



GOSHEN COMMON COUNCIL

Minutes of the July 18, 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 5:59 p.m. and led the Pledge of Allegiance

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

Present: Megan Eichorn (District 4) Julia King (At-Large) Doug Nisley (District 2)
Donald Riegsecker (District 1) Matt Schrock (District 3)
Council President Brett Weddell (At-Large)
Youth Advisor Karen C. Velazquez Valdes (Non-voting)

Absent: Gilberto Pérez Jr. (District 5)

Mayor Stutsman announced that Councilor Gilberto Pérez Jr. (District 5) returned home sick after travel out of the country and would not be attending tonight's meeting.

Approval of Minutes: Mayor Stutsman asked the Council's wishes regarding the minutes of the June 6, 2022 Regular Meeting and the June 17, 2022 Special Meeting. Councilor Eichorn moved to approve the minutes as submitted. Councilor Schrock seconded the motion. The motion passed 6-0 on a voice vote.

Approval of Meeting Agenda: Mayor Stutsman asked the Council's wishes regarding the meeting agenda. Councilor Nisley moved to approve the agenda as submitted. Councilor Eichorn seconded the motion. The motion passed 6-0 on a voice vote.

Privilege of the Floor:

At 6:01 p.m., Mayor Stutsman invited public comments on matters not on the agenda.

There were no public comments, either from those in the Council chamber or via Zoom, so Mayor Stutsman closed the Privilege of the Floor at 6:01 p.m.

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

Mayor Stutsman called for the introduction of Ordinance 5131 - An Ordinance Establishing Common Council Districts for the City of Goshen based on the 2020 Decennial Census. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5131 by title only, which was done.

Weddell/Nisley moved to approve Ordinance 5131 on first reading.



BACKGROUND:

Indiana law requires that the City of Goshen to be divided into five (5) council districts during the second year after a year in which a federal decennial census is conducted. State law also requires that these five districts be contiguous, reasonably compact, and, as nearly as possible, of equal population, and, with some specific exceptions, not have boundaries that cross precinct boundaries.

In January 2022, Mayor Stutsman proposed that the Council establish a non-partisan commission to help ensure that redistricting was not based on how the composition of districts affected political parties.

Working with City Attorney Bodie Stegelmann, Mayor Stutsman proposed Ordinance 5116, to establish a five-member Redistricting Advisory Commission to make recommendations to the Council regarding its redistricting ordinance. Commission members would serve until the council adopted district boundaries.

The Mayor said that an independent redistricting commission would lend public legitimacy to the process and minimize conflicts of interest that might be present during conventional redistricting. He also said this method of redistricting could be conducted in an open manner with opportunities for public engagement.

As conceived by Mayor Stutsman, Ordinance 5131 would have imposed various qualifications for membership.

Membership would have been excluded to various categories of Goshen residents, such as: anyone who currently, or during the 10 years prior to the Commission's formation, held a public office or was a candidate for public office in the City or Elkhart County; an appointed public official; anyone who was currently an officer of any federal, state, county, or city level political party, or who has been an officer or active member during the 10 years prior to the Commission's formation; a precinct committeeman; a member of a candidate's committee; anyone who has contributed a cumulative total of \$2,000 or more to any political candidate(s) within the five years prior to the Commission's formation; anyone registered as a lobbyist; and immediate family members of any excluded person.

Mayor Stutsman said his intent in advancing Ordinance 5116 was to try to advance bipartisan redistricting maps so Councilors could do what was best for the community and avoid partisanship. Mayor Stutsman said he always expected some changes in the ordinance, but said he hoped the Council could find a path to move forward together and show the community that Councilors were serious about working together.

Councilors considered Ordinance at their Feb. 7 meeting and again on March 7. At the March 7 meeting, Councilors approved 10 amendments to the ordinance, mostly broadening the qualifications of Commission membership, and rejected three other amendments. Councilors then unanimously approved Ordinance 5116. After that vote, the five Councilors representing single-member districts appointed the following individuals to the City of Goshen Redistricting Advisory Commission: Bradd Weddell (District 1); David B. Daugherty (District 2); Shawn Miller; Jenny Murto Clark (District 4); and Everett Thomas (District 5). Also serving on the Commission were five non-voting members: Mayor Jeremy Stutsman, Council President Brett Weddell and Councilor Julia King, both at-large Council members, City Attorney Bodie Stegelmann and Clerk-Treasurer Richard Aguirre.

The Redistricting Advisory Commission met on June 3, June 17, June 30 and July 15, 2022. Commissioners conducted extensive research and engaged in extensive discussions about possible redistricting plans. Ultimately, Commissioners decided, by a 4-1 margin, to make Option 3 the Commission's number one redistricting recommendation to the City Council and Option 4 the secondary recommendation. Commissioners Clark, Daugherty, Miller, and Weddell voted "yes" and Commissioner Thomas voted "no." on this motion.

Ordinance 5131, which was before the Council for consideration on July 18, 2022, would establish Common Council districts for the City of Goshen based on population figures from the 2020 Decennial Census.



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. The Redistricting Advisory Commission, which was established by Ordinance 5116, submitted a recommendation to the Council for the division of the city into five (5) districts, along with the accompanying map and report. If approved by the Common Council, all territory within the corporate limits of the City of Goshen will be divided into the five (5) districts. The proposed 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, have equal populations.

Each district was shown on the map attached to the Ordinance and would be composed of these precincts:

(1) DISTRICT ONE. District One shall consist of the following areas:

- (A) Elkhart Township Precinct 01;
- (B) Elkhart Township Precinct 05, Census Blocks 1014, 3006, 3007, 3008, 3009, 3010, and 3011;
- (C) Elkhart Township Precinct 06;
- (D) Concord Township Precincts 31 and 32;
- (E) Harrison Township Precinct 01.

(2) DISTRICT TWO. District Two shall consist of the following areas:

- (A) Elkhart Township Precinct 05, Census Blocks 2000, 2001, 2002, 2003, 2004, 2009, and 2010;
- (B) Elkhart Township Precinct 07, Census Blocks 2007, 2012, 2013, 2017, 2018, 2019, 2020, 2021, 2022, and 4000;
- (C) Elkhart Township Precinct 08, Census Blocks 1004, 1005, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1033, 1034, 1035, 1036, 1037, 1038, 2002, 2003, 2004, 2005, 2006, 2009, 2010, 2011, 2023, 3002, 3003, 3004, and 3019;
- (D) Elkhart Township Precincts 09 and 10; and
- (E) Elkhart Township Precinct 11, Census Blocks 3001, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, and 3020.

(3) DISTRICT THREE. District Three shall consist of the following areas:

- (A) Elkhart Township Precincts 03 and 04;
- (B) Elkhart Township Precinct 07, Census Blocks 2001, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2022, 2023, 4008, 4009, 4010;
- (C) Elkhart Township Precinct 08, Census Blocks 1000, 1001, 1002, 1003, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1020, 1021, 1022, 1023, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 2000, 2006, 2026, and 2027;
- (D) Concord Township Precincts 27 and 33; and
- (E) Jefferson Township Precinct 02.

(4) DISTRICT FOUR. District Four shall consist of the following areas:

- (A) Elkhart Township Precinct 04, Census Block 1009;
- (B) Elkhart Township Precinct 08, Census Blocks 1028, 1029, 1030, 1031, 1032, 2000, 2001, 2002, 2003, 2004, 2005, 2009, 2010, 2011, and 2012;
- (C) Elkhart Township Precinct 11, Census Blocks 2007, 2008, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2024, 2027, and 3000;
- (D) Elkhart Township Precinct 12, Census Blocks 1029, 1030, 1031, 1032, 1039, 1040, 1041, 1042, 1043, 2020, 2021, 2022, 2023, 2025, 2026, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, and 2038;



(E) Elkhart Township Precinct 13;

(F) Elkhart Township Precinct 14, Census Blocks 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 4006, 4007, 4008, 4009, and 4010; and

(G) Elkhart Township Precinct 15.

(5) DISTRICT FIVE. District Five shall consist of the following areas:

(A) Elkhart Township Precinct 12, Census Blocks 1004, 1005, 1006, 1007, 1008, 1016, 1017, 2000, 2001, 2002, 2004;

(B) Elkhart Township Precinct 14, Census Blocks 1000, 1001, 1002, 1003, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1018, 1019, 1020, 1021, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2016, 2018, 5007, 5008, 5011, and 5012; and

(C) Elkhart Township Precincts 17, 18, 19, 20, and 21.

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 existed on the date of the adoption of this Ordinance.

Ordinance 5131 also specified that the Goshen Common Council will be 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.

JUNE 18, 2022 PRESENTATION & DISCUSSION OF ORDINANCE 5131:

Mayor Stutsman opened the Council's consideration by thanking Councilors for previously passing Ordinance 5116, which established the nonpartisan Redistricting Advisory Commission. He said the process went very well and he was proud of Commission members, all of whom were attending the Council meeting. He said the Commissioners put a lot of time into the task.

Mayor Stutsman said **Commissioners chose Bradd Weddell as the Chair** and he put a lot of time into the work. The Mayor said the Commission also created a **subcommittee** – consisting of Bradd Weddell, Everett Thomas, Deputy Mayor Mark Brinson and City Attorney Bodie Stegelmann (two Republicans and two Democrats) – that **developed some redistricting options** based on what the full Commission requested. He said the Commission then reviewed the various options. And he said he was happy with the work the group did.

Mayor Stutsman said that at the Commission's first meeting, he asked all Commissioners to not consider the partisan registration of the five Council districts, either at or in between meetings, so they could produce the most unbiased maps possible.

Mayor Stutsman said that although the redistricting plan was embodied in an ordinance before the council for a vote tonight, he expected and would suggest that Councilors agree to table consideration tonight after the presentation, take some time to review the maps and vote at a future meeting. The Mayor said the Council was on track and on schedule when it came to redistricting and had some time for continued consideration. He also thanked **Bradd Weddell** for his work and called on him to make his presentation about the work of the Redistricting Advisory Commission and its recommendations.



Redistricting Advisory Commission Chair Bradd Weddell made a presentation using PowerPoint slides (EXHIBIT 1). Weddell presented the following information:

- In March 2022, the Council passed **Ordinance 5116, which created the Redistricting Advisory Commission**. It was made up of **nine (9) members – five (5) voting members and four (4) non-voting members**. The voting members were appointed by the five Council members elected from districts.
- The **voting members were Jenny Clark, David Daugherty, Shawn Miller, Everett Thomas and Bradd Weddell**. The **non-voting members were Councilwoman Julia King, City Attorney Bodie Stegelmann, Mayor Jeremy Stutzman, and Councilman Brett Weddell**, and additional resources were Clerk-Treasurer Richard Aguirre, Deputy Mayor Mark Brinson and Elkhart County GIS Coordinator Marc Watson.
- The **full Commission meet (4) times – June 3, June 17, June 30 and July 15**. The **subcommittee met three times – June 9, June 14 and July 7**.
- At its first meeting, **Commissioners established parameters for their work**. They decided the **proposed redistricting plan had to adhere to the following criteria**: 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 the City would not be considered; and Political Party Affiliation would not be considered.
- **The five current Common Council districts are split across 25 voting precincts, four townships and 655 census blocks**.
- As of the 2020 U.S. Census, **Goshen had 34,517 residents**. For the purposes of redistricting, and as required by state law, **Commissioners didn’t consider the number of voters – solely residents**.
- **District 1 has the largest population in Goshen, with 8,105 residents, and District 3 is the smallest district by population size, with 6,149 residents**. The **overall difference between the largest and smallest Council district was just under 32 percent (population deviation)** as of the 2020 Census. In addition, the **current Council district map has six split precincts**.
- The **Commission considered many redistricting possibilities, but eventually settled on four main options**. Some were only slightly different than the current district boundaries and other options had bigger changes.
- **Still, the goal remained to follow the parameters established at the start of the process, including having an even distribution of residents among the districts, minimizing precinct splits and keeping the population deviation (from the largest to the smallest Council district) to less than 10 percent**.
- **Four options were developed for review by the City Council. However, the Commission settled on a primary option and a secondary option**.
- **Option 1 had a population deviation from the largest to the smallest Council district of 6.9 percent and five precinct splits**. He said there were no major geographic differences between Option 1 and the current Council map. Still, changes were made to all districts, especially District 1.
- **Option 2 had a population deviation from the largest to the smallest Council district of 7.2 percent and five precinct splits**. Again, there were no major geographic differences from the current Council map, but changes were made to all districts.



- **Option 3** had the **smallest population deviation from the largest to the smallest Council district, 5.75 percent, but also had the largest number (seven) of precinct splits.** Again, there were not major geographic differences from the current Council map, except for Districts 2 and 3.
- **Option 4** had the **largest population deviation from the largest to the smallest Council district, 7.28 percent, but also the smallest number (two) of precinct splits.** This plan had the largest geographic differences from the current Council map. Councilors would take in new neighborhoods in their new districts.
- After evaluating the four options and weighing the pros and cons, **Commissioners voted to make Option 3 the recommended option to the Council** because it had the lowest percentage difference (5.75 percent) between the largest and smallest Council district and it had seven split precincts –just one more than the current Council districting plan.
- The **Commission’s alternative choice was Option 4**, because it reduced the number of split precincts to two, which is important to consider, although it had a higher population deviation, 7.28 percent.

Mayor Stutsman said he wanted to remind everyone that the redistricting recommendation came solely from the five voting members of the Commission and not from the non-voting members.

Commissioner David Daugherty said precinct splits are not as important as in the past. So he said the one additional precinct split in Option 3, compared to the current Council map, is not a significant increase. He said the advent of voting centers has eased the concern about splitting precincts, although it remains part of the state redistricting criteria. He added that the districts in Option 3 would be very compact.

Councilor Riegsecker said he understands that because of voting center, splitting precincts is not as major a factor as in the past. However, he said that precincts would seem to define areas of the City and may be important to consider, especially during a future redistricting.

Commissioner Daugherty responded that redistricting is easier to do nowadays with newer technologies. He added that because of the use of voting centers, precincts were not that important for redistricting purposes.

Commissioner Weddell said that in order to not split precincts, it would be necessary to split neighborhoods. While he said that would be possible to do, he wouldn't want to divide neighborhoods among different Council districts. He said doing so would also make it more challenging for county election officials to process ballots. He added that

Elkhart County Clerk Christopher Anderson said that splitting precincts for redistricting was not a big deal.

Councilor Riegsecker said that when precincts are split among Council districts, it is harder to determine how people have voted. He said there are not defined boundaries and one cannot see as easily how people voted.

Commissioner Weddell said he understands that would be the case. However, he said Redistricting Advisory Commission members didn't examine the party registrations of residents of the districts.

Councilor Riegsecker said that is the only way he would want have wanted redistricting to be done.

Mayor Stutsman said the language of the state statute calls for minimizing precinct splits. He said he believes both Options 3 and 4 are good options, but he prefers fewer splits. The Mayor said this may be because minimizing precincts splits was a bigger factor in the past. He said under the current plan, 24 percent of precincts are split compared with 28 percent for Option 3 and less than 1 percent for Option 4. He said this was a factor to consider

Commissioner Weddell said the City of Goshen is not a nice square shape and because of that, some split precincts are inevitable.



Mayor Stutsman said while the City can establish City Council boundaries, Elkhart County establishes the precinct boundaries.

Commissioner Weddell said precincts are established based on the number of registered voters while census tracts are based on the total population of areas. So, he said, there could be areas with many children versus areas with a smaller population, but more registered voters.

Councilor Riegsecker said the Commission did a magnificent job, but he just wanted to point out the split precinct issue for consideration.

Councilor King said she would not have selected a Commission member who was a relative, but wanted to say that she found **Bradd Weddell** to be professional and intelligent and personable throughout the process and she appreciated his work.

Mayor Stutsman asked Councilors how they wanted to proceed – have more Council discussion, take public comments, reduce the redistricting options or table consideration until the next Council meeting.

Councilor Eichorn suggested taking public testimony.

At 6:24 p.m. Mayor Stutsman opened a public hearing on Ordinance 5131.

There were no comments from the audience, so Mayor Stutsman closed the public hearing on Ordinance 5131 at 6:24 p.m.

Council President Weddell asked if the redistricting maps would be available online to the public. He said he hoped that would be the case.

Mayor Stutsman said the maps would be made available online along with tonight's PowerPoint presentation.

Mayor Stutsman said the Council had various options tonight in addition to tabling the discussion. He also said Councilors could narrow down the redistricting options as the Commission did. He also suggested considering the redistricting plan over two meetings to allow more time for public comments.

Council President Weddell said he wanted to express his "personal opinion" that he is content with the redistricting options that the Commission provided. He said he would favor narrowing the options to the two the Commission provided. The Council President said he would OK with having a vote at the next scheduled Council meeting to narrow the options to one plan and then having a final vote at the subsequent Council meeting. He said he wanted to make the process as easy for the public as possible.

Councilor King asked if the Council President was making a motion.

Council President Weddell said he favored more conversation. He also said what he didn't want to see was none of those suggestions not pass unanimously.

Clerk-Treasurer Aguirre asked if Council President wanted a first reading vote on Aug. 1 and a second reading vote on Aug. 15. **Council President Weddell** said that would be his preference. He also said he wanted to make sure councilors were content with that suggestion.

Councilor Eichorn asked if the Council had to narrow the redistricting options tonight.

Council President Weddell responded that Councilors didn't have to do that, but could choose to narrow the choices to Option 3 and Option 4.



After a few more exchanges among Councilors, Council President Weddell made a motion to amend Ordinance 5131 and eliminate options 1 and 2. Councilor King seconded the motion.

City Attorney Stegelmann said that Ordinance 5131 as drafted only included Option 3. He said the motion could be amended to add Option 4 to the ordinance. And he said that revised ordinance could be brought back to the Council on Aug. 1.

Council President made a friendly amendment to his motion – that Ordinance 5131 be amended to add Option 4. Councilor King accepted the amendment.

Mayor Stutsman said that it might seem odd for Ordinance 5131 to include two redistricting plans, but this would let the public know that two plans were being considered.

Councilor Nisley said he would be OK with limiting the ordinance to Option 3, but also was OK with continuing to consider Option 4.

At the request of Clerk-Treasurer Aguirre, Council President Weddell clarified that his intent would be to narrow the redistricting options to one at the Aug. 1 Council meeting, approve it on first reading and then give final approval to a redistricting plan on Aug. 15.

At 6:31 p.m. Mayor Stutsman asked if there were any public comments on Council President Weddell's motion to amend Ordinance 5131. There were none, so Mayor Stutsman closed the public comment period. Councilor also indicated they were ready to vote.

On a voice vote, Councilors approved amending Ordinance 5131, to add Option 4 for consideration in addition to Option 3, by a 6-0 margin, with all Councilors present voting "yes" at 6:31 p.m. Youth Adviser Karen C. Velazquez Valdes also voted "yes."

Council President made a motion to table Ordinance 5131 to the next scheduled Common Council meeting, on Aug. 1, 2022. Councilor Nisley seconded the motion.

On a voice vote, Councilors voted to table Ordinance 5131, *An Ordinance Establishing Common Council Districts for the City of Goshen based on the 2020 Decennial Census*, by a 6-0 margin, with all Councilors present voting "yes." at 6:32 p.m. Youth Adviser Karen C. Velazquez Valdes also voted "yes."

2) Resolution 2022-15, A Resolution of the Common Council of the City of Goshen, Indiana, Endorsing and Urging Passage of Indiana Legislation Establishing Driver Cards for Undocumented Indiana Residents
Mayor Stutsman called for the introduction of Resolution 2022-15, *A Resolution of the Common Council of the City of Goshen, Indiana, Endorsing and Urging Passage of Indiana Legislation Establishing Driver Cards for Undocumented Indiana Residents*. Council President Weddell asked the Clerk-Treasurer to read Resolution 2022-15 by title only, which was done.

Weddell/Eichorn moved to approve Resolution 2022-15.



BACKGROUND:

Resolution 2022-15 would give the Goshen Common Council's endorsement for proposed legislation establishing driver cards for undocumented Indiana residents. The resolution stated and established that:

- The safety of all people using Indiana roads should be a primary consideration of elected officials in the State of Indiana;
- Under the current Indiana law, undocumented immigrants are not allowed to obtain a driver's license;
- At the present time, many undocumented Indiana residents are driving on the streets and highways of Indiana, without adequate training, certification or insurance;
- Statewide legislation providing undocumented Indiana residents with a pathway to obtain a Driver Card will encourage undocumented Indiana residents to be trained, certified, and insured;
- In 2021, Indiana House Bill 1138 and Senate Bill 319 establishing Driver Cards in Indiana failed to move forward; and
- At the present time, similar legislation has passed in 16 states;
- Such legislation will improve public safety by requiring all undocumented residents desiring to drive legally to pass a written test of knowledge of driving laws and road signs, a vision test and a driving test;
- Such legislation will benefit Indiana's insurance industry by reducing costs per policyholder and increasing the number of insured state residents while at the same time reducing the number of uninsured residents;
- Such legislation will promote commerce by permitting undocumented residents desiring to drive legally to support the State of Indiana's businesses for their basic needs;
- Such legislation will contribute to the tax revenue of the State of Indiana;
- Such legislation will improve public safety and promote positive relations with law enforcement by reducing the fear of traffic stops and by reducing any incentive to leave the scene of an accident;
- A Driver Card will provide an easily identifiable and distinguishable identification that will not be valid for voter identification;
- On January 6, 2022, legislation was again introduced in the Indiana Senate (Bill 200) to establish Driver Cards for undocumented residents;
- The Common Council believes that all Indiana drivers should be trained, certified, and insured in order to promote public safety, a growing economy and positive relations with law enforcement.
- Therefore, the Goshen Common Council hereby endorses and urges passage of state legislation to provide a pathway for undocumented Indiana residents to be able to obtain a Driver Card;
- The Goshen Common Council also hereby endorses and urges passage of state legislation to provide prerequisites to obtaining a Driver Card, such as training, certification and insurance.
- And the Goshen Common Council urges City of Goshen residents to support the passage of such legislation by making their opinions known to their state legislators.

JULY 18, 2022 PRESENTATION & DISCUSSION OF RESOLUTION 2022-15:

Mayor Stutsman provided the background and context of Resolution 2022-15, which would give the Common Council's endorsement of proposed state legislation establishing driver cards for undocumented Indiana residents. He said there were many compelling arguments in favor of this proposal that would be offered tonight by **Sen. Blake Doriot, a Republican, from Goshen.**



Mayor Stutsman said: "This is something that I've been working on off and on, just talking to state leaders down at the state, and then also other groups, including Clerk-Treasurer (Richard) Aguirre, since about 2016 or 2017 ... And I just want to state, too, that – as well as this resolution, which Sen. Doriot has asked for some support, so we came up with the idea of a resolution – the second idea was that I would write a letter of support from mayors, and ask mayors in Indiana to sign on to it.

"We're still gathering signatures – just started last week – but I just wanted to give you an idea that **there are roughly 122 mayors in the state of Indiana, and as of this morning, I have 40 mayors that are going to be signing this letter. I'm expecting more to come over this next week.** And out of that 40 — just to show you that this is not a liberal, conservative, Republican, Democrat thing — **out of that 40 mayors who have agreed to sign with me, only 16 of those are Democrats.**"

Mayor Stutsman said he hoped tonight's discussion would stay away from conservative vs. liberal rhetoric. He also said it was not an immigration topic. He said it involved how communities can deal with issues they are experiencing. The Mayor thanked **Sen. Doriot** for co-sponsoring the legislation and invited him to discuss the proposal.

Sen. Blake Doriot said he recently emailed out SB 200-2022, the current version of the legislation, and added that there may be some small changes. He said he is working closely on the bill with **state Sen. David Niezgodski, a Democrat from South Bend.** He said he immediately wanted to dispel concerns about the legislation.

"The first point I want to get across is that this ID cannot – will not – and won't be accepted as voting ID. I hear that (concern). I do not want that. You must be a citizen of the United States to vote, and I am firmly committed to that, and I will pull the bill if that somehow gets on there. I have the final word and I will pull that bill (it that was added)."

Sen. Doriot said he is "amazed at the extent of the support I've been getting. I've got a lot of support from the Hispanic/Latino community. I get a lot of support from the industrialists. I get a lot of support from commercial people. I've got support from the insurance industry. I've got support from the prosecutors. I have support from several police departments."

Sen. Doriot said "if you are an immigrant, and you are undocumented, you may apply for a driver's card. This is not a license. It is a card. It is not good outside of the boundary of the state of Indiana. To get this card, you must show proof that you have driving experience, another license, and if it doesn't meet Indiana standards, you will have to go through the same thing that all of us went through when we got our driver's licenses.

"You're a student driver and you're treated as a student driver. And after you get the 50 hours, 10 of which must be at night time – whatever, I'm not going to recite that – then you may apply for a standard driver's card that will be treated as (having) regular driving privileges."

Sen. Doriot said not everyone will get the driver card and "not everybody is going to use this — that's fine. But when I talk to the prosecutors, when I talk to police officers, they say, 'It gives us something.' A police officer can do a stop, and the individual will have a driver's card. Odds are, he's not going to run (drive away). He's got a driver's card. The police officer can see that he is attempting to drive legally. He'll have insurance. If he doesn't have insurance, (the card is) revoked."

Sen. Doriot said motorists in the state of Utah, which issues driver cards, experienced a \$25 per insured vehicle decrease in insurance because of the reduction in unlicensed drivers. He said that if Indiana approves driver cards, all state drivers should experience a reduction in their insurance premiums because more drivers will have legal permission to drive and they will carry insurance.



Sen. Doriot said driver cards also will allow people to get to work, adding: "Lippert Components, Dunkin' Donut – they all have people getting to work on time, because they're not trying to find a ride, they're not trying to avoid our policemen. It gives a better work environment for the people of Indiana."

Speaking about his Senate District specifically, **Sen. Doriot** said that District 12 has a Latino population of about 24 percent. He added: "That's a big number. Now, the vast majority of them — and it's getting (larger) all the time — are legal citizens. But there's quite a few that are here without documentation, and they are participating in society. I will say I've never seen a group with as good a work ethic as I've seen now with the Hispanic population."

Sen. Doriot concluded his presentation by offering to answer any questions.

Mayor Stutsman responded that he has read **Sen. Doriot's** entire bill and he thanked him for his proposal.

The **Mayor** said: I think this is a big step for all the residents, our community members here in Goshen – I really appreciate this effort here ... The senator nailed it. It's about traffic safety, insurance, economic benefits, and law enforcement having more information. So, yeah, thank you for your work on this, and we appreciate it. And I agree with you that these (driver cards) should not be turned into anything for use of voting."

Mayor Stutsman distributed to the Council two documents produced by the Indiana Driving Record Card Project, an initiative of the Student Policy Network at the University of Notre Dame. The first was a one-page document titled "Fact Sheet: Driving Records Cads in Indiana" (**EXHIBIT 2**). The second document was a seven-page brief titled "Safer Roads, A Stronger Indiana," which provided detailed driver card information, including sections on traffic safety, auto insurance, state revenue, economic growth and law enforcement (**EXHIBIT 3**).

Councilor Nisley asked **Sen. Doriot** the process to get driver card for applicants who don't have a driver's license from somewhere else.

Sen. Doriot said such applicants must show that they have lived in Indiana; there is a residency requirement. He said applicants must have tax identification numbers showing they have paid taxes. They also must show proof of residence by bringing mail sent to their address and some type of identification to show they have lived in Indiana a prescribed time to establish residency. He said there is a push to lengthen the residency requirement and he doesn't know how that issue will be resolved.

Councilor Nisley affirmed that those requirements were good. He also said he wanted to clarify some misinformation that was circulating – that Councilor Nisley had said undocumented immigrants would be getting driver's licenses. Councilor Nisley said he has never said that and wanted to clear up that misinformation.

Councilor King clarified that undocumented applicants would get driver's cards and not driver's licenses. **Sen. Doriot** said the driver cards would be different than licenses, which allow people to drive in all 50 states and Canada. He also clarified that the applicants would need to pass the same driver test license that applicants must pass.

Councilor King said she supported the proposal, adding, "I think this makes a lot of sense. I can't imagine why we don't want people on our roads being skilled drivers, and insured."

Councilor Eichorn thanked **Sen. Doriot** for his hard work on the proposal. **Councilor Nisley** added his thanks.

Mayor Stutsman said the federal government doesn't give local communities any authority when it comes to immigration, but cities are affected by the actions or inactions of the federal government when it comes to immigration. So, he said that it was "smart" whenever state leaders can help communities do what they can to help communities operate better and help those who are working to get to work safely.



Mayor Stutsman said that if the proposal becomes state law, there was a good chance everyone would see a reduction in their auto insurance premiums. He added that the proposal would be beneficial for Goshen, Elkhart County and the state, adding, "I'm going to be supporting this all the way through."

At 6:44 p.m. Mayor Stutsman opened a public hearing on Resolution 2022-15.

Esmeralda Gutierrez, who has lived in Goshen for 18 years, said supported driver cards. She said she was born and raised in Brownsville, Texas, so she doesn't face the same stress when driving as undocumented people. But she said she wanted to speak on behalf of Goshen families who will benefit from this proposal.

Gutierrez said she interviewed the mother of a family that has lived in Goshen for 25 years. She said the mother and her husband just received their residency cards. She said the mother told her that all four of her children graduated from Goshen High School and all are employed. Still, she said the family has struggled to pay for rent and undergone a lot of stress and financial pressure because of their immigration status.

Gutierrez said that although the mother is not a U.S. citizen, she insisted that she didn't come to get things for free and she would like the opportunity to do the right thing. She said the mother related that she and her husband drove without having a license because they needed to work and wanted to attend their children's baseball games, concerts or parent-teacher conferences. Still, they always feared getting into an accident because their cars and insurance policies were not in their own names.

Gutierrez concluded: "Now that her family is legally here in the United States, she says that they can finally breathe like they never have before, and she does not have this shadow over her like she used to. Let's give these Goshen families a chance to breathe and come out of the shadows. Let's give them the opportunity to do things the right way."

Belen Salinas, who has lived in Goshen for six years, said she also supported the proposal and giving opportunities for those who cannot legally drive. She said she was a farm worker and knows many farm workers who are unable to drive to work every day because of their immigration status.

Salinas said about 45 percent of workers who pick the food Indiana residents eat daily cannot get a driver license. She said Indiana is an agricultural state and it is essential that farm workers are able to drive to their jobs. She asked the Council to approve the resolution.

Former Goshen Mayor Allan Kauffman said this proposed change in state law has been needed in Goshen for a long time. He said many years ago, he and **Sen. Marvin Riegsecker of Goshen** (who was in office from 1988 to 2008) attended a large gathering of Latinos who asked for driving privileges. He said Sen. Riegsecker agreed to advance the idea, "but he ran into a brick wall."

Kauffman said he appreciated that **Sen. Doriot** is sponsoring the proposal and said a local state Representative also supports the proposal. He said "the stars have not been lined up like they're lined up right now." Kauffman said the Goshen Chamber of Commerce's Public Policy Committee studied this proposal a few years ago and heard a presentation by students from the University of Notre Dame. Kauffman said the proposal "makes all the sense in the world." He added that police don't jail people for the infraction of not having a driver's license, but that driving without a license puts a lot of stress on people.

Sen. Doriot responded by stating, "Let the record show Allan Kauffman and I agree on something."

Kauffman responded, "One thing."



Councilor Aaron Mishler of Elkhart said he supported the driver card resolution. He said allowing driver cards would be economically beneficial for Goshen, Elkhart, Elkhart County and Indiana. He said it will allow people to safely drive without fear of being detained. He said many undocumented immigrants have lived in the community for a long time and contribute greatly. He said he hopes the Elkhart Council will consider a similar resolution.

Rev. Jose Luis Gutierrez said he has lived in Goshen for more than 18 year. Speaking through a translator, Gutierrez said he supported the driver card proposal. He said many people who attend his church said they are working extra hours because they drove without a license and have to pay a fine. He said he knows dozens of families who have lived in Goshen for many years who are in this situation and don't have licenses

Rev. Gutierrez said many of these families don't want to be called Mexicans or Latinos. He said they want to be called "Goshenites." He said it would be good to support this proposal so that people won't have to be afraid to go to work, to go shopping or to go to church. And he said pastors have an interest in wanting people to have a way to get to church. He thanked Councilors for their support.

David Daugherty, the former President and CEO of the Goshen Chamber of Commerce, encouraged all Councilors to support the proposal, adding, "This is a non-partisan issue and it's great to see **Blake (Doriot)** take this up to Indianapolis. It's great to see the past Mayor here talking for it and I would urge Goshen to support this wholeheartedly because it's something we've needed for a long time."

Former Goshen Councilor Julia Gautsche said she wanted to give her strong support to the driver card proposal, adding, "It's been needed for a very long time and it does seem like the stars are aligned." She also thanked **Sen. Doriot** for taking the lead on the proposal.

At 6:55 p.m. Mayor Stutsman closed the public hearing on Resolution 2022-15.

Mayor Stutsman said he wanted to address a question that was asked about the Goshen Resident Identification Card, which is sponsored by the Center for Healing & Hope and endorsed by the Mayor as a valid ID for interacting with City government. He said **Clerk-Treasurer Aguirre** checked today and reported that 2,084 resident ID cards have been issued since the program began in 2018. He said there is no way of knowing how many of the card holders are documented or undocumented.

Mayor Stutsman added that the Indiana Association of Chiefs of Police supports the driver card proposal as does the insurance industry, the Indiana Chamber of Commerce and other groups and leaders. He also cited the support of 40 Indiana mayors so far.

The Mayor said: "That's not a common thing for mayors to sign onto a letter that some other mayor has written. The fact that it's a very bipartisan group. Mayors don't jump into big topics unless it's important, and I think that shows this is very important for all the communities in the state of Indiana." He added at least 10 other communities plan to approve resolutions in favor of the proposal. And he said it would benefit all immigrants and not just Latinos.

Council President Weddell said he sometimes wonders about being on the leading edge, but said "this is one that is good to be on the leading edge." He thanked the Mayor. He also noted that **Rep. Joanna King** of Middlebury also supports the proposal.

Councilor Riegsecker asked about the Latino population in Goshen. **Mayor Stutsman** said Latinos make up about 32 percent of the City's population. **Councilor Eichorn** said about 54 percent of the K-12 students are Latinos.

Mayor Stutsman said he has said many times that his job description requires that he represent all people who live and work in Goshen and not just citizens or voters. **Councilor King** echoed that point.



Council President Weddell said he and Mayor Stutsman once spoke to a Goshen College class and made the point that they both refer to “Goshenites” and not just citizens of Goshen, adding, “That’s an excellent thing to keep in mind.”

Council President Weddell also said, “I think I know how this votes is going to go, but I'd personally appreciate a roll call vote.”

Clerk-Treasurer Aguirre asked for the opportunity to make some comments “because if I wasn’t Clerk-Treasurer, I would be sitting out there as I have on other occasions.”

Aguirre thanked **Sen. Doriot** for sponsoring the proposal, reminding him that he brought groups of **Goshen College students** to the State Capitol to lobby for the bill. “I remember when we first talked about it, you said you were open to hearing about it, but didn’t know. And to see over time, you coming to this point, I think is a very encouraging thing not only for our democracy, but for representative government that folks are responsive. But when you talked to me about this you said, you were influenced partly by your kids who know kids who are Latinos and how much you sympathize with them and were sympathetic to what they’re going through.

“And it’s really wonderful to see an issue that’s not being put on partisan terms, but that’s being put on human terms to help people who live in Goshen, and who are just trying to make a living.”

Aguirre said that at the end of 2017, he helped create Goshen Resident ID Card system, adding, “This was done to give people a chance to feel connected to Goshen, and it has given them that sense of security. And over the years, we’ve seen at the Center for Healing and Hope waves of different people, from folks from Mexico primarily, to Honduras, to Venezuela most recently, and from African countries, who are living in Goshen and getting this card and it gives them a sense of connection.

“And it allows our Police Department to know more likely who they’re dealing with they stop someone. And we’ve always said, and the card itself says, that this card is not for voting. This is not a driver’s license. But it allows people to feel a connection with the community. And I’m so encouraged about this proposal because it will allow those who are already living in Goshen and making contributions, and throughout the state of Indiana, to continue to make those contributions and to get something they really want, which is eventual legal status.

“And as the Mayor said, this is something that some of us have been advocating for since the last immigration reform act, which was in 1986 with (President) Ronald Reagan. And I was actually a newspaper reporter at that time and covered that extensively in California and in Texas. And I never would have imagined that we would be now in 2022 without this nation addressing this critical issue.

“And we have so many millions of people who just want to have a chance to have a meaningful life in this country and not have that fear of potentially being returned to a country that they no longer feel connected to. And they want to continue, as **Pastor (Gutierrez)** said, to just live in this community and be part of it. So, I think this is a very encouraging thing and I hope you will excuse me for stepping out of my role for a minute because, as I said, if it had been my choice, I would have been sitting out there tonight and saying this. So, thank you.”

Mayor Stutsman said he has been working on this issue since 2017 and thanked those who have also been working on this issue over the years. He especially thanked the grassroots activists at the meeting who have been reaching out to elected officials. Referring to the Goshen Resident ID Card, the Mayor said the City has been through several elections since the card were issued, and he is unaware of any complaints to police our county officials of anyone attempting to drive or to vote using the card.



Councilor Nisley said he wanted to address several emails from people opposed to the driver card proposal and wanted him to vote against it. He said some complained that the proposal would be giving undocumented people rights that they should not have. He said he wrote back to them and said that "Driving is not a right in Indiana. There's no constitutional right for you to drive in Indiana. Driving in Indiana is a privilege. And it would be a privilege we're giving them, and I'd don't feel that's something they should not have."

Councilor Nisley said another person wrote "that if I would vote for this, it would be that I'm aiding and abetting an illegal and that I could go to prison for this. I got back to them and (said) 'I'm not sure where got that from. This was brought into the City by the State, by our state rep. It wasn't generated from here and that is totally false that we would be jailed because of that. This is totally wrong.'

"I think there are people out in the area who don't understand what's going on in the City of Goshen and I just feel that we need to somehow make communications with these people who think that way. It's not the average people in our community who agree with that way of thinking."

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

On a roll call vote, Councilors approved Resolution 2022-15, *A Resolution of the Common Council of the City of Goshen, Indiana, Endorsing and Urging Passage of Indiana Legislation Establishing Driver Cards for Undocumented Indiana Residents*, by a 6-0 margin, with all Councilors present voting "yes" at 7:06 p.m. Youth Adviser Karen C. Velazquez Valdes also voted "yes."

Mayor Stutsman thanked Councilors and said Councilor Pérez asked the Mayor to state that had Pérez been present, he would have voted for Resolution 2022-15.

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

Mayor Stutsman called for the introduction of Resolution 2022-11 - *City of Goshen Flood Resilience Plan*.

Council President Weddell asked the Clerk-Treasurer to read Resolution 2022-11 by title only, which was done.

Weddell/Schrock moved to approve Resolution 2022-11.

BACKGROUND:

Resolution 2022-11 would approve the Common Council's acceptance of the City's Flood Resilience Plan.

More specifically, the resolution stated and established that:

- A Flood Resilience Plan has been developed for the City of Goshen which identifies flood resilience strategies to be considered in an effort to improve flood resilience in the City. A copy of the City of Goshen Flood Resilience Plan, dated July 2022, was attached to and made a part of this resolution;
- The Goshen Common Council finds that the City of Goshen Flood Resilience Plan, dated July 2022, contains worthy goals and recommended strategies to improve flood resilience citywide;
- The Goshen Common Council hereby accepts the City of Goshen Flood Resilience Plan and directs that City's Departments further study and endeavor to implement flood resilience strategies in an effort to better prepare and plan for, absorb, recover from, and more successfully adapt to flooding events that may affect the City of Goshen.



The following was the Executive Summary of the City of Goshen Flood Resilience Plan:

Many communities in Indiana and across the United States have experienced damages from flooding. Despite the use of expensive, engineered solutions to reduce flooding risk, such as elevating buildings and constructing levees, flood damage losses continue to increase.

Moreover, climate change projections suggest that floods will intensify in most regions of the United States, especially in the Midwest and Northeast. These trends are creating a sense of urgency among communities to look for better ways to deal with flooding and build flood resilience, particularly in states like Indiana that are expected to experience increased flooding in the future.

Flood resilience is the ability to prepare and plan for, absorb, recover from, and more successfully adapt to adverse flood events. This flood resilience plan identifies smart growth strategies to improve flood resilience in the City of Goshen. The approach is two-pronged.

The first uses land-use planning policies to direct growth, economic development, and capital improvement projects to areas that are less vulnerable to flooding. This will help to prevent the problem from spreading and getting worse. The second is to implement projects to protect the people and critical assets that already exist in the vulnerable flood risk areas.

This planning effort may challenge local leaders, decision-makers, and stakeholders to think differently about how to grow and develop while at the same time become resilient to the floods that have previously devastated the City of Goshen. This approach recognizes that the City may not be able to mitigate the increasing extreme rainfall events we have been experiencing from climate change and which are forecasted to further intensify into the foreseeable future. The plan does, however, emphasize strategies to adapt to the unavoidable climate change impacts through adoption and implementation of appropriate flood resilience strategies. This will result in the most immediately achievable and sustainable positive outcome for the city.

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

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

The flood resilience strategies identified for the six flood resilience planning areas include protecting open, undeveloped land in the river corridor and floodway fringe and, where development is unavoidable in the floodway fringe, require compensatory flood storage.

Strategies for vulnerable developed areas include preparing a flood response plan and stormwater master plan. As well as relocating and/or buying out structures, flood-proofing and bringing nonconforming uses into compliance. This plan guides growth and development, and critical facilities, to safer areas, outside known flood hazard areas and encourages cooperation and partnerships throughout the watershed to slow, spread and infiltrate floodwater.



JULY 18, 2022 PRESENTATION & DISCUSSION OF RESOLUTION 2022-11:

Mayor Stutsman said the presentation of the City of Goshen Flood Resilience Plan would be made by City Director of Environmental Resilience **Aaron Sawatsky Kingsley** and **Sheila McKinley**, the Director of Planning for **Christopher Burke Engineering of Indianapolis**.

(At the request of Councilors, Mayor Stutsman briefly recessed the meeting for a bathroom break)

Sawatsky Kingsley thanked Councilors for their involvement and support in developing the plan. He said **Sheila McKinley** of **Christopher Burke** also would be making some comments, both of them using a PowerPoint presentation, titled "Goshen Flood Resilience Plan" and dated July, 2022 (**EXHIBIT 4**).

Sawatsky Kingsley said most people recall the historic flooding of Goshen in 2018, which was the impetus for the creation of the Flood Resilience Plan. Still, he said it was important to remember that flooding has been a chronic issue in Goshen, including major floods on Sept. 11, 1924, Dec. 14, 1927 and Feb. 17, 2022.

Sawatsky Kingsley said that since 1982, there have been four major flood stage (11+ feet) events, which shows the frequency of floods is increasing. He said this echoes climate change projections about the increasing incidence and volume of flooding that can be expected in the coming century. At **Council President Weddell's** request, **Sawatsky Kingsley** clarified how to interpret the severity of flooding on a chart about Goshen's flood incidents.

Sawatsky Kingsley displayed a map showing flooding severity over a 30-year period. He said the map showed the likelihood of flooding risks in some of the most vulnerable areas of the City. He said it was important for the City to be proactive based on the history of Goshen floods and forecasts.

Sheila McKinley said the conventional approach to flooding would be to mitigate flood impacts by building levees and larger reservoirs to hold flood water. She said that would require the City of Goshen to adapt to being a river community and bearing the consequences of occasional flooding.

Instead, **McKinley** said the City has chosen to adapt through flood resilience. She said this approach involves preparing for, absorbing, recovering from and adapting to adverse flood events; defining flood resilience areas and adopting smart growth strategies; and supporting natural and beneficial floodplain function – leaving room for the river. She said the City will be using a two-pronged approach: Using land-use planning policies to direct growth to areas less vulnerable to flooding (and prevent the flood problem from getting worse) and identifying and implementing projects to protect those already vulnerable to flood risk (including businesses and homes).

McKinley said her company has helped the City develop the following six flood resilience planning areas: the River Corridor (the floodway or fluvial erosion hazard area, whichever is greater); the Undeveloped High Flood Hazard/Flood Storage Area (undeveloped land in the floodway fringe); the Moderate Flood Hazard Area (the 0.2% or 500-year flood zone); the Vulnerable Developed Area (existing developed land in the Special Flood Hazard Area; the Safer Area (outside SFHA, 0.2% and localized flooding areas); and the Watershed (the entire drainage area).

Sawatsky Kingsley provided an overview of the intent of area strategies and the specific strategies to prevent the further deterioration of conditions leading to flooding. These involve the following.

River Corridor Impact Area – The intent is to conserve land and prohibit development through the following strategies: Adopt fluvial erosion hazard (FEH) regulations and Perpetuate protection of undeveloped land within River Corridor through partnering with land trusts.



Undeveloped land in the floodway fringe – The intent is to conserve land and maintain the natural and beneficial function of the floodway fringe through the following strategies: Preserve floodplain storage and beneficial floodplain functions through prohibiting or strongly discouraging new development in this area; Establish floodplain compensation when flood storage loss cannot be avoided; and Perpetuate protection of undeveloped land within the SFHA through partnering with land trusts.

Area within 0.2% annual chance floodplain and localized flooding areas (likely future SFHA due to climate change) – The intent is to identify areas that are subject to flooding during an extreme event and to discourage future development in these areas through the following strategies: Discourage new development in this area; Require buildings to have a freeboard equal or greater to that required in SFHA; and Require flood protection grade of critical facilities in this area to be above the 0.2% chance flood elevation.

Existing developed land in the River Corridor or floodway fringe – The intent is to protect people, buildings, and facilities in vulnerable areas and reduce future flood risk through the following strategies: Prepare a Flood Response Plan; Prepare a citywide Stormwater Master Plan; Encourage Flood Insurance and participate in CRS; Protect existing critical facilities; Retrofit, relocate and/or buyout of structures; and Bring nonconforming uses into compliance.

Outside the 0.2% annual chance floodplain area but within planning jurisdiction – The intent is to plan for and promote development in areas that are less vulnerable to future floods through the following strategies: Steer public policy and investment into safer areas; Promote conservation design and development; and Promote placement of critical facilities in safer areas.

Entire drainage area (Watershed) – The intent is to promote coordination and partnerships and implement practices to slow, spread, and infiltrate flood water through the following strategies: Partner in watershed-wide partnerships (Basin Commissions, Joint Drainage Boards, etc.); Encourage uniform No-Adverse-Impact stormwater standards; Support USGS stream gauges; Promote use of cover crops and soil health practices; and Reduce the impact from surface draining and regulated drain improvements in the watershed.

Sawatsky Kingsley provided further details of the impacts of the strategies. He also discussed the importance of strategies directed at the watershed of the Elkhart River, noting that 600 square miles of the watershed flows through Goshen. He added, "When there's a flood event, when the conditions are right, that is a lot of water, as we saw in 2018, that comes under our bridges and over our bridges and around our bridges. So it's important to partner beyond the City with neighbors, municipalities and property owners on ways to increase infiltration, to reduce runoff and hold the water and slow the water before it comes to us is an important adaptive strategy that our plan looks at."

In his last PowerPoint slide, **Sawatsky Kingsley** presented a list of overall strategies to improve resiliency citywide and emphasize the importance of syncing plans, policies and regulations for consistency of resilience concepts and strategies. These recommended actions were:

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



Sawatsky Kingsley concluded his presentation by stating that the Flood Resilience Plan was a playbook of the best of the best adaptive ways that are known so when they are implemented, it will help the City to be as prepared as possible for the projected flooding that is expected. He said if these strategies are implemented, the City will adapt and won't have to continue to have historic flood after historic flood after historic flood.

Mayor Stutsman said **City Planning & Zoning Administrator Rhonda Yoder, Mattie Lehman and Jason Kauffman of the Stormwater Department and City Director of Public Works & Utilities Dustin Sailor** have also been significant members of the team that contributed to the Flood Resilience Plan. He said that while all areas of Goshen do not experience floods, there is not one City Department that is not affected by flooding in some way. So, he said it's essential for the City to get ahead of the problem.

Mayor Stutsman said he hopes Councilors are not frightened by pieces of the plan because City government is still going to be tied to the budget and what it can reasonably do. But he said the Flood Resilience Plan was a reasonable path to stay on and to do whatever is possible.

Councilor King clarified that the Council tonight was only being asked to approve the flood resilience plans in a broader sense and provide affirmation to continue in this direction. She said that the specifics, including changes to ordinances, would come later. **Mayor Stutsman** affirmed that understanding.

Councilor King said walking alongside **Sawatsky Kingsley** as he developed the plan has been a great learning experience as she watched City staff collect and analyze data and as they worked to position Goshen as best as possible for the future.

Sawatsky Kingsley acknowledged other City staff, including those from the Parks and Recreation Department, the Street Department, Fire Chief Dan Sink and Deputy Mayor Mark Brinson, who also helped with the plan.

Councilor Schrock thanked **Sawatsky Kingsley** and other City staff members as well as the team at Christopher Burke Engineering, Justin Kauffman, Mattie Lehman, Dustin Sailor, Rhonda Yoder, Mark Brinson, David Gibbs, Dan Sink, Theresa Sailor, Mayor Stutsman, Julia King and Kent Holdren and his staff. Schrock said he has read through the plan a few times and has spoken to **Sawatsky Kingsley** many times about it, mostly because many of the flood-prone areas are in his Council district. He added, "It's important to me that what we're doing is going to help and make a big difference now and for the future, so thank you very much for all the hard work you guys all did."

Sawatsky Kingsley thanked Councilor Schrock for his comments.

Council President Weddell said the **Mayor** commented that flooding doesn't affect everyone directly, but when there is a major flood, the only way to get across the river is Kercher Road, so that affects everyone. He said this plan is comparable to the Comprehensive Plan in that it is a game plan or spreadsheet of what the City wants to do. He said as things come forward, the Council will be able to change ordinances and adopt policies.

Mayor Stutsman agreed and said another comparable plan would be the Rezoning Plan, which provides general guidance or direction. And he said it will be up to the Council to either push forward or pull back in some areas.

Sawatsky Kingsley said the Flood Resilience Plan builds on and underscores parts of the Climate Action Plan as well as portions of the Comprehensive Plan. And he said it will work in much the same way.

At 7:33 p.m. Mayor Stutsman opened a public hearing on Resolution 2022-11.

City Community Relations Commission Director AJ Delgadillo of Goshen said it wasn't until he finished college that he began focusing on major events. So, he said he was astonished that the summer after he graduated, he kept hearing about several once-in-a-lifetime hurricanes.



Delgadillo said that there have been so many major disasters in such a short period of time and that stems from inadequate and incompetent responses to such disasters. He said the old ways of projecting disasters are failing society and these events will continue until government does something novel to address these emergencies. He said it was worthwhile to be open to novel and ambitious ideas in response to novel and ambitious threats.

Former Goshen Mayor Allan Kauffman said he wanted to clarify that **Sawatsky Kingsley** said it was important to slow flood water before it got to Goshen. **Sawatsky Kingsley** confirmed that understanding. **Kauffman** recalled that the old wisdom was to speed the passage of flood water so it got through Goshen faster. He asked for a further explanation.

Sawatsky Kingsley said “the new wisdom would suggest that further up in the watershed, through partnerships and communication, that we would find ways to slow the storm water down before it gets to Goshen.” He said by slowing it down, efforts can be made to spread out the water and disperse its arrival through Goshen, instead of a giant tidal wave or tsunami of storm water arriving in a small period of time.

Councilor King said the goal seems to be to get other communities to adopt these flood resilience practices.

Sawatsky Kingsley confirmed that understanding, adding that this was the ambitious and forward-thinking part of plan. He said it will take time to bring the broader watershed into the picture, but there are other organizations working on this issue. He added that the City of Elkhart will be grateful for what Goshen is doing.

There were no more audience comments, so at 7:37 p.m., Mayor Stutsman closed the public hearing on Resolution 2022-11.

Mayor Stutsman said that in reference to **Delgadillo’s** comment about the increased frequency of such major disasters as multiple 100-year floods, scientists are working on renaming such events and moving toward calculating the percentage chances of such major events each year. He said the current nomenclature confuses many people.

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

On a voice vote, Councilors approved Resolution 2022-11, *City of Goshen Flood Resilience Plan*, by a 6-0 margin, with all Councilors present voting “yes” at 7:38 p.m.

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

Mayor Stutsman called for the introduction of Resolution 2022-16 - *A Resolution of the Common Council of the City of Goshen, Indiana, Acknowledging House Enrollment Act 1002 and Finding that Goshen Water Utility Rates Shall Not Be Adjusted*. Council President Weddell asked the Clerk-Treasurer to read Resolution 2022-16 by title only, which was done.

Weddell/Eichorn moved to approve Resolution 2022-16.



BACKGROUND:

Resolution 2022-23 recommends to the Goshen Common Council that Goshen Water Utility rates shall not be adjusted due to the repeal of the utility receipts tax through (Indiana) House Enrolled Act 1002 in accordance with the advice of the City's municipal advisor, Baker Tilly. **According to Resolution 2022-16:**

- House Enrolled Act 1002 ("HEA 1002"), which was passed by the Indiana Legislative Assembly earlier this year, eliminated the state Utility Receipts Tax ("URT") beginning July 1, 2022;
- HEA 1002 triggered a rate review for all utilities currently subject to URT, including Goshen's Municipal Water Utility ("Goshen Water");
- The City's Municipal advisor, Baker Tilly Municipal Advisors, LLC ("Baker Tilly") reviewed the year-to-date operational results for 2022 as well as the impact of eliminating the URT to determine the options available to the City;
- Baker Tilly found that updated 2022 operation and maintenance revenue requirement needs for Goshen Water now exceed 2025 expectations;
- Based on the new information, Baker Tilly advises that a phase rate increase of as much as 5% may be required to offset inflation and other increased costs;
- Baker Tilly advises that a downward adjustment of rates in response to HEA 1002 would further jeopardize the financial position of Goshen Water and accelerate the need for revisiting rates and increasing costs associated with additional analysis and another full rate ordinance process, while still ending up with higher rates for customers;
- Baker Tilly recommends leaving utility rates at their current levels to offset inflation and other unexpected costs, to defer or eliminate the need for higher future rate changes, and to allow time for conditions to normalize rather than decrease rates in response to HEA 1002.
- **Therefore, due to increased operational costs of the Goshen Water Utility and the need to produce an income sufficient to maintain the utility property in a sound physical and finance condition to render adequate and efficient service, and upon the recommendation of the Goshen Board of Public Works and Safety, the Goshen Common Council finds that the Goshen Water Utility rates shall not be adjusted due to the repeal of the utility receipts tax in HEA 1002 in accordance with the advice of the City's Municipal advisor, Baker Tilly.**

JULY 18, 2022 PRESENTATION & DISCUSSION OF RESOLUTION 2022-16:

Mayor Stutsman invited **City Public Works and Utilities Director Dustin Sailor** to address the issue. Also present to address any questions from the Council were **Kent Holdren, Superintendent of City Water Treatment and Sewer Collection, and Kelly Saenz, Manager of the City Water & Sewer Utilities Business Office.**

Sailor said that after the repeal of the utility receipts tax by the Legislative Assembly, City staff worked with **Baker Tilly Municipal Advisors** to evaluate the impact of the new law on Goshen's utility. He said Baker Tilly's analysis showed that **in 2021, the utility receipts tax generated about \$78,000 for Goshen utilities.** He said every quarter, **Saenz** prepares the numbers and sends them to the State as a payment.

Sailor said the utility receipt tax is assessed from a variety of sources, including the metered revenue, the higher charges, labor sales, penalties and late fees, sales of used assets, miscellaneous revenue and reconnect charges. He said when Baker Tilly staff members were asked how to break each of these out, they said that when they conducted the utility rate evaluation, it was too complicated, so they just built these into the rate.



So, **Sailor** said what people see on their utility bills is that the **utility receipts tax was calculated to be 1.4 percent** of that rate and that tax is included and is just built into the rate. When **Sailor** asked how to break that tax out to customers if a refund was offered, **Baker Tilly** staff said to take the amounts billed and reduce it by 1.4 percent. However, **Sailor** said that since the City Council has approved water rate increases through 2025, with regular rate increases, **Baker Tilly** determined that Goshen utilities missed the mark in terms of not understanding inflation. He said Goshen utilities would actually need a 5 percent increase compared to where it is at now. So, **Sailor said he was requesting that the Council approve not refunding the 1.4% portion of the utility receipts tax in hopes of stemming additional future utility rate increases.**

Councilor Riegsecker asked if the utility receipts tax affected all customers the same on their bills. He said he attempted to find the tax on his bill.

Sailor said it was important to talk about the same thing. He said this **tax does not affect sewer rates and only applies to water sales. Sailor said for the average residential customer, the tax is 30 or 40 cents per month.** That would have been the reduction under the legislation that was approved.

Asked by **Councilor Riegsecker** about the potential refund for industrial customer, **Sailor** said it depended on the customer.

Councilor Riegsecker said that since the tax receipts in 2021 were about \$78,000 that would be the overall financial impact over 12 months. **Sailor** agreed.

Asked by **Councilor Riegsecker** the number of water service customers, **Saenz** said there are about 11,000 customers during the summer months because people are using their sprinkler meters, but on average there are 10,600 customers.

Council President Weddell reflected on **Sailor's** report that Goshen utilities are 5 percent behind on revenue because of inflation. He **said he didn't want the City to get to 2025 and have to impose a large rate increase,** which he said was a bigger concern. He asked if rate readjustments would be necessary.

Sailor said the City will need to keep a close eye on that. He said the Consumer Price Increase in July was 9.1 percent, which is a big number and that hasn't happened since 1980. He said the City would keep a close eye on inflation and hopefully things will balance out. He said he would keep the Council apprised.

Mayor Stutsman said if it appears the City "is digging a hole here, we should make some adjustments to our plan." He said City leaders responsible for this area "do a phenomenal job with the money that they have," but they are not getting enough to keep up with inflation.

Kent Holdren, Superintendent of City Water Treatment and Sewer Collection, said fuel prices have doubled and that is costing up to \$5,000 more per month. He said chlorine prices have almost tripled because of shortages and the prices for brass fixtures and fittings and PCV pipe have also increased. So, **Holdren** said not returning the utility receipts tax, was a small way to pay for those increases.

Councilor Riegsecker said he didn't disagree with City staff and he said he expected all cities in Indiana will face the same situation even if they just adjusted their water rates. He also said that as long as City staff members keep doing their jobs, as he knows they are, Councilors will keep doing their job.

At 7:46 p.m. Mayor Stutsman opened a public hearing on **Resolution 2022-16.** There were no comments, so **Mayor Stutsman** closed the public comment period.

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



On a voice vote, Councilors approved Resolution 2022-16, *A Resolution of the Common Council of the City of Goshen, Indiana, Acknowledging House Enrollment Act 1002 and Finding that Goshen Water Utility Rates Shall Not Be Adjusted*, by a 6-0 margin, with all Councilors present voting “yes” at 7:46 p.m.

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

Mayor Stutsman called for the introduction of Resolution 2022-17, *Category Transfer within the General Fund*. Council President Weddell asked the Clerk-Treasurer to read Resolution 2022-17 by title only, which was done.

Weddell/Eichorn moved to approve Resolution 2022-17.

BACKGROUND:

In December 2021, the City Board of Public Works and Safety approved an agreement with Jacobi, Toombs & Lanz, Inc. for Building Plan Review. The agreement called for Jacobi, Toombs & Lanz, Inc., to be paid at an hourly rate in an amount not to exceed Ten Thousand Dollars (\$10,000.00) for Building Plan Review. The volume of services needed under the Agreement has exceeded expectations, and staff sought an amendment to the Agreement to increase the “not to exceed” amount of the agreement to \$25,000.00.

If approved by the common Council, Resolution 2022-17 would authorize a Category Transfer within the General Fund between the following budget categories: 410 PERSONNEL SERVICES (Building Department/Part-time) to 430 OTHER SERVICES AND CHARGES (Building Department/Professional Services). Amount of transfer: \$13,000. (At its meeting earlier on July 18, the Board of Works & Safety approved and executed Amendment No. 1 to an Agreement with Jacobi, Toombs, & Lanz, Inc. for Building Plan Review to increase the amount of the Agreement to \$25,000.00.)

JULY 18, 2022 PRESENTATION & DISCUSSION OF RESOLUTION 2022-17:

Mayor Stutsman asked Deputy Mayor Mark Brinson to provide background and context of the issue. He said the City implemented this consultancy to be more responsive to builders, who are still quite busy.

Deputy Mayor Brinson said earlier this year the City established a relationship with an engineering firm that has provided review of construction plans that have been submitted for permits for large commercial and complex projects. He said the City has been outsourcing this work to a firm. He said City staff review all the comments and then forward them to the designers and builders.

Brinson said the City has enjoyed a good relationship with the consultants and they have provided a lot of help for City staff who are trying to keep up with inspections and other work. He said the City has reached the limit of funds allocated for these services, so staff is asking to transfer funds from within the budget. He said this was not a request for an additional appropriation, but a transfer within the existing budget – \$13,000 from part-time wages would be moved to other services and charges for professional services.

Mayor Stutsman said the \$13,000 was actually expected to be paid in part-time help for these services, but this will now be done using a consultant



Brinson said that in the past, the City used a retired building inspector, who was certified, to complete plan reviews. However, **Brinson** said that for health reasons, the retired inspector has not been able to do the work, so using consultants has been a good solution.

Councilor King asked if this was the preferred mode to complete plan reviews. **Brinson** said that according to the Building Department, the consultancy has been great. He said the turnaround times are good and the work has been thorough. **Mayor Stutsman** said this has also freed City staff to take on other needed work in the field.

Clerk-Treasurer Aguirre suggested that **Deputy Mayor Brinson** mention related action taken today by the Board of Works and Safety.

Brinson said that earlier today, the Board of Works approved an amendment to increase the amount of the agreement from \$10,000 to \$25,000 with the consultant, Jacobi, Toombs & Lanz, Inc. So, he said there was contractual approval to move forward and staff was simply asking the Council to approve the transfer of funds.

At 7:50 p.m. **Mayor Stutsman** opened a public hearing on Resolution 2022-17. There were no comments, so **Mayor Stutsman** closed the public comment period.

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

On a voice vote, Councilors approved Resolution 2022-17, *Category Transfer*, by a 6-0 margin, with all Councilors present voting "yes" at 7:50 p.m.

Elected Official Reports:

Council President Weddell said he had not yet scheduled a meeting with **City Attorney Bodie Stegelmann** to discuss changing Council rules on motions to reconsider so they are more clearly defined. He said he didn't know if there was a huge urgency to address the issue, but he still planned meet with the City Attorney. **Councilor Nisley** responded, "Yeah, you never know."

Mayor Stutsman thanked all in involved for their work at the recent air shows in Goshen. He said they were hugely successful events and he appreciated all the volunteers and City staff who were involved.

Mayor Stutsman said he also wanted to thank Councilors for how they handled issues before the Council tonight. He said some of these issues tend to be partisan. The Mayor said he was referring to redistricting, driver cards for undocumented immigrants, the environment and flooding and utility rates and the budget, adding, "I know we don't always see eye to eye and I appreciate that, but we also respect each other."

Council President Weddell said he wanted to thank **Councilor Riegsecker**, **Councilor Eichorn** and the **Mayor** for their conversation earlier today. **Councilor Eichorn** responded, "You're welcome."

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



Councilor Nisley made a motion to adjourn the meeting, which was seconded by Councilor Riegsecker. On a voice vote, Councilors voted to adjourn the meeting by a 6-0 vote, with all members present voting “yes.”

Mayor Stutsman adjourned the meeting at 7:52 p.m.

EXHIBIT #1: *PowerPoint presentation, titled “City of Goshen Electoral Districts Redistricting,” dated June 18, 2022, and prepared and presented to the Goshen Common Council by Redistricting Advisory Commission Chair Bradd Weddell.*

EXHIBIT #2: *A one-page document produced by the Indiana Driving Record Card Project, an initiative of the Student Policy Network at the University of Notre Dame, titled “Fact Sheet: Driving Records Cads in Indiana.” Mayor Stutsman distributed this document to Councilors at the meeting.*

EXHIBIT #3: *A seven-page document produced by the Indiana Driving Record Card Project, an initiative of the Student Policy Network at the University of Notre Dame, titled “Safer Roads, A Stronger Indiana,” which provided detailed driver card information, including sections on traffic safety, auto insurance, state revenue and economic growth and law enforcement. Mayor Stutsman distributed this document to Councilors at the meeting.*

EXHIBIT #4: *PowerPoint presentation, titled “Goshen Flood Resilience Plan” and dated July, 2022 which was shown to the Common Council by City Director of Environmental Resilience Aaron Sawatsky Kingsley during his presentation on Resolution 2022-11, City of Goshen Flood Resilience Plan.*

APPROVED:

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

~~Jeremy P. Stutsman, Mayor of Goshen~~
Council President Brett Weddell

ATTEST:

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

Richard R. Aguirre, City Clerk-Treasurer

EXHIBIT #1

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 Wat

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

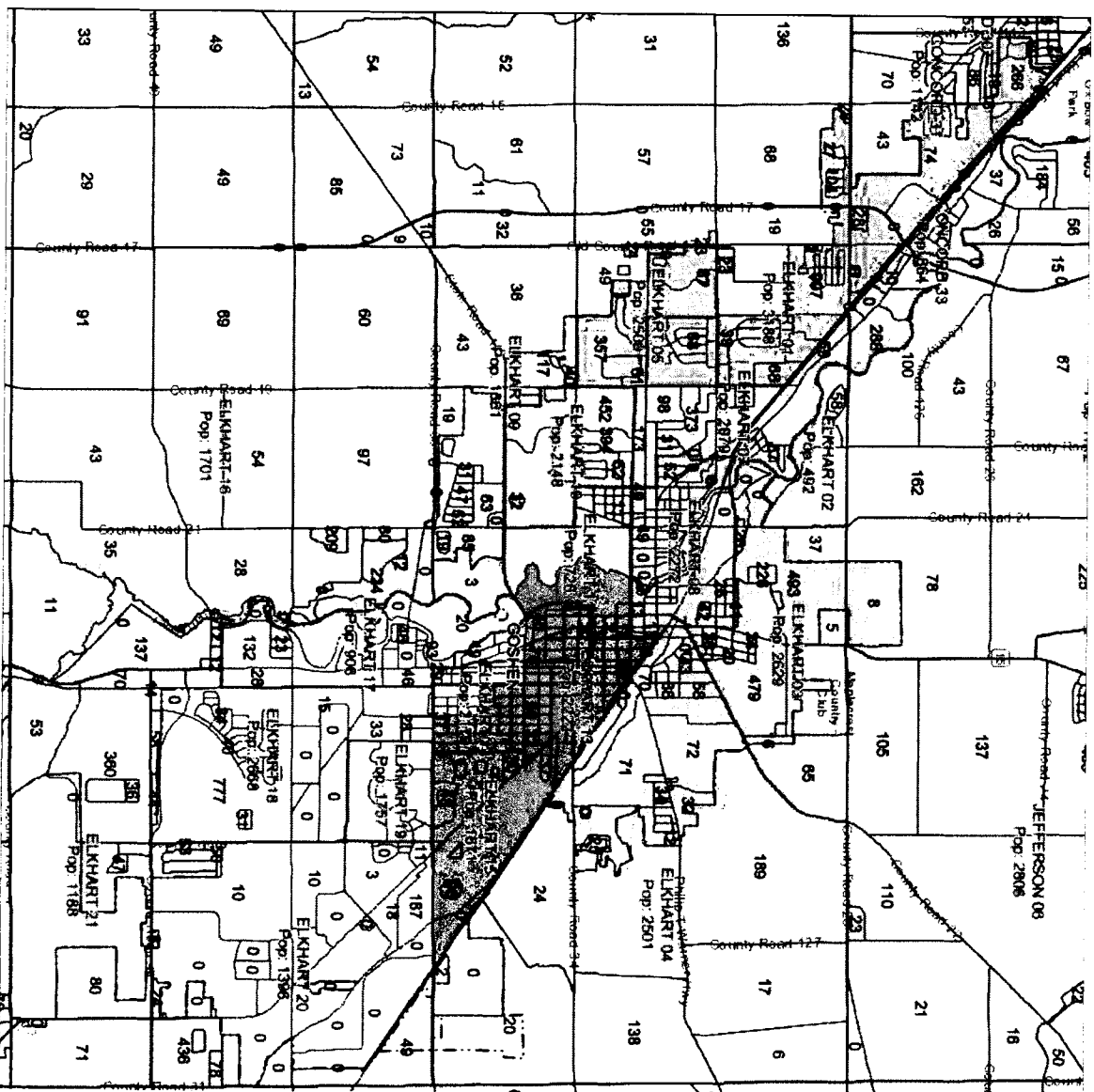
- ▶ Composed of Contiguous Territory
- ▶ Reasonably Compact
- ▶ As nearly as practicable, each district would be of equal population, with the population of the Largest district exceeding the population of the Smallest district by not more than ten percent (10%)
- ▶ Minimize the quantity of split precincts 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

District	Current District
District 1	8,105
District 2	7,034
District 3	6,149
District 4	6,319
District 5	6,910
	34,517

Mean	6,903
% Diff	31.81%
ST Dev	770.00
Spread	1,956
Precinct Splits	6



Options for Redistricting

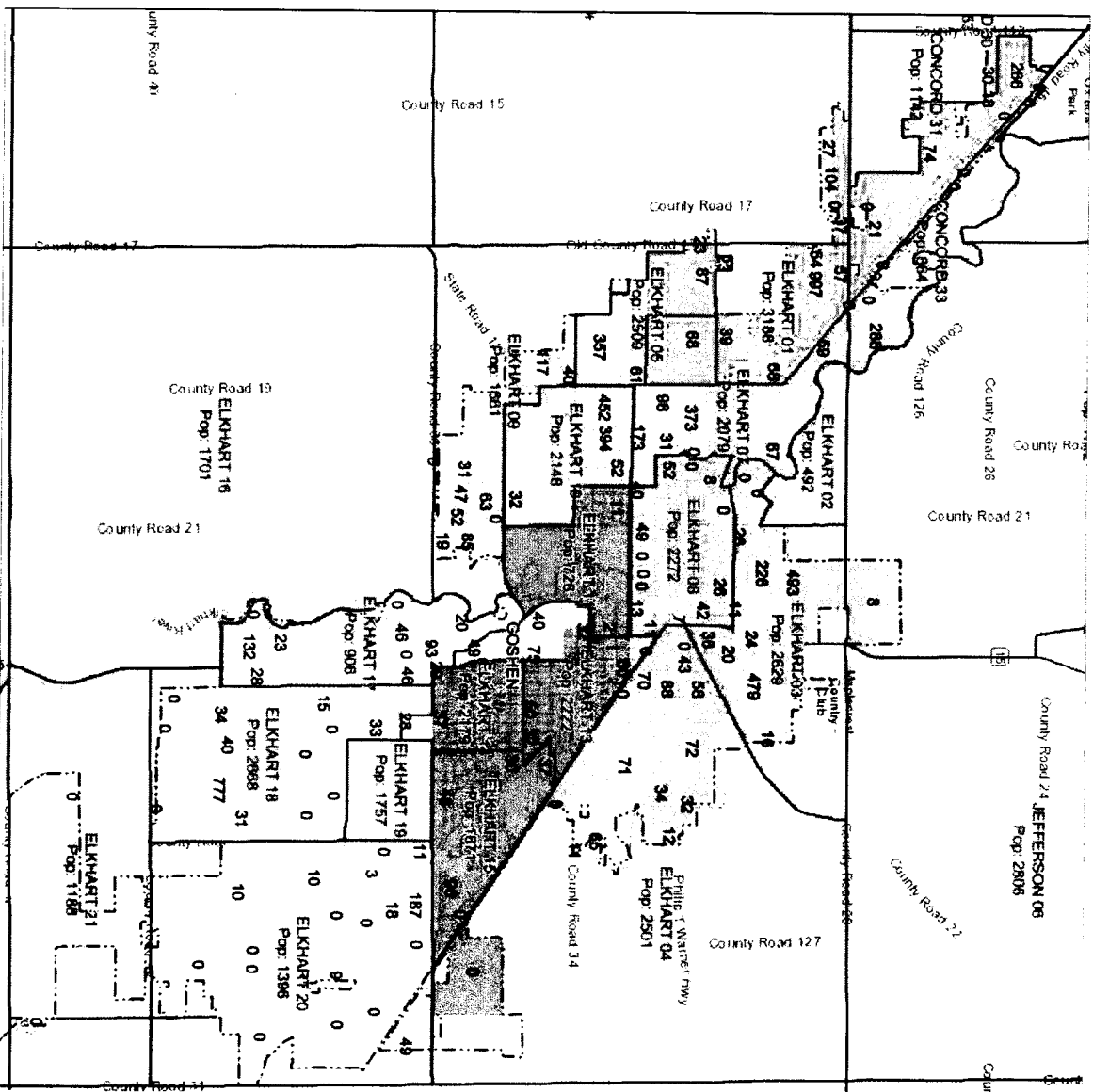
- ▶ The Committee considered four (4) options that meet the parameters established.

District	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

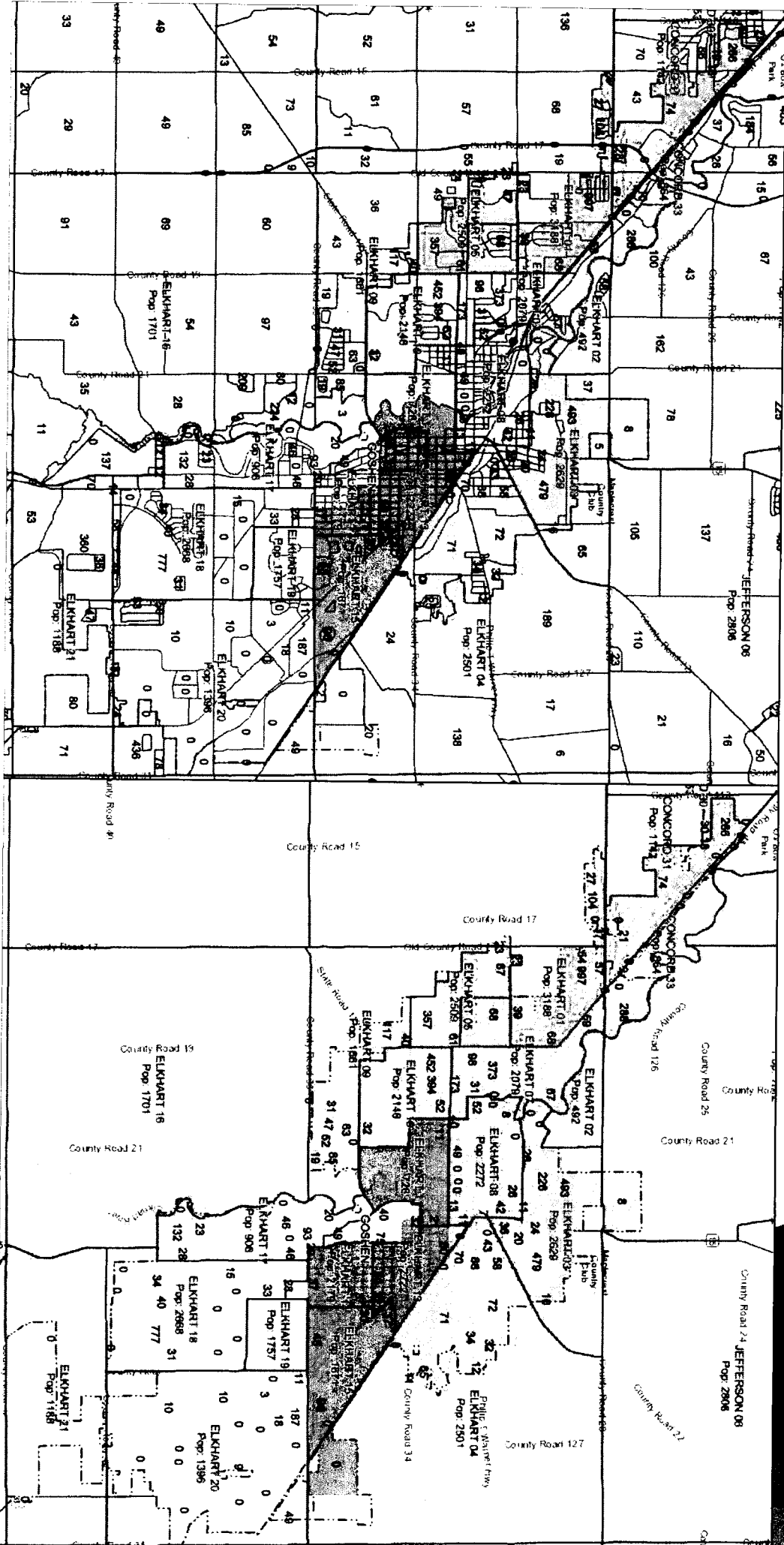
Option 1

District	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



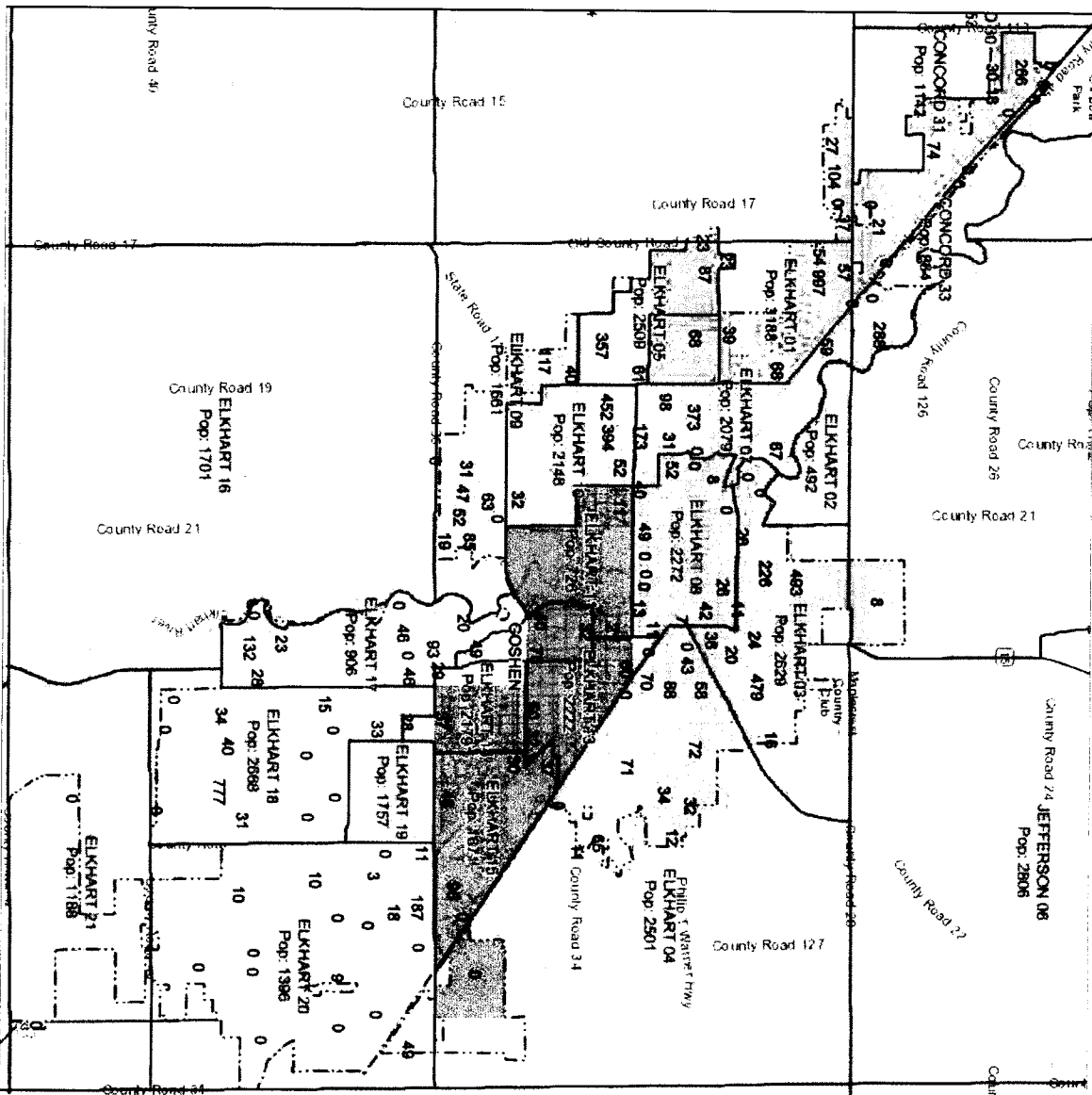
Existing compared to Option 1



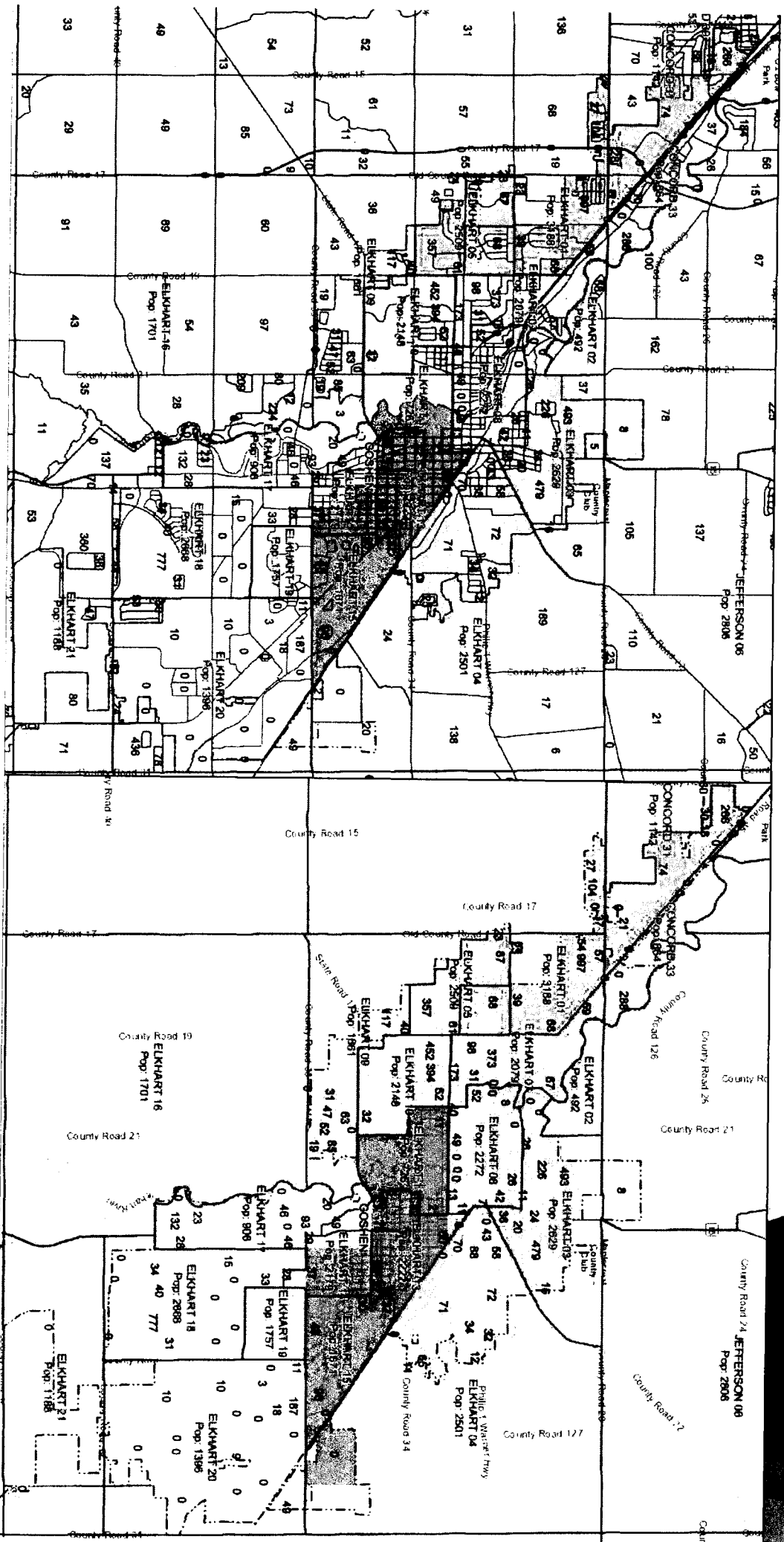
Option 2

District	Current	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



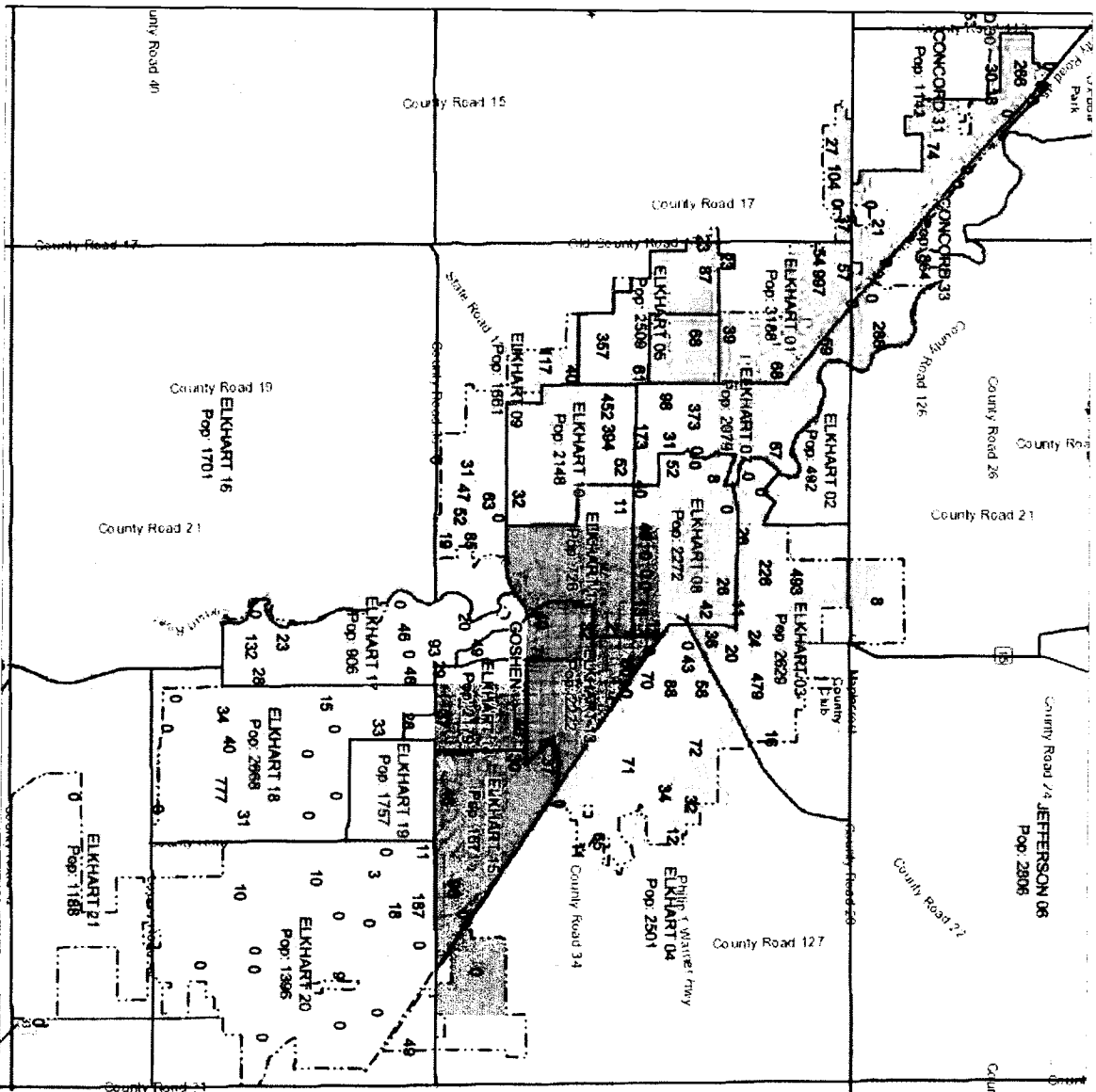
Existing compared to Option 2



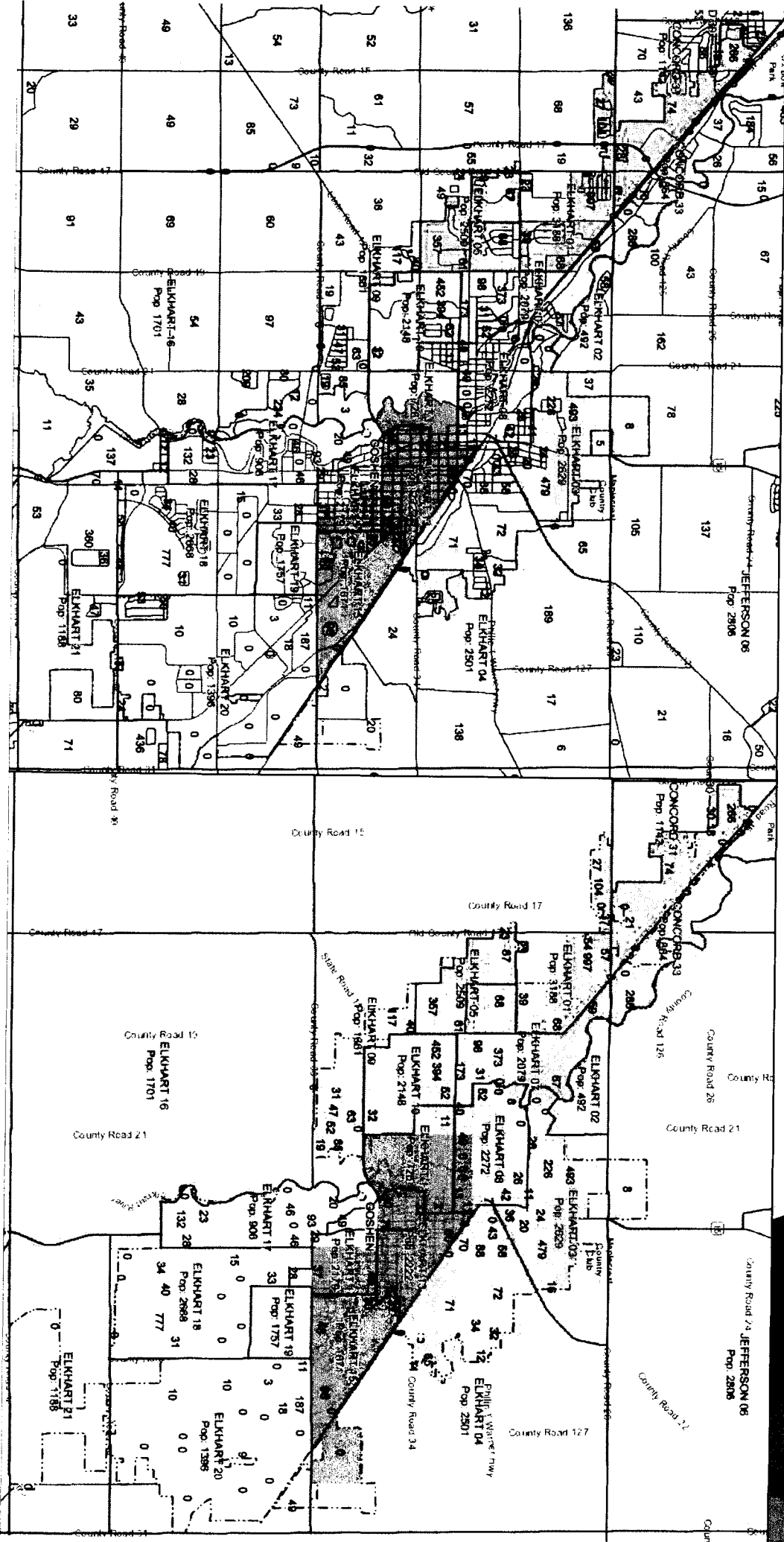
Option 3

District	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



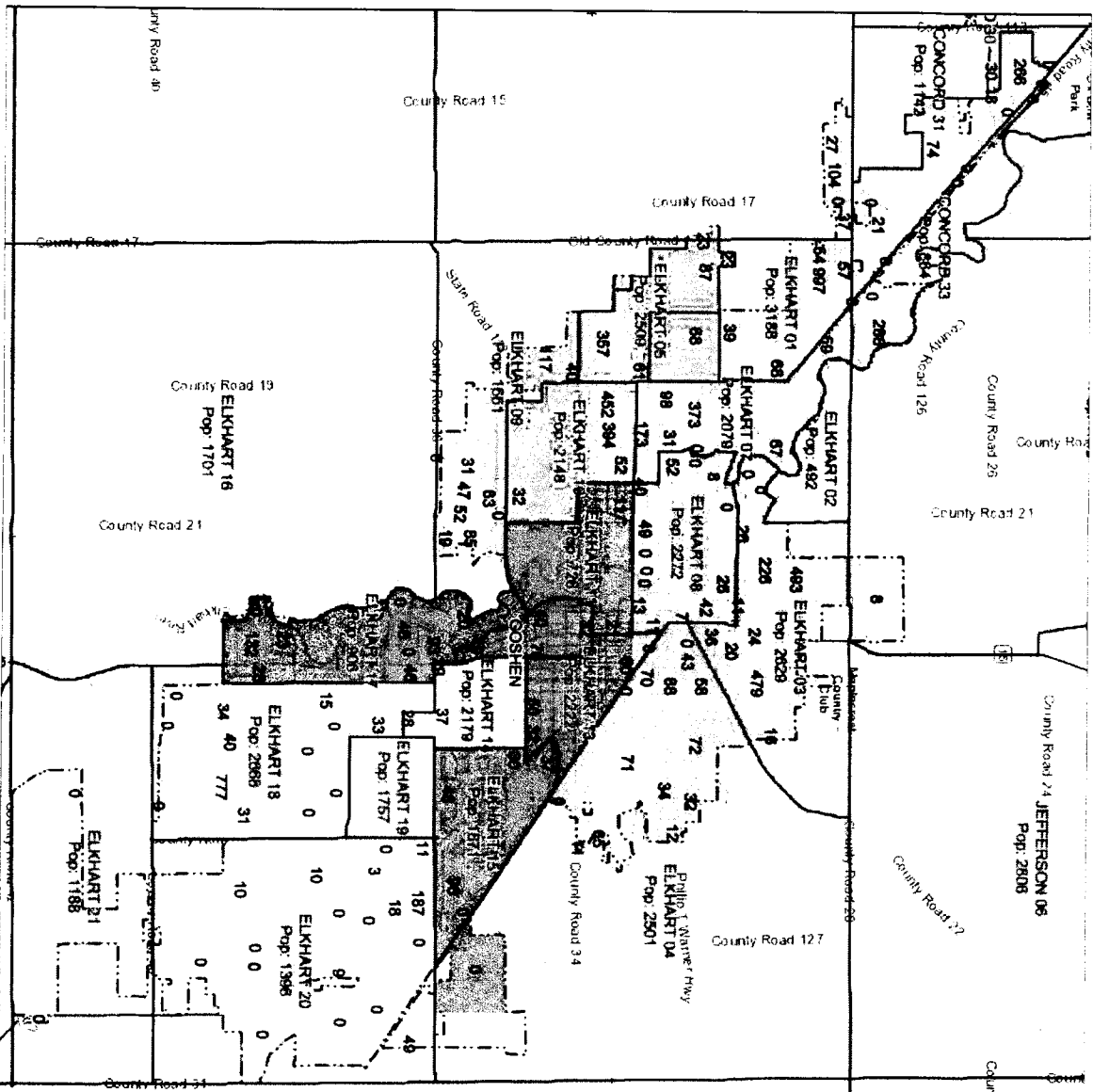
Existing compared to Option 3



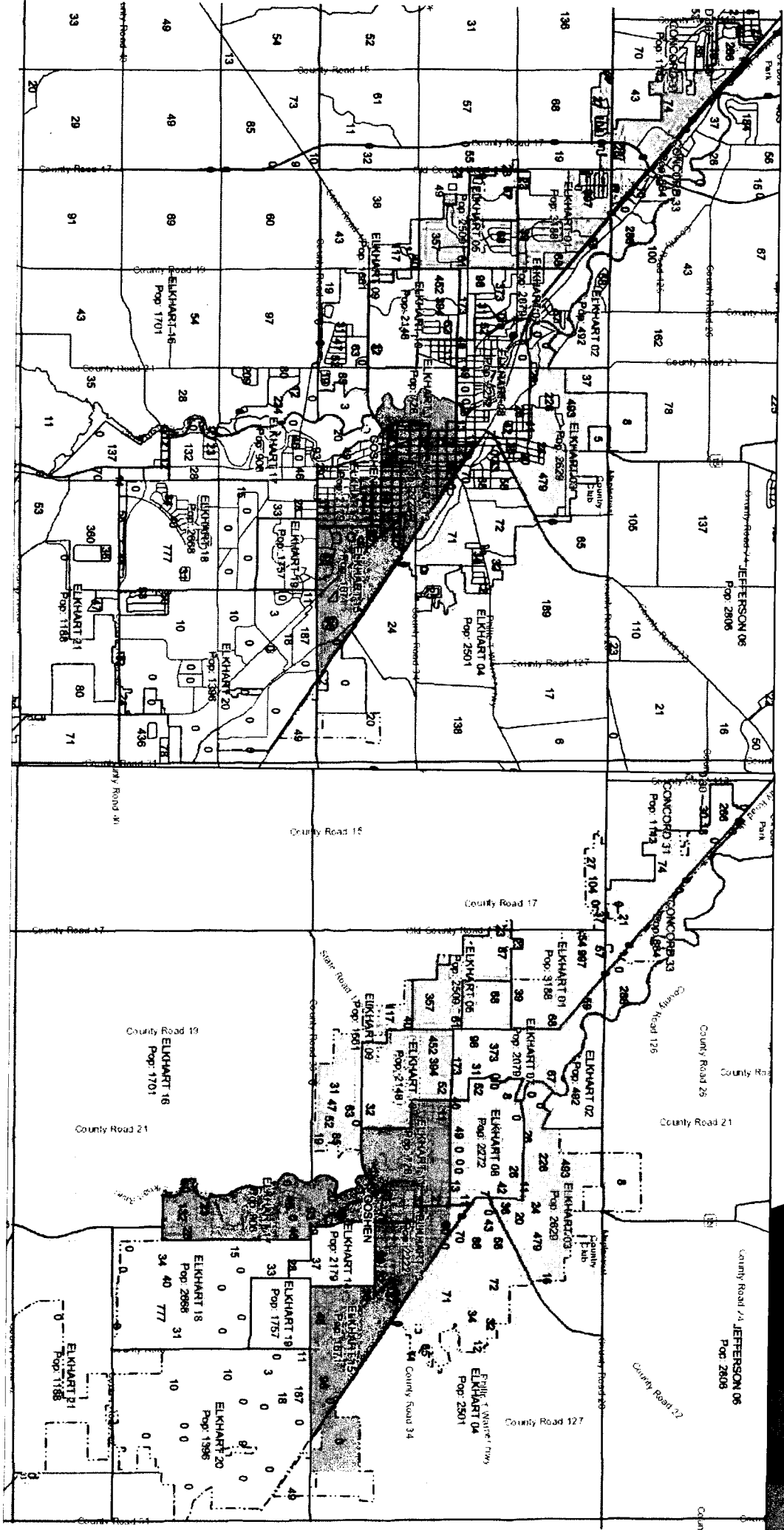
Option 4

District	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

District	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										
<table border="1"> <tr> <td>Mean</td> <td>6,903</td> </tr> <tr> <td>% Diff</td> <td>5.75%</td> </tr> <tr> <td>ST Dev</td> <td>156.80</td> </tr> <tr> <td>Spread</td> <td>384</td> </tr> <tr> <td>Precinct Splits</td> <td>7</td> </tr> </table>		Mean	6,903	% Diff	5.75%	ST Dev	156.80	Spread	384	Precinct Splits	7
Mean	6,903										
% Diff	5.75%										
ST Dev	156.80										
Spread	384										
Precinct Splits	7										

▶ Alternate Option

▶ Option 4

District	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										
<table border="1"> <tr> <td>Mean</td> <td>6,903</td> </tr> <tr> <td>% Diff</td> <td>7.28%</td> </tr> <tr> <td>ST Dev</td> <td>210.17</td> </tr> <tr> <td>Spread</td> <td>486</td> </tr> <tr> <td>Precinct Splits</td> <td>2</td> </tr> </table>		Mean	6,903	% Diff	7.28%	ST Dev	210.17	Spread	486	Precinct Splits	2
Mean	6,903										
% Diff	7.28%										
ST Dev	210.17										
Spread	486										
Precinct Splits	2										

Questions?

FACT SHEET: Driving Record Cards in Indiana

This bill would ensure that all Indiana drivers are trained, certified, insured, and identifiable by creating a Driving Privilege Card (DPC), under which Indiana residents ineligible for licenses who pay taxes and pass a driving test can drive legally

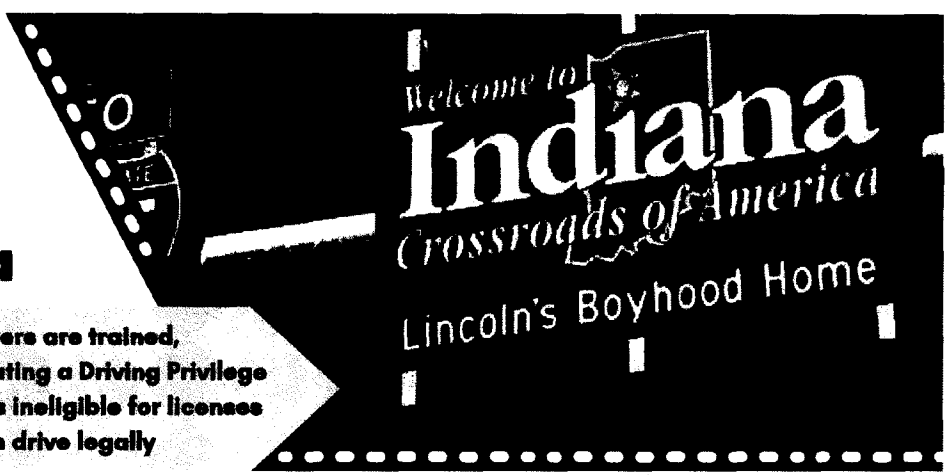


EXHIBIT #2

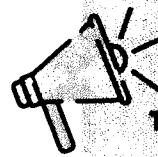
Key Distinctions from a Standard Driver's License

1 Includes a residency requirement set by the BMV, to avoid attracting new undocumented immigrants.

2 DPCs must be renewed every year, ensuring consistent compliance and minimizing potential for fraud.

3 DPC applicants must provide an Individual Taxpayer Identification Number (ITIN), ensuring that all DPC holders are taxpaying Hoosiers.

DPCs will feature bold text that reads "FOR DRIVING RECORD ONLY - NOT VALID FOR IDENTIFICATION"



This ensures DPCs aren't used to vote, access federal services, or claim citizenship, and it keeps the law compliant with the REAL ID Act of 2005.

Let Indiana join Utah and the 15 other states nationwide that ensure every driver is certified, trained, and insured!

Save Lives – Certify All Who Drive

Material courtesy of the Indiana Driving Record Card Project, a project of the Student Policy Network at the University of Notre Dame. For further inquiry, contact project directors Benjamin Rosc6n Orsola, Irasema Hernandez Trujillo, and Emma Ryan at brasc6ngend.edu, ihernan3and.edu, and eryan6and.edu.

 **SPN**
STUDENT POLICY NETWORK

Safer Roads, A Stronger Indiana

The Indiana Driver Record Card Project is a team of Notre Dame students advocating for a bill that would ensure that all Indiana drivers are trained, certified, and insured. We believe Indiana should create a Driver Record Card, under which undocumented Indiana residents, after meeting certain criteria and passing a driving test, could obtain authorization to drive. This important legislation would ensure that all drivers on Indiana roads are trained, insured, and identifiable by law enforcement. 16 states nationwide currently allow undocumented residents to apply for a license or special certification to drive, and Indiana should join this group.

Benefits of Expanding Driving Legislation

Traffic Safety — The Driver Record Card would ensure that all drivers currently on the road have prepared for and passed a driving test, which makes people better drivers. When accidents do occur, all drivers having identification and being legally authorized to drive decreases the percentage of hit-and-runs and streamlines interaction with law enforcement.

Insurance — Allowing all drivers to purchase car insurance would decrease the uninsured driver charge on auto insurance premiums, saving currently licensed drivers an estimated \$25 per year instead of forcing them to cover the costs of uninsured, untested drivers on the road.

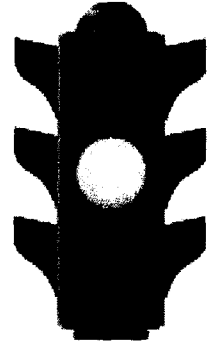
Economic Growth and State Revenue — The Driver Record Card would increase state revenue by an estimated \$15 million in three years. Increased applications, vehicle registrations, and tax revenue would more than cover the cost of administration, and increased mobility for Indiana residents would also increase consumer spending and economic growth.

Law Enforcement — Providing and requiring identification for currently unlicensed drivers would give Indiana law enforcement an important tool to identify and track unsafe drivers. It would also expand the BMV information database, a critical investigative tool for law enforcement.

At present, there is no pathway for undocumented Indiana residents to receive authorization from the state to drive legally. This doesn't keep them off the road, but it does prevent them from being trained, insured, and identifiable, all of which would keep **every Hoosier safer**. This common-sense proposal would improve the safety of our roads, decrease the average insurance premium, contribute to the economy, and help law enforcement do their jobs.

Traffic Safety

Creating a Driver Record Card system would improve traffic safety outcomes for all Indiana residents. In the present situation, undocumented drivers on the road have not received driving instruction or certification from the state, and are under high levels of stress due to their unauthorized driving status— making them more likely to be involved in a fatal crash. However, with a pathway to driving legally, fatalities decrease. For example, driving fatalities and total crashes in Utah dropped by 24.4% and 10.67% respectively during the first five years after the state created DRCs, and the rate of injured persons per 100 miles driven dropped from 158 to 116.3. In New Mexico, alcohol-related crashes decreased by 32% and traffic fatalities fell by 23% after the state passed its own driver record law. Our own research indicates that states with DRC programs have lower traffic fatality rates, compared to both states without DRCs and the national average.



Importantly, DRCs also decrease the frequency of hit-and-run accidents. Currently, many hit and-run accidents occur because undocumented drivers fear substantial legal consequences if they stay at the scene of an accident – regardless of who's at fault. But fleeing the scene of an accident increases the chance of further injury and hinders law enforcement from producing an accurate incident report. DRC legislation has been among the best ways to address this issue. Connecticut saw hit and run crashes drop by 9% after passing their law, with the largest decreases in cities with the highest rates of DRC issuance. California also saw hit and run accidents decrease by 4,000 after passing their law.⁷ Based on the experiences of other states with DRCs, our research finds that within two years of passing DRC legislation, Indiana would see hit-and-run rates drop by 3.6%, bringing it below the national average.

Auto Insurance

Currently, undocumented drivers cannot purchase insurance, even if they want to, raising the cost of premiums for everyone. But studies from other states find that when undocumented immigrants are licensed, they buy insurance— New Mexico's driver record law caused the state's uninsured rate to drop from 33% to 9.1% in two years. Not only would this program bring in \$68 million in revenue for insurance companies over the first 3 years, but it would also benefit policyholders who no longer have to pay in to cover the cost of uninsured drivers on the road. One comprehensive study found that across all states and years, driver record laws decrease the average annual auto insurance premium by \$17.22. Our own research finds that the average Indiana premium

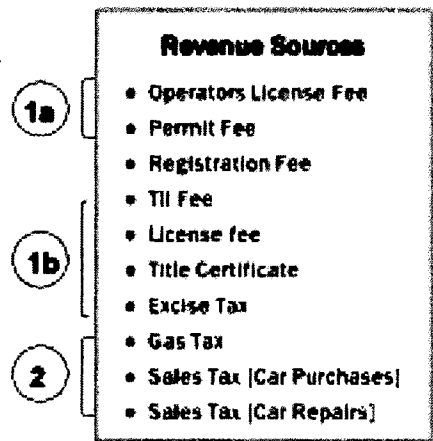


would decrease by \$25.09 per year based on Indiana's undocumented population and driving rate. When undocumented residents have the opportunity to drive legally and purchase insurance, they do so. By opening this door, a DRC bill would benefit both insurance companies and the average Indiana driver.

State Revenue and Economic Growth

Research shows that Driver Record Card legislation would provide considerable benefits to the Indiana economy and the state budget. When New York debated similar legislation, the Fiscal Policy Institute estimated that the state would see about \$56 million in increased annual revenue, as well as an additional \$27 million in one-time revenue in the first year. Our own research assesses ten revenue sources across three categories:

application fees (1a), associated fees for new vehicle registrations (1b), and tax revenue from associated consumption (2), finding that even under conservative estimates for indirect revenue, the DRC program would bring in \$15.3 million in state revenue over the first 3 years, more than offsetting the program's cost. In a year when the state budget has been seriously impacted by COVID-19, the DRC legislation could create an important new program for Indiana residents and leave the state budget better off.

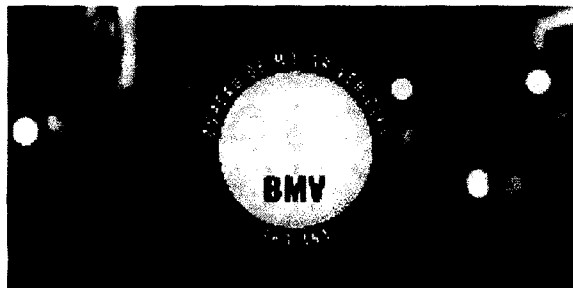


Furthermore, from an economic standpoint, insurance isn't the only industry that stands to benefit. A DRC law would make undocumented Hoosiers more likely to make larger purchases, by allowing for fear-free transportation that expands their range of consumption. Furthermore, research on the difference in vehicle ownership between authorized and unauthorized immigrants in comparable areas indicates that Indiana could see over \$100 million worth of increased vehicle sales. More generally, a cross-state comparison indicates that states with DRC laws see improved economic outcomes, such as faster personal income growth, general economic growth, and poverty reduction. Following a study published by the Institute of Labor Economics, we project that the increase in hours worked due to the DRC law would increase consumer spending by between \$17 million and \$23.5 million, benefiting the entire Indiana economy.

Law Enforcement

In addition to positively impacting transportation and commerce, Driver Record Card

legislation would benefit Indiana law enforcement in three major ways. A University of Illinois Chicago study found that as many as 70% of crime victims reported that they are less likely to contact law enforcement if they lack necessary documentation, and 67% indicated they would be less likely to report information about other crimes. Without the fear of deportation for driving without a license, undocumented residents are more likely to remain at the scene of an accident and work with law enforcement to provide necessary information. Secondly, Driver Record Cards would improve the efficiency of law enforcement. The time officers currently spend ticketing, withholding, and impounding the vehicle of unlicensed drivers could be directed towards pressing public safety threats to our communities. In Minnesota, lawmakers concluded that significant tax dollars are spent on the incarceration of unlicensed drivers and could be redirected toward other law enforcement programs. Finally, state BMV and DMV databases are the largest law enforcement databases in the country, and denying driving privileges to undocumented residents means excluding an estimated 100,000 Indiana residents from these databases. Issuing DRCs would allow law enforcement to accurately determine a driver's identity and track their driving record, keeping drivers accountable and taking unsafe drivers off the road, as well as helping law enforcement investigate more serious violations.



In New York, where similar legislation passed in 2019, Police Chief Richard Conway testified that the law was “a big help” to the efficiency of his department. Indiana sheriffs likewise recognize the importance of this legislation for their work. Sheriff William Redman of St. Joseph's County has endorsed a DRC bill, and Sheriff Dennis Quackenbush of Hamilton County similarly observes that “there is a need. There is a gap and it looks like [this legislation is] trying to fill it.”

Conclusion

Driving is a central and unavoidable part of life in America. But for undocumented Indiana residents, there's simply no pathway to drive legally, despite the widespread desire among immigrant communities to get certified, purchase vehicle insurance, and follow the law. Resolving this problem is a win-win for undocumented residents and all other Hoosiers. Currently authorized drivers will see safer roads, fewer hit-and-runs, and a decrease in their average insurance premium; law enforcement officers gain access to valuable identification information they can use to enforce state law; and without having to constantly look over their

shoulder, undocumented residents can keep their eyes on the road. Passing Driver Record Card legislation during the 2022 legislative session would be a boon to state revenue, insurance and auto sectors, and the economy as a whole.

We strongly encourage the Indiana state legislature to take up and pass this common-sense legislation that benefits everyone in the state. Let's join Utah and the 15 other states nationwide that give every resident an opportunity to drive legally. **Save lives— certify all who drive.**

Questions on this report? Contact Indiana Driver Record Card Project team leaders Irasema Hernandez Trujillo, Benjamín Rascón Gracia, or Emma Ryan at ihernan3@nd.edu, brascong@nd.edu, or eryan6@nd.edu.

References and Further Information

For all original research, see: Aimone, Patrick, et al. *Safer Roads, A Stronger Indiana: Projected Social and Economic Effects of Driving Privilege Card Legislation in Indiana*. Working Paper, Notre Dame Student Policy Network, 2020. Newest version available on request.

Burrell, Chris. "Licensed Undocumented Immigrants May Lead To Safer Roads, Connecticut Finds." *NPR*. 2019.

Cáceres, Mauricio, and Kenneth P. Jameson. "The effects on insurance costs of restricting undocumented immigrants' access to driver licenses." *Southern Economic Journal* 81.4 (2015): 907-927.

Gonzalez, Deborah and Peter Margulies. *A Legal and Policy Analysis of Driver's Licenses for Undocumented Rhode Islanders*. Latino Policy Institute. Bristol, RI: Roger Williams University, 2017

Kallick, David Dyssegaard, and Cyierra Roldan. *Expanding Access to Driver's Licenses: Getting a License Without Regard to Immigration Status*. New York, NY: Fiscal Policy Institute, January 2017.

Kallick, David Dyssegaard, Cyierra Roldan and Xiao Cheng. *Expanding Access to Driver's Licenses: How Many Additional Cars Might Be Purchased?* New York, NY: Fiscal Policy Institute, January 2017.

Lueders, Hans, Jens Hainmueller, and Duncan Lawrence. "Providing driver's licenses to unauthorized immigrants in California improves traffic safety." *Proceedings of the National Academy of Sciences* 114.16 (2017): 4111-4116.

Moran, Tyler. "Fact Sheet: Why Denying Driver's Licenses to Undocumented Immigrants Harms Public Safety and Makes Our Communities Less Secure." Los Angeles, CA: National Immigration Law Center, 2008.

National Immigration Law Center (NILC). *Comparison of States with Similar Driver's License Statutes*. Los Angeles, CA: National Immigration Law Center, 2015.

Theodore, Nik. *Insecure Communities: Latino Perceptions of Police Involvement in Immigration Enforcement*. Department of Urban Planning and Policy. Chicago, IL: University of Illinois at Chicago, May 2013.

Utah Department of Public Safety. "Utah Crash Summary 2005." 2006.

Vasan, Thamanna. *The Impact of Allowing All Immigrants Access to Driver's Licenses*. Denver, CO: Colorado Fiscal Institute, 2015.

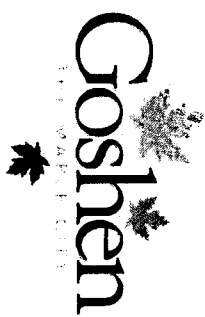
Villarreal, Alexandra. "States Consider Driver's Licenses for Undocumented Immigrants Amid Ramped Up Immigration Enforcement." *NBC4 Washington*. 2019.

Wheeler, Lindsey R. "Driving Privilege Cards for Undocumented Minnesotans:
Addressing Constitutional Concerns and Promoting Public Safety." *Sua Sponte* 40
(2014): 99-133.

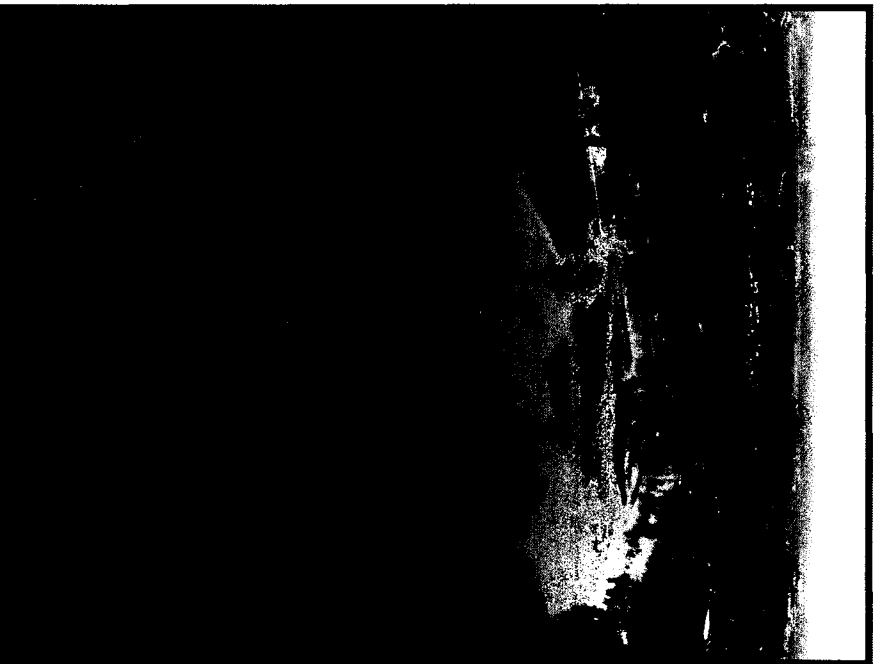
EXHIBIT #4

Goshen Flood Resilience Plan

July, 2022

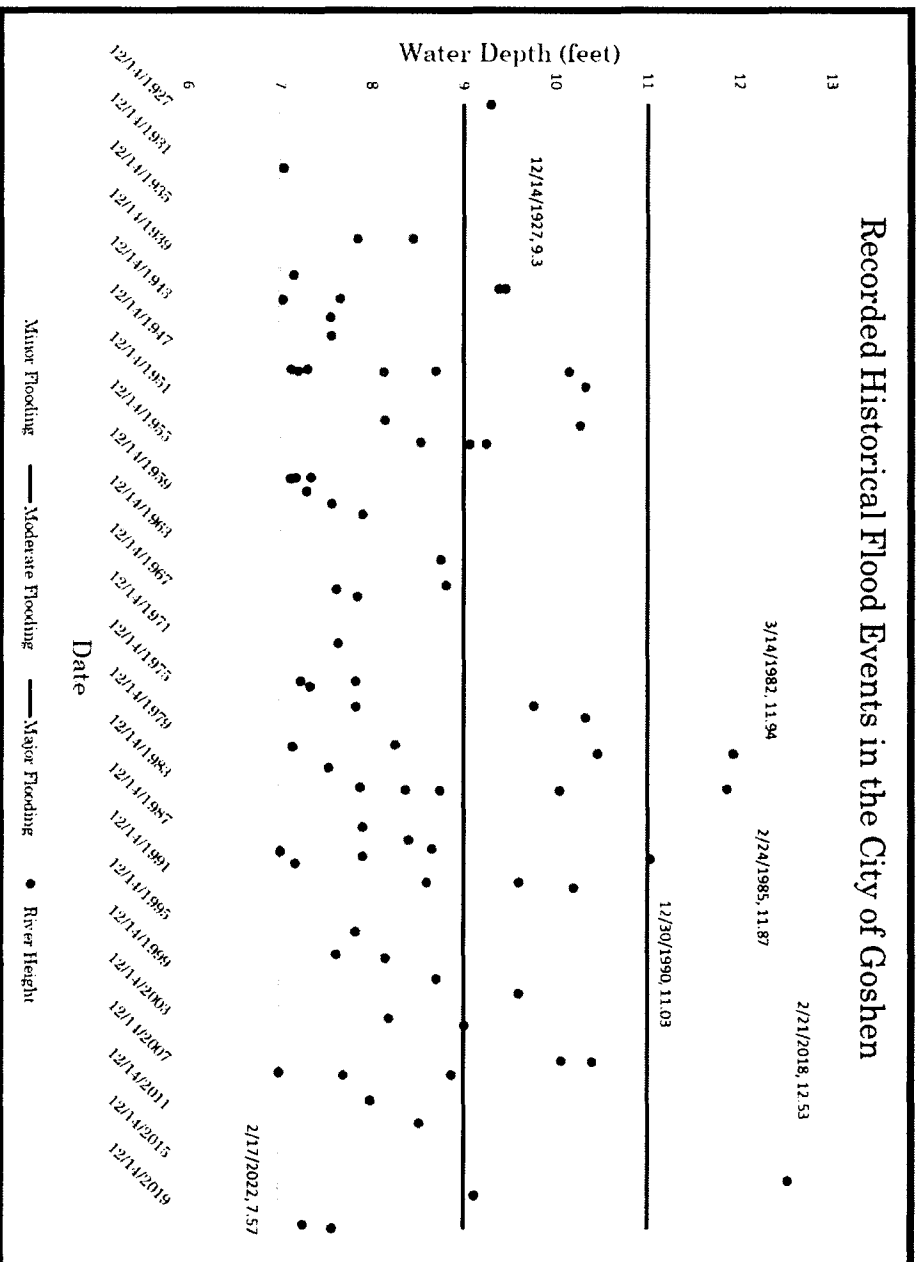


Flooding in Goshen - 2018

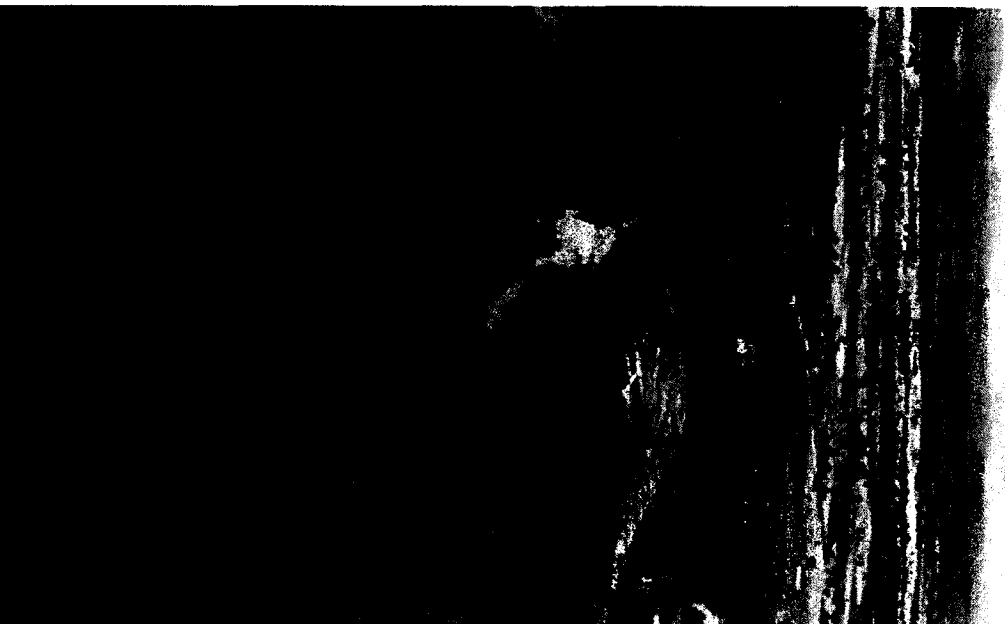


Goshen's Flood History

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







ADAPTATION THROUGH FLOOD RESILIENCE

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



TWO-PRONGED APPROACH:

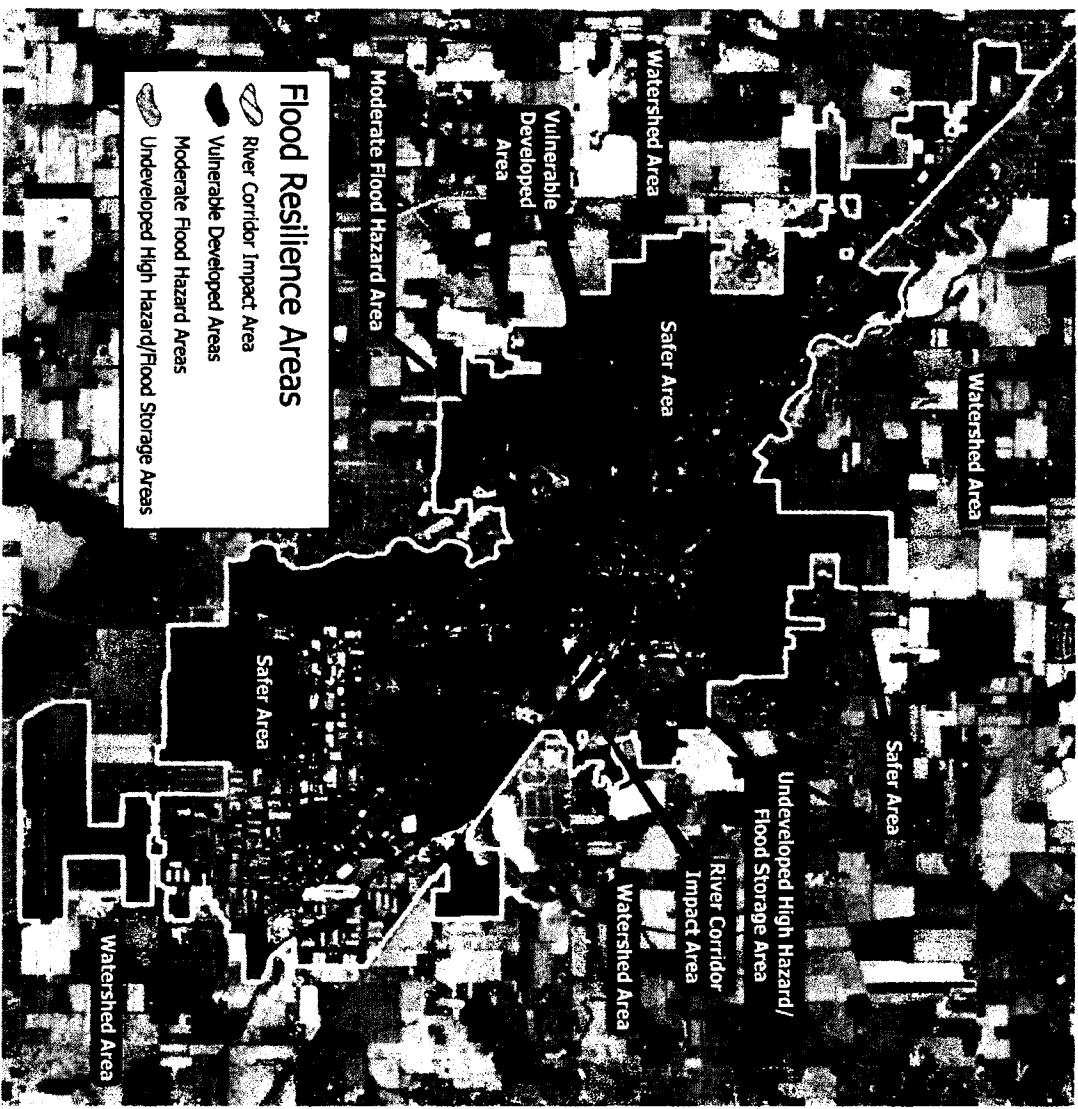
- 1. Use land-use planning policies to direct growth to areas less vulnerable to flooding**
- 2. Identify and implement projects to protect those already vulnerable to flood risk**

FLOOD RESILIENCE PLANNING AREAS

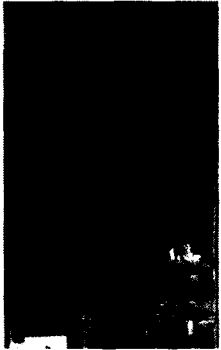


Planning Area Area Boundary

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

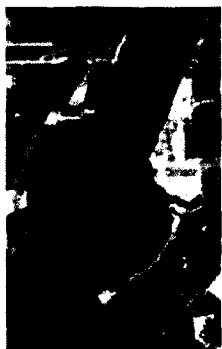

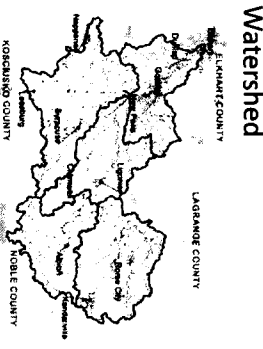
FEH = Fluvial Erosion Hazard
SFHA = Special Flood Hazard Area



Adopt Resilience Strategies to Keep Things from Deteriorating

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

Adopt Resilience Strategies to Keep Things from Deteriorating

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

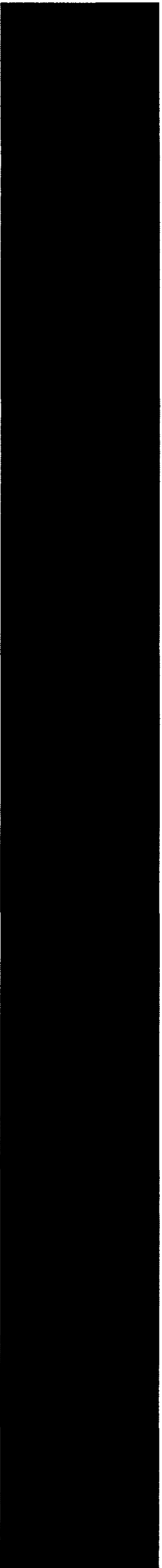


OVERALL STRATEGIES

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

RECOMMENDED ACTION:

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



Goshen Flood Resilience Plan

July, 2022

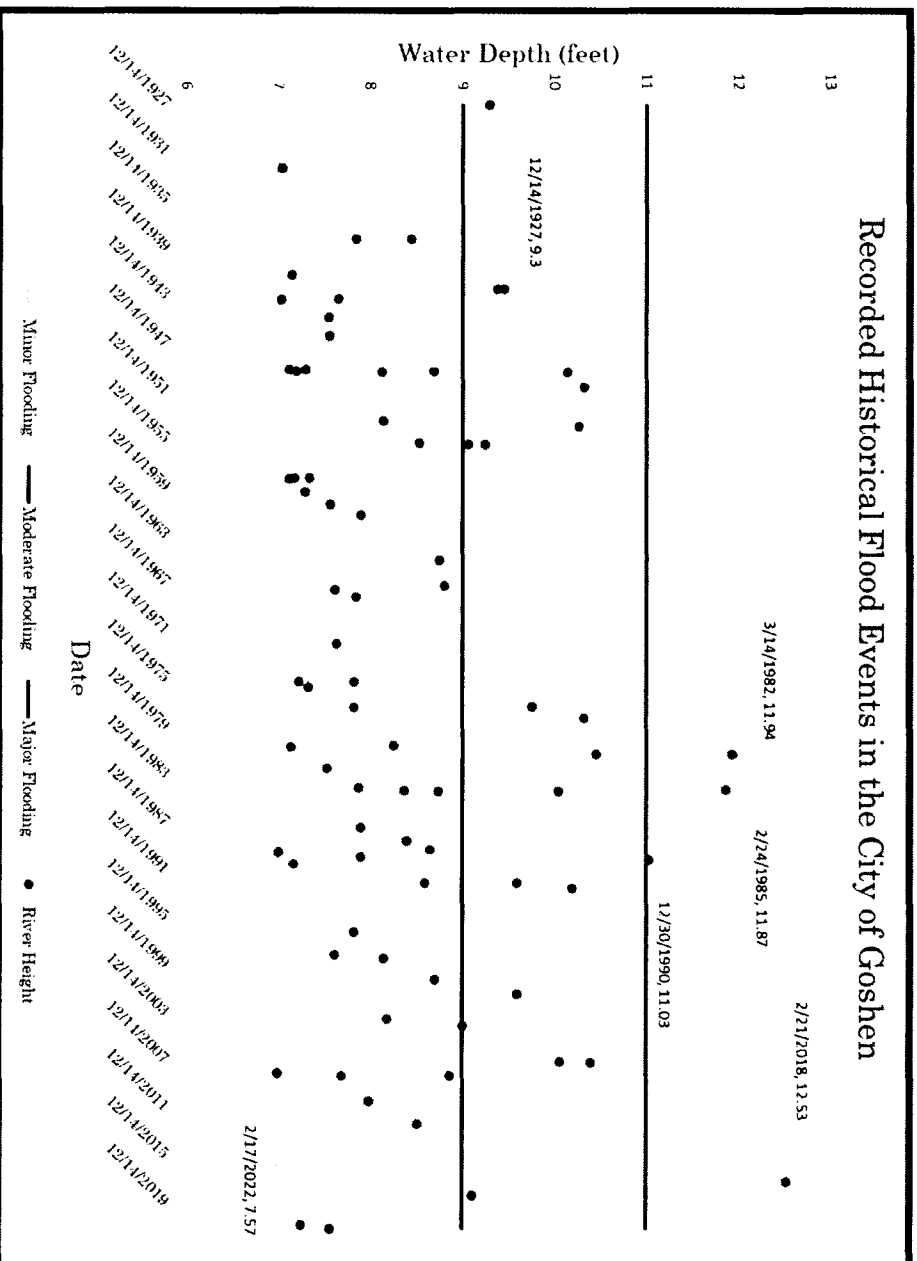


Flooding in Goshen - 2018



Goshen's Flood History

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





Percent Over 30 Years

97.7 %

5.8 %

69%

95.8%

95.8%



ADAPTATION THROUGH FLOOD RESILIENCE

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



TWO-PRONGED APPROACH:

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

FLOOD RESILIENCE PLANNING AREAS

Planning Area

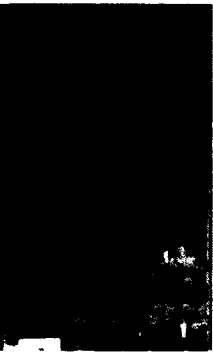

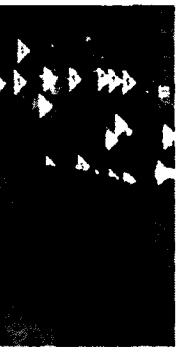
Area Boundary

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



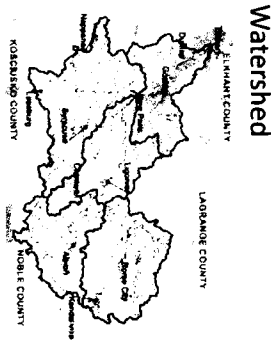
FEH = Fluvial Erosion Hazard
SFHA = Special Flood Hazard Area



Adopt Resilience Strategies to Keep Things from Deteriorating

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

Adopt Resilience Strategies to Keep Things from Deteriorating

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



OVERALL STRATEGIES

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

RECOMMENDED ACTION:

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