



**GOSHEN COMMON COUNCIL**

**Minutes of the September 19, 2022 Regular Meeting**

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

**Mayor Jeremy Stutsman called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.**

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

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

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

**Mayor Stutsman said Youth Adviser Velazquez Valdes** contacted him earlier today and said she didn't feel well and would not be present at tonight's meeting.

**Approval of Minutes:** Mayor Stutsman asked the Council's wishes regarding the minutes of the Aug. 1 and Aug. 15, 2022 Regular Meetings. Councilor Eichorn moved to approve the minutes as submitted. Councilor Pérez seconded the motion. The motion passed 7-0 on a voice vote.

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

**Privilege of the Floor:**

At 6:01 p.m., Mayor Stutsman invited public comment on matters not on the agenda. There were no public comments, either from those in the Council chamber or via Zoom, so the Mayor closed Privilege of the Floor at 6:02 p.m.

**1) Council appointment: Community Relations Commission member to replace a member who resigned**

**BACKGROUND:**

At the Aug. 15, 2022 Common Council meeting, Council President Weddell announced that the Common Council had to fill an open position on the City Community Relations Commission because of the resignation of a member (Gladys Rosas), who moved away from Goshen. Pursuant to Council rules, the open position was publicly stated at that Council meeting, notifications were then published on the City's website and Facebook pages and City residents were invited to apply for the vacancy. At the time of publication of the Council packet, the City had received five applications and one more was received on Sept. 19, 2022.

Applications for the CRC appointment were received from: Lori Copsy, Timothy Huser, Valarie Mann, Walter Mason, Peter Vukovich and Casey Kasper-Welles, all of Goshen.



**Mayor Stutsman** called the agenda item and read into the record a statement from **Youth Adviser Velazquez Valdes** received via text earlier in the day. In her statement, Velazquez Valdes endorsed the appointment of **Lori Copsey**, who works for the Elkhart County Special Education Cooperative. She cited Copsey's experience helping disabled children and said she would expand the CRC's understanding of diversity in the City. Velazquez Valdes also noted that her 9-year-old sister is disabled and cannot walk and that Copsey could help organize and ensure CRC events were accessible to all people.

**Mayor Stutsman** then invited **Council President Weddell** to take up the appointment of a new member of the Community Relations Commission for the term that began in January 2022 and will expire in December 2024. **Council President Weddell** read the names of the six candidates: **Lori Copsey, Timothy Huser, Casey Kasper-Welles, Valarie Mann, Walter Mason and Peter Vukovich**. He noted that **Walter Mason** had withdrawn his candidacy, leaving five candidates eligible for the appointment.

**Councilor Eichorn** said she agreed with **Youth Adviser Velazquez Valdes** that **Lori Copsey** would be a great addition to the CRC because of her work experience. She said adding a person who understands the disabled community would be a great asset to the CRC.

**Councilor Eichorn** said she would nominate **Lori Copsey** for the appointment. **Councilor King** seconded **Copsey's** nomination.

**Council President Weddell** asked if any of the persons seeking appointment was present. No one spoke up. The Council President said if any of the candidates had been present he would have given them the chance to be acknowledged. He asked if there were other nominations.

**Councilor Riegsecker** said he was inclined to support either **Lori Copsey** or **Peter Vukovich**. He said he was impressed by Vukovich's excitement to serve the City, his different background, his youth and the fact he has been a business owner. Councilor Riegsecker said he would be an asset and would balance out the other CRC members.

**Councilor Riegsecker** nominated **Peter Vukovich** for the CRC appointment. **Councilor Nisley** seconded the nomination.

**Council President Weddell** asked **Mayor Stutsman** if he still had CRC openings to fill. The **Mayor** said he did, but had already reached out to possible appointees. He said he was willing to consider Copsey or Vukovich if one of the people he reached out to declined his offer of appointment to the CRC.

**Councilor King** expressed her appreciation to all of the candidates for seeking to serve on the CRC. She said it was a positive development to have so many good candidates. Councilor King said the reason she favored Copsey was because of her experience serving disabled people, noting that it would fill a gap the CRC has had.

**Councilor Eichorn** said that another candidate, **Casey Kasper-Welles**, had an interesting background as a member of the Pokagon Band of Potawatomi Indians. She said if Kasper-Welles had reached out sooner she could have been a stronger candidate. **Mayor Stutsman** said he has contacted **Kasper-Welles** to ask if she might be interested in serving on the CRC as a mayoral appointee.

**Council President Weddell** said that when he reviewed applicants for the CRC from earlier this year, he noticed that all had been appointed and there were no extra candidates.



In response to a question from **Council President Weddell**, **Councilors** affirmed there were no further nominations for the CRC appointment.

**Councilor Nisley** made a motion to close the nominations, which was seconded by **Councilor King**.

**Council President Weddell** said **Councilors** would now vote and indicate their candidate of choice – **Lori Copsey** or **Peter Vukovich**. He then conducted a roll call vote.

**Councilors** voted to appoint **Lori Copsey** over **Peter Vukovich** by a 5-2 margin with **Councilors Eichorn, King, Pérez, Schrock** and **Weddell** voting for **Copsey** and **Councilors Nisley** and **Riegsecker** voting for **Vukovich**.

**Mayor Stutsman** said that if one of his two prospective CRC members declines appointment, he would consider appointing **Peter Vukovich**. **Council President Weddell** said he would appreciate that. The Council President also said he would contact the candidates, tell them the outcome of the vote and thank them for their interest in serving.

**2) Ordinance 5135: An Ordinance for Appropriations and Tax Rates (First Reading)**

**Mayor Stutsman** called for the introduction on first reading of **Ordinance 5135 - An Ordinance for Appropriations and Tax Rates**. **Council President Weddell** asked the **Clerk-Treasurer** to read **Ordinance 5135** by title only, which was done.

**Weddell/Eichorn** moved to approve **Ordinance 5135** on first reading.

**BACKGROUND:**

**Before the Common Council was the City of Goshen’s budget for 2023 as set forth in Ordinance 5135.**

If approved by the Common Council, the expenses of Goshen Civil City for the year ending Dec. 31, 2023, the sums herein specified would be appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated would be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expenses of Goshen Civil City, the property tax levies and property tax rates as herein specified were included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance.

**Ordinance 5135 would be in full force and effect after its passage and approval by the Common Council in the following amounts:**

<b>Fund Code</b>	<b>Fund Name</b>	<b>Adopted budget</b>	<b>Adopted Tax Levy</b>	<b>AdoptedTaxRate</b>
0061	RAINY DAY	\$500,000	\$0	0.0000
0101	GENERAL	\$28,976,882	\$17,035,500	1.3257
0180	DEBT SERVICE	\$370,950	\$384,400	0.0299
0341	FIRE PENSION	\$566,620	\$0	0.0000
0342	POLICE PENSION	\$424,230	\$0	0.0000
0706	LOCAL ROAD/STREET	\$600,000	\$0	0.0000



0708	MOTOR VEH HWAY	\$4,387,125	\$2,750,000	0.2140
1191	CUM FIRE SPECIAL	\$250,000	\$615,100	0.0479
1301	PARK & RECREATION	\$3,353,165	\$3,801,100	0.2958
2102	AVIATION/AIRPORT	\$381,900	\$139,300	0.0108
2379	CUM CAP IMP (CIG TAX)	\$124,313	\$0	0.0000
2391	CUM CAP DEV	\$735,000	\$923,600	0.0719
2411	ECONDEV INC. TAX CED	\$2,430,250	\$0	0.0000
6290	CUM SEWER	\$200,000	\$615,100	0.0479
		<b>\$43,300,435</b>	<b>\$26,264,100</b>	<b>2.0439</b>

**Home-Ruled Funds (Not Reviewed by DLGF):**

Fund Code	Fund Name	Adopted Budget
9500	PROBATION DEPARTMENT	\$103,639
9501	ECONOMIC IMPROVEMENT DISTRICT	\$101,000
9502	LAW ENFORCEMENT CONTINUING EDUCATION (LECE 1)	\$0
9503	COURT FEES	\$56,750
9504	ARP Fiscal Recovery Fund	\$3,300,000
9505	RESIDENTIAL LEASE FEES	\$88,155
9506	LAW ENFORCEMENT CONTINUING EDUCATION (LECE 2)	\$34,000
9507	TIF BOND AND INTEREST	\$823,205
9508	Public Safety LOIT	\$2,399,000
9509	Township Fire Support	\$400,000
9510	REDEVELOPMENT NON-REVERTING	\$215,179
9511	STORM WATER MANAGEMENT	\$742,163
9512	TIF Lippert/Dierdorff	\$100,000
9513	SOUTHEAST GOSHEN TIF	\$6,497,919
9514	CEMETERY CAPITAL IMPROVEMENT	\$0
9517	Unsafe Buildings	\$85,000
9518	PLYMOUTH AVE. TIF	\$7,614
9521	CONS RR/US 33 TIF	\$2,695,000
		<b>\$17,648,624</b>

**After it is approved by the Common Council, the City's Ordinance for Appropriations and Tax Rates will be submitted to the Indiana Department of Local Government Finance for review.**

**SEPT. 19, 2022 COUNCIL DISCUSSION AND FIRST READING OF ORDINANCE 5135**

**Mayor Stutsman** said the budget before the Council tonight was the culmination of months of work by the Mayor, Department heads, **Baker Tilly Municipal Advisors**, **Clerk-Treasurer Richard R. Aguirre** and **Deputy Clerk-Treasurer Jeffery Weaver**. He outlined the budget presentation, which he said would include introductory remarks, an overview by **Amber Nielsen**, a Manager at Baker Tilly, a detailed list of the changes in every Department from the 2022 budget (with time for questions and answers), and a period for public comments.



**Mayor Stutsman** said the Council typically approves the budget on first reading after the initial budget presentation. If so tonight, he said the budget would be back before the Council on Oct. 10 for the second and final reading. He invited Councilors with questions or concerns to meet with him, especially if they wanted to propose budget cuts. The Mayor said he and affected department heads would want the opportunity to explain the impact of proposed budget cuts. He added that because the budget already was submitted to the state Department of Local Government Finance and advertised, there can be no increases to individual funds without corresponding cuts elsewhere in the budget.

**Mayor Stutsman provided the following highlights of the proposed 2023 budget:**

- In 2018, 2019 and 2020, the City budget was between \$55 million and \$60 million.
- That changed in 2022 because of the COVID-19 pandemic, in 2020 and 2021, and the resulting impact on staffing and delays in projects and spending.
- As a result of those disruptions, the City spent only about 85 percent of its budget compared with the normal 95 percent, leaving a larger cash balance.
- As the result of unspent funds, the 2022 budget jumped to about \$72 million, but is smaller now because the City has spent down some of its cash balances.
- The proposed 2023 budget will be smaller than the 2022 budget because of the decline of cash balances.
- Assuming more projects are launched over the next year, it's possible that the 2024 budget will be back to the similar spending levels from 2018 to 2020.
- It's not expected that City Departments will spend 100 percent of their budgets in 2022 or 2023, because there is a history of departments always ending the budget year with unspent funds.
- The Mayor said he would go through each department's budget and highlight the major changes.

**Amber Nielsen, a Manager at Baker Tilly, provided a 2023 budget overview:**

**Nielsen** said she would be discussing the City's "Big Four+ Operating Funds (General, Motor Vehicle Highway, Motor Vehicle Highway Restricted, Parks and Public Safety Local Option Income Tax), historical financial information, the 2023 budget, future budget considerations and federal funds received from the American Rescue Plan Fiscal Recovery Plan. She made the following key points.

- **The Big Four+** make up about 92% of the City's payroll and benefits (2022 = 93%), 77% of supplies purchased for the City (2022 = 87%), 62% of services and charges (2022 = 64%), and 49% of the City's capital budget (2022 = 66%). Other locally managed funds are primarily related to: Pensioners (Police and Fire), Economic development, Capital improvements, and Debt service.
- In 2012, 2013 and 2014, the City's revenues were slightly ahead of expenditures and just under \$20 million and cash balances were just above \$5 million. However, revenues and cash balances started to grow faster in 2015 and accelerated in 2020 and 2021. She said the same pattern was evident when it came to all budgeted funds.
- The City's 15% cash reserves and 50% cash reserves for the Big Four+ and all funds also have grown similarly.
- The City's historical Certified Net Assessed Value (NAV) dipped between 2012 and 2016, but it has grown since then, pushing down the City's property tax rates, which is good for taxpayers and stabilizes circuit breaker credits.



(By way of background, according to the State of Indiana, an Indiana taxpayer's property tax bill is capped at a set percentage of his or her property's assessed value. The difference between the gross tax bill and the net tax bill is commonly referred to as a "circuit breaker credit." Circuit breaker credits are summed together at a taxing district level and proportionally allocated to taxing units. Circuit breaker credits serve as a reduction in revenues relative to a taxing unit's levy.)

- The City's tax levy increases every year based on increased property taxes. So, for 2011, the levy total was \$14,028,170 compared with \$21,509,088 in 2022. Although there have been variations, the City's assessed property values also have increased, from \$1,124,953,504 in 2011 to 1,478,084,633 in 2022.
- An analysis of historical levies, circuit breakers, assessed values and tax rates for the City of Goshen, shows that in 2014, the City had \$4.5 million in circuit breaker credits. That means that if the circuit breaker tax credit law didn't exist, the city would have received \$4.5 million in tax revenue as well as additional revenue for other years dating back to 2011.
- Since 2010, the City has absorbed more than \$41.7 million of lost revenue due to the circuit breaker law. The actual revenue losses in 2022 are \$3.79 million.

(Councilors Weddell, Pérez, Riegsecker and King asked Nielsen clarifying questions about how the circuit breaker credit was calculated as well as the law's impact on residential and commercial property taxpayers and on the City of Goshen.)

- As in the past, the Mayor and Department heads developed the proposed 2023 budget to match the estimated available revenue with the cost of providing services without that extra tax revenue.
- The City's certified property tax growth rate is 5.0% for 2023, which is substantially higher than the growth rate of 4.3% in 2021. That will translate into about \$1.31 million of gross new property tax revenues for 2023.
- Once again, the City is eligible to apply for an excess three-year growth appeal, because its average assessed value growth over the past three years exceeds the statewide average. If its appeal is approved by the state Department of Local Government Finance, the City would be eligible to receive up to \$462,000 in additional property tax revenue and that would be a permanent increase.
- Without any levy appeal, the City would anticipate another decline in its property tax rate.
- The City's 2022 net assessed value has been certified by the county as increasing 8.7% over the value in 2021. As a result, the City's property tax rate will decrease to \$1.4218 from 2021 rate of \$1.4552.

(Mayor Stutsman said because of higher school levies, some taxpayers mistakenly believe their City property taxes have increased even though the tax rate fell the past four years and will again in 2023.)

- For the rest of 2022 and 2023, the City is estimating an increase in expenditures that will far surpass cash balances based on worst case scenarios and spending 100% of budgeted funds both years, which has not happened in the past. Mayor Stutsman said expenditures have increased and cash reserves fallen, but this was planned in an attempt to spend down the balances. But he said the City's cash balances will not all be spent in 2022 or in 2023.
- Despite increased expenditures, it's still expected that the City will still have operating balances to handle emergencies. Mayor Stutsman added that those estimates also don't factor in a possible successful levy appeal, extra bank interest income and cash balances carried over into 2023.



- To continue to provide and afford services to residents, the City will need to control spending and maintain cash reserves.
- Over the past two years, the City received \$6.8 million in federal funds from the American Rescue Plan. The City is developing plans to use the funds in compliance with eligible spending categories.

Councilors Riegsecker asked clarifying questions of Mayor Stutsman and Amber Nielsen about how the City can adjust spending levels to meet major unanticipated needs between budget cycles.

Councilor Pérez asked about the City's net assessed values, which are expected to continue rising. Mayor Stutsman said the current values don't include several major housing complexes now under development. Councilor Riegsecker asked additional questions about the rising property values.

Mayor Stutsman guided council members through a comprehensive review of the 2023 Spending Plan for the City of Goshen, a 60-page document prepared by Deputy Clerk-Treasurer Jeffery Weaver, CPA.

The spending plan includes the 2020 and 2021 actual expenditures and the 2022 budgeted amounts in addition to the Mayor's proposed 2023 budget. The proposed budget was the result of many hours of conversations, strategy sessions, and planning with the Mayor, his Department heads as well as Deputy Clerk-Treasurer Weaver, Clerk-Treasurer Aguirre and Baker Tilly consultants. When approved by the City Council, it will be submitted for review by the Indiana Department of Local Government and Finance.

The 2023 Spending Plan for the City of Goshen includes schedules for the following general funds: Common Council, Mayor's Office, Clerk-Treasurer's Office, Legal Department, Court, Board of Works, Cemetery, Community Relations Commission, Engineering, Planning and Zoning, Central Garage, Police, Fire, and Environmental Resilience. The spending plan also included schedules for the following: Debt Service, Fire Pension, Police Pension, Local Road and Streets, Motor Vehicle Highway, Motor Vehicle Highway Restricted, Cumulative Capital Improvement Fire, Township Fire Support, Park and Recreation, Aviation, Cumulative Capital Improvement, Cumulative Capital Development, Cumulative Capital Improvement/Storm Sewer, Economic Development, Income Tax, Probation, Economic Improvement District, Public Safety Local Option Income Tax, Court Fees, Unsafe Building, Residential Lease Fees, Law Enforcement Continuing Education (#2), Redevelopment Non-Reverting, Storm Water Management, TIF Bond and Interest, Southeast Goshen TIF, TIF Lippert/Dierdorff, Construction River Race/U.S. 33 TIF, TIF Plymouth Avenue and American Rescue Plan Grant.

Mayor Stutsman outlined each fund and asked Councilors if they had any questions. His summary:

**Council** – \$90,000 was added to cover the expected costs of the 2023 local election. No Council questions.

**Community Relations Commission** – Wages for the director position were moved out of the Mayor's budget and into the CRC budget. This budget jumped from \$23,000 to \$99,000 because of that shift.

**Mayor Office** – This budget decreased because of the shift of the CRC director position to the CRC budget.

**Council President Weddell** asked why the cost of the CRC director position was moved out of the Mayor's Office budget. Mayor Stutsman said the cost of CRC director's salary was placed in the Mayor's budget when the director became a full-time position. He said he decided to shift the position to the CRC budget because questions were asked about the costs for the CRC and he wanted to ensure greater transparency. The Mayor's budget now includes the salaries of the Mayor, his assistant, the switchboard operator and the Deputy Mayor.



**Councilor Nisley** asked if the CRC director was doing work on behalf of the Mayor when the position was moved into the Mayor's budget. **Mayor Stutsman** said the CRC Director's duties haven't change; it was just a matter of which budget the salary was charged. He said the CRC Director will continue to assist the Mayor's Office. For example, the director fields calls from people having issues with landlords as well as other matters.

**Councilor Pérez** asked if the CRC budget was being reduced because of a decline in activities. **Mayor Stutsman** said the activities haven't been reduced. He said in the past, the CRC has not spent the funds allocated, so there was a budget reduction this year. He said if additional funds are needed, they can be allocated by the Board of Works. **Council President Weddell** said he appreciated the question and the explanation of the CRC's budget.

**Clerk-Treasurer's Office** – Additional funds were added to help with storage of records as well as the 3.5% employee pay increase, for employee training, funds for the new software system for payroll and INCODE software upgrades. The Mayor said the increases were made in budgets for the Clerk-Treasurer's Office and the Board of Works and Safety. In response to a question from **Council President Weddell**, the **Mayor** said most of the additional expenses will be paid through Board of Works and Safety funds.

**Legal Department** – **Former City Attorney Larry Barks** will be retiring at the end of the year. In anticipation, a **new assistant city attorney (Matt Lawson) was hired.**

**City Court** – **Mayor Stutsman** said the City Court was implementing additional security measures. He said funds were shifted this year to purchase a metal detector. As a result, there has been a request for another part-time employee.

**City Court Judge Richard Mehl** said effective July 1, 2022, permits no longer were required to carry firearms. However, there was no security to keep people with firearms from entering the courtroom. Mehl said that some people visiting the courtroom get very upset and this was of concern to the court's staff. Schedules have now been changed to stagger the start times of hearings, so another employee is now needed to help in the courtroom.

Asked by **Councilor Pérez** if there have been any security problems since July 1. **Mehl** said there have been no problems since the metal detector was installed and that people respect the court's authority, but some people become upset when speaking with clerks.

**Council President Weddell** said he appreciated **Judge Mehl's** explanation and the work of the court.

**Board of Works** – The full-time employee line was reduced because in 2021, there was additional money placed here as the City had not finalized negotiations with Police and Fire unions. The emergency line was removed and the \$500,000 has been placed in the rainy-day fund. Trash collection was set at \$2.3 million to accommodate the new service. The City now has consistent increases set for the next decade, which will help the city better plan. As the General Fund dollars continue to tighten and the needs of public safety and other departments continue to grow, the City will need to consider a trash fee in the future. However, the City is not there yet and it is still the Mayor's goal to hold off as long as possible and when it is time, to start an incremental fee. Finally, the Property Acquisition Line has been reduced to \$100,000. Overall, the Board of Works budget has been decreased by nearly \$1.5 million.

**Council President Weddell** asked about the decrease in full-time employee spending. **Mayor Stutsman** said that when the budget was presented last year, labor negotiations had not yet been concluded with the Fire and Police unions and more was set aside than needed. He said some of those funds will be shifted to pay for higher fuel costs or pay for other needs. Mayor Stutsman also explained other budget shifts in response to other Council questions.

**Cemeteries** – The full-time personnel line includes new dollars to hire a third full-time staff member. It is becoming harder to hire part-time staff, so the full-time person will help ease the load on the existing staff. No Council questions.

**Engineering Department** – The Mayor briefly mentioned the budget. There were no Council questions.





**Building Department** – The Mayor said there may be an additional appropriation request next year if funds cannot be shifted from another budget line. He said an additional \$9,500 will be needed to assist with building plan reviews.

**Planning and Zoning Department** – There were no major changes in the budget and no questions from Councilors.

**Central Garage** – Mayor Stutsman said there would be a request later in the evening to increase the pay for mechanics because the department has had trouble hiring and retaining mechanics. So far, the department has been outsourcing vehicle repair work, which is more expensive. There were no Council questions.

**Police Department** – The Mayor said in 2016, the Police Department's budget in the general fund was \$5.8 million. In 2023, the City has budgeted \$8.2 million for the Department. The City has greatly increased the Police Department's budget to better pay staff and provide the resources needed for equipment and facilities. At Council President Weddell's request, **Chief José Miller** clarified a question about the incremental pay rate.

**Fire Department** – The employee lines were all increased to cover the 3.5% employee raise as well as an additional three fire/paramedic staff members. The **Mayor** said three additional firefighters will be paid from the \$400,000 provided by the Elkhart Township for taking over its fire and ambulance services. He said the remaining \$120,000 in the new township fund will be used for facilities and other expenses. In 2016, the Fire Department's budget in the general fund was \$5 million. In 2023, the City has budgeted \$7.1 million.

**Councilor Nisley** asked if the department has adequate personnel. **Mayor Stutsman** said there is no accepted standard for determining the adequacy of fire and police personnel. He said that issue will be investigated more closely when the City adds a new fire station. He added there have been a growing number of calls for service. **Chief Dan Sink** said there were 5,000 calls for service last year and he expects calls to exceed 5,800 this year.

**Environmental Resilience** – **Mayor Stutsman** said **City Director of Environmental Resilience Aaron Sawatsky Kingsley** has asked to shift a part-time forester employee to full-time status. The Mayor said there are adequate funds to make the change this year, but he asked for a delay to allow Councilors to make the decision for the 2023 budget. At **Council President Weddell's** request, the **Mayor** clarified the request and the duties of the employee.

**Debt Service, Fire Pension and Police Pension** – The Mayor presented these three budgets, but there were no questions from Councilors.

**Local Roads and Streets** – **Mayor Stutsman** said the City has been tapping into this fund. He said the City hopes to use the fund to complete more projects next year. Councilors asked no questions.

**Motor Vehicle Highway** – The **Mayor** reminded Councilors that this fund can be used to meet any Street Department needs. In response to a question from **Council President Weddell**, **Mayor Stutsman** explained the increased expenditures for equipment. He said the City has spent increasing amounts for equipment since 2016.

**Motor Vehicle Highway Restricted** – **Mayor Stutsman** said this fund can only be used for street projects. Asked by **Council President Weddell** how the funds would be used, **City Director of Public Works & Utilities Dustin Sailor** said the funds will be used exclusively for paving projects. The Mayor said there are more needs than funds.

**Cumulative Capital Improvement Fire** – The **Mayor** explained the budget. There were no Council questions.

**Township Fire Support** – The **Mayor** said Elkhart Township transferred equipment and fire stations last year and this year will make the first of two annual payments of \$400,000. The payment will then drop to \$350,000 for three years before an evaluation of the adequacy of the payments. At the request of **Councilor King**, the Mayor clarified the budget fund that will be used to account for the payments.

**Parks and Recreation** – **Mayor Stutsman** said the department is moving forward with construction of a maintenance facility later this year. **Council President Weddell** said the project is expected to begin very soon.



**Aviation Department** – The **Mayor** said he increased the aviation fund budget because he wants to eliminate the \$75,000 a year the City provides to Aviation out of the EDIT fund. In an effort to do this, he shifted a portion of the levy to the Aviation fund, which will account for the \$75,000. He said this will make it more transparent as to what the City spends at the airport and also will make it easier for the Airport Board to plan. The Mayor said the EDIT funds are still budgeted for Aviation in 2023. This is only as a precaution in case the City is unable to make the full levy shift needed to accomplish this goal. He said if the full shift is made, the Aviation dollars will remain in the EDIT Fund for other uses. There were no Council questions.

**Cumulative Capital Improvement (Cigarette sales tax)** – **Mayor Stutsman** said the City budgeted \$214,515 this year and \$124,313 for 2023, so he may be returning to the Council to request an additional appropriation. Funds could be shifted to the General Fund or for individual projects. In response to a question from **Councilor Pérez**, the **Mayor** explained the past and possible future uses of the fund. He said that while funding a smoking cessation program, as suggested by **Pérez**, would be good, he said the City has had other important needs.

**Cumulative Capital Improvement/Storm Sewer** – The **Mayor** said the budget was reduced to protect cash balances. **Economic Development Income Tax (EDIT)** – **Mayor Stutsman** explained the budget, including an overall decrease to protect cash balances and a \$5,000 increase for Downtown Goshen activities. **Council President Weddell** asked if the funding for the proposed mobile command center would come from the EDIT Fund. The **Mayor** responded that funds for the purchase of the vehicle would come from the Cigarette Sales Tax fund. He said two local RV companies are considering making donations for the purchase of the vehicle. In response to a question from **Council President Weddell**, **Mayor Stutsman** said he reduced the budget for property demolitions and the receivership program from \$100,000 to \$25,000 because money for these program are available from other funds and other strategies are being used to reduce the number of blighted properties.

**Probation and the downtown Economic Improvement District** – The Mayor explained the budgets. There were no Council questions.

**Public Safety Local Option Income Tax** – **Mayor Stutsman** said the fire and police pensions are paid from this fund. He said he fund brings in roughly \$2 million a year. Fire and Police retirement expenses continue to grow and will account for \$1.6 million of this budget in 2023. He said as the expenses grow, it will be more difficult to pay for vehicles, equipment, the Training Facility and fuel from this fund. There were no Council questions.

**Court fees** – The **Mayor** presented the budget. In response to a question from **Councilor King**, **Judge Mehl** explained how \$35,000 was used.

**Unsafe Buildings** – **Mayor Stutsman** said the demolition of unsafe buildings are paid from this fund, which is budgeted for \$85,000 in 2023. There were no Council questions.

**Residential Lease fees, Law Enforcement Continuing Education, Redevelopment Non-Reverting, Stormwater Management, TIF Bond and Interest, Southeast Goshen TIF, Lippert/Dierdorff TIF, Consolidated River Race/US 33 TIF, Plymouth Avenue TIF** – The **Mayor** briefly explained these budgets. There were no Council questions.

**American Rescue Plan** – **Mayor Stutsman** explained the budget and said the Council may be asked next year to make additional appropriations from the \$3.3 million in funds in the budget. In response to a question from **Councilor Pérez**, the **Mayor** provided a brief update on the ARP funds awarded to non-profit agencies.

In response to a question from **Council President Weddell**, **Mayor Stutsman** said the total City budget for 2023 is about \$66 million, although he didn't have the exact figure. **Council President Weddell** said last year's budget was higher partly because of a bigger surplus in the Redevelopment Fund, which is about \$13 million less for 2023.

**Mayor Stutsman** said his goal for 2023, 2024 and 2025 is to reduce budgets to the normal range as in previous years.



**Mayor Stutsman** reminded Councilors that he would ask that they meet with him before the Oct. 10 Council meeting if they plan to propose any budget cuts. He said he would accommodate requested meetings.

**Councilor King** thanked the Mayor for getting Councilors the proposed budget earlier than in the past. **Mayor Stutsman** said that when he was on the Council, Councilors were only given three days advance notice. **Council President Weddell** said the budget information has been presented a little bit earlier each year. **Mayor Stutsman** said he may be able to advance the budget process a few more days, but not any earlier. The Mayor said he also appreciated having three weeks between the first and second readings of the budget.

**There were no further comments or questions from Councilors.**

**At 7:42 p.m., Mayor Stutsman opened a public hearing on Ordinance 5135, *An Ordinance for Appropriations and Tax Rates*, which was before the Council for first reading.**

**Glenn Null of Goshen** said he reviewed the news media copy of the meeting packet and listened closely to the information provided by Amber Nielsen about the City's cash balances, which have declined. He said he is a big believer in "rat holing" money and said the City should be building bigger reserves in case there is an economic downturn. Null said the City should have a big rainy day fund because he wants continuous police, fire, sewer and water service and good roads. He encouraged Councilors to set aside as much money as possible. Null also asked **Councilors Nisley and Pérez** to speak directly into their microphones so they can be heard by the audience.

**Mayor Stutsman** responded that the City is committed to maintaining a prudent reserve. He said that when he joined the Council in 2007, the City had 18 or 19% cash balances. He said that even if only at a 24% cash balance, as is projected, the City would be better off than when he took office.

**Council President Weddell** said he "echoed" Null's concern. He said he also is nervous about the decline of cash reserves.

**Mayor Stutsman said he neglected to mention the \$500,000 in the Board of Works budget that is used only during emergencies.** He said some of those funds were used in 2017 as well as in 2020 during the COVID-19 pandemic. This year, some funds were used to purchase COVID test kits. The Mayor said about \$475,000 in funds will be returned this year. So, **Mayor Stutsman said he has proposed that those funds be allocated to the rainy day fund. He added the \$500,000 will not be used in 2023 unless there is an emergency.**

**There were no further public comments, so at 7:49 p.m., Mayor Stutsman closed the public hearing on Ordinance 51351. He asked if Councilors wanted to make additional comments. There were none.**

**Mayor Stutsman** again asked Councilors to meet with him if they want to change the budget. He also said he appreciated the help from Councilors, Department heads, Baker Tilly and the Clerk-Treasurer's Office on the budget.

**There were no further questions or comments from Councilors. Councilors also indicated they were ready to vote, so Mayor Stutsman asked the Clerk-Treasurer to conduct a roll call vote.**

**On a roll call vote, Councilors unanimously passed Ordinance 5135 on first reading by a 7-0 margin, with all Councilors present voting yes at 7:50 p.m. The second reading is scheduled for Oct. 10, 2022.**



**2) Resolution 2022-22: Approve and Authorize the Filing of a Petition for an Excess Levy Appeal**

Mayor Stutsman called for the introduction of Resolution 2022-22: *Approve and Authorize the Filing of a Petition for an Excess Levy Appeal*. Council President Weddell asked the Clerk-Treasurer to read Resolution 2022-22 by title only, which was done.

Weddell/Nisley moved to approve Resolution 2022-22.

**BACKGROUND:**

Resolution 2022-22 would establish that the Goshen Common Council has determined that the City of Goshen will be unable to carry out the governmental functions committed to it by law for 2023 under the current statutory levy limitations without relief from those levy limitations.

Resolution 2022-23 would approve and authorize the filing of the Petition to Appeal for an Increase Above the Maximum Levy as attached to this resolution, along with all other supporting documentation to justify this appeal in accordance with Indiana Code § 6-1.1-18.5-12, and would authorize the Mayor and Clerk-Treasurer to sign any documents necessary for such Petition.

Due to challenges in retaining and recruiting public safety employees, and due to the population growth within the City of Goshen, it has been deemed necessary for the City of Goshen to increase staffing levels and increase funding for the mental and physical wellness for public safety employee positions. The anticipated budget increase for 2022 for this purpose is \$696,778.

Baker Tilly Municipal Advisors, LLC recommended that the City of Goshen file a petition with the Department of Local Government Finance for relief from the statutory levy limitations due to a three-year growth factor that has been calculated to be 4.47% which exceeds the statewide average of 3%. The maximum allowable levy appeal for three-year growth is estimated to be \$462,205.

Resolution 2022-22 further resolves that "the Goshen Common Council approves and authorizes the filing of the Petition to Appeal for an Increase Above the Maximum Levy as attached to this resolution, along with all other supporting documentation to justify this appeal in accordance with Indiana Code § 6-1.1-18.5-12, and authorizes the Mayor and Clerk-Treasurer to sign any documents necessary for such Petition."

**SEPT. 19, 2022 DISCUSSION AND PASSAGE OF RESOLUTION 2022-22:**

Mayor Stutsman said Resolution 2022-22 was the City's proposed levy appeal. He said the City filed a successful levy appeal last year and was granted 95% of its request. If granted, the City would receive a maximum of \$462,205 for the 2023 budget. He further explained the benefits of the appeal. The Mayor asked if Councilors had any comments. Councilor King said she believed the Council had been given an adequate explanation about why it made sense for the City to seek the levy appeal.

At 7:52 p.m., Mayor Stutsman invited public comments on Resolution 2022-22. There were none.

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

On a voice vote, Councilors approved Resolution 2022-22, *Approve and Authorize the Filing of a Petition for an Excess Levy Appeal*, by a 7-0 margin, with all Councilors present voting "yes" at 7:52 p.m.



**4) Ordinance 5133: Amend 2022 Compensation Ordinance 5101 for Civil City and Utilities Employees to Increase Wage Rates for Teamsters Job Classification in Pay Category A**

**Mayor Stutsman called for the introduction of Ordinance 5101 for Civil City and Utilities Employees to Increase Wage Rates for Teamsters Job Classification in Pay Category A. Council President Weddell asked the Clerk-Treasurer to read Resolution Ordinance 5133 by title only, which was done. Weddell/Pérez moved to approve Ordinance 5133 on first reading.**

**BACKGROUND:**

**City Attorney Bodie Stegelmann** prepared Ordinance 5133, which would amend the agreement with the Teamsters Local Union No. 364 to increase certain wage rates.

The City and the Teamsters Local Union No. 364 entered into an Agreement on Dec. 19, 2020, for the term beginning Jan. 1, 2021 through Dec. 31, 2023. The parties now wish to amend the agreement to increase the wage rates for the Union job classifications in pay category A with the new rates effective for the Mechanics in Union Category A effective Aug. 12, 2022, and for the SCADA Operator Technicians in Union Category A effective Sept. 23, 2022. The wage rates would remain the same for pay category A in 2023.

Under the amendment, the pay in union category A for those with 0 to 1 year of experience would increase to \$28 an hour, the pay for those with 1 to 3 years of experience would be \$30 an hour and the pay for those with more than 3 years of experience would be \$32 an hour.

**SEPT. 19, 2022 DISCUSSION AND PASSAGE OF ORDINANCE 5133:**

**Mayor Stutsman said Ordinance 5133 is intended to help the City hire more vehicle mechanics and SCADA Operator Technicians by increasing their pay.**

The **Mayor** said that last year, the City began to have trouble receiving applicants for mechanic positions. He said the Central Garage is now down four mechanics, so more work is being contracted out at a higher cost to the City and this is having a greater impact on Departments that need to have their vehicles serviced. Mayor Stutsman said it also has been difficult to recruit SCADA operators for the Water and Police departments.

Based on City research, **Mayor Stutsman** said it was determined that the private sector is paying \$35 an hour for these positions. This ordinance, the Mayor said, would increase the pay substantially – from \$23, \$25 and \$28 an hour for the three pay ranges to \$28, \$30 and \$32 per hour. The Mayor said City staff don't believe the City can compete successfully with businesses paying these workers \$35 an hour, but it can come closer to offering competitive wages if the salaries are increased because of the City's generous benefits.

**Mayor Stutsman** said Union leaders would like higher wages for all, but understand the City's proposal. The Mayor added that some City workers are upset that they also will not receive pay raises, but he still favors proceeding with this ordinance and letting Councilors decide the issue.

**City Fleet Manager Carl Gaines** told Councilors that supply chain issues have helped create this problem. He said not enough new vehicles are being built because of supply chain issues, so more people are repairing old vehicles, which is putting a strain on independent vehicle repair shops.

**Gaines** said that just as there is a shortage of nurses and teachers, there is a shortage of technicians. So, he said shops are hiring away technicians by paying them more per hour. Gaines said the City cannot compete with the pay of private shops, but does offer good benefits. However, he said technicians won't leave higher-paying private jobs unless there is a smaller gap between what the City offers versus the private sector.



**Mayor Stutsman** asked **Gaines** to explain the City's cost of a \$1,000 repair by a private shop. **Gaines** said that such a repair could probably be done for \$600 by the City. However, he said the repair might also be delayed. He said he had a backhoe sit for 17 days before a technician could repair it. He said some vehicles are taking 10-12 days to be evaluated. He also said he doesn't know what will happen to vehicles that need repairs this winter.

**Mayor Stutsman** said it has been difficult to hire new mechanics. **Gaines** said the City has received just one application in the past year. The **Mayor** further explained, in response to a question from **Councilor Pérez**, how he was attempting to explain the pay issue to union members.

**Gaines** said he wanted to point out that the vehicle mechanics are the only City employees who are required to supply their own tools, which are insured by the City. He said one employee has tools worth \$60,000 and another has tools worth \$100,000. In response to a question from **Councilor King**, **Gaines** said that when City mechanics leave, they take their tools with them. **Mayor Stutsman** said the City can't afford to buy tools for the mechanics.

**Councilor King** said she didn't object to the requested wage increase, but was sympathetic to other City employees who believe they should be paid more. She asked the Mayor about the status of the City's wage and benefits study.

**Mayor Stutsman** said the City hopes to have the results of the study to help prepare the City budget next year. The Mayor said a **Baker Tilly** employee who had been coordinating the study left the company and the study was neglected. A partial draft of the study has now been completed, but there is no timeline for its final completion.

**City Attorney Stegelmann** said the City has received only partial information without the wage comparisons that had been required and it's not known when the study will be completed.

**Councilor King** said it appeared that Baker Tilly did an incompetent job. She asked what had happened. **Mayor Stutsman** said incompetence didn't cause the delay. He also said it's now expected that the study will be completed in November.

**Councilor King** said she wants to review the results of the wage study before raising many salaries, but asked if raising the salaries of the mechanics and SCADA operators was a priority. **Mayor Stutsman** said it was a priority, pointing out that the City has spent \$36,000 for outside repairs in five months and things will only get worse.

**Council President Weddell** said it appeared that even if higher salaries were paid to mechanics, the City would still save money. He said he appreciated learning about the tools that the mechanics provide. He also pointed out that he recently needed an oil change on his truck and it took the dealership more than a month to do the work.

**Councilor Eichorn** said repair costs are also rising.

**Council President Weddell** said he understands some City employees will be upset and will say that aren't being valued because of their lower pay, but he said they are valued. He said some employees will be upset regardless of the amount of the pay increase for the mechanics and SCADA operators.

**Mayor Stutsman** said he would love to pay all City employees more, but that's not possible because of current budget realities. He said that is why at some point the City will probably need to charge trash collection fees. He added that people may want more police officers and firefighters, but the City cannot afford them now.

**Gaines** said that if the mechanics and SCADA operators get the requested pay increase, they will not get the 3.5% wage increase that other City employees will get next year.

**Mayor Stutsman** said this increase will create another issue because the SCADA operators who receive overtime pay will be paid almost as much as managers. The Mayor clarified the amount of time the two categories of employees would receive extra pay this year.

In response to a question from **Councilor Pérez**, **Gaines** said most of his mechanics he is hoping to retain have more than three years of experience.



There were no further comments from Councilors, so at 8:08 p.m. Mayor Stutsman opened a public comment period on Ordinance 5133.

Glenn Null of Goshen said he is always frugal, but if the City has equipment awaiting repairs and work needs to be done, the City will be forced to rent equipment or not do the work at all. He said if a water main breaks and the City needs a backhoe, employees will rent one and that will cost more money than using a City backhoe.

Null said "you get what you pay for" and when there is a demand for certain workers, the City needs to pay more. He said he understood the importance of employees providing their tools; Null said he provided his own tools for his job. Null said perhaps the City was being too conservative and should be increasing the top pay of mechanics to \$35 an hour, instead of \$32. Null said he knows some people will be unhappy about the different pay classifications, but the City's benefits are great and so is the job security.

There were no further public comments, so at 8:11 p.m., Mayor Stutsman closed the public hearing on Ordinance 5133.

Council President Weddell said that if some Councilors haven't visited the Central Garage, they should do so. He said it was one of the cleanest places he's ever seen.

Councilor Nisley asked about not giving employees the same 3.5% raise as other City employees. Mayor Stutsman said this is a large increase and the employees understood they were getting a raise early.

Councilor Riegsecker said that if the raises end up being insufficient, the Council could always reconsider the matter and raise the salaries again. Mayor Stutsman agreed, but said these raises are believed to be high enough.

Councilor Pérez asked Gaines if the proposed raises would work or whether they should be higher. Gaines said he hoped they would be high enough and that the City can't afford pay more at this time.

Council President Weddell said it's important to pay more to retain current employees. Gaines said two of his employees left to drive cement trucks for \$13 more per hour.

Councilor Nisley said other departments also may have employee hiring and retention issues. Mayor Stutsman agreed, but said the Central Garage is the only department with less than 50% of its budgeted employees.

Councilor Riegsecker said he hopes the City can sell its benefits and job security to future and current employees.

Councilor Schrock clarified the other category of employees who will receive 3.5% pay raises next year.

Councilor Nisley said he supported this proposal.

Mayor Stutsman said he wanted Councilors to know that some City employees are unhappy about this proposal, but he doesn't know what else can be done to attract needed employees.

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

On a voice vote, Councilors approved on first reading *Ordinance 5133: Amend 2022 Compensation Ordinance 5101 for Civil City and Utilities Employees to Increase Wage Rates for Teamsters Job Classification in Pay Category A*, by a 7-0 margin, with all Councilors present voting "yes" at 8:15 p.m.

Councilors gave unanimous consent to proceed with a second and final reading of Ordinance 5101.



Mayor Stutsman called for the introduction, on second reading, of *Ordinance 5101 for Civil City and Utilities Employees to Increase Wage Rates for Teamsters Job Classification in Pay Category A*. Council President Weddell asked the Clerk-Treasurer to read Resolution Ordinance 5133 by title only, which was done. Weddell/Riegsecker moved to approve Ordinance 5133 on second and final reading.

There were no comments or questions from members of the public or Councilors. Councilors also indicated they were ready to vote.

On a voice vote, Councilors approved on second reading *Ordinance 5133: Amend 2022 Compensation Ordinance 5101 for Civil City and Utilities Employees to Increase Wage Rates for Teamsters Job Classification in Pay Category A*, by a 7-0 margin, with all Councilors present voting "yes" at 8:16 p.m.

5A) Public Hearing for Ordinance 5132: Vacation of Public Ways in the City of Goshen, IN  
At 8:17 p.m., Mayor Stutsman opened a public hearing on Ordinance 5132: *Vacation of Public Ways in the City of Goshen, IN*. There were no requests to speak from the public, so Mayor Stutsman closed the public hearing at 8:17 p.m.

5B) Ordinance 5132: Vacation of Public Ways in the City of Goshen, Indiana  
Mayor Stutsman called for the introduction on first reading of Ordinance 5132 - *Vacation of Public Ways in the City of Goshen, Indiana*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5132 by title only, which was done.  
Weddell/Schrock moved to approve Ordinance 5132 on first reading.

**BACKGROUND:**

The Goshen Plan Commission met on Aug. 16, 2022, in regular session and considered a request for the vacation of the unimproved north/south alley right of way, extending north from the north side of Pike Street (starting at the expanded INDOT right of way) to the south line of the first east/west alley, generally located between 905 W Pike Street and 311 Huron Street on the east and 907 W Pike Street on the west, zoned Commercial B-3 District, with the following outcome:

The request was forwarded to the Goshen Common Council with a favorable recommendation by a vote of 7-0.

The recommendation was based upon the following:

1. The proposed vacation will not hinder the growth or orderly development of the neighborhood, as the right of way to be vacated has not functioned as public right of way for many years.
2. The proposed vacation will not make access difficult or inconvenient, as there is no existing public access.
3. The proposed vacation will not hinder access to a church, school or other public building or place, as the existing right of way does not provide any of the described access.
4. The proposed vacation will not hinder the use of the public way, as the area to be vacated has not been used as a public way for many years.





5. That these proceedings shall not deprive any public utility of the use of all or part of the public ways herein being vacated if, at the time these proceedings were initiated, the utility was occupying and using all or part of that public way for the location and operation of its facilities, and the City shall require and retain a general utility easement over the vacation to provide continued access to the existing facilities within the vacated right of way.

**Following the Plan Commission meeting, the Traffic Commission met on Aug. 18, 2022, and unanimously recommended approval of the vacation request.**

One inquiry was received prior to Plan Commission from an area resident, asking for clarification of what was being vacated. No questions/concerns/comments were received at Plan Commission meeting.

**SEPT. 19, 2022 PRESENTATION, DISCUSSION AND PASSAGE OF ORDINANCE 5132:**

**Mayor Stutsman** invited **City Planning & Zoning Administrator Rhonda Yoder** to discuss Ordinance 5132.

**Yoder** provided the background and context of the matter. She said the alley has functionally been closed as an alley for many years without public access.

**Councilor Schrock** asked is the alley would be split down the middle with half each given to the property owners.

**Yoder** said that would be the case. She also confirmed the property owners would be responsible for it. She said the property owners were notified before this process began and were informed that a utility easement would prohibit development of the area.

**Councilor Schrock** asked if the home at the far end of the alley would retain its current parking spot. **City Director of Public Works & Utilities Dustin Sailor** said it would not. He said the area has been cleaned up, the asphalt removed and grass planted.

In response to questions from **Councilor King**, **Yoder** and **Sailor** said there were no public objections or concerns about the vacation of the alley, it hasn't been used by pedestrians and was in poor conditions. **Councilor Schrock** said the alley was being used as a dump site. **Mayor Stutsman** said he wanted to remind the public that the City provide free trash collection in Goshen.

**There were no further questions or comments from Councilors and no comments from the public.**

**Councilors indicated they were ready to vote.**

**On a voice vote, Councilors approved on first reading Ordinance 5132: - Vacation of Public Ways in the City of Goshen, Indiana, by a 7-0 margin, with all Councilors present voting "yes" at 8:22 p.m.**

**Councilors gave unanimous consent to proceed with a second and final reading of Ordinance 5132.**

**Mayor Stutsman** called for the introduction on second reading of Ordinance 5132 - *Vacation of Public Ways in the City of Goshen, Indiana*. Council President **Weddell** asked the Clerk-Treasurer to read Ordinance 5132 by title only, which was done.

**Weddell/Nisley** moved to approve Ordinance 5132 on first reading.

**There were no comments or questions from members of the public or Councilors. Councilors also indicated they were ready to vote again on Ordinance 5132.**



On a voice vote, Councilors approved on second and final reading **Ordinance 5132: - Vacation of Public Ways in the City of Goshen, Indiana**, by a 7-0 margin, with all Councilors present voting “yes” at 8:23 p.m.

6) **Ordinance 5134: Bond Issuance for Greenwood Rental Properties (Indiana Avenue Apartments)**  
Mayor Stutsman called for the introduction on first reading of **Ordinance 5134 - Bond Issuance for Greenwood Rental Properties (Indiana Avenue Apartments)**. Council President Weddell asked the Clerk-Treasurer to read **Ordinance 5134** by title only, which was done.  
Weddell/Eichorn moved to approve **Ordinance 5134** on first reading.

**BACKGROUND:**

**Ordinance 5134** was presented to the City Council for first reading. A copy of the ordinance, along with all of the draft financing documents as exhibits, was included in the Council packet. **The ordinance would authorize the City's issuance of a taxable Economic Development Revenue bond specifically for the Indiana Avenue Apartment Project and the issued bonds would be purchased by Greenwood Rental Properties, LLC, or their bank, to fund infrastructure components for their project.**

An Economic Development Commission (EDC) meeting was planned for Monday, Oct. 10, 2022. The Redevelopment Department intends to then bring this ordinance back to the Council the same evening for the second reading. Between now and Oct. 10, the City will be working with the City's bond counsel, Ice Miller, the City's financial advisors, Baker Tilly, Greenwood Rental Properties, LLC and First State Bank to finalize the financing documents.

**The issuance of this bond and all the terms associated with it are in line with the Development Agreement that was approved by the Goshen Redevelopment Commission, the City Council and Board of Works & Safety last spring. Although the project is underway, the issuance of this bond is necessary to allow for the project to be fully completed in 2023.**

**SEPT. 19, 2022 PRESENTATION, DISCUSSION AND FIRST READING VOTE ON ORDINANCE 5134:**

Mayor Stutsman invited City Redevelopment Director Becky Hutsell to discuss the matter. She provided background, including that the apartment development was now its Tax Increment Finance district. She said the next step was approval of a bond.

Hutsell said that **if the bond was approved on first reading, the matter would be brought back to the Council for a second reading after an Economic Development Commission (EDC) meeting on Oct. 10.** She said the City is still working on the final financing documents, so the copies presented to the Council tonight were just drafts. She said the final documents would be presented at the next Council meeting.

There were no questions and comments from Councilors. At 8:24 p.m., Mayor Stutsman invited public comments on **Ordinance 5134**, but there were none. Councilors then indicated they were ready to vote.

On a roll call vote, Councilors approved, on first reading, **Ordinance 5134 - Bond Issuance for Greenwood Rental Properties (Indiana Avenue Apartments)**, by a 6-1 margin, with Councilors Eichorn, Pérez, Nisley, Riegsecker, Schrock and Weddell voting “yes” and Councilor King voting “no” at 8:24 p.m.



### Elected Official Reports:

**Mayor Stutsman** expressed his appreciation to **Councilor Pérez** as well as **Manny Cortez, Oscar Molina** and the other organizers of the Hispanic Heritage Festival, which he said was "fantastic."

**Mayor Stutsman** gave a report on the **decisions earlier today by the board of the South Bend-Elkhart Regional Development Authority**. He said the board awarded \$40 million in Regional Economic Acceleration and Development Initiative (READI) grant funds to 19 Quality of Place projects and set aside \$7 million for future partnerships and \$3 million for the group. He said there were a total of 54 projects valued at about \$160 million. The Mayor said **the City proposed five projects, but only one was funded – the Ariel Cycleworks apartment project, which requested about \$6 million and received \$4.2 million.**

**Mayor Stutsman** said he received **complaints from Councilors and residents about the black streaks left on streets from vehicles "peeling out" over the weekend**. He said Police are aware of this activity and were trying to track down the offenders. The Mayor said misinformation has circulated that police witnessed the behavior and ignored it. In fact, he said officers issued a ticket to one driver for reckless driving. The Mayor also noted black streaks and signs of "donuts" on some streets in Elkhart earlier today.

**Mayor Stutsman** said another matter that should be decided tonight was the Council's new liaison to the Community Relations Commission to replace **Councilor Eichorn**. The Mayor said in the past, the Council has selected the CRC liaison, but he is willing to do so. He asked Councilors what they wanted to do. **Councilor Eichorn** said she would be happy to have **Councilor Riegsecker** become the new liaison. **Councilor Nisley** agreed, as did other Councilors.

**Mayor Stutsman** noted that in reviewing the proposed 2023 budget, the **\$500,000 he has proposed to be moved to the rainy day fund** was inadvertently omitted. He asked that it be included, noting that it had been advertised.

**Councilor Nisley** commented on the **black marks on City streets**. He said his son just visited Chicago and saw the same thing. **Councilor Nisley** also said appreciated and **enjoyed the City Employee Appreciation Picnic, but was disturbed that one person was "politicking."** **Mayor Stutsman** said **the person was not a City employee or elected official, but is a volunteer on a City board.**

**Council President Weddell** thanked the **City Department heads and employees who were present tonight, stayed through a long meeting and made themselves available to answer questions**. He also thanked **Chief Dan Sink** for allowing him and his wife to climb the 2,170 exterior stairs of the fire training facility to honor the fallen heroes of the World Trade Center 21 years ago. Chief Sink thanked Council President Weddell for the remembrance.

**Councilor Schrock** said the **East Goshen Neighborhood Association held its annual picnic over the weekend**. He thanked **Mayor Stutsman and Councilor King** for attending and showing their support. He said there was plenty of good food, but not enough attendees.

**Councilor Eichorn** said the **Parkside Neighborhood also held a picnic**. **Mayor Stutsman** said there were **five events over the weekend;**

**Councilor Pérez** expressed his appreciation for the **City's partnership with Community Pro Education for the Hispanic Heritage Festival**. He said a diverse gathering of people celebrated Hispanic heritage:



**Councilor King** said she was **disappointed to learn about the vandalism of park bathrooms that occurred**. The **Mayor** said there was **extensive damage**.

**Councilor Riegsecker** said he attended the last **Community Relations Commission** meeting and the next one will be on Oct. 6. He said there were several CRC events over the past month. He said the CRC may change its meeting date next year and would like to see more people attend.

**Council President Weddell** confirmed that the next Council meeting will be on Oct. 10, for the second reading of the budget ordinance. **Mayor Stutsman** said **Deputy Clerk-Treasurer Jeffery Weaver** will also be bringing some proposed appropriations and category transfers.

**Councilor King** clarified the time and location of a scheduled meeting to discuss growth.

**Councilor Nisley** confirmed that an additional appropriation for the Aviation Department also will be brought to the Council on Oct. 10.

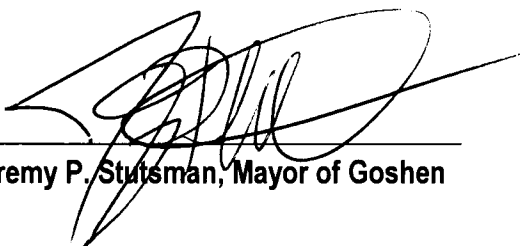
There were no further comments by the Mayor or by Councilors.

**Councilor Nisley** made a motion to adjourn the meeting, which was seconded by **Councilor Eichorn**. Councilors unanimously approved the motion to adjourn the meeting.

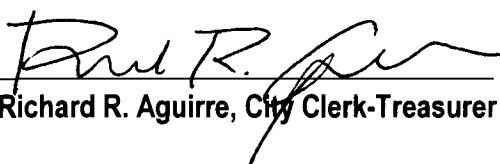
**Mayor Stutsman** adjourned the meeting at 8:37 p.m.

**EXHIBIT #1: Mayor Stutsman's Budget Letter for 2023, a 12-page document to the Common Council outlining the City budget proposal.**

**APPROVED:**

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

**ATTEST:**

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



**Jeremy P. Stutsman, Mayor**  
**CITY OF GOSHEN**

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# Budget Letter for 2023

September 16, 2022

Council President Weddell and Council Members,

The City of Goshen is still in a good position to continue weathering the after effects of COVID-19. The 2022 Budget represented Goshen's largest budget. We moved from an average budget of \$55M - \$60M a year, to roughly \$72M for 2022. The 2023 Budget will reduce this increase by nearly 50% as we start to bring our budget back to our normal level. (Please note: Throughout this letter I will be using rounded numbers for easier understanding. Exact numbers can be found in the budget documents).

As I stated last year this increase in the budget size would be a temporary increase and not reset what we would be spending in the coming years. Our cash balances had increased well beyond the 50% mark and we needed to spend those down in order to make sure our community members were seeing the benefits of those tax dollars. The cash balances rose so significantly since we pulled back on spending during 2020. This was done since we did not know what would happen with the economy. In 2021 employee shortages began and we experienced prices of goods and services quickly increase due to inflation. The 2022 budget was designed to help us get caught up on projects delayed or postponed.

2022 began the process of bringing our cash balances back to the 50% mark. This is not a one-year process. The 2022 budget was roughly 30% higher than our 2021 budget. The proposed 2023 budget in front of you reduces that increase by roughly 50%. In essence the 2023 budget is 15% above the 2021 budget.



**Jeremy P. Stutsman, Mayor**  
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We are responsible for millions of tax dollars each year. We must continue to be fiscally responsible and keep our community in a position where we are prepared for hard times. At the same time, we do not want to save too many of the tax dollars. I believe it is also irresponsible to continue building on cash balances during times we are already well prepared for the bad times.

As you review the proposed 2023 budget and read this document please keep in mind that we are making some assumptions. These assumptions are done in a very conservative way because I feel this is the only way to plan for the fiscal future of the City. The documents you will receive from the Clerk Treasurers Office and from Baker Tilly will assume the City will spend 100% of the 2022 budget and 100% of the 2023 budget. The reality is we always carry money from one budget year to the next. We always work to protect at-least 5% of the dollars budgeted. By planning in this way and by making sure we continue to carry money over the outlooks we see today will always be much better in reality. As an example, we have passed funded budgets and balanced budgets since 2016. However, we have always balanced those funded budgets by the end of the year. 2020 and 2021 budgets we ended up protecting not just 5% of each year's budget but we actually protected 25% and 20% due to the reasons already mentioned in this letter. 2022 will mark the first year we passed a funded budget and we purposefully left it that way to help bring down the cash balances.

### **A little History**

Over the last 14 years Goshen has seen its ups and downs. In 2008 we experienced the Great Recession, which affected the City's budget and recovery for a number of years. After this recession it took over a decade for our assessed value to fully recover. During 2010 tax caps were implemented by the State, which to date has removed over \$42 million from our City budget. As our assessed value continues to rise the amount removed from our city budget each year diminishes. 2014 was the year we lost the most to Circuit Breakers at \$4.507M as compared to the 2022 of \$3.8M.



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During these times the City's cash reserves allowed us to continue moving forward and continue offering the services our community has come to expect. We were fortunate to be prepared for something we did not know was coming.

In 2018 we experienced the worst flood on record. This natural disaster cut our town in half, closed four out of five of our river crossings, caused mass evacuations from flooded areas of those in danger, left residents without electric and no heat. This event also caused an extreme amount of overtime and stress on the City staff among others in our community. We came together to help others. We were again prepared because we had rebuilt our cash balances that were utilized during the Great Recession and we were able to cover the extra costs that were caused by another unknown.

One year later, our community faced the coldest winter on record. Wind chills as low as minus 50 degrees placed our most vulnerable residents in a life-and-death situation. This closed our City, schools and many businesses. Our City staff was ordered to stay inside unless there were emergency situations they needed to attend to and we limited them to 15-minute rotations to keep them out of harm's way. This caused significant issues within our community and to our infrastructure. As in our past, we were prepared to deal with the issues that arose and were able to cover our costs. We were prepared for yet another unknown.

COVID and its effects in 2020 and 2021 has proved to be one of the biggest unexpected events that we as elected officials and as a community have had to find our way through. We were expecting our income to drop dramatically in 2021 due to the economic shut down during COVID. We were ready to continue serving this community. We had the cash balances and we made the hard decisions that would further protect the 2020 budget to prepare for the suspected losses in 2021; we spent far less than we had planned to spend when we developed the 2020 budget. By adjusting to what we were seeing we have also helped to minimize the need for using our cash balances. We ended up spending only 80% of the 2020 budget in attempt to prepare



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for the state estimated losses. In the Spring of 2021 we realized the budget shortfalls we were warned of were minimized. Due to our preparedness and to the much lower losses we have built cash balances in the neighborhood of 135%. This is why we have money to spend over the next couple of years.

The State of Indiana suggests communities have between 15% (2 months) and 50% (6 months) cash reserves on hand. When I took office in 2016 the city was sitting with just under 25% (3 months). This amount got us through the recession and the City was able to rebuild back to the 25%. After I restructured how we budget, we were able to build up to the 50% cash reserves in just a few short years and during this time we also managed our way through the flood of 2018.

My administration has presented both balanced and funded budgets to the council since 2016. Each and every year we spent less than we brought in as a way to respect and honor the tax payers of our community (this includes all additional appropriations). We have proven time and time again that we protect the budget always aiming for only using 95% of what is budgeted. We are prepared for future disasters and unknown issues and at the same time we need to be not only passing funded budgets but also spending these budgets.

### **Developing the 2022 Budget**

As we started looking at the needs of our community for not only 2022 but also looking out to 2025 we realized a change in thought and change in process is needed. The Goshen City Council will receive our standard cash flow report from Baker Tilly. This is the report we receive every year that gives a detailed look at the results of our budget and how the cash balances will be affected. This report operates under the assumption that we will spend 100% of our budgeted monies (which we never actually do).





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Department Heads and I used our standard process to set the budget needed and then discuss areas we can reduce and areas we need to grow. We always want to make sure we do our due diligence before bringing a budget to the council and the community.

This budget continues the strategic use of our cash balances to help reach into areas we have not been able to touch in the past. We will be looking at more projects of repaving interior neighborhood streets, upgrading current neighborhood parks by adding new features, looking at new ways to rebuild from blight caused by slumlords, creative ideas to bring new housing to Goshen, ways to save on current expenses through new programs (i.e. trash pickup and recycling has program has begun), building on our wayfinding system for the city, ensuring our public safety is operating with the needed equipment upgrades, building on our communications with our businesses and residents, improving our website, tracking our assets better and looking into new ideas to build a better Goshen.

It will be important as we move down this path that we keep an eye to our cash balances protecting that 50% (6 month) line not of each fund but as we look at all funds. We may from time to time dip below 50% but only when we have a plan to rebuild it within a reasonable amount of time. By doing so we will help to manage our risks and build an even stronger and more efficient budget that our community can continue to rely on through the next decade and beyond. This will also help to continue protecting our Rainy-Day Fund.

**A few key points to keep in mind:**

- Don't forget last year we changed how split employees are paid. Some departments budgets within the employee lines will look like they grew drastically. This is due to changes in how we manage our spilt employees. Split employees are those employees that are paid by both civil city and utilities. A good example of this change happens in the budgets of the Mayor's Office, City Council and Engineering just to name a few. In the past a set percentage (30%-70% depending on the position) of the wages of a split



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employee would be in the civil city budget and a set percent would be in the utility budget. These employees received checks from both entities. To streamline this process, we now pay these employees from civil city and utilities reimburses the city a few times a year. This saves on per check costs and staff time. These changes reflect a nearly \$1M increase that is reimbursed.

- The new trend we are starting is spending down our cash balance only during years where they are over the 50% line. This does not mean this amount of money will be budgeted every year and we will keep a very close eye to ensure we don't over spend just as we have for many years already.
- Raises for all City staff are figured at 3.5%
- Most department budgets increases are due to raises and other employee expenses.
- The wage study is in process. BakerTilly had some staffing changes which caused this study to sit on a desk. They realized it wasn't moving forward and they are now working to get it completed. We do not have a new timeline for this at this time.

## **Highlighted changes by Department/Fund**

### **1. Council**

- a. \$90K was added to this budget to cover the expected costs of the 2023 local election.

### **2. Community Relations Commission**

- a. Wages for the director position were moved out of the Mayor's Budget and into the CRC.
- b. This budget jumps from \$23K to \$99K. The shift of the employee expenses accounts for the increase.

### **3. Mayor**

- a. This budget decreased significantly due mainly to the shift of staffing dollars to the CRC budget.



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#### **4. Clerk Treasurer**

- a. Additional dollars are added to help with storage of our files as well as the employee 3.5% for employees. The training budget is also increasing.
- b. The money for new payroll system and INCODE upgrades are found in both in this budget and BOW's lines.

#### **5. Board of Works**

- a. Full-time employee line reduced drastically. In 2021 there was additional money placed here as we had not finalized negotiations with Police and Fire yet.
- b. The emergency line was removed completely. This \$500K has been paced in the rainy-day fund.
- c. Trash Collection was set at \$2.3M to accommodate the new service. We now have consistent increases set for the next decade which will help us know better how to plan. As the General fund dollars continue to tighten and the needs of our public safety and other departments continue to grow, we will need to consider a trash fee in the future. However, we are not there yet and it is still my goal to hold off as long as possible and when it is time start an incremental fee.
- d. Property Acquisition Line has been reduced to \$100K.
- e. Over all this budget has been decreased by nearly \$1.5M.

#### **6. Cemeteries**

- a. Full-time personnel line includes new dollars to hire a third full-time staff member. It is becoming harder and harder to fully hire part-time staff. This full-time person will help ease the load on the existing staff.

#### **7. GPD**

- a. In 2016 GPD's budget in the general fund was \$5.8M, in 2023 we have budgeted \$8.2M for GPD. As you can see we have greatly increased GPD budget in order to better pay our staff and have the resources needed for equipment and facilities.



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## **8. GFD**

- a. The employee lines all increase to cover the 3.5% raise as well as an additional 3 fire/paramedic staff. The 3 new positions will be covered and paid for by the \$400K that we will receive from the township since we are covering all their fire and EMS needs. We expect to have roughly \$120K left in the new township fund which will be the location we place all payments from the township.
- b. In 2016 GFD's budget in the general fund was \$5M, in 2023 we have budgeted \$7.1M

## **9. Central Garage**

- a. The budget has only increased a modest amount. We do not have the entire increase, being requested, for the mechanics wages accounted for in the 2023 budget as the discussion progressed after we advertised the budget. However, we believe at this time that we can handle the needed dollars by moving money around next year as needed.

## **10. Environmental Resilience**

- a. This department is asking for the ability to take one part-time staff to full-time to help with the forestry end of the programing. This will help provide the staffing to better keep up with the needed tree maintenance.
- b. The majority of the increase to the budget is due to the 3.5% raise and the additional full-time staff.

## **11. ARP Fund**

- a. These dollars will be spent by following the ARP funding plan which will come to the council in the near future. If projects progress quickly we will come back to the council in 2023 and ask for an additional appropriation as these dollars need to be spent or projects started by the end of 2024.



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## **12. MVH, MVH Restricted and LRS**

- a. In order to reduce the stress on the General fund and the reductions made in BOW we are utilizing these funds to help with more of our road projects. The MVH and MVH restricted funds have growing cash balances and can more than handle this shift.

## **13. Aviation**

- a. You will see an increase to the aviation fund budget. I am wanting to eliminate the \$75K a year that we give aviation out of the EDIT fund. In an effort to do this I am shifting levy to the Aviation fund which will account for the \$75K. This will make it more transparent as to what we spend at the airport. It will also make it easier for the Airport Board to plan.
- b. The EDIT funds are still budgeted for aviation in 2023. This is only as a precaution in case we are unable to make the full levy shift needed to accomplish this goal. If the full shift is made the aviation dollars will remain in the EDIT Fund for other uses.

## **14. Rainy-Day Fund**

- a. The \$500K Emergency line has been shifted to this fund as it is our emergency fund. This line has never been fully spent even through COVID. In 2020 we spent \$228K, 2021 we spent \$56K and in 2022 we only spent \$37K. All of these dollars were COVID related. We have no none expenses coming to this line for the remainder of 2022 or 2023.

## **15. Public Safety LOIT**

- a. This fund brings in roughly \$2M a year. Our retirement expenses for PD and FD continue to grow and account for \$1.6M budgeted in 2023. As this grows it will reduce our ability to pay for equipment, Training Facility and fuel from this fund.



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### **Looking at the Big Picture**

Goshen is continuing to grow. Goshen is growing on an average 0.28% annually and our population grew by 8.49% since the 2010 census. We are now a community of 34,411 residents. Annual building permits for both commercial and residential have averaged \$103M for the last 5 years (with the 2020 pulling the average down, 2020 dropped to \$64.9 M in permits). Our previous years' annual building permits were in the \$40M range. The City has been in discussions with multiple housing complex developers as well as industry, we expect the next two years in Goshen to continue the trend of more and more building projects. We are also working at bringing all levels of housing projects to Goshen. We have been successful at finding several developers and we are now seeing projects in process or already breaking ground.

Goshen's NAV (net assessed value) also continues to rise. Starting in 2007 we saw a multi-year drop in our NAV with things leveling off in 2014-2015. 2016-2018 we saw a steady but slow rise in our NAV. 2019-2022 we have seen consistent growth with an average of 7% per year. These years our community's growth surpassed the growth rate of the State of Indiana. This has placed us in a position to request a levy reassessment. In 2021 we were granted our levy appeal and we are appealing again this year as we have again grown faster than the state. Goshen's NAV in 2021 was just over \$1.3B, and in 2022 we now have a NAV of \$1.478B this represents the highest NAV for Goshen. 2023 NAV is estimated to top \$1.6B. 2022 also represents the fourth year in a row that our tax rate has decreased. Every year our NAV increases we also see our loss to the Circuit Breakers decrease.

Property tax rates, for the City of Goshen, continue to decrease. We are on a several year streak of our tax rate lowering, 2019-2022 with expectations of 2023 lowering as well. Many people don't realize this due to the school referendums and increasing county assessments bringing their overall tax bills up. 2022 tax rate was \$1.4552 and in 2023 we are estimating \$1.421.



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When BakerTilly gives their report please note that the “Big Four Funds,” (General, MVH + MVH Restricted, Parks and PSLOIT) will show a dip in the cash balances. This is due to the conservative view we take when we budget. We assume 100% of 2022 and 2023 budget will be spent. This is not the reality so these funds will be better off as we close out each year and see the dollars actually spent. As we look at our cash balance and when we combine all funds you will see that after 2023 and after assuming 100% 2022 and 2023 budgets spent we will be left with just above 50% cash balances.

As we look forward my administration will work to keep up with the needs of our departments and our community. We will continue to find ways to maintain our infrastructure, utilities and parks within our allotted budgets. We will continue our work in bettering our carbon footprint and finding ways to improve our environment. We are continuing work to better understand how storms affect us and how to predict and hopefully mitigate our flooding. We will continue providing for the needs of our Public Safety Departments. This will all take continued team work of my administration, city staff, elected officials and our community.

We will watch the tax dollars to ensure they are not being wasted. We will continue our work to ensure Goshen is a prosperous community that thrives on its diversity and works toward equality so that we continue to build a safe and inclusive community for all.

As the council considers the proposed budget please feel free to ask any questions. If any council members would like to sit down let me know. I will make as much time as needed to meet, discuss and brainstorm with you. As I ask every year, if you are thinking about cutting money out of the budget: Please reach out to both me and the appropriate department head so we can share with you the effects of such a reduction. This budget will continue to push us even though we are cutting back significantly from 2022. I will always remain vigilant in watching the dollars and to ensure we are not doing anything that will put us in a bad financial position. As we have time and time again, when things get tight we will assess the situation and make real time



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changes to ensure the protection of our city funds. Our position is strong because of how we have respected the communities tax dollars. I will be giving additional information about the budget during our council meeting.

It is an honor to serve alongside Goshen's elected officials. Clerk Treasurer Aguirre has been fantastic to work with and is not only learning quickly but also bringing great ideas to the table. First Deputy Weaver is a wealth of knowledge and continues to be an asset to our community. I cannot say enough about the dedication of the City Staff and Department Heads. This group is always working to make Goshen a better and stronger community. We can all hold our heads high knowing that our ability to work together through the normal days and the tough days has helped to create a thriving community we love to call home.

While some in our community want to make everything about politics, I want to personally thank the department heads and elected officials for keeping our focus on the community and not politics. This is the only way to build a strong vibrant and respectful community.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Stutsman", written over a horizontal line.

Jeremy P. Stutsman