

**BOARD OF PUBLIC WORKS & SAFETY & STORMWATER BOARD  
MINUTES OF THE NOVEMBER 21, 2022 REGULAR MEETING**

*Convened at 2 p.m. at the Goshen Police & Court Building, 111 East Jefferson St., Goshen, Indiana*

**Present:** Mayor Jeremy Stutsman, Mike Landis, Mary Nichols, DeWayne Riouse and Barb Swartley

**Absent:**

**CALL TO ORDER:** Mayor Stutsman called the meeting to order at 2:00 p.m.

**REVIEW/APPROVE MINUTES:** Mayor Stutsman presented the minutes of the Nov. 14, 2022 Regular Meeting. Board member Mary Nichols moved to approve the minutes as presented and the motion was seconded by Board member Barb Swartley. Motion passed 5-0.

**REVIEW/APPROVE AGENDA:** Mayor Stutsman presented the agenda with two additions: #14. Resolution 2022-32, *Approving Transfer of Police Dog from the Town of LaGrange* and #15. Legal Department: *Approve and authorize Mayor to execute the agreement with the Indiana Department of Environmental Management for the Water Quality Management Planning Grant awarded to the City.* Board member Nichols moved to approve the agenda as suggested and Board member Swartley seconded the motion. Motion passed 5-0.

**1) Goshen Fire Department: Approve the promotion of Megan J. Berry to the rank of Private First Class, effective Nov. 22, 2022**

**Assistant Chief of Operations Anthony Powell** asked the Board to promote Megan J. Berry to the rank of Private First Class for the Goshen Fire Department, effective Nov. 22, 2022.

**Chief Powell** said Private First Class Berry will complete her probationary year with the Fire Department on Nov. 22, 2022. Based on her performance and recommendations from her shift Battalion Chief and Training Officer; Chief Powell said it was his pleasure to request the promotion.

**Nichols/Swartley moved to promote Megan J. Berry to the rank of Private First Class for the Goshen Fire Department, effective Nov. 22, 2022. Motion passed 5-0.**

**Mayor Stutsman then swore in Megan J. Berry as a Private First Class for the Goshen Fire Department.**

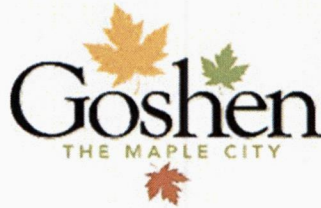
**2) Goshen Fire Department: Approve the promotion of Hannah M. Estes to the rank of Private First Class, effective Nov. 22, 2022**

**Assistant Chief of Operations Anthony Powell** asked the Board to promote Hannah M. Estes to the rank of Private First Class for the Goshen Fire Department, effective Nov. 22, 2022.

**Chief Powell** said Private First Class Estes will complete her probationary year with the fire Department on Nov. 22, 2022. Based on her performance and recommendations from her shift Battalion Chief and Training Officer; Chief Powell said it was his pleasure to request the promotion.

**Nichols/Swartley moved to promote Hannah M. Estes to the rank of Private First Class for the Goshen Fire Department, effective Nov. 22, 2022. Motion passed 5-0.**

**Mayor Stutsman then swore in Hannah M. Estes as a Private First Class for the Goshen Fire Department.**



**3) Goshen Police Department: Approve the hiring of Tyler D. Smoker as a Probationary Patrol Officer, effective Nov. 21, 2022**

**Police Chief José Miller** asked the Board to approve the hiring of Tyler D. Smoker for the position of Probationary Patrol Officer, effective Nov. 21, 2022.

**Chief Miller** said Officer Smoker has passed all exams and has been approved by both the local and State pension boards. He said Officer Smoker is a graduate of the Indiana Law Enforcement Academy and has worked at the LaGrange City Police Department for nearly five years.

**Chief Miller** said Officer Smoker is a K-9 Officer and will be bringing his partner along with him. The Chief added, "We are thrilled to have Officer Smoker and his partner joining the Goshen Police Department."

**Nichols/Swartley** moved to approve the hiring of Tyler D. Smoker for the position of probationary patrol officer, effective Nov. 21, 2022. Motion passed 5-0.

**Mayor Stutsman** then swore in Tyler D. Smoker as a Probationary Patrol Officer for the Police Department.

**4) Goshen Police Department: Approve the promotion of Officer Aaron Lower from Probationary Patrol Officer to Patrol Officer, effective Nov. 29, 2022**

**Police Chief José Miller** asked the Board to approve the promotion of Aaron H. Lower from the position of Probationary Patrol Officer to the rank of Patrol Officer, effective Nov. 29, 2022.

**Chief Miller** said that on Nov. 29, 2022, Officer Lower will have completed his 12-month probationary period. The Chief added that "Officer Lower has proven himself time and time again that he will be an asset to the Goshen Police Department and to this community."

**Nichols/Swartley** moved to approve the promotion of Aaron H. Lower from the position of Probationary Patrol Officer to the rank of Patrol Officer, effective Nov. 29, 2022. Motion passed 5-0.

**Mayor Stutsman** then swore in Aaron H. Lower as a Patrol Officer for the Police Department.

**5) Goshen Police Department: Approve the promotion of Officer Anthony W. Reese from Probationary Patrol Officer to Patrol Officer, effective Nov. 29, 2022**

**Police Chief José Miller** asked the Board to approve the promotion of Anthony W. Reese from the position of Probationary Patrol Officer to the rank of Patrol Officer, effective Nov. 29, 2022.

**Chief Miller** said on November 29, 2022, Officer Reese will have completed his 12-month probationary period. Chief Miller added, "Officer Reese has demonstrated that he will be a great police officer for the Goshen Police Department and this community."

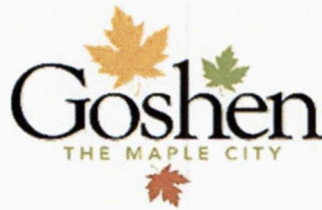
**Nichols/Swartley** moved to approve the promotion of Anthony W. Reese from the position of Probationary Patrol Officer to the rank of Patrol Officer, effective Nov. 29, 2022. Motion passed 5-0.

**Mayor Stutsman** then swore in Anthony W. Reese as a Patrol Officer for the Police Department.

**6) Goshen Police Department: Approve the promotion of Officer Jacob Lambright from the rank of Patrol Officer to the rank of Detective, effective Dec. 2, 2022**

**Police Chief José Miller** asked the Board to approve the promotion of Jacob Lambright from the position of Patrol Officer to the rank of Detective, effective Friday, Dec. 2, 2022.

**Chief Miller** added that "Officer Lambright has served on the Goshen Police Department for over three years and he's proven to be dedicated time and time again to this department and this community."



**Nichols/Swartley moved to approve the promotion of Jacob Lambright from the position of Patrol Officer to the rank of Detective, effective Friday, Dec. 2, 2022. Motion passed 5-0.**

**Mayor Stutsman then swore in Officer Jacob Lambright as a Detective for the Police Department.**

**7) Resident request: Approval by J.L. Simmons for replacement of a curb and driveway section at his home at 1812 Park West Drive**

**Jim Simmons** congratulated those just hired and promoted. He then asked the Board for a variance to remove the curb and first section of his 32-foot driveway at 1812 Park West Drive and replace it with new concrete. In his written request, **Simmons** indicated that the replacement concrete will be done per City of Goshen specifications. He stated that Advantage Concrete Services was scheduled to do the replacement concrete three weeks ago and will do the work sometime in the future upon City approval.

**Simmons** said that the driveway, built in 2005, has deteriorated due to standing water, snow, ice, freezing and thawing. He also indicated that he became aware of a driveway of the same 32-foot length at 1702 Longwood. He also thanked City staff for facilitating his request.

**City Civil Traffic Engineer Josh Corwin** told the Board that the driveway appears to have been built with the existing dimensions originally, which was wider than 24-foot maximum width allowed by the City. So, Corwin said the Engineering Department requested that the Board consider the request so any approval would be documented

**Nichols/Swartley moved to approve a variance for removal of the curb and first section of the 32-foot driveway at 1812 Park West Drive and replace it with new concrete. Motion passed 5-0.**

**8) Legal Department: Accept the Right of Entry agreement with Willie I Parsons to allow the City to re-grade Mr. Parsons' property as part of the Wilden Avenue reconstruction**

**City Attorney Bodie Stegelmann** asked the Board to approve and accept the Right of Entry Agreement with Willie I Parsons to allow the City to re-grade his real property made necessary by the Wilden Avenue reconstruction project, and authorize Mayor Stutsman to execute the agreement.

**Stegelmann** said the City will pay Mr. Parsons \$1,000 for entry upon his land. In the agreement, City staff indicated that it is necessary to grade the property owner's yard adjacent to the reconstructed sidewalk to maintain the proper slope according to project specifications.

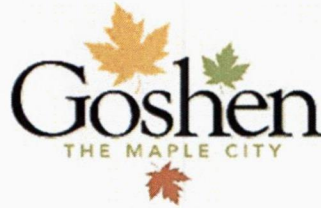
**Nichols/Swartley moved to approve and accept the Right of Entry Agreement with Willie I Parsons to allow the City to re-grade his real property due to the Wilden Avenue reconstruction project, and authorize Mayor Stutsman to execute the agreement. Motion passed 5-0.**

**9) Legal Department: Resolution 2022-28, Authorizing the purchase of new warning siren to be installed at 29th Street**

**Brandy Toms, a paralegal with the City Legal Department,** asked the Board to pass and adopt Resolution 2022-28, *Authorizing the Purchase of New Warning Siren to be Installed at 29th Street (at Lincoln Avenue).*

**Toms** said that due to proprietary issues, the compatible warning siren is only available for purchase from a single source, Federal Signal. She said the net purchase price will be \$30,768, which includes all parts, materials, labor, shipping and system optimization to synch with the City's operating system, Commander.

According to Resolution 2022-28, the City installed the outdoor warning siren system, which was purchased from Federal Signal and activated and monitored from the City's Commander Software.



Further, the City has identified a gap in its outdoor warning siren coverage and an additional siren installation is needed in East Goshen, more specifically at the intersection of East Lincoln Avenue and 29th Street. Indiana Code § 5-22-10-13 allows the City to make a special purchase when, subject to Indiana Code § 5-22-10-14 and 15, there is only one source for the supply and the purchasing agent determines in writing there is only one source for the supply.

**Mayor Stutsman** said the need for the siren came to him and **City Director of Public Works & Utilities Dustin Sailor** from **Councilor Matt Schrock**, who was contacted by some of his constituents. Although not cheap, the Mayor said testing by Sailor and his team determined this was a good location for an additional siren. **Tom** added that the new siren will cover a gap in the current siren system. Mayor Stutsman added that the sirens are not designed to be heard from inside homes, but from outside.

**Nichols/Swartley** moved to pass and adopt **Resolution 2022-28, Authorizing the Purchase of New Warning Siren to be installed at 29th Street. Motion passed 5-0.**

**10) Legal Department: Resolution 2022-29, Authorizing the purchase of outdoor warning system software upgrades**

**Brandy Toms, a paralegal with the City Legal Department**, asked the Board to pass and adopt Resolution 2022-29, *Authorizing the Purchase of Outdoor Warning System Software Upgrades*.

**Toms** said that, again, due to proprietary issues, the software upgrades to the warning system are only available for purchase from a single source, Federal Signal. She said the net purchase price will be \$6,022 for the software upgrade and includes a credit to forgive past annual maintenance fees the City did not pay in previous years. According to the Resolution, in 2010, the City installed the outdoor warning siren system purchased from Federal Signal and activated and monitored from the City's Commander Software.

During a recent conversation with Federal Signal employees, the City staff learned that the Commander software is now outdated and software upgrades are necessary. Further, City staff learned that Federal Signal's equipment is proprietary and will not function properly and/or activate appropriately with another supplier's software, nor will another supplier's equipment function properly and/or activate appropriately with Federal Signal's software. The City, through its purchasing agent, may make a special purchase under Indiana Code § 5-22-10 without soliciting bids or proposals if it determines in writing the basis for the special purchase and the selection of a particular contractor.

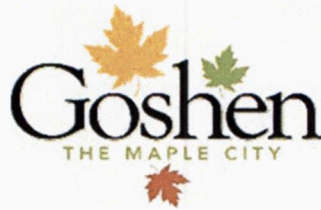
Asked by **Mayor Stutsman** why the software was not upgraded, **City Director of Public Works & Utilities Dustin Sailor** said the system will operate without maintenance, but the City didn't get any of the updates. He said it's now time to upgrade the software and that past fees will be waived.

In response to a question from **Board member Landis**, **Sailor** said this will be a software upgrade for the entire system. He added it will enable use of the new siren and a new siren will be added next year adjacent to the East College Avenue project. He said two other companies provide sirens similar to the one by Federal Signal.

**Nichols/Swartley** moved to pass and adopt **Resolution 2022-29, Authorizing the Purchase of Outdoor Warning System Software Upgrades. Motion passed 5-0.**

**11) Legal Department: Resolution 2022-31, Agreement with Pumpkinvine Properties LLC for Transfer of 206 N. Main St. Real Property**

**City Attorney Bodie Stegelmann** asked the Board to approve Resolution 2022-31, for the transfer of property at 206 N. Main Street from Pumpkinvine Properties LLC to the City and authorize Mayor Stutsman and Clerk-Treasurer Aguirre to execute documents necessary to accomplish such transfer.



**City Attorney Stegelmann** said Pumpkinvine Properties LLC owns unimproved real property located generally north of 206 N. Main Street and seeks to transfer this real property to the City for no consideration. The City is seeking to make the real property appropriate for a parking lot.

Asked by **Mayor Stutsman** if the agreement committed the City to developing a parking lot, **Stegelmann** said it probably would be a project for next spring or summer.

**Mayor Stutsman** asked if the expense was already budgeted or if it would be developed over the next few years.

**City Director of Public Works & Utilities Dustin Sailor** said funding for the parking lot hasn't been identified and this would be discussed with the Redevelopment Commission. However, Sailor said that this property previously came before the Board of Works for discussion because it has a vault underneath it, so the property was being transferred to the City so it can be filled and the parking lot repaved.

**Nichols/Swartley moved to approve Resolution 2022-31, for the transfer of 206 N. Main Street from Pumpkinvine Properties LLC to the City and authorize Mayor Stutsman and Clerk-Treasurer Aguirre to execute documents necessary to accomplish such transfer. Motion passed 5-0.**

**12) Legal Department: Resolution 2022-33, to allow for construction of a building expansion at 2694 Hackberry Drive over the City's utility easement located at that location**

**City Attorney Bodie Stegelmann** asked the Board to approve Resolution 2022-33, to allow for construction of a building expansion at 2694 Hackberry Drive over the City's utility easement located at that location

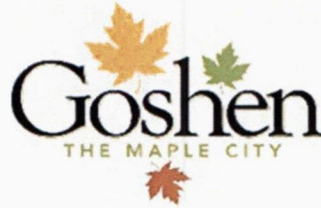
**Stegelmann** said Keystone RV Company, which operates a plant located at 2694 Hackberry Drive in Goshen, seeks to expand the building at this location and extend over an easement the City holds for water and sewer utilities and relocate the utilities presently located on the easement to a location east of the building expansion. However, **Stegelmann** said the shortage of suitable pipe and other building materials has delayed the relocation of the utilities to an unknown time.

**Stegelmann** said Keystone is seeking authority to construct its expansion over the City's easement under the condition that it construct new utility facilities east of the expanded improvements once suitable pipe and other building materials are available. He recommended the City allow Keystone to construct its building over the easement area under terms and conditions contained in Resolution 2022- 33 and the agreement attached thereto.

**Mayor Stutsman** asked if in this type of case, where construction of utilities was being delayed, would the company be required to submit its order for pipe or was the City just trusting the pipe has been ordered. **Stegelmann** said the City was trusting the pipe had been ordered. He said the agreement would call for a "hard date" by which the new water and sewer lines would have to be constructed. He added that local contractors are having trouble getting pipe.

**Mayor Stutsman** said the City is facing the same problem. He asked if the City expected the delay in pipe to be resolved within a year. If not, he suggested the City require Keystone to provide a copy of its pipe purchase agreement. If not, the Mayor said the Board may well be asked next year to extend the agreement. **Stegelmann** said he believed enough time had been built into the agreement to allow Keystone to get the pipe it needs.

In response to a question from **Board member Landis**, **City Director of Public Works & Utilities Dustin Sailor** confirmed that Keystone will be building over existing utility lines and would be responsible for relocating the water and sewer lines when the pipe becomes available. Asked by Landis of the risk to the City of having Keystone's new building located over the utility lines for two years, Sailor said it wasn't a preferred option, but the agreement would waive the City's liability in case there was any damage associated with a water main break. Sailor added that the City hopes the utilities will be relocated within two years. He emphasized that Keystone was assuming any risks in the meantime, including if the City would pay to excavate inside the building to repair a water main break.



Nichols/Swartley moved to approve Resolution 2022-33, to allow for construction of a building expansion at 2694 Hackberry Drive over the City's utility easement located at that location. Motion passed 5-0.

**13) Engineering Department: Agreement with H&G Homebuilders for the completion of the construction project at 2112 Newbury Circle**

City Stormwater Coordinator Jason Kauffman said the home at 2112 Newbury Circle has passed its final building inspection and the project is substantially complete except for exterior concrete work. He said this final requirement cannot be completed at this time due to weather conditions.

Kauffman said the Stormwater Department thus submits Agreements for the Completion of the Construction Project for approval and authorizations for the Mayor to execute. The property, owner H&G Homebuilders co: Glenn Henderson, agrees to complete all concrete work by June 15, 2023. The expected cost of work is \$1,850 and a surety check for that amount has been remitted to the Clerk-Treasurer's office.

Nichols/Swartley moved to approve and authorize the mayor to execute the Agreements with H&G Homebuilders for the Completion of the Construction Project at 2112 Newbury Circle. Motion passed 5-0.

**14) Resolution 2022-32, Approving Transfer of Police Dog from the Town of LaGrange (related to the Board's earlier approval of the hiring of Tyler D. Smoker as a Probationary Patrol Officer)**

Assistant City Attorney Matt Lawson asked the Board to approve and execute Resolution 2022-32, *Approving Transfer of Police Dog from the Town of LaGrange* to the City of Goshen at the cost of \$6,000, effective upon the Town's passage of a substantially identical resolution. He provided a copy of Resolution 2022-32 and a related memorandum to the Board (EXHIBIT #1).

Lawson said the City of Goshen and the Town of LaGrange have negotiated an agreement for the transfer of a police dog ("K-9") from the Town to the City. Indiana Code §5-22-22-10, allows for the exchange of property between governmental entities for any amount of property or cash upon terms and conditions agreed upon by the governmental bodies as evidenced by adoption of a substantially identical resolution by each entity.

Earlier in the meeting, the Board approved the hiring of Tyler D. Smoker for the position of Probationary Patrol Officer, effective Nov. 21, 2022. Officer Smoker has worked at LaGrange City Police Department for nearly five years and currently is a K-9 Officer who will be bringing his partner along with him to the Goshen Police Department.

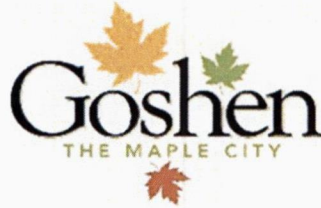
Mayor Stutsman said it was a "very good deal" for the City to be able to add a fourth K-9.

Nichols/Swartley moved to approve and execute Resolution 2022-32, *Approving Transfer of Police Dog from the Town of LaGrange* to the City of Goshen at the cost of \$6,000, effective upon the Town's passage of a substantially identical resolution. Motion passed 5-0.

**15) Legal Department: Approve and authorize Mayor to execute the agreement with the Indiana Department of Environmental Management for the Water Quality Management Planning Grant awarded to the City**

Assistant City Attorney Matt Lawson asked the Board to approve and authorize the Mayor to execute the agreement (provided to the Board as EXHIBIT 2) with the Indiana Department of Environmental Management for the Water Quality Management Planning Grant awarded to the City of Goshen in the amount of \$154,725.

Lawson said the Board previously authorized the Mayor to sign the application for a Section 205j Water Quality Planning Program Grant for the Lower Elkhart River Watershed Management Plan in partnership with the Elkhart River Restoration Association. The City has now been awarded a \$154,725 grant pursuant to that application.



Nichols/Swartley moved to approve and authorize the Mayor to execute the agreement with the Indiana Department of Environmental Management for the Water Quality Management Planning Grant awarded to the City of Goshen in the amount of \$154,725. Motion passed 5-0.

Privilege of the Floor (opportunity for public comment for matters not on the agenda):

Mayor Stutsman opened Privilege of the Floor at 2:33 p.m.

There were no public comments, so Mayor Stutsman closed Privilege of the Floor.

At 2:34 p.m., Mayor Stutsman temporarily closed the Board of Works & Safety meeting and convened the City of Goshen Stormwater Board to consider a single agenda item.

## CITY OF GOSHEN STORMWATER BOARD

### Regular Meeting Agenda

2:00 p.m., Nov. 21, 2022

Goshen Police & Court Building, 111 East Jefferson Street, Goshen, Indiana

Members: Mayor Stutsman, Mike Landis and Mary Nichols

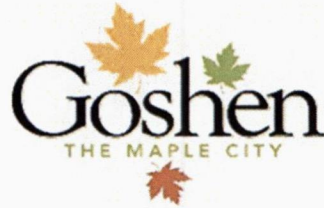
#### 16) Stormwater Department: Resolution 2022-01, *Revision of Stormwater User Fees for the Goshen Department of Stormwater Management*

City Stormwater Coordinator Jason Kauffman asked the Board to approve Resolution 2022-01, allowing for and recommending the current stormwater user fee to be revised to the proposed rate over three phases. In support of his request, Kauffman used a nine-slide PowerPoint presentation to help explain the background, context and justification for his request (EXHIBIT #3).

#### BACKGROUND:

In a memorandum to the Board, Kauffman explained that earlier this year, the Greater Elkhart County Stormwater Partnership, composed of the City of Elkhart, the City of Goshen, Elkhart County, and the Town of Bristol (Partners), agreed that a review of the stormwater user fee was necessary to review the current stormwater user fee and the stormwater budgets for the Partners. Baker Tilly US, LLP was retained to perform a rate analysis to determine whether the minimum funding amount necessary for the operation and maintenance of the stormwater system was being collected since the stormwater user fee was established in 2006.

Upon completion of the rate study, Kauffman reported that Baker Tilly concluded the minimum rate should be increased from \$15 per equivalent residential unit (ERU) to \$36.10 per ERU annually. The Partnership's MS4 Advisory Board met on Nov. 17, 2022, and agreed to recommend the user fee be increased over three phrases as follows: \$22.05 per year per ERU starting with billing in calendar year 2023; \$29.10 per year per ERU starting with billing in calendar year 2026; and \$36.10 per year per ERU starting with billing in calendar year 2029.



Still, **Board member Landis** said other communities seem willing to impose higher fees to meet stormwater needs than communities in Northern Indiana. **Mayor Stutsman** said he had been hopeful that the regional stormwater board would have supported establishing a higher fee more quickly, but he is supportive of the proposal. **Landis** said he would support reaching the higher fee sooner than 2029. **Kauffman** said this was the current proposal, but it could always be changed if necessary. **Mayor Stutsman** agreed, saying that the entities could revisit the fees before 2029.

Advised by **City Attorney Stegelmann** that notice was given that Resolution 2021-01 would be the subject of a public hearing at today's City Stormwater Board meeting, **Mayor Stutsman invited public comments on the proposal at 2:49 p.m.** There were no public comments, so the Mayor closed the hearing.

**Nichols/Landis** moved to approve Resolution 2022-01, allowing for and recommending the current stormwater user fee to be revised to the proposed rate over three phases. Motion passed 3-0.

**Mayor Stutsman** adjourned the City of Goshen Stormwater Board and reconvened the Board of Works & Safety meeting.

As all matters before the Board of Public Works & Safety were concluded, **Mayor Stutsman/Board member Nichols** moved to approve Civil City and Utility claims and adjourn the meeting. Motion passed 5-0.

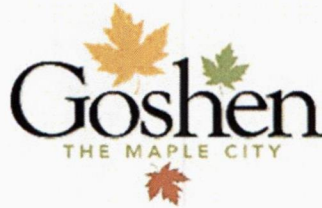
**Mayor Stutsman** adjourned the Board of Works meeting at 2:50 p.m.

**EXHIBIT #1:** A copy of Resolution 2022-32, *Approving Transfer of Police Dog from the Town of LaGrange*, and a memorandum to the Board, dated Nov. 21, 2022, which was prepared by Assistant City Attorney Matt Lawson. The memo and resolution were provided in support of added agenda item #14. *Resolution 2022-32, Approving Transfer of Police Dog from the Town of LaGrange (related to approval of the hiring of Tyler D. Smoker as a Probationary Patrol Officer)*

**EXHIBIT #2:** A copy of grant agreement and memorandum to the Board, dated Nov. 18, 2022, which was prepared by Assistant City Attorney Matt Lawson. The memo and resolution were provided in support of added agenda item #15 – Legal Department: Approve and authorize Mayor to execute the agreement with the Indiana Department of Environmental Management for the Water Quality Management Planning Grant awarded to the City.

**EXHIBIT #3:** A nine-slide PowerPoint presentation prepared and presented to the Board by City Stormwater Coordinator Jason Kauffman to help explain the background, context and justification for agenda item #16 – Stormwater Department: Resolution 2022-01, *Revision of Stormwater User Fees for the Goshen Department of Stormwater Management.*





**Jason Kauffman** further reported that following today's public hearing on the proposed stormwater user fee rate increase, the Goshen Stormwater Department requests the Goshen Stormwater Board's adoption of Resolution 2022-01. Upon adoption of Resolution 2022-01 an amended ordinance will be taken to the Goshen Common Council for discussion and a vote on either Dec. 5 or 19.

#### **NOV. 21, 2022 DISCUSSION AND APPROVAL OF RESOLUTION 2022-01:**

Using a PowerPoint presentation, Kauffman provided additional background, context and justification for the proposed stormwater fee increase.

**Kauffman** explained that the more hard surfaces are created in the City of Goshen, the more stormwater runoff will occur. The greater the stormwater runoff, he said, the more the City has to find ways to control it and deal with its consequences. For example, he said stormwater runoff is the only growing source of water pollution today.

**Kauffman** said the stormwater user fee was established in 2006 and the current rate is \$1.25 a month or \$15 a year per equivalent residential unit (ERU) of 3,600 square feet. He said the fee in Elkhart County is well below the state average stormwater fee of \$5.74 per month or \$68.88 a year. As of 2021, he said the fee brought in almost \$543,000. Over the years, **Kauffman** said the City has been able to fund a number of projects to benefit stormwater drainage. These projects have included the two-stage Horn Ditch, which reduced potential flood damage to RV plants. He said this improvement was funded by redevelopment funds and private contributions – and no stormwater user fees. Another project moving forward with redevelopment funds, and no stormwater user fees, are stormwater improvements in the East College Avenue Industrial Park. **Kauffman** said this work will help manage runoff coming across that area and into Rock Run Creek. He also said the Steury and Lincoln Avenue Detention Basin, which was installed several years ago, is helping manage runoff before it reaches Rock Run Creek.

**Kauffman** said a rate study by Baker Tilly concluded that additional funds were needed to meet stormwater needs. They study concluded that there was a need to increase the rate to \$3 per month. He said the local stormwater entities have agreed that the fees should be increased in three phases – \$22.05 per year per ERU starting with billing in calendar year 2023; \$29.10 per year per ERU starting with billing in calendar year 2026; and \$36.10 per year per ERU starting with billing in calendar year 2029.

**Kauffman** said additional funding would allow the City to pay for more projects, including maintenance for the stormwater conveyance system, employee and public education, new equipment (including new street sweepers) and investments to address drainage issues as well as provide for more water monitoring.

As for next steps, **Kauffman** said that assuming the City Stormwater Board approves the higher fees, the request will next go to the Common Council for approval. He said the partners of the Greater Elkhart County Stormwater Partnership (Bristol, Elkhart and Elkhart County) also would need to approve the higher fees for them to take effect.

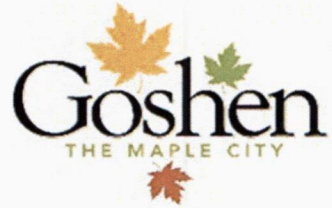
In response to a question from **Board member Landis**, **Kauffman** clarified the other Elkhart County government units that would need to approve the higher stormwater fees. He also outlined the possible sequence of approvals.

**Mayor Stutsman** said the proposal before the City Stormwater Board was the result of months of work by stormwater staff members throughout Elkhart County. **Kauffman** said staff in all entities support the higher fees.

**Mayor Stutsman** said there are many more potential projects beyond those that were presented today.

**Landis** asked why some communities had higher fees and if they had greater needs vs. those with lower fees.

**Kauffman** said all communities have the same needs and face the same state requirements. However, he said other communities have placed a greater importance in meeting their needs through higher fees. **Mayor Stutsman** said some communities place a lower priority in addressing stormwater needs, so rates are lower.



APPROVED

A blue ink signature of Mayor Jeremy Stutsman, written in a cursive style, positioned above a horizontal line.

Mayor Jeremy Stutsman

A black ink signature of Mike Landis, written in a cursive style, positioned above a horizontal line.

Mike Landis, Member

A black ink signature of Mary Nichols, written in a cursive style, positioned above a horizontal line.

Mary Nichols, Member

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DeWayne Riouse, Member

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Barb Swartley, Member

ATTEST

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Richard R. Aguirre, City of Goshen Clerk-Treasurer