neighborhood.

4) Presentation and discussion about Council Redistricting Option 2:



Chair Weddell made the following comments about Option 2:

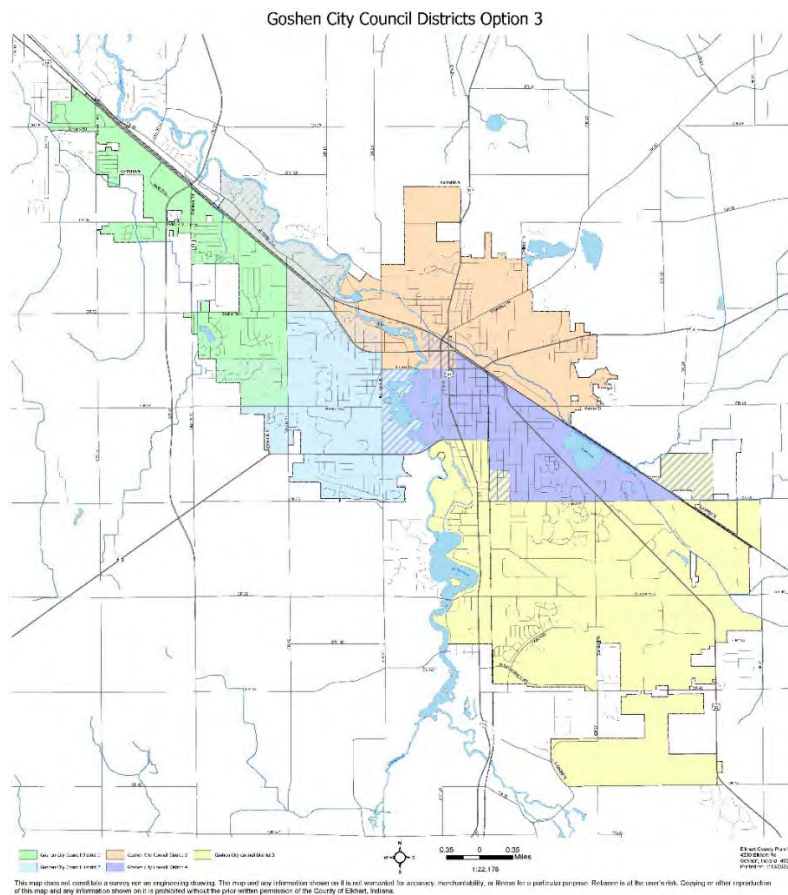
- Of the three options, Option 2 results in the largest population deviation, 7.28%;
- He said Commission member Thomas challenged him to create this option because he wanted a plan with cleaner lines and fewer appendages;
- This plan results in cleaner lines and a more succinct appearance to District 4 and no strange appendages;
- Similarly, on the western edge of District 4, there are cleaner lines so that districts were broken up in a way that gave good representation to those residents;
- District 1 was reduced in the exact same way as in Option 1, by removing the southern edge and moving it to District 2, which has been done in every redistricting option;
- Doing this is the only way to get District 1 smaller in terms of population;
- So, District 1 will look the same in every option because of how it is set up;
- Similarly to District 1, District 2 has the exact same population as it does in Option 1;
- The big changes came in District 4, in seeking to make cleaner lines, and District 3 looks very similar to Option 1;
- There were not large changes, but this was an attempt to make more rectangular districts compared to more oblong districts.

City Attorney Stegelmann said the recommended redistricting standard is more compact districts.

Councilor King said the first two options took population from District 1 and District 2. She asked if there was a scenario that took residents from other areas. **Chair Weddell** said the third option would do that.

Mayor Stutsman said he understood the residences of Council members were represented by green dots on the map. He asked about a green dot in Elkhart Precinct 17. **Deputy Mayor Brinson** said that dot represented the home of **Councilor King**. **Council President Weddell** pointed out the residences of all Councilors on the map.

5) Presentation and discussion about Council Redistricting Option 3:



Chair Weddell made the following comments about Option 3:

- This plan emerged from discussions at the last Redistricting Commission meeting;
- Commission members suggested trying to get all of District 3 north of U.S. 33 and to try to get the population to balance out;
- Option 3 has the lowest population deviation, between the largest and the smallest district, of 5.75%;
- However, this option splits more precincts than Options 1 and 2 in order to get District 3 all north of U.S. 33 and the main railroad tracks there;
- Part of Elkhart Precinct 7 and 8 are split; in fact, Elkhart Precinct 8 is split between three Council Districts to achieve a balance of district populations;

- Council District 1 is the same in all three options;
- Council District 2 is similar, but a little different because Concord Precinct 33 was removed as well as parts of Elkhart Precinct 7, so District 2 now has to go into Elkhart Precinct 8 and a little into Elkhart Precinct 11;

Using the map, **Chair Weddell** pointed out the greatest population densities in the City. And he said it is a “tug and pull” to make redistricting plans very different.

Commission member Daugherty said now that there are voting centers, why is there such a concern about splitting precincts? **City Attorney Stegelmann** said precincts aren’t supposed to be split unless necessary. **Mayor Stutsman** said cities are supposed to minimize splitting precincts.

Daugherty said, “My question is why?” **Mayor Stutsman** said that the issue becomes whether to split precincts or neighborhoods. **Council President Weddell** said the statute encourages fewer split precincts because not all counties have voting centers. He said many still have precinct voting.

Daugherty said he loves voting centers because they encourage people to vote close to where they work or live. He said it doesn’t seem like precincts are significantly important to how the City is managed or governed.

Chair Weddell said having spent a lot of time on redistricting, the City could split a lot of precincts, but would still be dictated by boundaries and how they look. Unless Commission members are all willing to turn the process upside down and create something that doesn’t look recognizable to anyone today, he said the commission could “go crazy.”

Daugherty said he liked Option 3 because of the smoothness of the boundaries and its rationale. He said he liked “the way it brings it together, and it meets the numbers best.”

6) Open discussion about the redistricting options and related issues:

Regarding **Chair Weddell’s** comment about districts not looking “recognizable,” **Councilor King** said she has thought about this since the start of the redistricting process. She said people think about their living room and cannot imagine it another way. That’s why, she said, it’s good to have “fresh eyes” to be part of the redistricting process because there is a bias toward what exists because people have lived with it for so long.

Chair Weddell said he has explored about 20 different redistricting options, and some look really radical, but all have similar boundaries because of how the City’s population is distributed.

City Attorney Stegelmann said there is kind of a population bottleneck in the middle of the City which complicates the redistricting process along with the requirement to create contiguous districts. He said if the City had a square shape, the redistricting process would be easier.

Council President Weddell said the council districts are numbered District 1 to the north and District 5 to the south. He said it would challenge people to renumber the districts.

Daugherty said he doesn’t believe many people even know in which Council district they live. **Chair Weddell** concurred and said some people confuse their Council district and their Goshen Community Schools district. He added that the Commission could create wildly different districts, but the outcome would likely be the same.

Daugherty said he wasn’t advocating for major changes and wanted to make sure districts are as contiguous as possible. **Chair Weddell** said he sensed people wanted more conventional districts.

Commission members briefly discussed different approaches to redistricting and different shapes.

Commission member Thomas invited commission members to develop other redistricting plans as long as they followed the redistricting requirements of creating districts of roughly the same population and with a small deviation.

City Attorney Stegelmann added that the districts also must be contiguous, reasonably compact, cross as few precinct boundaries as possible and the populations of districts must be roughly the same size.

Mayor Stutsman said it isn't a stated requirement, but major roads also should be considered because they can divide a neighborhood or make it tough for people to connect.

Mayor Stutsman asked Thomas and Chair Weddell which of the three options they favored.

Thomas said he would support the plan with the smallest population deviation – Option 3.

Chair Weddell said that all three plans “were pretty even” to him. He said Option 3 is good because it has the smallest deviation. Personally, he said the negative aspect of Option 3 is that all north side residents would be in the same district. He said some people say they are underrepresented. He asked, “Do we really want to have all of them represented by one person or do we feel they deserve a couple of representatives from different districts?”

Mayor Stutsman responded that all Goshen residents have three representatives – their district Councilor and the two at-large Councilors. **Chair Weddell** concurred.

Daugherty said the train tracks have always posed a major issue for residents of that part of the City. He said north side residents have many similarities. A single district for them, he said, would give them “one big voice” for the district. “That makes me feel good if I were there knowing I know who my representative is. I know who to go to. I know what my issues are and the similarities. And you have two other people on your side – the at-large representatives who represent them as well.”

Mayor Stutsman joked that he hasn't been mentioned as a representative and that he didn't even get a dot on the map. **Daugherty** joked that the Mayor only counts if there's a tie vote on the Council.

Daugherty again said that he liked Option 3.

Thomas said he believed the Commission would be taking three options to the Council.

Chair Weddell said he understood the Commission would be taking its main recommendation to the Council, but also would show Councilors its work and show other options, including perhaps fourth and fifth options. He said he developed the second option in about 10 minutes.

City Attorney Stegelmann said the ordinance that created the Commission specified that a recommendation would be presented to the Council, but that didn't mean other options that were considered couldn't be presented. **Mayor Stutsman** agreed that there could be two other options presented besides the main recommendation.

Councilors briefly discussed the relationship of the current districts to the railroad tracks. They discussed past redistricting efforts and the placement of various and distinct areas of the City in districts. There also was discussion about other redistricting options, including a new Option 4.

Commission member Clark asked if there were sharable versions of the maps. **Chair Weddell** said there were and that he would share web links to them. He noted that the master copy must not be altered.

Chair Weddell said he would work on a fourth option for consideration.

Council President Weddell said it wouldn't hurt to see a map that ignored the residences of current Councilors.

Commission member Daugherty responded that he didn't see the point of preparing such a map because it could not be seriously considered by the Commission

Council President Weddell said he would like the option as long as preparing this option wouldn't take more than two minutes. Chair Weddell said it might take 20 minutes. In that case, Council President Weddell said to forget about preparing this option.

Chair Weddell said the commission has one more meeting, on July 15. He said hopefully that Commission can reach a consensus at that meeting. He also said he had no problem developing additional options and sharing them with the Commission through a web link.

Daugherty said it appeared that the preferred plan was Option 3. He asked if it needed additional revisions. Chair Weddell said if he made any revisions to Option 3, it would be to increase the population of District 5, which now has 6,674 residents.

Commission members discussed, but quickly rejected the idea of considering anticipated population growth in certain districts. Mayor Stutsman said the commission should focus on the population deviations and the number of split precincts for the redistricting options. Chair Weddell said he would work on a plan and send a link to them in a week.

Commissioners briefly discussed the pros and cons of voting centers. Mayor Stutsman cautioned they could be eliminated someday, which was why it was important to minimize split precincts in redistricting plans.

7) Adjournment:

Commission member Thomas made a motion to adjourn the meeting. Other Commission members concurred. Mayor Stutsman adjourned the meeting at 2:30 p.m.

Next Commission meeting: 9 a.m. on Friday, July 15, 2022 in the Council Chamber of the Police-Courts Building, 111 East Jefferson Street, in Goshen.

EXHIBIT #1: Spreadsheet by Chair Weddell with the populations of the current council districts and the three options as well as their means and the population deviations between the largest and smallest districts.

APPROVED:



Jeremy P. Stutsman, Mayor of Goshen

APPROVED:



Bradd Weddell, Commission Chair

ATTEST:



Richard R. Aguirre, City Clerk-Treasurer

EXHIBIT #1

		Current District	Proposed Redistrict Option 1	Proposed Redistrict Option 2	Proposed Redistrict Option 3
District	1	8,105	6,984	6,984	6,984
District	2	7,034	7,160	7,160	6,988
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	ST Dev	770.00	175.52	210.17	156.80
	Spread	1,956	462	486	384

Council Members	Precinct	Census Block	Elected Position	Current District	Proposed Redistrict Option 1	Proposed Redistrict Option 2	Proposed Redistrict Option 3
Don Riegsecker	Elkhart 05	3011	1	1	1	1	1
Doug Nisley	Elkhart 07	4000	2	2	2	2	2
Matt Schrock	Elkhart 04	1022	3	3	3	3	3
Megan Eichorn	Elkhart 13	1017	4	4	4	4	4
Gilberto Perez	Elkhart 14	5008	5	5	5	5	5
Julia King	Elkhart 17	2026	At-Large	5	5	5	5
Brett Weddell	Elkhart 10	3022	At-Large	2	2	2	2

CITY OF GOSHEN REDISTRICTING ADVISORY COMMISSION

Minutes of the July 15, 2022 Meeting

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

Members present: Jenny Murto Clark (District 4 appointee) David B. Daugherty (District 2 appointee)
 Shawn Miller (District 3 appointee) Everett Thomas (District 5 appointee)
 Bradd Weddell (District 1 appointee)

Non-voting members present:
 Mayor Jeremy Stutsman Councilor Julia King (At-large)
 Council President Brett Weddell (At-Large)
 City Attorney Bodie Stegelmann Clerk-Treasurer Richard R. Aguirre

Also present: Deputy Mayor Mark Brinson

1) Call to order:

At 9:02 a.m. Mayor Jeremy Stutsman convened the fourth and final meeting of the City Redistricting Advisory Commission and turned the meeting over to Commission Chair Bradd Weddell.

2) Briefing of the subcommittee’s work since June 30, 2022 & the elimination of Option 5:

Chair Weddell said he hoped Commission members had a chance to review the three emails he sent (Emails of July 6, 2022, EXHIBIT 1, July 11, 2022, EXHIBIT 2, and July 14, 2022, EXHIBIT 3). He said that when the Commission last met, June 30, 2022, it considered three main redistricting options and two additional options.

Chair Weddell said the small working group met last week, developed two more options and conducted a high-level evaluation of the district boundaries. The small working group consisted of Commission members Weddell and Thomas, Deputy Mayor Brinson, City Attorney Stegelmann. Also participating: Elkhart County GIS Coordinator Marc Watson, who developed redistricting maps. Chair Weddell said Deputy Mayor Brinson printed redistricting maps and posted them on the east wall of the Council Chamber so they could be examined.

Chair Weddell distributed the following chart (EXHIBIT #4) with the five redistricting options, the population breakdowns per district, the deviations from largest to smallest council districts and other data.

		Current District	Proposed Redistrict Option 1	Proposed Redistrict Option 2	Proposed Redistrict Option 3	Proposed Redistrict Option 4	Proposed Redistrict Option 5
District	1	8,105	6,984	6,984	6,984	6,984	7,382
District	2	7,034	7,160	7,160	6,988	7,160	6,831
District	3	6,149	6,698	6,698	7,058	6,698	6,912
District	4	6,319	6,835	7,001	6,813	7,001	6,718
District	5	6,910	6,840	6,674	6,674	6,674	6,674
		34,517	34,517	34,517	34,517	34,517	34,517
	Mean	6,903	6,903	6,903	6,903	6,903	6,903
	% Diff	31.81%	6.90%	7.28%	5.75%	7.28%	10.61%
	ST Dev	770.00	175.52	210.17	156.80	210.17	283.45
	Spread	1,956	462	486	384	486	708

Chair Weddell said he hoped the Commission could reach a redistricting recommendation for the City Council today. He also said he was hoping for some discussion today.

Chair Weddell said of the five redistricting options, Option 5 would need to be thrown out right away because it “districts out” (removes from their districts) two Council members, and redistricting criteria do not allow this. He said the subcommittee developed Option 5 to see what a “different look” would be. Still, it violates the charge not to eliminate any Councilors from their districts, so Chair Weddell said Option 5 must be eliminated.

Chair Weddell said he would be happy to display on the computer monitors any of the redistricting plans and would welcome discussion and feedback. There was brief discussions among Commissioners on how to access the redistricting options online.

Mayor Stutsman asked if Commissioners Thomas and Weddell had a preferred redistricting plan.

Commissioner Thomas said he liked two of the redistricting plans – Option #3, which he said had the lowest population deviation (5.75%) between its smallest and the largest Council district but split seven voting precincts, and Option #4, which has a higher deviation (7.28%) between its smallest and the largest Council district but split only two voting precincts. He added that Commissioners have been advised that the number of split precincts is not as vital an issue as in the past because of the advent and use of voting centers in Elkhart County.

Mayor Stutsman responded that this was true, but said that some precincts encompass the boundaries of some neighborhoods, so it would be better to split as few precincts as possible between different Council districts.

Commissioners Thomas and Weddell described some of the council district boundaries specified in Option 4 and also discussed some of Option 4’s characteristics.

Commissioner Thomas suggested acting on **Chair Weddell’s** suggestion to eliminate Option 5 because it eliminates two Councilors from their districts.

Mayor Stutsman responded that this would be a decision left to the Commission’s voting members.

Commissioner Thomas made a motion to eliminate Option 5 from consideration by the Redistricting Advisory Commission. **Commissioner Shawn Miller** seconded the motion.

There was no further discussion of the motion.

On a voice vote, and by a 4-0 margin, Commissioners approved Commissioner Thomas’ motion to eliminate Option 5 from further consideration with all Commissioners present (Clark, Miller, Thomas and Weddell) voting “yes.” Commissioner Daugherty had not yet arrived at the meeting.

Commissioner Thomas joked that by passing the motion, the Commission had reduced its work by 20 percent.

Mayor Stutsman responded, “Good job.”

3) Examination of the four remaining redistricting maps

At 9:10 a.m., the meeting was recessed so that Commissioners could examine the printed and posted maps of the four remaining redistricting options. At this point, the recording of the meeting was paused.

For the next 17 minutes, Commission members reviewed the four maps, talked to one another and asked questions of Chair Weddell, who also pointed out the major differences between each of the options and the current district boundaries.

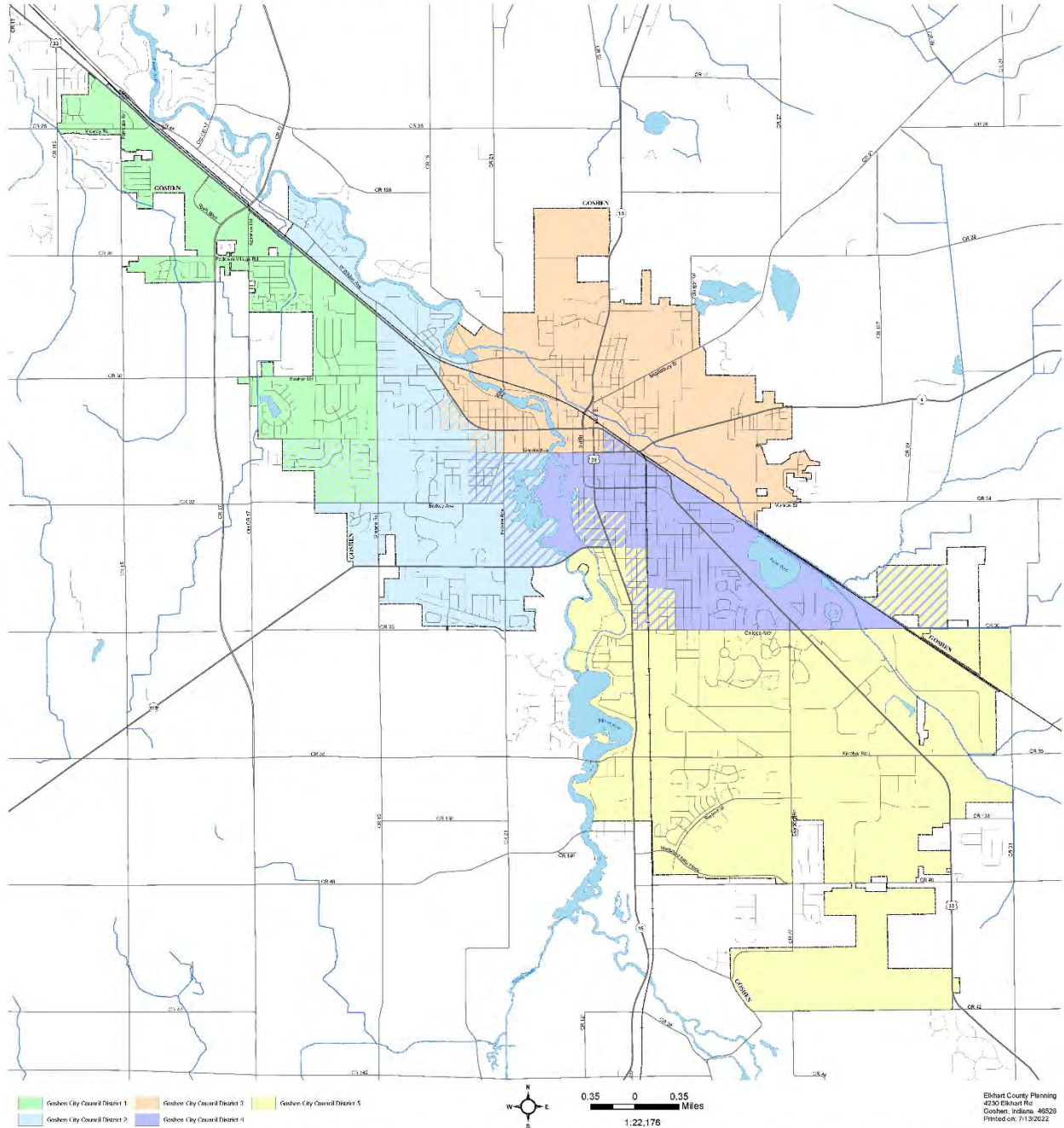
Redistricting Commission members examine the four redistricting options on July 15, 2022.



Posing beside the redistricting plans are the voting members of the Redistricting Advisory Commission (from left): David B. Daugherty (District 2 appointee); Bradd Weddell (District 1 appointee); Shawn Miller (District 3 appointee); Jenny Murto Clark (District 4 appointee); and Everett Thomas (District 5 appointee).

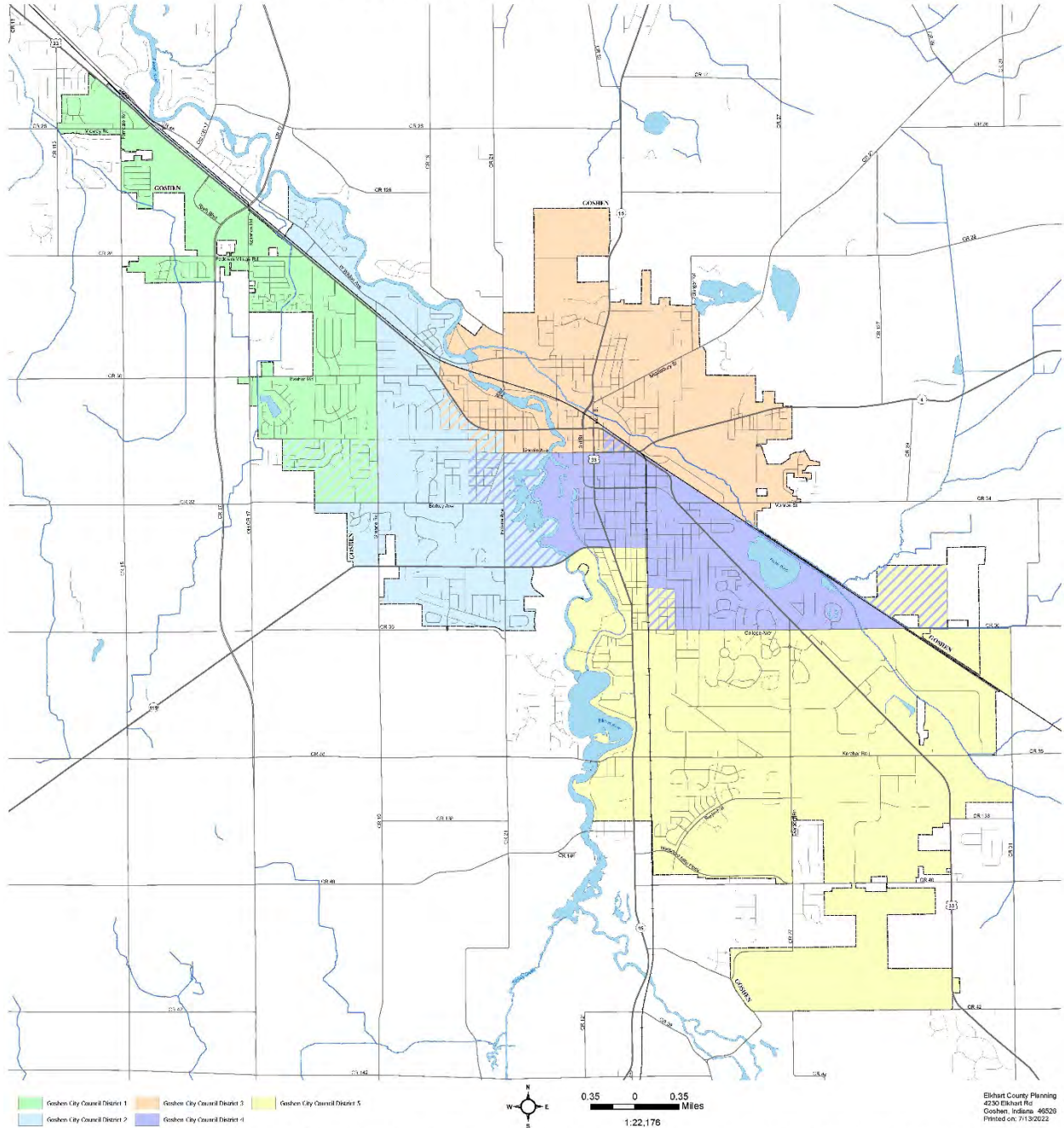


Goshen City Council Districts Option 1



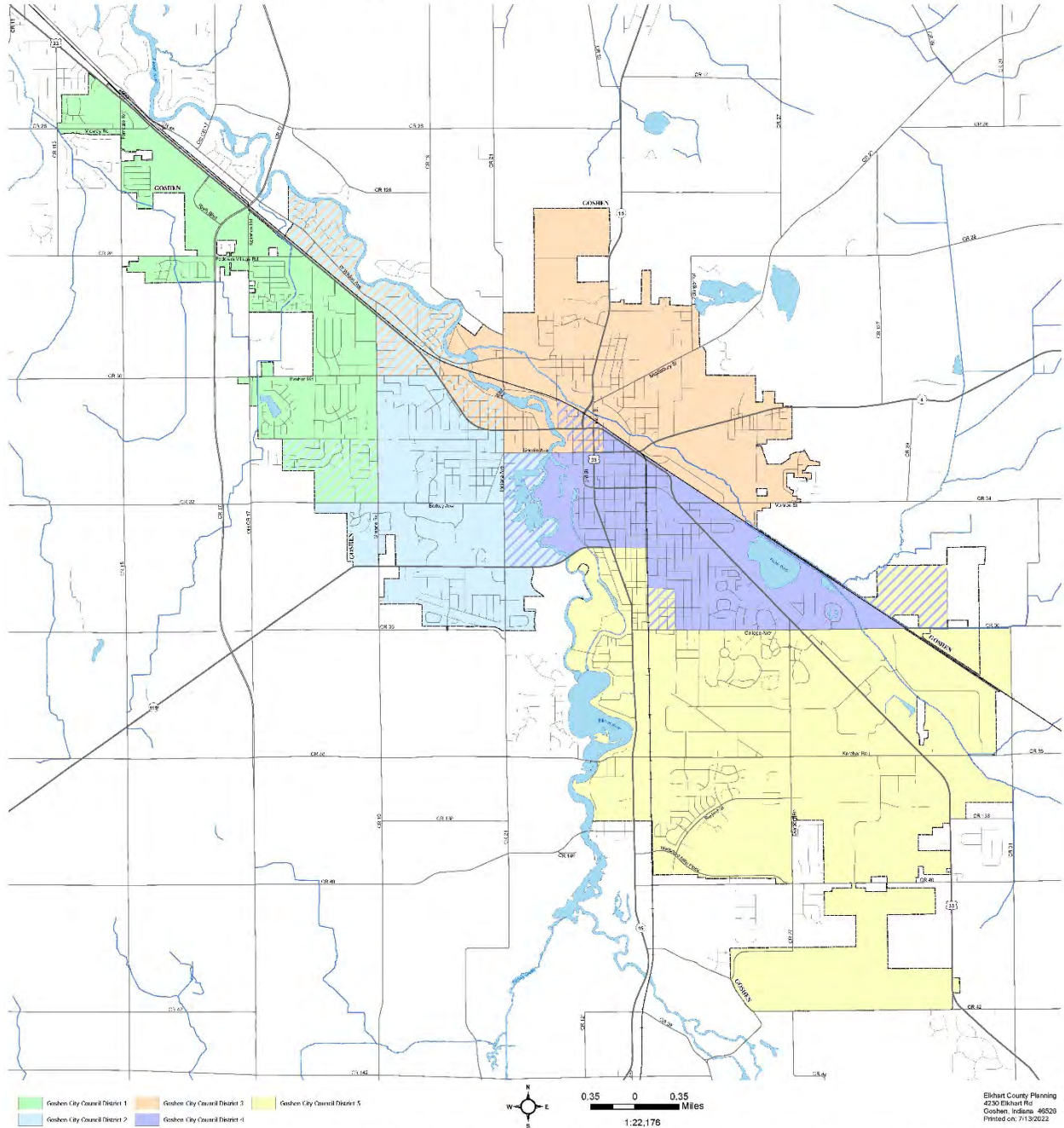
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Goshen City Council Districts Option 2



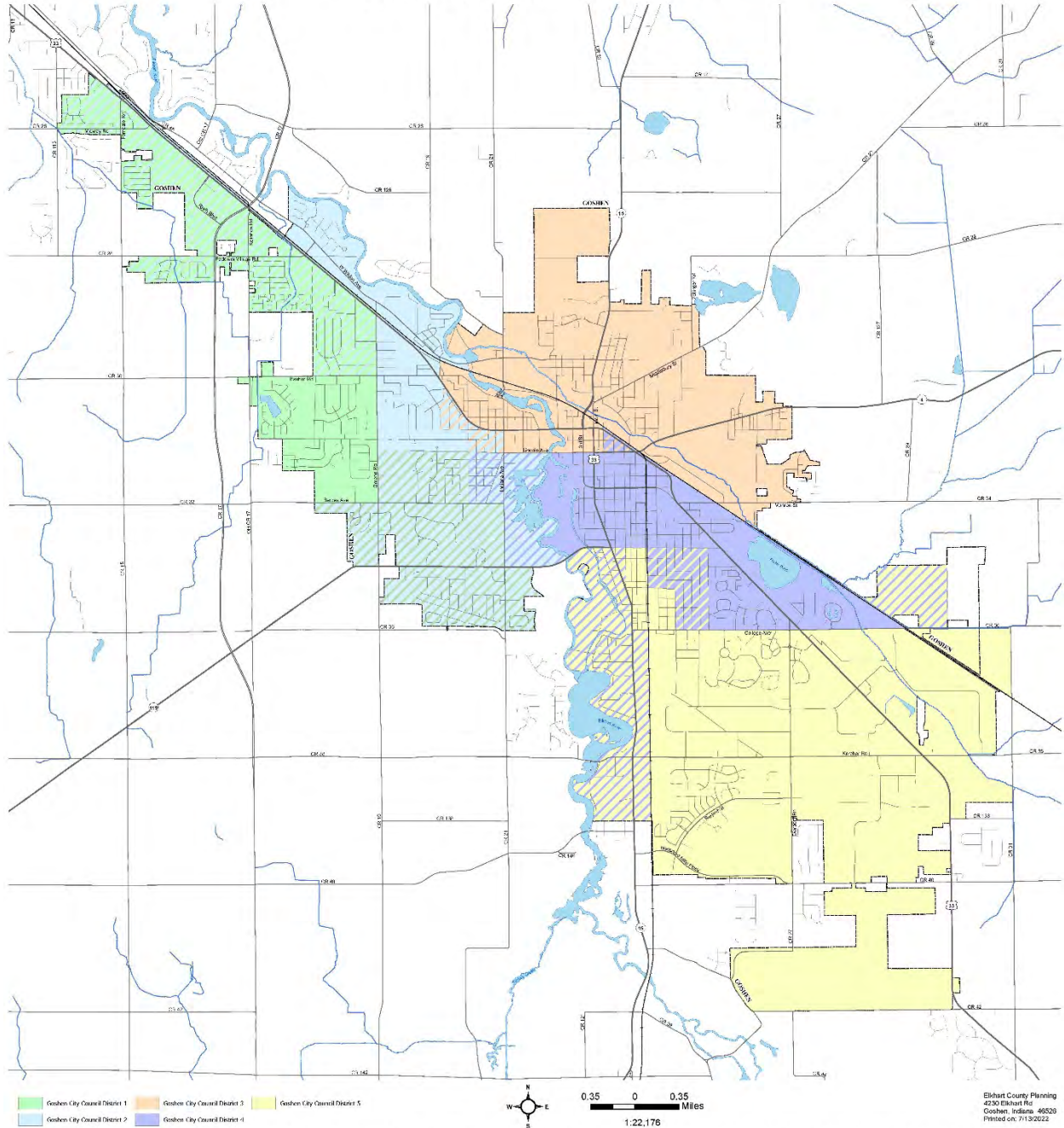
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Goshen City Council Districts Option 3



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Goshen City Council Districts Option 4



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4) Review and detailed discussion of four redistricting options:

At 9:27 a.m., Mayor Stutsman reconvened the meeting of the City Redistricting Advisory Commission. The recording was also resumed.

Mayor Statesman said that during the break, Commission members closely examined for four redistricting options and engaged in a brief discussion about them as **Chair Weddell** described each of the options in contrast to the current Council districts. He asked if anyone had any comments or preferences.

Commissioner Clark said she had a concern about the compactness of Option 4.

Chair Weddell displayed Option 4 on the monitors in the Council Chamber. He said one comment that was made was that Option 4 would create the biggest overall changes in the makeup of current Council representatives compared to what it would be if this option was adopted.

Mayor Stutsman said **Council President Weddell** asked if this would be good or bad. The Mayor said he could see some good coming from a major change like this. He said stores often change their interiors, which creates more engagement, which is why they do it. In this case, Mayor Stutsman said that hopefully this would create more engagement as people learn they are in a new districts and start reaching out to their new Council members.

Mayor Stutsman said he liked both Option 3 and Option 4. He said the redistricting guidelines outlined in the state statute specify splitting as few precincts as possible, so he likes Option 4, which has the fewest split precincts.

However, the Mayor said he also understands that because of the use of voting centers, it isn't as necessary to minimize split precincts. While stating that he leaned toward Option 4 over Option 3, he but would be happy with either one. He added that Option 3 would split seven voting precincts and Option 4 would split two precincts.

Commissioner Daugherty said Option 3 was the option he definitely leaned toward. He said while looking at Option 4, he noticed a horseshoe shape that resembles a gerrymander, although it is not that. He said Option 3 is more compact, keeps people on one side of the railroad tracks together and has the smallest deviation from the largest to the smallest Council district. He said Option 3 keeps the districts in a "tight package."

Chair Weddell displayed Option 3 on the computer monitors.

City Attorney Stegelmann said that the current Council district map splits six voting precincts. He said it would be good to end up with a plan with just one additional precinct split compared with the current map.

Chair Weddell indicated the location of precincts on the maps.

Commissioner Clark said Option 4 would split two of the City's 24 voting precincts vs. seven splits of 24 precincts for Option 4. She asked if the statute provided a threshold of how many split precincts were too many.

Mayor Stutsman responded that the statute only specifies that precinct splits should be minimized.

Commissioner Daugherty said Option 3 would only create one more precinct split than the current map, which was close to the outcome the City should seek.

Chair Weddell said Option #3, which he was displaying, keeps each Council district "pretty compact."

Commissioner Miller said the original redistricting goal was to develop a plan that reduced the deviation between the largest and the smallest council districts.

Chair Weddell responded that this was necessary because the current map was so far out of balance. **Mayor Stutsman** said the deviation was way out of balance (nearly 32%), but that was only one of the redistricting criteria. He said the Commission's voting members will need to decide which criteria are the most important to them in casting their votes for a plan.

Mayor Stutsman said none of the four redistricting options will allow the City to comply with all of the state's redistricting guidelines because of the shape of the City and other factors. So, he said the council will need to determine which criteria are more important.

Commissioner Thomas commented on the number of residents per each of the council districts in Options 3 and 4. He said Option 3 had the lowest population deviation between its largest and smallest Council districts.

Commissioner Daugherty said that he has been involved in redistricting efforts in Ohio, Colorado and Indiana and the goal has always been to create compact districts. And in that regard, he said Option 3 "looks good."

5) Continued discussion and the elimination of Option 1:

Commissioner Thomas asked if the Commission could vote to eliminate Options 1 and 2.

Mayor Stutsman asked if that was a motion.

Commissioner Thomas made a motion to eliminate Option 1 and Option 2 from consideration. There was no second to the motion.

Chair Weddell suggested reviewing the map of Option 2, which he said had the exact same population deviation (7.28%) as Option 4. He said Option 2 was less compact than Option 3, but was similar to how the Council districts look today. He said Option 2 would split five voting precincts.

In response to a question from **Mayor Stutsman**, **Chair Weddell** said Option 1 would split five voting precincts.

Chair Weddell displayed Option 1 on the computer monitors.

Chair Weddell said Option 3 would keep all of the Council districts compact "without any weird appendages." He displayed Option 3 on the computer monitors.

Commissioner Thomas repeated his motion to eliminate Option 1 and Option 2 from consideration. Again, there was no second to the motion. **Mayor Stutsman** said the motion died for lack of a second.

Commissioner Clark asked **Chair Weddell** to again display Option 1. She said it seemed to be a compromise plan with fewer differences in two of the districts. **Commissioner Daugherty** asked for the display of Option #2.

Chair Weddell said Options 1 and 2 had a similar look and feel. Asked by **Commissioner Daugherty** to describe the differences, **Chair Weddell** said the changes were mainly in the way the downtown corridor was split between Districts 4 and 5 and somewhat in District 5 and the boundary of District (either the railroad tracks or Main Street).

Chair Weddell told **Commissioner Thomas** that he believed the Commission could eliminate Option 1.

Commissioner Thomas made a motion to eliminate Option 1 from further consideration. **Commissioner Miller** seconded the motion.

Mayor Stutsman noted that Option 1 would still be presented to the Council for consideration, but would not be considered as a recommended plan by the Commission.

Chair Weddell said he thought it was good to eliminate Option 1 because it created a 'weird appendage' in District 5. There was no further discussion by Commissioners.

On a voice vote, and by a 5-0 margin, Commissioners approved Thomas' motion to eliminate Option 1 from further consideration with all Commissioners present (Clark, Daugherty, Miller, Thomas and Weddell) voting "yes." Commissioner Daugherty arrived during the recess and examination of the redistricting options.

6) Discussion of Option 4 vs. Option 3 and the elimination of Option 2:

Commissioner Miller said he agreed with the Mayor in supporting some aspects of Option 4 in that it would change things up without considering the subsequent votes by party. But he said Option 4 would be too aggressive of a change and said he preferred Option 3, which he said was an improvement on the current map.

Chair Weddell said there was discussion at the June 30 meeting about developing a drastically different option, which was what Options 4 and 5 were about.

Councilor King said Option 4 would raise "compactness" issues.

Commissioner Daugherty made a motion to eliminate Option 4 from further consideration. There was no second to the motion. **Mayor Stutsman** said the motion died for lack of a second.

Mayor Stutsman said he agreed with the criticism that Option 4 raises "compactness issues," but when examining the options, he is looking for clear Council boundaries and he said he sees that in Option 4. The Mayor agreed that Option 4 would create Council districts with "weird shapes," but he said Goshen also has a strange shape.

Chair Weddell said that it's not like Option 4 would propose a 50-miles range. He said the distance from one end of a district to another, from north to south or east to west, would only be a few miles.

Mayor Stutsman said that is why he doesn't see compactness to be an issue with Option 4.

At 9:41 a.m., **Council President Weddell** said that he had to leave for an appointment in Elkhart. He said he believed the redistricting decision was in good hands.

Council President Weddell added that he didn't like Option 4 "because it just looks funny and that's the sole reason why."

Mayor Stutsman joked that seemed like a valid reason. He added that if one ignores the maps and just looks at the numbers, including the population deviations and the spread, everything is very close between all four options. He said the only thing that is really changing is the number of precinct splits.

Chair Weddell again displayed Option 3 on the computer monitors. He said it had the smallest population deviation between the largest and smallest Council districts and had the most compact districts. He said he felt very similar to **Commissioner Thomas** that Option 3 is moving toward something the Commission is seeking to do – looking at the population numbers as they are today and not at what they may be in the future.

Commissioner Miller said some areas of the City may experience population greater growth than others. **Chair Weddell** said that could happen, but there also could be no growth at all.

Commissioner Daugherty said potential population growth isn't supposed to be a factor in the redistricting process even though it's very possible several Council districts will have population growth. He added that Option 3 would result in the most compact Council districts with the lowest population deviation.

Commissioner Clark asked for clarification about the issue of split precincts. She asked if there was any idea of what surrounding cities are doing when it comes to split precincts.

Commissioner Clark said he understood there was no threshold for determining how many split precincts were too many. However, she asked if the seven split precincts in Option 3 might be on par with other communities are proposing in their redistricting plans.

City Attorney Stegelmann responded that he was unaware of what other communities were doing. He said the current City redistricting map has six split precincts. Option 3 would result in one more split precinct, but he said that would not be a big increase and that the current six-split plan seemed to pass muster with everyone.

Councilor King said that in addition, Option 3 would result in more compact districts. **Stegelmann** agreed.

Chair Weddell added that the reason the Commission would be splitting precincts is it is seeking to use major roadways as boundaries. So, he said the plan should be able to be defended.

Based on the City's 25 precincts, **Mayor Stutsman** said none of the plans would split that great a percentage of the precincts. **Chair Weddell** said some precincts also are split between the City and townships or because they include industrial areas.

Mayor Stutsman said if Commissioners could not decide on a preferred redistricting option, they could recommend two options to the City Council.

Commissioner Thomas asked **Chair Weddell** to display Option 2 again. **Chair Weddell** pointed out some of the characteristics of District 2. **Commissioner Thomas** noted that it now had one of the highest population deviations now that Option 5 had been eliminated;

There was brief discussion of the fact that some of the proposed Council districts have the exact same population totals in the redistricting options that **Chair Weddell** developed. **Chair Weddell** said he would be happy to have someone verify the numbers to ensure he didn't make a mistake.

Because of its higher population deviation between the populations of the largest and smallest Council districts, **Commissioner Thomas** made a motion to eliminate Option 2 from further consideration.

Commissioner Daugherty seconded the motion.

There was no further discussion by Commissioners.

On a voice vote, and by a 5-0 margin, Commissioners approved Commissioner Thomas' motion to eliminate Option 2 from further consideration with all Commissioners present (Clark, Daugherty, Miller, Thomas and Weddell) voting "yes."

7) Further discussion of redistricting Options 3 & 4 and the Commission's final vote

In response to a question from **Commissioner Clark**, **Mayor Stutsman** said Commission members have now eliminated all redistricting options except for Option 3 and Option 4.

Commissioner Thomas asked how other Commissioners felt about sending two options to the City Council and letting Councilors select the final plan.

Commissioners briefly discussed the voting options and whether it would be better to send a preferred plan or two options. They also discussed the pros and cons of Options 3 and 4. **Chair Weddell** and **Mayor Stutsman** said that Councilors would have the opportunity to review all of the redistricting options.

After further discussion, **Commissioner Daugherty** spoke in favor of Option 3. He said Option 3 met the goals of creating compact Council districts, balancing the populations among the five Council districts, and keeping the numbers as close as possible. In addition, he said Commissioners haven't discussed the party registration of people in the districts. He said Option 3 meets most of the redistricting guidelines. And although it would split one ore voting precinct that the current plan, Daugherty said that doesn't matter as much because of voting centers.

Chair Weddell said that he believes Option 3 should be the Commission's main preference, but because Option 4 provides for the fewest precinct splits, Commissioners should say they felt it was important to also present Option 4.

Councilor King said that speaking as a Council member, she liked the idea of having two redistricting options. She said that approach also would allow consideration of the pros and cons of the two proposals.

Chair Weddell pointed out that Councilors could eventually develop additional redistricting options. He said in the end, Commission members will not have a final say on the adopted redistricting plan.

Commissioner Daugherty said he liked **Chair Weddell's** approach of making Option 3 the Commission's top choice; and Option 4 another possibility. He said Option 4 could prompt more resident engagement through a greater change in district boundaries, but Option 3 also would involve changes because two of the current districts really lacked a population balance. He also said he would prefer that the Commission send Option 3 as its top recommendation and Option 4 as the secondary option.

Commissioner Thomas said that for the reasons outlined by **Councilor King**, he would prefer to recommend two options to the Council.

Commissioner Daugherty made a motion to make Option 3 the Commission's number one redistricting recommendation and Option 4 the secondary recommendation. **Commissioner Miller** seconded the motion. There was no further discussion by Commissioners.

On a roll call vote, and by a 4-1 margin, Commissioners approved Commissioner Daugherty's motion to make Option 3 the Commission's number one redistricting recommendation and Option 4 the secondary recommendation. Commissioners Clark, Daugherty, Miller, and Weddell voted "yes" and Commissioner Thomas voted "no." This was the Commission's final vote.

Mayor Stutsman restated that the Commission was sending Option 3 as its number one recommendation and Option 4 as its secondary recommendation.

Commissioner Clark asked about the next steps in the process.

Mayor Stutsman said **City Attorney Stegelmann** reminded him that the ordinance that created the Redistricting Commission specified that the Commission would make a redistricting recommendation by July 18, which is next Monday. He invited Commissioners to attend the July 18 Common Council meeting. **Chair Weddell** confirmed he could be present.

Mayor Stutsman said there would be a presentation Monday led by **Chair Weddell** on the four redistricting options. He said Option 5 also could be mentioned and there could be an explanation of why it was rejected. **Mayor Stutsman** said information had to be compiled quickly for the Common Council meeting packet. **Chair Weddell** said a presentation also would need to be prepared.

City Attorney Stegelmann said he advised the Clerk-Treasurer that he would prepare a draft redistricting ordinance for the Common Council agenda packet. However, he said the draft ordinance would not mean much without the maps of the four redistricting options and other background materials.

Mayor Stutsman said the ordinance doesn't specify that a Council vote would need to take place immediately, so on Monday only a presentation needed to take place with a Council vote later. **City Attorney Stegelmann** said he had expected it would take more than one meeting for the redistricting ordinance to be passed.

Councilor King said this approach made sense to her – a presentation July 18 and a Council vote at the Aug. 1 meeting or later. She said she preferred that approach for better public engagement. **Commissioner Daugherty** said it would be asking a lot for the Council to receive a redistricting presentation and to vote immediately on a plan. To better accommodate the schedules of Commissioners, **Mayor Stutsman** asked the **Clerk-Treasurer** to list the redistricting ordinance first on Council's July 18 meeting agenda.

8) Adjournment:

Commissioners Weddell/Thomas moved to adjourn the meeting. Other Commissioners concurred. **Mayor Stutsman** adjourned the meeting at 9:59 am.

What's next: Commission members will make a presentation about their redistricting recommendations to the Goshen Common Council at 6 p.m., Monday, July 18, 2022 in the Council Chamber of the Police-Courts Building, 111 East Jefferson Street, in Goshen.

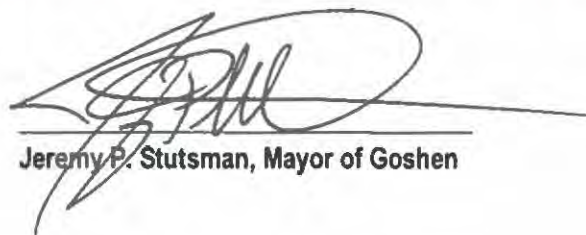
EXHIBIT #1: *July 6, 2022 email from Commission Chair Bradd Weddell to Commissioners*

EXHIBIT #2: *July 11, 2022 email from Commission Chair Bradd Weddell to Commissioners*

EXHIBIT #3: *July 14, 2022 email from Commission Chair Bradd Weddell to Commissioners*

EXHIBIT #4: *Chart distributed July 15, 2022 by Chair Weddell showing the five redistricting options, the population breakdowns per district, the deviations from largest to smallest council districts and other data.*

APPROVED:



Jeremy P. Stutsman, Mayor of Goshen

APPROVED:

Bradd Weddell, Commission Chair

ATTEST:



Richard R. Aguirre, City Clerk-Treasurer

Aguirre, Richard

From: Bradd Weddell <bradd.weddell@goshenschools.org>
Sent: Thursday, July 7, 2022 11:37 AM
To: Aguirre, Richard
Subject: FW: Redistricting Options

Please let me know if you have received.

Thanks, Bradd

From: Bradd Weddell <bradd.weddell@goshenschools.org>
Sent: Wednesday, July 6, 2022 11:08 AM
To: mayor <mayor@goshencity.com>; Brinson, Mark <markbrinson@goshencity.com>; Stegelmann, Bodie <bodiestegelmann@goshencity.com>; richardaguirre@goshencity.com; juliaking@goshencity.com; Weddell, Brett <brettweddell@goshencity.com>; daviddaugherty@msn.com; mshawn007@gmail.com; Jenny Clark <jclark@goshenschools.org>; evbarbthomas@aol.com
Cc: baweddell@gmail.com
Subject: Redistricting Options

Good morning Everyone,

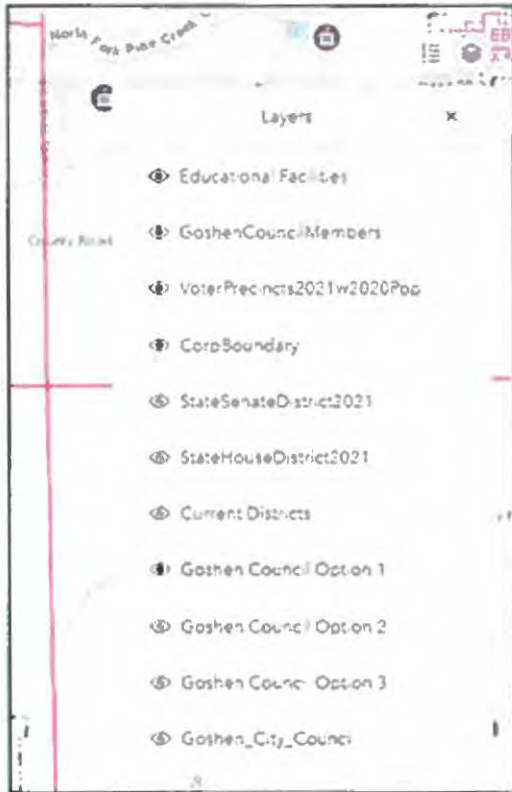
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To access just click the link below and the current districts is the default view.

<https://elkhartin.maps.arcgis.com/apps/dashboards/8e4f2bab3dfc4a53b6cd5d00709ed53a>

To view each option, in the Upper Right Hand Corner is a button that allows layers to be turned on and off (see screen shot below). Each option is an independent layer that can be turned on and off. I do recommend turning the Voter Precinct Layer on allowing everyone to easily see where precincts are splits between districts.





The other request coming out of our discussion was how many split precincts are being proposed for each option. The below table shows how many and which precincts.

Option 1	5	Elk 04, Elk 05, Elk 12, Elk 13, Elk 14
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*Please note that Options 1 & 2 maps show Elk 07 split which was an error when the data was sent over

After the Small Group meets Thursday, I will update everyone if additional options are created. Please review everything and if there are any questions please let me know.

Thanks,
Bradd Weddell

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Aguirre, Richard

From: Bradd Weddell <bradd.weddell@goshenschools.org>
Sent: Monday, July 11, 2022 2:12 PM
To: mayor; Brinson, Mark; Stegelmann, Bodie; Aguirre, Richard; King, Julia; Weddell, Brett; davidbdaugherty@msn.com; mshawn007@gmail.com; Jenny Clark; evbarbthomas@aol.com
Cc: baweddell@gmail.com
Subject: RE: Redistricting Options

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The small group meet last week and discussed if additional options were viable. Two additional options have been generated so there are now five options for the committee to consider.

In an effort to try a more outside the box option, Option 5 was created. The negative with this option is it would district out two current Council Members (Rigesecker and Eichorn).

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Option 4	2	Elk 13, Har 01
Option 5	4	Elk 03, Elk 07, Elk 09, Har 01

Please remember our meeting for this coming Friday at 9:00am. This is our last schedule meeting date. Please let me know if anyone has questions.

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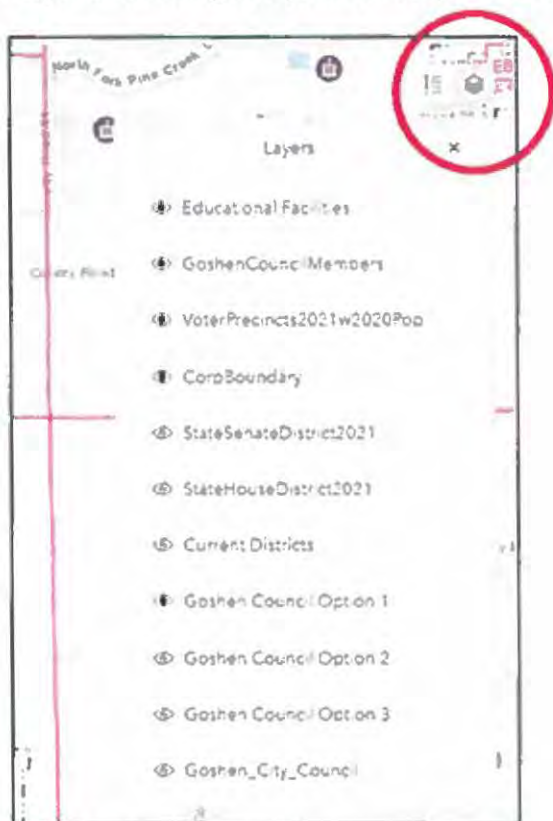
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Cc: baweddell@gmail.com
Subject: RE: Redistricting Options
Attachments: Goshen City Council Map_Opt1.pdf; Goshen City Council Map_Opt2.pdf; Goshen City Council Map_Opt3.pdf; Goshen City Council Map_Opt4.pdf; Goshen City Council Map_Opt5.pdf

Good morning,

In preparation for our meeting tomorrow morning, wanted to share overlays that have been created of each Option. With the help of the Marc Watson from Elkhart County, he created each option showing the Proposed boundary lines overlaid by the existing boundaries. This will provide a perspective of how each district is proposed being changed. Printouts of these will be available tomorrow but it may be easier for individuals to view on their computer where it can be zoomed.

Thanks,
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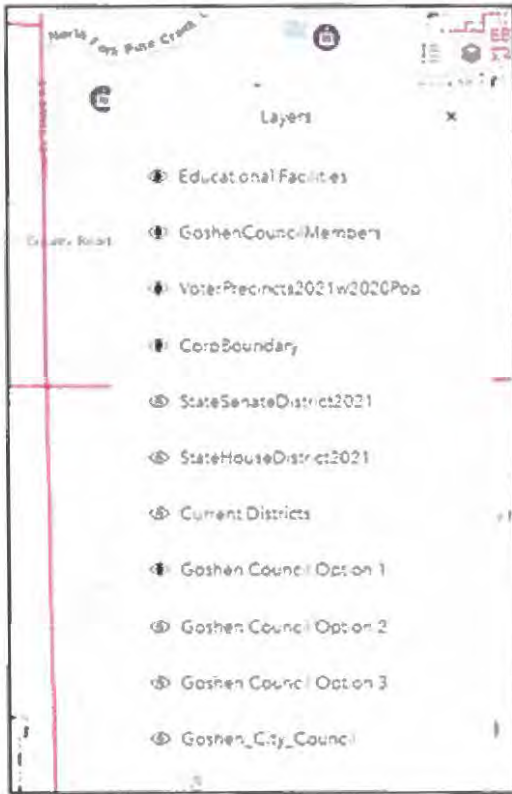
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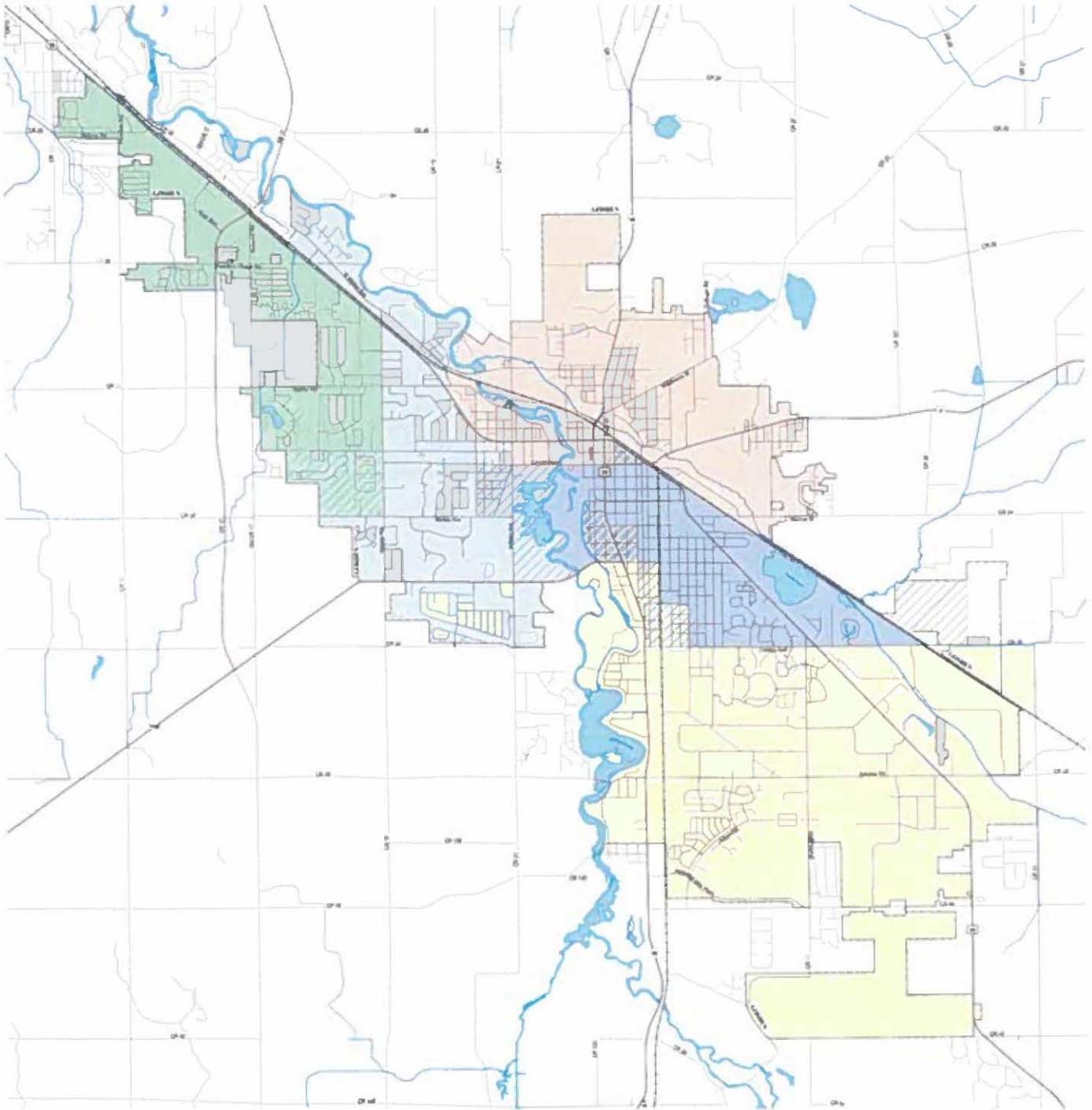
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Goshen City Council Districts Option 1



Goshen City Council District 1
 Goshen City Council District 2
 Goshen City Council District 3
 Goshen City Council District 4
 Goshen City Council District 5

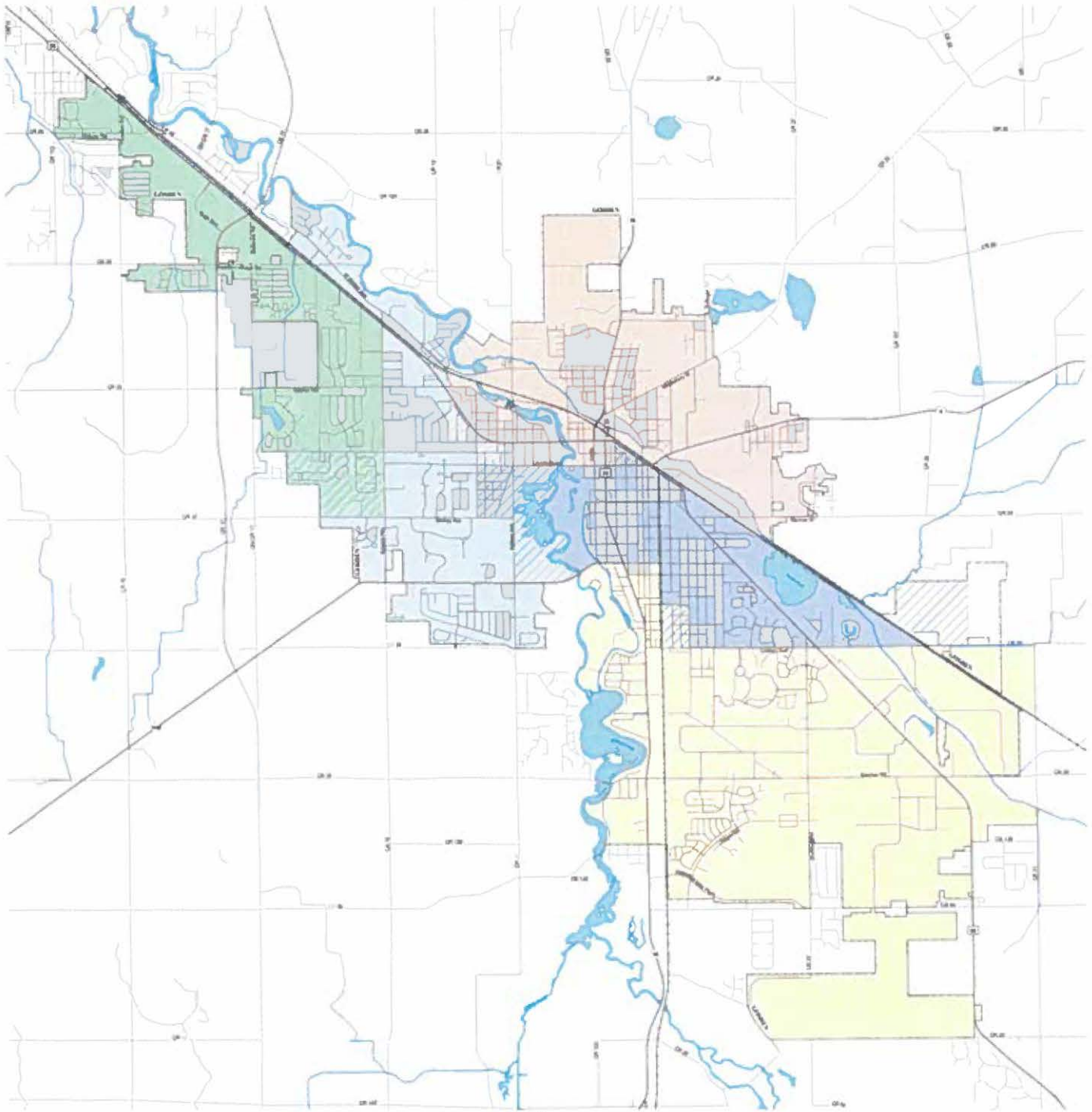


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 1:22,176
 Miles

Elkhart County Planning
 4750 Elkhart Rd
 Goshen, Indiana 46526
 Printed on 7/13/2022

This map does not constitute a survey nor an engineering drawing. The map and any information shown on it is not warranted for accuracy, merchantability, or fitness for a particular purpose. Reliance is at the user's risk. Copying or other reproduction of this map and any information shown on it is prohibited without the prior written permission of the County of Elkhart, Indiana.

Goshen City Council Districts Option 2



Goshen City Council District 1
 Goshen City Council District 3
 Goshen City Council District 5

Goshen City Council District 2
 Goshen City Council District 4

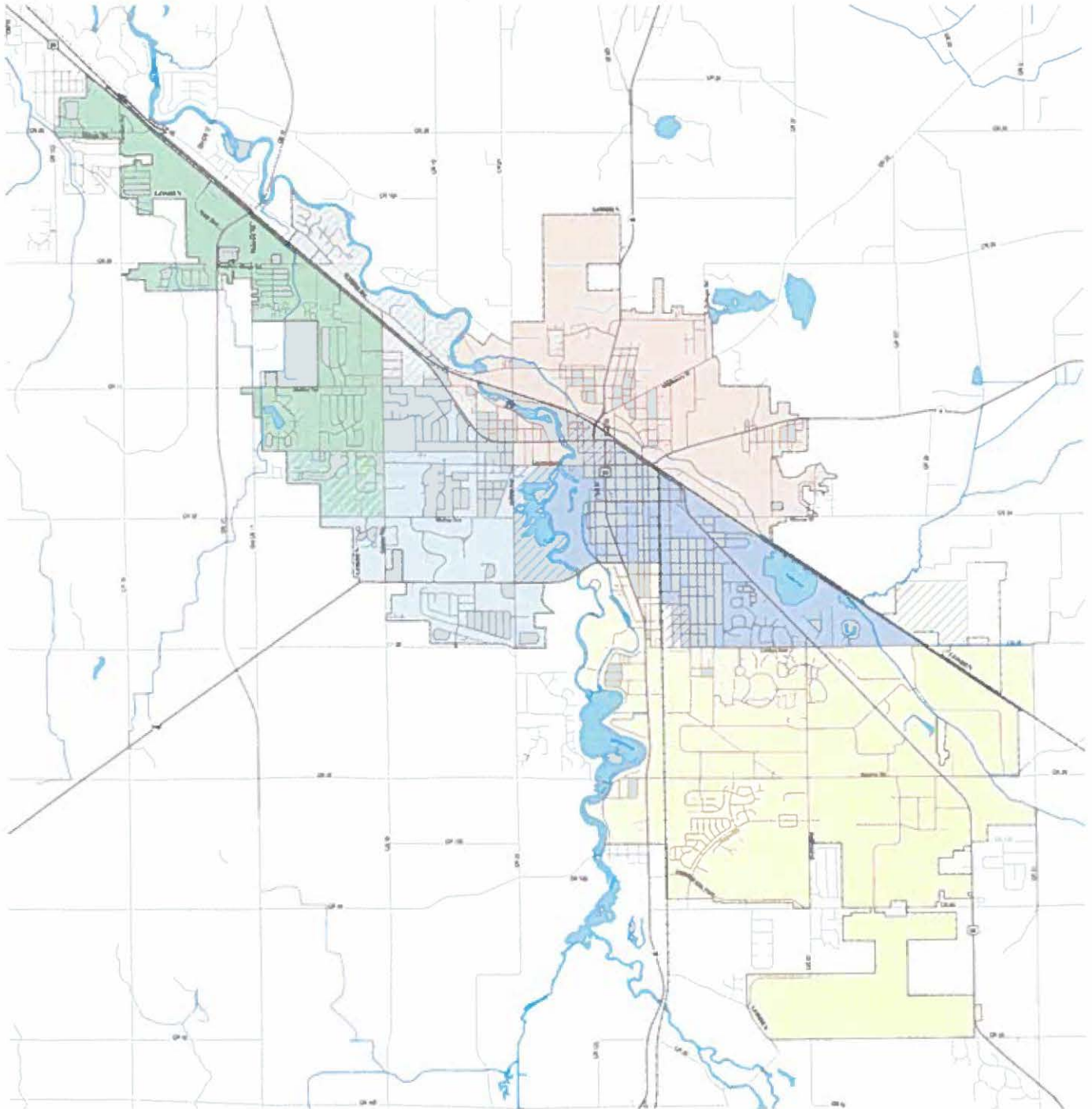


0.35 0 0.35
 Miles
 1:22,178

Elkhart County Planning
 4730 Elkhart Rd
 Goshen, Indiana 46526
 Printed on 7/19/2022

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Goshen City Council Districts Option 3



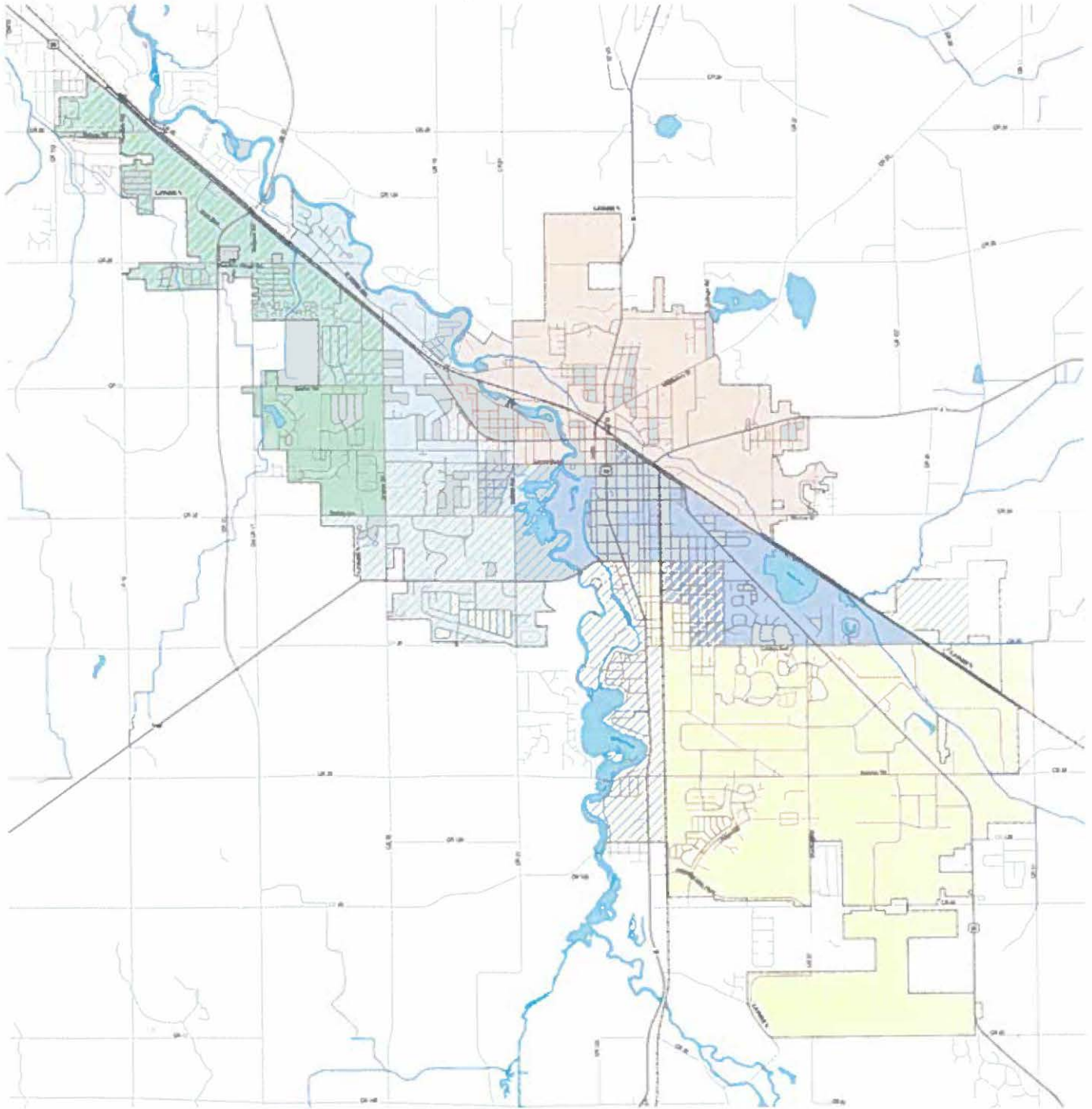
- Goshen City Council District 1
- Goshen City Council District 2
- Goshen City Council District 5
- Goshen City Council District 3
- Goshen City Council District 4



Eshelbourn County Planning
 4290 Eshelbourn Rd
 Goshen, Indiana 46526
 Printed on 7/13/2022

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Goshen City Council Districts Option 4



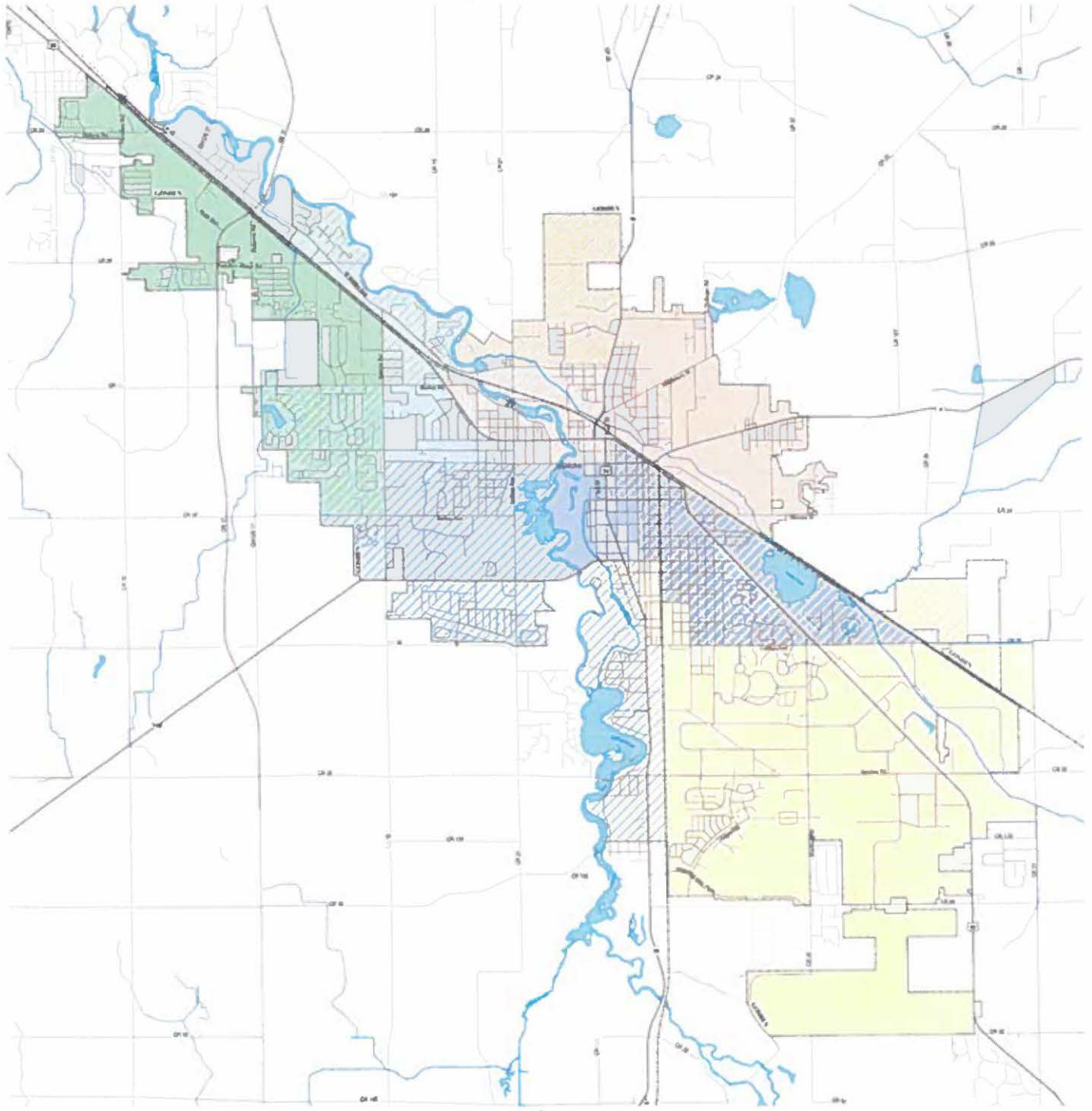
Goshen City Council District 1
 Goshen City Council District 2
 Goshen City Council District 3
 Goshen City Council District 4
 Goshen City Council District 5



Elkhart County Planning
 4228 Elkhart Rd
 Goshen, Indiana 46526
 Printed on 7/13/2022

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Goshen City Council Districts Option 5



- Goshen City Council District 1
- Goshen City Council District 2
- Goshen City Council District 3
- Goshen City Council District 4
- Goshen City Council District 5



Elkhart County Planning
 4229 Elkhart Rd
 Goshen, Indiana 46526
 Printed on 7/13/2022

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EXHIBIT #4

		Current District	Proposed Redistrict Option 1	Proposed Redistrict Option 2	Proposed Redistrict Option 3	Proposed Redistrict Option 4	Proposed Redistrict Option 5
District	1	8,105	6,984	6,984	6,984	6,984	7,382
District	2	7,034	7,160	7,160	6,988	7,160	6,831
District	3	6,149	6,698	6,698	7,058	6,698	6,912
District	4	6,319	6,835	7,001	6,813	7,001	6,718
District	5	6,910	6,840	6,674	6,674	6,674	6,674
		34,517	34,517	34,517	34,517	34,517	34,517
	Mean	6,903	6,903	6,903	6,903	6,903	6,903
	% Diff	31.81%	6.90%	7.28%	5.75%	7.28%	10.61%
	ST Dev	770.00	175.52	210.17	156.80	210.17	283.45
	Spread	1,956	462	486	384	486	708



CITY OF GOSHEN LEGAL DEPARTMENT

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

Phone (574) 537-3820 • Fax (574) 537-3817 • TDD (574) 534-3185
www.goshenindiana.org

August 1, 2022

To: Goshen Common Council

From: Shannon Marks, Legal Compliance Administrator

Subject: Preliminary Findings Concerning Compliance with Statement of Benefits for Personal Property

The Common Council has designated various areas in the City as Economic Revitalization Areas and authorized a tax phase-in 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 this memo is a memo from Mark Brinson and a CF-1 for Personal Property related to a previously approved tax phase-in that has been filed by Grouper Wild, LLC.

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.

Included in meeting packet is a resolution which requires 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. At the hearing, the property owner/taxpayer and other interested parties may present testimony and other evidence on the issues of whether the property owner/taxpayer is 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.

If, after the hearing, the Council determines the property owner/taxpayer to be in substantial compliance, then the City will then sign off on the CF-1 and property owner/taxpayer may file for the tax deduction. If the Council determines the property owner/taxpayer has not made reasonable efforts to comply with the Statement of Benefits, the Council may take action to terminate the property owner/taxpayer's tax phase-in.



**Department of Community Development
CITY OF GOSHEN**

204 East Jefferson Street, Suite 6 • Goshen, IN 46528-3405

Phone (574) 537-3824 • Fax (574) 533-8626

communitydevelop@goshencity.com • www.goshenindiana.org

Memo

To: Goshen City Council
From: Mark Brinson
Subject: Benteler Automotive Compliance with Statement of Benefits
Date: July 25, 2022

Resolution 2011-40 granted Benteler Automotive a tax phase-in for new manufacturing equipment. The project involved the investment of approximately \$32 million in new equipment to be installed at the Goshen facility located at 910 South Eisenhower Drive. In addition to the investment in equipment, Benteler committed to retain 304 jobs at the Goshen facility and add an additional 230 jobs.

In 2021 Benteler was purchased by Grouper Wild, LLC which is a subsidiary of Shiloh Industries. As reported by the new owner, the compliance with the Statement of Benefits is as follows:

Goal vs. Actual	Manufacturing Equipment Investment	Job Retention	New Employees
As estimated on SB-1	\$32,201,000	304	98
Actual (end of 2021)	\$24,864,584	230	0
Difference	(\$7,336,416)	74	98

As explained in the attached memo from the Legal Department, the Council will need to review the CF-1 and determine whether Grouper Wild has substantially complied with the Statement of Benefits.



**COMPLIANCE WITH STATEMENT OF BENEFITS
PERSONAL PROPERTY**

State Form 51765 (R6 / 12-21)

Prescribed by the Department of Local Government Finance

PRIVACY NOTICE
This form contains confidential information pursuant to IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6.

FORM CF-1 / PP
January 1, 2022

- INSTRUCTIONS:**
1. Property owners whose Statement of Benefits was approved must file this form with the local Designating Body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
 2. This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1 and May 16, 2022, unless a filing extension under IC 6-1.1-3-7 has been granted. A person who obtains a filing extension must file between January 1 and the extended due date of each year.
 3. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance (CF-1).

SECTION 1 TAXPAYER INFORMATION

Name of taxpayer Grouper Wild, LLC	County Elkhart
Address of taxpayer (number and street, city, state, and ZIP code) 910 S Eisenhower Drive, Goshen, IN 46526	DLGF taxing district number 20-015
Name of contact person Ryan, LLC - Juli Donelson	Telephone number (216) 465-6810

SECTION 2 LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body Goshen Common Council	Resolution number 2011-21/2011-40	Estimated start date (month, day, year) 01/01/2012
Location of property 910 S. Eisenhower Drive, Goshen, IN 46526		Actual start date (month, day, year)
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired. Hot Stamping Equipment, Shot Blast Machine, Weld Cells, Laser Cells, and CMM Machine		Estimated completion date (month, day, year) 12/31/2013
		Actual completion date (month, day, year)

SECTION 3 EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	304	230
Salaries	17,787,040	13,984,421
Number of employees retained	304	230
Salaries	17,787,040	13,984,421
Number of additional employees	98	
Salaries	4,705,274	

SECTION 4 COST AND VALUES

AS ESTIMATED ON SB-1	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project		24,187,530						
Plus: Values of proposed project		32,291,000						
Less: Values of any property being replaced								
Net values upon completion of project		56,388,530						
ACTUAL	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	
Values before project		16,567,901						
Plus: Values of proposed project		7,459,375						
Less: Values of any property being replaced								
Net values upon completion of project		24,047,276						

NOTE: The COST of the property is confidential pursuant to IC 6-1.1-12.1-5.6(c).

SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted		
Amount of hazardous waste converted		
Other benefits:		

SECTION 6 TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative <i>Juli Donelson</i>	Title Agent	Date signed (month, day, year) 05/16/2022
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OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1)

INSTRUCTIONS: (IC 6-1.1-12.1-5.9)

1. Within forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits.
2. If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination, including the date, time and place of a hearing to be conducted by the designating body. If a notice is mailed to a property owner, a copy of the written notice will be sent to the county assessor and the county auditor.
3. Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable effort to substantially comply with the Statement of Benefits and whether any failure to substantially comply was caused by factors beyond the control of the property owner.
4. If the designating body determines that the property owner has **NOT** made reasonable effort to comply, the designating body shall adopt a resolution terminating the deduction. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the county auditor; and (3) the county assessor.

We have reviewed the CF-1 and find that:			
<input type="checkbox"/> the property owner IS in substantial compliance <input type="checkbox"/> the property owner IS NOT in substantial compliance <input type="checkbox"/> other (specify) _____			
Reasons for the determination (attach additional sheets if necessary)			
Signature of authorized member			Date signed (month, day, year)
Attested by:		Designating body	
If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance.			
Time of hearing	<input type="checkbox"/> AM <input type="checkbox"/> PM	Date of hearing (month, day, year)	Location of hearing

HEARING RESULTS (to be completed after the hearing)			
<input type="checkbox"/> Approved		<input type="checkbox"/> Denied (see instruction 5 above)	
Reasons for the determination (attach additional sheets if necessary)			
Signature of authorized member			Date signed (month, day, year)
Attested by:		Designating body	

APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]
A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the clerk of Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.



July 27, 2022

RE: Grouper Acquisition Company LLC (DBA Shiloh Industries LLC)
1780 Pond Run
Auburn Hills, MI 48326

Dear Common Council:

On September 30, 2021, Grouper Acquisition Company (DBA Shiloh) acquired the plant at 910 Eisenhower Dr. in Goshen, Indiana, from Benteler Automotive Company. Prior to Grouper's acquisition, the facility had experienced forced layoffs, due to Covid, and severe profitability losses due to inability to re-hire — the plant had been shut-down for nearly 50 days in 2020 and laid off about 90 percent of its workforce. Many of the employees went on to find work elsewhere and not return when the facility re-opened. The losses experienced by Benteler culminated with a sale of the plant to Grouper Acquisition Company. Grouper acquired the plant with a very optimistic view and a strategy to effectuate a turnaround.

At the same time, the plant continued to struggle with profitability due to the continued pandemic related headwinds, including: 1) global shortages of semiconductors causing reduction in throughput at the OEMs and reducing demand for our products, 2) raw materials price increases, 3) supply chain disruptions resulting in expedited freight costs, and 4) paying premiums to buy up supply and hold inventory.

We also have experienced increased labor-related costs as we have worked to ramp-up production. We now have a total of 350 full time employees and have made very significant progress to achieve targeted workforce level (Benteler, prior owner, reported 270 FTEs prior to pandemic). Still, this is below the level needed to support current production levels and we have been spending significant amounts in over-time pay for our employees. To achieve overtime reduction, we have brought in staffing agencies who are assisting with temporary labor support. Since Grouper's acquisition of the plant, we have spent over \$3 million on temporary labor (please refer to monthly temp labor spend chart below).



The goal is to eliminate the temporary support by adequately staffing with an employed workforce. For this purpose, we are working with six staffing agencies to assist with recruiting.

We have been diligently working through all the Covid-related challenges since we acquired the plant, and we ask for your consideration regarding the employment information reported on the CF-1 Forms. We have made very significant progress towards meeting our targeted level of employment since acquiring the plant from Benteler, but the plant continues to generate losses, and achieving the targeted employment levels has resulted in increased costs for the company. We ask that you consider these factors as you make your determination regarding the abatement for this year.

Should you have any questions, please feel free to contact me at 734-578-4969 or Jennifer.Pretzel@Shiloh.com. Thank you for your assistance in this matter.

Respectfully,

DocuSigned by:

Jennifer Pretzel

7/27/2022

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Grouper Acquisition Company LLC, Jennifer Pretzel, VP Tax

**GOSHEN COMMON COUNCIL
RESOLUTION 2022-18**

**Preliminary Finding Concerning Grouper Wild, LLC's
Compliance with Statement of Benefits for Personal Property
(Under Benteler II ERA)**

WHEREAS by Resolutions 2011-24 and 2011-40, the Goshen Common Council designated the area located at 910 Eisenhower Drive South in Goshen as the Benteler II Economic Revitalization Area and authorized a tax phase-in of certain personal property taxes for Benteler Automotive Corporation.

WHEREAS the new owner and taxpayer of the personal property is Grouper Wild, LLC (Grouper Wild).

WHEREAS Grouper Wild submitted the required annual Compliance with Statement of Benefits for Personal Property (CF-1) for 2021 to the City on or about May 16, 2022.

WHEREAS the Deputy Mayor believes the CF-1 does not demonstrate Grouper Wild's substantial compliance with the Statement of Benefits.

WHEREAS the Goshen Common Council is to make a preliminary finding of whether Grouper Wild has substantially complied with Statement of Benefits and commitments made to the City of Goshen to receive the tax phase-in, or whether any failure to substantially comply with the Statement of Benefits and commitments was due to factors beyond Grouper Wild's control.

NOW, THEREFORE, BE IT RESOLVED, after review of Grouper Wild, LLC's CF-1 and any information provided, the Goshen Common Council finds that (*check one*):

_____ Grouper Wild, LLC is in substantial compliance with the Statement of Benefits, or that Grouper Wild's failure to be in full compliance was caused by factors beyond Grouper Wild's control, and therefore, Grouper Wild is considered to be in substantial compliance.

_____ Grouper Wild, LLC 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 Grouper Wild. Therefore, a written notice shall be mailed to Grouper Wild which includes an explanation of the reason(s) for the Common Council's preliminary finding, and the Common Council shall hold a hearing for the purpose of further considering Grouper Wild's compliance with the Statement of Benefits.

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

Presiding Officer

ATTEST:

Richard R. Aguirre, Clerk-Treasurer

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

Richard R. Aguirre, Clerk-Treasurer

APPROVED and ADOPTED on August _____, 2022.

Jeremy P. Stutsman, Mayor