

## GOSHEN COMMON COUNCIL

### Minutes of the DECEMBER 5, 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)  
Youth Advisor Karen C. Velazquez Valdes (Non-voting) – Arrived 6:03 p.m.

**Absent:** None

**Approval of Minutes:** Mayor Stutsman asked the Council's wishes regarding the minutes of the Nov. 21, 2022 Regular Meeting. Councilor King made a motion 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 suggested that the Council approve the meeting agenda with the addition of #6) Ordinance 5149, 2022 Bonus Pay. Councilor King moved to approve the agenda as submitted. Council President Weddell seconded the motion. The motion passed 7-0 on a voice vote.

#### Privilege of the Floor:

At 6:02 p.m., Mayor Stutsman invited public comments on matters not on the agenda.

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.

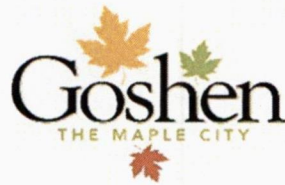
Mayor Stutsman said Goshen Police Chief Jose Miller asked him to mention that there will be a major police presence tonight because officers are participating in "Shop with a Cop," during which officers take needy children Christmas shopping.

#### 1) Presentation: City of Goshen Climate Action Plan progress

Mayor Stutsman invited City Director of Environmental Resilience Aaron Sawatsky Kingsley to make a presentation about the City's progress in implementing Goshen's Climate Action Plan.

Kingsley said he recently gave an overview for one of Councilor Pérez's constituents about his department's activities. Afterward, Mayor Stutsman asked him to give that same update to Councilors since the Climate Action Plan was passed a year ago.

**Tree planting:** Kingsley said the City has been working to achieve the plan's goals, including a 45 percent tree canopy cover by 2045. He said by year's end, the City will have planted 1,400 trees through several programs.



**Kingsley** said that total includes trees planted in parks and public rights-of-way and other public property. More specifically, the 1,400 planted includes 900 small trees given away during the City's Arbor Day celebration and to high school seniors, 300 planted through the City's public planting program and trees that were planted by Trees for Goshen, a local non-profit organization. He added that the **number of trees planted in Goshen has been increasing steadily, with the ultimate goal being 1,800-2,000 planted yearly.**

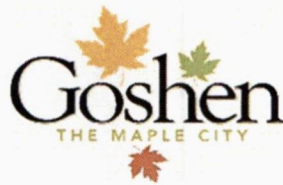
**Electric Vehicle (EV) adoption:** **Kingsley** said that to supplement the City's all-electric Tesla pool car, **the City purchased three Ford Lightning pick-up trucks in 2021**, and the first one arrived in late September 2022 to help meet the City's goal of being the first municipality in northern Indiana to move the fleet toward electric operation. He said the City has an **EV charging station** behind City Hall and another has been installed in the City parking lot behind Interra Credit Union downtown and will be fully operational by the end of the month. A third EV charging station is scheduled to be installed at the Rieth Interpretive Center in 2023 and another at the new Parks maintenance facility. Eventually, he said, a "fast charger" will be installed behind City Hall in two or three years. **Kingsley said the goal is to develop a charging infrastructure for City residents as well as visitors.**

**Energy Efficiency Upgrades:** **Kingsley** said the significant upgrades to the City-operated **Wastewater Treatment Plant**, which were completed in 2022, resulted in a **21% reduction in energy consumption** in June 2022 compared with June 2021. In addition, he said there has been a **9.6% reduction in emissions** generated by the plant. He said the wastewater plant is the City's leader in electricity usage and emissions, so any reductions are significant.

**Land Management:** **Kingsley** said a **prairie burn** was piloted at the Millrace Park in the spring, which was the first time that was done by the City in this area as a way to manage this space instead of mowing. He said this successful burn will point the way to similar ecosystem-appropriate management of pocket prairie spaces on public property, as the City explores ways to reduce the fossil-fuel footprint on land management strategies.

**Solid Waste:** **Kingsley** reminded Councilors that in August the City changed its solid waste program. He said **unlimited residential trash removal was stopped and replaced with limited removal (one 96-gallon container per pick-up), and curbside residential recycling, for the first time in Goshen.** The goal was to not only curb a runaway solid waste budget, minimize the amount of solid waste sent to the county landfill and increase recycling. **Kingsley** distributed a spreadsheet, titled "City of Goshen Trash and Recycling Statistics," which showed early data on the impact of the change in the solid waste and recycling program (**EXHIBIT #1**). He said **statistics for August, September and October 2022 show that there has been a steady increase in the tonnage of recycling.** In addition, he said **less solid waste is going to the landfill.** For example, the amount sent to the landfill decreased from 1,178.06 tons in August 2021 to 970.33 tons in August 2022. And in October 2022, the amount of solid waste fell to 809.11 tons compared with 1,075.08 in October 2021. And **Kingsley** said the City is expecting a continual increase in recycling and a decline in solid waste sent to the landfill.

**Active Transportation:** **Kingsley** said an **AmeriCorps service member** assigned to Goshen for August 2022 to August 2023 is working on promoting and developing more active transportation (non-motorized) options for Goshen residents. He said the volunteer is **working to update and upgrade the City's Bicycle Friendly status**, encouraging businesses to adopt bike-friendly policies for employees and patrons, and seeking ways to encourage women to use bikes as a viable transportation alternative.



In summary, **Kingsley** indicated these were some of the larger projects which the City has engaged in hopes of reducing Greenhouse gas emissions and better caring for the City's ecosystem. He said that in the coming years he hopes to be able to share more statistics to document the City's progress.

**Mayor Stutsman** thanked **Kingsley** for his efforts. He said he was excited about the early statistics showing an increase in recycling and a decrease in solid waste. He noted that the City negotiated a 10-year solid waste contract to provide more predictability of rates and that more recycling and less solid waste will help control costs.

**Kingsley** thanked **Theresa Sailor**, Grant Writer and Educator for the City Environmental Resilience Department, for all of the work she has been doing, especially on the solid waste program.

**Councilor Riegsecker** asked how the **curbside recycling program** was going, adding that he loves it. **Kingsley** said the current focus is to help residents switch out the larger 96-gallon containers for smaller ones, which many people have requested. Borden Waste-Away, the City's contractor has been working on this issue, despite a lack of supply. He said residents are being asked to keep their larger containers until they can be replaced.

**Mayor Stutsman** said many residents have called and asked about **recycling drop-off sites**, which had been provided and paid for by Elkhart County. He said the county is moving to close them down. The Mayor said the **City will be opening a new recycling center near the sewer treatment plant**. He added that the county will be helping the City pay its dumping fees from the site for two years,

In response to a question from **Councilor Riegsecker**, **Mayor Stutsman** said there will be cameras at the site to help ensure trash is not dumped there.

**Councilor King** asked if the City had anticipated the increase in recycling and decrease in solid waste. **Kingsley** said the City didn't exactly know what to expect. He said the City expected some improvement, but not so quickly.

**Councilor Schrock** asked if there was much "drama" involving residents who had trouble using the new trash and recycling containers. **Kingsley** said there was some drama, but City staff members were able to work through the change with residents. **Mayor Stutsman** said a major issue was helping some people change their habits.

**Council President Weddell** asked if there has been an increase in "random trash" dumped elsewhere in the City. He also asked what is happening to trash that doesn't fit in the 96-gallon trash or recycling containers. **Mayor Stutsman** said he hasn't had reports of an increase in trash from Department Heads and he hasn't noticed that.

**Councilor Nisley** said there may have been a decrease in trash being brought into the City since unlimited trash collection has ended. **Mayor Stutsman** agreed, saying that he has heard from some landlords who told him they can no longer bring trash from properties outside the City to dump in Goshen.

**Kingsley** said some people are forgetting that in order to have a large items taken away, a call requesting that must be made 24 hours in advance. That is a change from in the past. However, two large items still can be picked up per month. The **Mayor** added that people can also pay extra to have large items picked up more frequently.

**Council President Weddell** said he hasn't noticed that people are buying and using the bags that allow them to have additional trash picked up. **Sailor** said some of these bag have been used, but not very many.

**Councilor Pérez** said he appreciated **Kingsley's report**, adding that it was helpful to learn about what is going on. He also thanked **Kingsley** for being responsive to the public.

**Councilor Eichorn** said **Kingsley's** comments about the work to make Goshen more bike friendly reminded her of the entrepreneur who had considered renting battery-powered scooters downtown earlier this year. She asked for an update on his plans. **Kingsley** said he hasn't heard back from him.



**Deputy Mayor Mark Brinson** said the ordinance the City drafted called for any company renting scooters to carry liability insurance. Brinson said that requirement might have been difficult for the start-up company to afford. Brinson said the company appeared to be looking into renting scooters in Nappanee, but still wanted to rent them in Goshen. **Council President Weddell** said he recently noticed scooters laying on sidewalks when driving through Nappanee. **Councilor Schrock** thanked Kingsley and his team for their work. **Council President Weddell** said he would be interested in test driving one of the Ford Lightning trucks. **Mayor Stutsman** said that may be possible and he, again, thanked Kingsley for his presentation.

## **2) Public Hearing and Common Council consideration of Ordinance 5145, *Vacation of Public Ways in the City of Goshen, Indiana***

At 6:27 p.m., Mayor Stutsman convened a public hearing on Ordinance 5145. No one asked to speak so the hearing was closed.

Mayor Stutsman then called for the introduction of Ordinance 5145, *Vacation of Public Ways in the City of Goshen, Indiana*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5145 by title only, which was done.

Weddell/Schrock moved to approve Ordinance 5145 on First Reading.

### **BACKGROUND:**

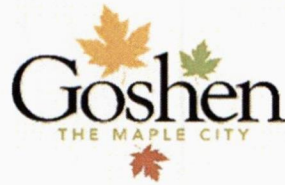
**Ordinance 5145** would approve and confirm the request from Goshen Community Schools for the City of Goshen to vacate the public ways described as an east/west alley between Lots 98 and 99 in Hess Riverdale Addition and a north/south alley extending north from Wilkinson Street between Denver Street and Huron Street.

In addition, title in fee simple to the vacated right of way shall be transferred to the adjoining property owners in the above described real estate. However, 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. Further, with these vacations the City shall require and retain a general utility easement over the vacation of the north/south alley, as particularly described above, to provide continued access to the existing facilities within the vacated right of way.

According to a memorandum by **City Planner Rhonda Yoder**, the Goshen Plan Commission met on Nov. 15, 2022, in regular session and considered a request for the vacations of unimproved public right of way for Riverdale School, generally located at 801 W Wilkinson Street, zoned Residential R-2, for the east/west alley between Lots 98 and 99 in Hess Riverdale Addition; and the north/south alley east of and adjacent to Lots 68 and 69 in Hess Riverdale Addition, with the following outcome:

**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 vacations 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 vacations will not make access difficult or inconvenient, as there is no existing public access.
3. The proposed vacations 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 vacations will not hinder the use of the public way, as the area to be vacated has been assumed to have been vacated and 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 of the north/south alley east of and adjacent to Lots 68 and 69 in Hess Riverdale Addition to provide continued access to the existing facilities within the vacated right of way.

Yoder reported that, "No inquiries were received prior to Plan Commission, and at the Plan Commission meeting there were no public comments."

**According to a staff analysis by Yoder:**

"Both alleys were assumed to have been vacated, are not shown as right of way, and have been incorporated within the existing tax parcel for the subject property. During a recent survey, references for the two alley vacations were not able to be located, and the vacations are being requested to confirm the vacations.

"The vacation request includes two separate alleys, both of which were assumed to have been vacated. Because the vacation references were not able to be located during a recent survey, Goshen Community Schools is requesting the vacations to confirm approval. In the case of the north/south alley, a portion of the alley was vacated in 1957, extending approximately 99 feet south from Chicago Avenue along the west line of the alley.

"The east/west alley is partially located under the primary building, so utility providers assume there are no utilities present and no easement is requested in this area.

"There are existing utilities in the north/south alley right of way to be vacated, so a general utility easement is required for the vacated area of the north/south alley."

In addition, Yoder reported: "Because the right of way is unimproved and does not currently provide access, the vacations will not impact access or use of the public way and the vacations will not impact land ownership."

**SUMMARY OF DISCUSSION AND PASSAGE OF ORDINANCE 5145 ON DEC. 5, 2022:**

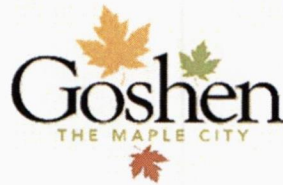
At 6:28 p.m., **Mayor Stutsman** invited comments from **City Planner Rhonda Yoder**. She provided a brief overview of Ordinance 5145 as well as its background and context. She also recommended passage of the ordinance.

**Mayor Stutsman** asked Councilors if they had any other questions or comments about Ordinance 5145. He also stated that **Associate Superintendent Alan Metcalfe** and **attorney Bill Davis**, who were representing Goshen Community Schools, were present and available to answer any questions. There were none and there were no comments from audience members. **Councilor Eichorn** stated that she does work for Goshen Community Schools, but would not benefit from the Council's action on Ordinance 5145 or Ordinance 5146.

At 6:30 p.m., **Council President Weddell** indicated that **Councilors were ready to vote**.

**On a voice vote, Councilors approved Ordinance 5145, *Vacation of Public Ways in the City of Goshen, Indiana on First Reading*, by a 7-0 margin, with all Councilors present voting "yes" at 6:30 p.m. Youth Advisor Velasquez Valdes also voted "yes."**

**Councilors gave unanimous consent to the Mayor to proceed with the Second Reading of Ordinance 5145.**



Mayor Stutsman called for the introduction, on Second Reading, of Ordinance 5145, *Vacation of Public Ways in the City of Goshen, Indiana*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5145 by title only, which was done.

Weddell/Schrock moved to approve Ordinance 5145 on Second and Final Reading.

Mayor Stutsman asked members of the public and Councilors if they had any other questions or comments about Ordinance 5145. There were none.

Council President Weddell indicated that Councilors were ready to vote.

**On a voice vote, Councilors approved Ordinance 5145, *Vacation of Public Ways in the City of Goshen, Indiana* on Second Reading, by a 7-0 margin, with all Councilors present voting “yes” at 6:31 p.m. Youth Advisor Velasquez Valdes also voted “yes.”**

### 3) Public Hearing and Common Council consideration of Ordinance 5146, *Vacation of Public Ways in the City of Goshen, Indiana*

At 6:31 p.m., Mayor Stutsman convened a public hearing on Ordinance 5146. No one asked to speak so the hearing was closed.

Mayor Stutsman then called for the introduction of Ordinance 5146, *Vacation of Public Ways in the City of Goshen, Indiana*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5146 by title only, which was done.

Weddell/Eichorn moved to approve Ordinance 5146 on First Reading.

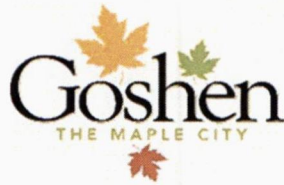
#### BACKGROUND:

Ordinance 5146 would approve and confirm the request from Goshen Community Schools for the City of Goshen to vacate the public ways described as: an unimproved north/south alley, extending north from Reynolds Street, between 11th and 12th Street; and a portion of Purl Street along the east boundary of Wurster’s 3rd Addition, between the vacated north/south alley, to confirm a prior vacation; and a portion of 10th Street along the north boundary of Wurster’s 3rd Addition, between the vacated east/west alley, to confirm a prior vacation.

In addition, title in fee simple to the vacated right of way shall be transferred to the adjoining property owners in the above described real estate.

However, 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. Further, with these vacations the City shall require and retain a general utility easement over the entire area of each of the three described vacations.

According to a memorandum by **City Planner Rhonda Yoder**, the Goshen Plan Commission met on Nov. 15, 2022, and considered a request for the vacations of unimproved public right of way for Goshen High School, generally located at 501 Lincolnway East, zoned Residential R-1, for a north/south alley, extending north from Reynolds Street, between 11th and 12th Streets, and for a portion of Purl Street along the east boundary of Wurster’s 3rd Addition, between the vacated north/south alley, to confirm a prior vacation; and a portion of 10th Street along the north boundary of Wurster’s 3rd Addition, between the vacated east/west alley, to confirm a prior vacation, with the following outcome:



**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 vacations 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 a number of years.
2. The proposed vacations will not make access difficult or inconvenient, as there will be no change to access.
3. The proposed vacations will not hinder access to a church, school or other public building or place, as the vacations will not impact any of the described access.
4. The proposed vacations will not hinder the use of the public way, as the areas to be vacated have not been used as a public way for a number of 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 vacations to provide continued access to the existing facilities within the vacated right of way.

**Yoder** reported that, "No inquiries were received prior to Plan Commission, and at the Plan Commission meeting there were no public comments."

**According to a staff analysis by Yoder:**

"Goshen Community Schools requests vacations of unimproved public right of way for Goshen High School, generally located at 501 Lincolnway East, zoned Residential R-1, as follows:

- A north/south alley, extending north from Reynolds Street, between 11th and 12th Streets, west of and adjacent to Lots 57, 58 and 59 in Thomas' 2nd Addition;
- A portion of Purl Street along the east boundary of Wurster's 3rd Addition, between the vacated north/south alley, to confirm a prior vacation; and
- A portion of 10th Street along the north boundary of Wurster's 3rd Addition, between the vacated east/west alley, to confirm a prior vacation.

"The request includes a new alley vacation, for a north/south alley extending north from Reynolds Street, and affirmation of a portion of two prior vacations (Purl Street and 10th Street), based on possible ambiguity in the descriptions, so the entire vacation of each area is confirmed.

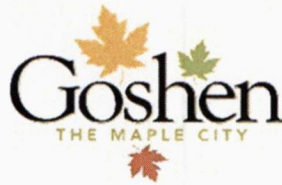
"There are existing utilities in the new area to be vacated, and utility easements were required and established as part of the prior vacations of Purl Street and 10th Street, so a general utility easement is required for the new vacated area, and the vacated areas of Purl Street and 10th Street being affirmed will retain utility easements.

In addition, **Yoder** reported: "The north/south alley right of way is currently unimproved and does not provide access, and the two vacations to be affirmed are already functioning as vacated areas, so the vacations will not impact access or use of the public way. Following the vacation, the vacated north/south alley will be transferred to the adjoining property owner, Goshen Community Schools, and for the two vacations to be affirmed the property has already been transferred to Goshen Community Schools."

**SUMMARY OF PUBLIC HEARING, DISCUSSION AND PASSAGE OF ORDINANCE 5146 ON DEC. 5, 2022:**

At 6:32 p.m., **Mayor Stutsman** invited comments from **City Planner Rhonda Yoder** about Ordinance 5146. She provided a brief overview as well as its background and context. She also recommended passage of the ordinance.

**Mayor Stutsman asked Councilors if they had any other questions or comments about Ordinance 5145. There were none.**



At 6:33 p.m., Mayor Stutsman invited public comments on Ordinance 5146. No one asked to speak, so the Mayor closed the public comment period.

Council President Weddell indicated that Councilors were ready to vote.

*On a voice vote, Councilors approved Ordinance 5146, **Vacation of Public Ways in the City of Goshen, Indiana** on First Reading, by a 7-0 margin, with all Councilors present voting “yes” at 6:34 p.m. Youth Advisor Velasquez Valdes also voted “yes.”*

Councilors gave unanimous consent to the Mayor to proceed with the Second Reading of Ordinance 5146.

Mayor Stutsman called for the introduction, on Second Reading, of Ordinance 5146, *Vacation of Public Ways in the City of Goshen, Indiana*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5146 by title only, which was done.

Weddell/Eichorn moved to approve Ordinance 5146 on Second and Final Reading.

Mayor Stutsman asked members of the public and Councilors if they had any other questions or comments about Ordinance 5146. There were none.

Council President Weddell said that Councilors were ready to vote.

*On a voice vote, Councilors approved Ordinance 5146, **Vacation of Public Ways in the City of Goshen, Indiana** on Second Reading, by a 7-0 margin, with all Councilors present voting “yes” at 6:34 p.m. Youth Advisor Velasquez Valdes also voted “yes.”*

#### **4) Ordinance No. 5147, *Establishing Various Fees and Parking Regulations Regarding City Owned Electric Vehicle Charging Stations***

Mayor Stutsman called for the introduction of Ordinance 5147, *Establishing Various Fees and Parking Regulations Regarding City Owned Electric Vehicle Charging Stations*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5147 by title only, which was done.

Weddell/Pérez moved to approve Ordinance 5147 on First Reading.

#### **BACKGROUND:**

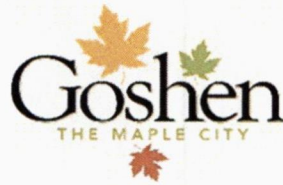
**Ordinance 5147** would establish various fees and parking regulations regarding City-owned electric vehicle charging stations. According to a memorandum by Assistant City Attorney Matt Lawson:

“**Section 1** of the Ordinance deals with the “**Spaces Designated for Electric Vehicle Charging**” and amends the current parking prohibitions set forth in Goshen City Code §4.4.1.1 by adding a seventh item to the current list providing:  
(7) In a parking space designated for electric vehicle charging unless the vehicle is capable of be charged by the charging equipment available for such parking space and the vehicle is engaged in the charging process.

§4.4.1.1(7) can be enforced through the existing structure for parking violations.

“**Section 2** of the Ordinance adds an entirely new section (§4.4.1.12) to Goshen’s current parking code and establishes a “**Fee for Use of City-Owned Electric Vehicle Charging Stations.**”





Section 2 establishes a flat hourly rate of \$1.17 per hour for the first four (4) hours of active charging at a City-owned charging station and creates an additional parking fee of \$3.83 per hour, in addition to the \$1.17 (for a total of \$5 per hour) after the first four (4) hours. A four (4) hour timeframe has been established to facilitate the turnover needed for greater access and usage of City-owned charging stations.

"As a condition of the City's application for the grant funding that was used to obtain the City's electric vehicle charging station located in the City of Goshen parking lot south of Lincoln Avenue and east of Water Street, the City agreed to provide the first 2 hours of charging at this grant-supported charging station (only) at no cost to users for the first 2 years after its installation.

"As such, Section 2 of the Ordinance also establishes a separate fee for the one grant funded charging station located in the City of Goshen. Specifically, after the first two (2) hours of free charging, the Ordinance establishes a flat hourly rate of \$1.17 per hour plus an additional parking fee of \$1.83 (for a total of \$3 per hour) for each hour after the two (2) free hours.

"The fees established by the Ordinance comply with Indiana Code §36-1-3-8(a)(6) which requires any charge established by the City to be reasonably related to reasonable and just rates and charges for the electric vehicle charging services provided by the City of Goshen."

#### **SUMMARY OF DISCUSSION AND PASSAGE OF ORDINANCE 5147 ON DEC. 5, 2022:**

**Mayor Stutsman** invited **City Director of Environmental Resilience Aaron Sawatsky Kingsley** to discuss Ordinance 5147. **Kingsley** said that also present tonight to answer technical questions was **Leah Thill of South Bend, a senior environmental planner for the Michiana Area Council of Governments (MACOG)**.

**Kingsley** provided the background, context and rationale for Ordinance 5147. He said the ordinance was designed to help the City establish appropriate fees for electric vehicle (EV) charging. He said the City hasn't had fees to date at its sole charging station at City Hall. The charging station at the Goshen Library is overseen by the library, which **Kingsley** said would be making any decisions on charging fees.

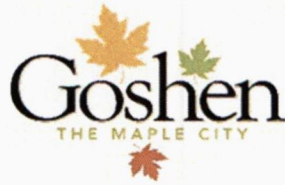
**Kingsley** said the City is interested in installing more charging stations for public use and staff members recognize that as more people obtain electric vehicles, it is appropriate to have a fee. Still, he said the fees must be calibrated so as not to discourage use. **Kingsley** said he was part of a group, which included Leah Thill, which tried to determine the appropriate fee. He said Ordinance 5147 reflects the group's recommendation.

**Kingsley** said determining the right charging fee is not an exact science and that EV adoption is still in an early phase, so there will be changes over time. Still, he said group members believe this proposal is a good step forward.

**Mayor Stutsman** said the City has had the electric charger behind City Hall more than two years now and that it has received increased usage. As the number of electric vehicles increases, the Mayor said that he has received more complaints about the same motorists dominating the chargers and plugging in their vehicles for multiple hours.

**Mayor Stutsman** said the City's goal is to keep the charging spots available for short-term charging. He said the intent of Ordinance 5147 is not to make a lot of money, but to help the City meet its electrical costs for the chargers. The Mayor invited questions and comments from Councilors

**Councilor Schrock** asked is money raised through the vehicle charging fee could be used to pay for more charging stations or was the goal just to break even on the electrical costs. **Mayor Stutsman** said the City cannot sell electrical power for more than its worth, but parking spaces can be "rented."



So, **Mayor Stutsman** said that under Ordinance 5147, the first few hours of charging would be free. After that, the City would impose a parking fee so spots would remain available for use by other electric vehicles.

**Leah Thill** of MACOG agreed and said that the parking fee would not generate a lot of revenue. She said the City of Plymouth offers two hours of free charging at its charging station followed by a fee of \$2 per hour for parking. Thill said that as soon as the two-hour limit is reached, most people move their vehicles. So, she said the fee isn't generating much money.

**Mayor Stutsman** said the City is hoping to get a grant to install a super charging station in 2024. **Thill** said MACOG will control about \$170,000 in federal funding that will be available in 2026. She said that is a small amount compared with the cost of roads and bridges.

**Thill** said that the fees proposed in Ordinance 5147 would just cover the electrical base rate, plus 10% that wouldn't cover all operating costs. She said that after an initial period, the City should consider higher charges to cover its installation and operating costs.

**Mayor Stutsman** said the charging station behind City Hall is owned and was installed by the City to charge its electric vehicle. So, he said it's important that it remain accessible to City vehicles.

**Council President Weddell** asked if there will be a way to ensure that City vehicles will always be able to be charged.

**Kingsley** responded that ultimately the City is planning to install two more level-two chargers, with one dedicated to City vehicle use. There are also plans to install a charger for City vehicle use at the new Parks maintenance facility and another at the Street Department. **Mayor Stutsman** added that the City only has two electric vehicles – a Tesla and a Ford Lightning – and may or may not buy more Ford trucks depending on the cost.

**Council President Weddell** said based on usage statistics he has seen, it doesn't appear that the City will be able to meet its electrical costs with the proposed rate. **Thill** said the City is only covering its base rate only and not utility riders, which makes up 20% of the bill. She added that it wasn't her role to recommend a higher rate.

**Councilor Pérez** asked if it would be better to start charging a higher rate now since it would be necessary to raise the rate after five or six years. **Mayor Stutsman** said the charger behind City Hall would operate under different guidelines, so he recommended keeping the rate the same for now so it wouldn't be confusing.

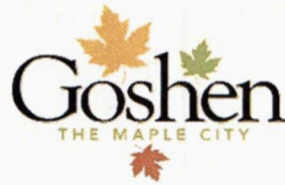
**Council President Weddell** said he spoke to an acquaintance, who has two Teslas, and they discussed Ordinance 5147. That person said it was "crazy" to charge by the hour and that the City should instead charge per kilowatt hour because that is what is being drawn and every vehicle is different.

**Councilor Pérez** said that was a good observation because he has an electric vehicle and people focus on the kilowatt hour. **Councilor Nisley** added that charging varies depending on the battery type.

**Thill** said that part of the discussion focused on how long people charge their vehicles. He said once a vehicle is 80% charged, it can take as long to charge the remaining 20% as it did to charge the batteries to 80 percent. She said people can spend hours to charge the last 20%, so the goal is to promote turnover at the charging stations.

**Councilor King** joked that perhaps Tesla owners wouldn't care about having to pay \$2 an hour to charge their vehicles.

**Mayor Stutsman** said that once charging goes from being free to costing \$2, people will closely watch how much they have to pay. **Council President Weddell** said the Tesla owner he spoke with over the weekend showed him his smart phone with spreadsheets that displayed charging information going back a decade. He said the man's electric charge cost per mile was three to four cents and he also had a breakdown of other expenses.



**Councilor King** prompted laughter when she joked that she understood why the Tesla owner was **Council President Weddell's** friend. **Council President Weddell** said he was in awe of the information he was shown.

**Leah Thill** said that last year the Indiana Legislative Assembly approved House Bill 1221, which made it legal for cities to charge for kilowatt hours for the first time without being considered a public utility.

**Councilor Riegsecker** asked what the proposed rate would be if a vehicle was parked more than five hours. **Theresa Sailor, Grant Writer and Educator for the City Environmental Resilience Department**, responded that the fee for the first five hours would be \$9 at the Lincoln Avenue charging station and \$9.68 for the City Hall charger.

**Councilor Pérez** asked that, based on conversation about kilowatt hours, it would be good to table and revise Ordinance 5147. **Kingsley** responded that changing the ordinance would be something to think about "since this is new territory for all of us." **Councilor Nisley** said he wanted staff to look into the city charging per kilowatt hour instead of a parking charge. **Council President Weddell** said that may make sense because all cars are different and will draw electricity differently. At the same time, he said that since charging the last 20 percent for vehicles can take so long, maybe that's where a parking fee comes into play.

**Mayor Stutsman** said all cars use gas differently, so it depends how Councilors want to set fees for charging. He said City staff has created Ordinance 5147, which he is supporting, as the suggested way to move forward. Still, the Mayor said the staff can consider another option if the Council would like to table the ordinance.

**Councilor King** asked if the staff considered and discarded the idea of charging by kilowatts. **Kingsley** said the staff did so. **Councilor King** said if the staff calculated and thought through charging by kilowatts and proposed another approach, she was comfortable with Ordinance 5147. **Councilor Pérez** said he was unaware of that.

**Theresa Sailor** clarified that City staff cannot confirm the precision of the time people are charging vehicles.

**Councilor Riegsecker** said that it would be difficult for some people to calculate the cost of charges by kilowatts compared with knowing that they would have two hours of free charging followed by a per-hour charge.

**Councilor Eichorn** asked if other cities are charging by hour or by kilowatts. **Thill** said most are assessing fees based on hours for parking.

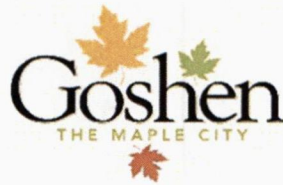
**Council President Weddell** said he understands that the City of Plymouth charge station had many users when charging was free, but that usage declined dramatically when people had to pay after two hours. **Thill** confirmed that, noting that it was clear local residents primarily were using the Plymouth charging station. She added that cities want the chargers to be used, but also want to make them available to visitors, which is why she recommends fees.

**Council President Weddell** asked **Thill** if any communities assess fees per kilowatt hour at charging stations. **Thill** said she knew of a network, Electrify America (a subsidiary of Volkswagen), that has established many fast chargers and is a proponent of fees based on kilowatt hours because consumers are paying for exactly what they get. She noted that there is a substantial difference of fees that can be assessed at conventional vs. fast chargers.

**Council President Weddell** said Councilors weren't questioning the competency of City staff by asking about the best way to charge fees because they are just learning about the intricacies of charging stations.

**Mayor Stutsman** said if Councilors want another approach, they should indicate that and City staff can explore it.

**Councilor Pérez** said he would recommend proceeding with Ordinance 5147 and then perhaps reconsidering it based on updated data in a year or two,



**Councilor King** asked if it would be good for the Council to reconsider the issue when the City installs a fast charger. **Thill** responded that it may be a few years until the City gets a super charger. However, she said that the number of electric vehicles may increase by a factor of 100 in the next eight years and that is a modest projection.

**Mayor Stutsman** said one newer gas station in Goshen has already installed the wiring to add an electric charging station. **Thill** said all new housing developments should also consider installing charging stations.

**Councilor Schrock** asked if the private sector will be installing charging stations soon. **Thill** and the **Mayor** said they would, adding that cities are planning them to encourage more visitors.

**Councilor Riegsecker** asked if City vehicles would have to pay to use the City charging stations. **Mayor Stutsman** said they would not; just the City's cost of electricity paid to NIPSCO.

Asked by **Councilor Riegsecker** if usage can be tracked. **Mayor Stutsman** said it is tracked.

**Council President Weddell** thanked **Thill** and City staff for the information, adding that he especially appreciated the last five minutes of the conversation. **Thill** said she was happy to talk about EVs at any time.

**There were no further questions or comments from Councilors about Ordinance 5147.**

**At 6:56 p.m., Mayor Stutsman invited public comments on Ordinance 5147.**

**Myron D. Yoder of Goshen** said he has two older electric vehicles – a 2011 Nissan Leaf and a 2012 van – and both take a while to charge. He said he moved to Goshen because of the availability of a charging spot at the Goshen library because he is a renter. He asked if the chargers behind City Hall were being replaced.

**Mayor Stutsman** responded that they will be replaced with a smart charge station, which will facilitate better tracking and allow fees to be charged. He also said it will be a charge point network.

**Yoder** said he also uses the charging station behind City Hall and has seen vehicles with out-of-state license plates also using it. He said he would favor paying by kilowatt hour. **Yoder** added that he charges his vehicles at the public library at night because it can take six or seven hours. He suggested that perhaps there could be a lower fee for night charging.

**Mayor Stutsman** said that could be something the City could consider.

**Yoder** said he is grateful to the City for the charging stations, saying he no longer uses any gas.

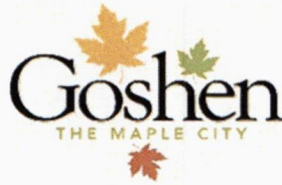
**No one else asked to speak, so the Mayor closed the public comment period at 7:01 p.m.**

**Councilor Riegsecker** asked if the City was part of EV network. **Kingsley** said it is.

**Council President Weddell** thanked **Myron Yoder** for his comments and said they had a good conversation before the meeting. He noted that the City gained a new resident because **Yoder** wanted to live near a charging station.

**Mayor Stutsman** said that the City Hall charging station has been used extensively since it was opened and it has been an asset for the City.

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



On a voice vote, Councilors approved Ordinance 5147, *Establishing Various Fees and Parking Regulations Regarding City Owned Electric Vehicle Charging Stations* on First Reading, by a 7-0 margin, with all Councilors present voting “yes” at 7:02 p.m. Youth Advisor Velasquez Valdes also voted “yes.”

Councilor Nisley declined to give his consent to proceed with the Second Reading of Ordinance 5147. He said he wanted to hear more from City staff about charging by kilowatts. Mayor Stutsman asked that Councilor Nisley contact staff and describe the information he wanted.

Because there was not unanimous Council consent to proceed, Mayor Stutsman tabled the Second Reading of Ordinance 5147 to the Council’s next scheduled meeting, which is Dec. 19, 2022.

**5) Ordinance 5148, *Establishing a Water Quality Management Planning Grant Fund***

Mayor Stutsman called for the introduction of Ordinance 5148, *Establishing a Water Quality Management Planning Grant Fund*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5148 by title only, which was done.

Weddell/Pérez moved to approve Ordinance 5148 on First Reading.

**BACKGROUND:**

**Ordinance 5148** would establish a Water Quality Management Planning Grant Fund.

The City of Goshen, in partnership with the Elkhart River Restoration Association, applied for and was awarded a Section 205j Water Quality Planning Program Grant for the Lower Elkhart River Watershed Management Plan. Because of that, it is necessary to establish a separate fund for each grant received to account for all receipts and disbursements of the grant funds, including any matching funds.

**SUMMARY OF DISCUSSION AND PASSAGE OF ORDINANCE 5148 ON DEC. 5, 2022:**

**Mayor Stutsman** provided the background and rationale for Ordinance 5148 and the goal of the study. **Council President Weddell** said the City now has to create a fund, which Ordinance 5148 would do.

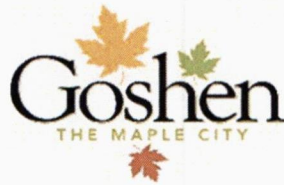
There were no other comments or questions from Councilors about Ordinance 5148.

At 7:04 p.m., Mayor Stutsman invited public comments on Ordinance 5148. No one asked to speak, so the Mayor closed the public comment period.

There were no further comments from Councilors, and Council President Weddell said Councilors were ready to vote.

On a voice vote, Councilors approved Ordinance 5148, *Establishing a Water Quality Management Planning Grant Fund* on First Reading, by a 7-0 margin, with all Councilors present voting “yes” at 7:04 p.m. Youth Advisor Velasquez Valdes also voted “yes.”

Councilors gave unanimous consent to the Mayor to proceed with the Second Reading of Ordinance 5148.



Mayor Stutsman called for the introduction, on Second Reading, of Ordinance 5148, *Establishing a Water Quality Management Planning Grant Fund*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5148 by title only, which was done.

Weddell/King moved to approve Ordinance 5148 on Second and Final Reading.

Mayor Stutsman asked Councilors and audience members if they had questions or comments about Ordinance 5148. There were none.

Council President Weddell said Councilors were ready to vote.

*On a voice vote, Councilors approved Ordinance 5148, Establishing a Water Quality Management Planning Grant Fund on Second Reading, by a 7-0 margin, with all Councilors present voting "yes" at 7:05 p.m. Youth Advisor Velasquez Valdes also voted "yes."*

#### 6) Ordinance 5149, 2022 Bonus Pay

Mayor Stutsman called for the introduction of Ordinance 5149, *2022 Bonus Pay*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5149 by title only, which was done.

Weddell/Pérez moved to approve Ordinance 5149 on First Reading.

#### BACKGROUND:

Ordinance 5149 would provide a bonus to City employees. The ordinance states that the following justifies the bonus: "The public health emergency caused by the spread of COVID-19 has placed extra burdens and work stresses on City of Goshen employees;

"The aftereffects of the public health emergency caused by the pandemic have continued to negatively impact our staff due to delayed projects now moving forward at the same time that current projects are also moving forward, as well supply chain issues and employee shortages negatively affecting all such projects.

"Over the last year and a half, inflation has increased far more than we would have expected.

"The Mayor requests and Council desires to provide for bonus pay to compensate the City's dedicated employees for bearing the additional burdens and work stresses resulting from the aftereffects of the public health emergency, and to help counteract the effects of abnormally high inflation."

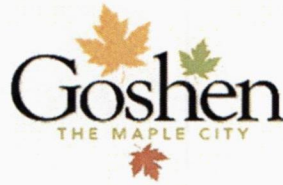
If Ordinance 5149 was approved, the Common Council would ordain:

"(A) This ordinance applies to all City of Goshen employees, excluding elected officials, meeting the following eligibility requirements:

"(1) The employee must be actively employed with the City on December 5, 2022.

"(2) The employee must fill a position that is regularly scheduled to work at least Twenty (20) hours per week or 1,040 hours each year, and is not filling a temporary, intermittent, or seasonal position, as well as Members of the City of Goshen Board of Public Works and Safety.

"(B) Employees to which this Ordinance applies under Section (A) above shall be entitled to receive a one-time bonus payment in the following amounts:



"(1) Five Hundred Dollars (\$500.00) for those employees filling positions that are regularly scheduled to work a typical work week of Forty (40) hours, or at least 2,080 hours each year; and

"(2) Three Hundred Fifty Dollars (\$350.00) for those employees filling positions that are regularly scheduled to work at least Twenty (20) hours but less than Forty (40) hours per week, or at least 1,040 hours but less than 2,080 hours each year.

"(C) Payment of the Bonus Pay will be made in December 2022, in a lump sum, less any required withholdings.

"(D) This increase will not be added to employee base wages for purposes of calculating any increase in pay for 2023 or subsequent years."

#### **SUMMARY OF DISCUSSION AND PASSAGE OF ORDINANCE 5149 ON DEC. 5, 2022:**

**Mayor Stutsman** thanked the Common Council for considering Ordinance 5149, which he emailed to Councilors, the news media and others before the Dec. 5 meeting. He also distributed copies of the ordinance at the Dec. 5 meeting (**EXHIBIT #2**) to Councilors and the public.

**Mayor Stutsman** said over the past few weeks he has reviewed the City budget extensively with Department Heads to assess how the City was doing financially and the balances that would be carried into 2023. He said he had considered proposing a bonus, but it only seemed possible in the past few days, so he decided to propose it. The Mayor said the timing of bringing the proposal to the Dec. 5 meeting was prompted by the necessity to pay any bonus before the end of the year, and that this would take a few weeks for the Clerk-Treasurer's Office to process.

Before the meeting, **Mayor Stutsman** distributed a memorandum, dated Dec. 5, 2022, that outlined how and why Ordinance 5149 was proposed and why it should be approved (**EXHIBIT #3**). He emailed the memorandum to Councilors, the news media and others before the meeting and provided copies to Councilors and the public at the Dec. 5 meeting. He read the memorandum into the record as follows:

**To:** Goshen City Council Members

**From:** Mayor Jeremy Stutsman

**Cc:** City of Goshen Department Heads and City Staff

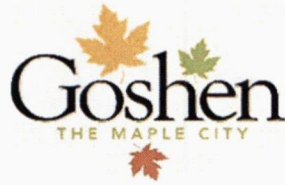
**Date:** December 5, 2022

**Subject:** Employee Bonus

*The events of 2020 have changed not only how we operate as City Government but also how busy we are on a day-to-day basis. In late 2020, I requested approval to issue a \$1000.00 COVID-19 bonus to our staff as an acknowledgement of the extra work that came with an already busy workload.*

*As we came out of 2020 and worked through both 2021 and 2022, one thing has become clearer: The results of the pandemic have affected our economy and our community's workforce availability. Pre-2020 we were in a better position to compete with private sector wages; all departments saw brief periods throughout the year that would allow for some staff downtime, which in turn gave us time to catch up on secondary priorities, projects and planning and we had more reasonable workloads.*

*As our economy continues to move forward, department workloads have not diminished.*



*"Over the last two years, our business and residential communities have been working fast to recover, which is keeping our staff jumping from one project to the next. They have been helping keep the private sector moving as quickly as possible. I am not aware of any departments in the City of Goshen experiencing any type of a break in the high workload or any time that could be considered downtime.*

*In addition, we are all well aware of how inflation has affected us over the last year and a half. The impact on our staff is no different. Inflation has reached historic highs, hitting 7.7% year-over-year in October. Unfortunately, we should not expect relief anytime soon. The rising cost of goods will further erode staff wages.*

*For these reasons, I am requesting the authorization through City Ordinance to issue a year-end bonus of \$500.00 per full-time staff member and a prorated amount for our permanent part-time staff.*

*Considering that we have 266 full-time and 12 permanent part-time staff, this will cost just under \$140,000.00. This will not take an additional appropriation because we have the money in the budget we can move around. We have this money available due to the efficiencies and conservative use of our budget by our city staff. No elected official will receive this bonus.*

*The idea for this only came up in the last couple of weeks. It has been the last several days that I realized it could be a reality. I have been working through the 2022 budget to better understand where we are for the end of the year. During this process I have been in discussions with Department Heads. The plain and simple: our departments and staff are continually checking projects off, they are getting great things done for our community, and they all are overloaded with their to-do lists.*

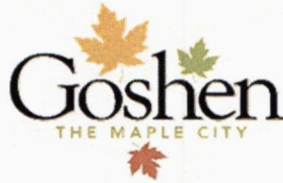
*I have worked with the Legal Department to create Ordinance #5149. If passed, this will authorize the \$500 bonus. I have talked to a few council members about this and received positive responses. It was my intent to bring it to the December 19th council meeting; however, following discussions with Clerk-Treasurer Aguirre. I would like to ask the council to add it to the agenda tonight for our December 5th meeting. CT Aguirre and his staff are busy with all the year-end filings and work. CT Aguirre would prefer this to be passed sooner than later so it can be worked into one of the last two paychecks and still allow his staff to keep up with the remainder of their work load.*

*I am grateful for our staff and the consistent dedication they show in their jobs. Please join me in supporting their efforts and saying thank you with this year-end bonus. I do not plan on this becoming a yearly request.*

*Sincerely,  
Jeremy P. Stutsman*

**Afterward, Mayor Stutsman** Mayor Stutsman said he wouldn't normally read a memorandum at a Council meeting but wanted to do so because he wasn't sure all Councilors had a chance to read it before the meeting. He said he would be happy to answer any questions from Councilors or respond to any suggestions. There were none.





At 7:10 p.m., Mayor Stutsman invited public comments on Ordinance 5149. There were none.

Mayor Stutsman said he would be working with the Clerk-Treasurer's Office to identify budget lines the bonuses would be paid from and that those would come back to the Council as category transfers.

Council President Weddell thanked the Mayor for bringing forward the proposed bonuses. He said that for every position, whether in government or private industry, it is good to show appreciation to the staff. He said it goes a long way for morale. He said the bonus will be a "significant amount of money" and it will show City staff members that their work is appreciated.

Mayor Stutsman said he knows the bonus won't counteract the impact of inflation, but it will help. He repeated that this won't be a yearly request, but there have been two abnormal years, which he hopes will level out.

Councilor King said she supported the bonuses and thanked the Mayor "for looking out for staff."

Councilor Riegsecker said he has spent many hours reviewing numbers showing the impact of inflation and agreed with the proposal. He said the bonuses are warranted and he hopes City staff members can enjoy Christmas with their families. He added that the proposal was a "great idea."

Mayor Stutsman said he appreciated the Council's support, adding that staff members work very hard.

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

On a voice vote, Councilors approved Ordinance 5149, 2022 Bonus Pay on First Reading, by a 7-0 margin, with all Councilors present voting "yes" at 7:12 p.m. Youth Advisor Velasquez Valdes also voted "yes."

Councilors gave unanimous consent to the Mayor to proceed with the Second Reading of Ordinance 5149.

Mayor Stutsman called for the introduction, on Second Reading, of Ordinance 5149, 2022 Bonus Pay. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5149 by title only, which was done.

Weddell/Pérez moved to approve Ordinance 5149 on Second and Final Reading.

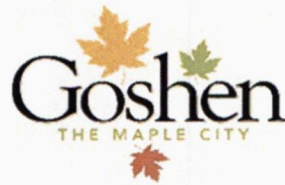
Mayor Stutsman asked if Councilors or members of the public had any other questions or comments about Ordinance 5149. There were none.

Councilors indicated they were ready to vote.

On a voice vote, Councilors approved Ordinance 5149, 2022 Bonus Pay on Second Reading, by a 7-0 margin, with all Councilors present voting "yes" at 7:13 p.m. Youth Advisor Velasquez Valdes also voted "yes."

#### **Elected Official Reports:**

Councilor Eichorn reported that meetings of the City Community Relations Commission will now be held at 6 p.m. in the City Annex Building. He said the most recent meeting was this past week, and she said the Annex was a better locale for the meeting. She said it went well and she is glad they are starting at 6 p.m.



**Mayor Stutsman** asked if CRC members were OK with the change in meeting locations. **Councilor Eichorn** said they were and that meeting in the Annex would facilitate better discussions.

**Councilor Riegsecker** said that on Facebook he noticed a lot of comments about companies installing fiber optic cable throughout the City. He said people were upset about the disruptions from this work, including yards being torn up two or three times. He asked for some discussion about this and what residents can expect in the coming months and years.

**Mayor Stutsman** said the fiber optic companies are utilities and have access to the City rights of way. He said the City issues permits for them to do their work and doesn't have the ability to deny them permits. He said the City can slow their work if there is other construction activity in an area, but the City cannot stop them. The Mayor said a company came through the City last year and residents experienced some of the same issue they are facing now; yards aren't being restored and crews are showing up without public notice.

**Mayor Stutsman** said he and City staff are just as frustrated about it as residents. He added that he has started to talk about the issue with other elected officials because this is the second fiber optic company to come through the City. He said fiber lines are being installed over sewer and water lines, so when there are breaks, their lines will have to be moved. He added that fiber is essential in every community, but there has to be a way to know about how many more companies will be operating in the City. And some problems they caused need to be addressed.

**Councilor Riegsecker** asked who should be contacted if residents have complaints about fiber optic companies.

**Mayor Stutsman** said City Hall receives many phone calls, as does the Engineering Department, because people are calling the fiber optic companies and they aren't responding. He said on occasion he has contacted the companies and asked that they fix problems they created.

**City Director of Public Works & Utilities Dustin Sailor** said the Mayor covered the issue well. He said the Engineering Department receives many phone calls about the fiber optic companies and he has one staff member who works on this issue. He said the staff member contacts fiber optic companies two or three times a week.

**Sailor** said this time of year is especially difficult because there isn't a good way to restore yards during the winter and many of the companies are not from this area, but from Texas and southern states. Workers from those states aren't used to the cold weather, so restoration of yards is a problem. He said the City is currently holding last year's fiber optic company responsible because of 30-35 cross bores beside sanitary stormwater pipes. He added that residents experiencing problems with fiber optic companies can contact the Engineering Department.

**Mayor** said the City may need to purchase more rights of way because of this issue. Still, he conceded that the City needs more fiber optic lines.

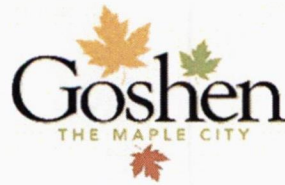
**Council President Weddell** said Comcast, Frontier and Surf have all been installing fiber optic in the City.

**Councilor King** said some neighborhood want more fiber optic lines. She asked if the City can impose conditions when it issues permits to the fiber optic companies.

**Sailor** said the City tries to keep the companies from installing fiber optic near water and sewer lines, but if there is available space, the City must allow them to install their lines.

**Mayor Stutsman** said that at times the fiber optic companies work so fast that they actually install lines on private property. They then have to deal with property owners.

**Councilor Eichorn** said she drove through a neighborhood yesterday and said she saw small yellow flags everywhere. She asked if that was an area where fiber optic would be installed. **Mayor Stutsman** said that would be hard to say because NIPSCO is also doing a lot of work in the City.



**Mayor Stutsman** said the companies must get permits and provide traffic control measures, but said there's not a lot the City can do to make sure they do their work properly.

**Councilor Riegsecker** asked what the law stated regarding the placement of little flags in yards and what residents can do about them. **Sailor** said after two weeks they can be removed.

**Mayor Stutsman** said people should call the fiber optic companies if they have questions or complaints. If they don't get a response, they should then call the City, which can advocate on their behalf.

**Councilor Eichorn** said the City does a good job responding to fiber optic company complaints.

**Councilor Riegsecker** said he attended a Cemetery Board meeting and got an update on what is happening. He said he learned that the Cemeteries Department is getting software updates. He said the City is done with seasonal staff for the year and is looking for a new full-time employee. He also said a site assessment plan has been developed regarding the land available in three cemeteries and what can be done with it. Councilor Riegsecker said that the department also may add cremation gardens and a "natural" burial site. He added that the term of board member **Michelle Kercher** expired this year and she has been appointed to a new four-year term.

**Mayor Stutsman** said **Director of Cemeteries Burt Matteson** is working with the consultant that developed the site assessment to carry out some planning in Violett Cemetery to determine where to locate plots and roads.

**Councilor Pérez** thanked Councilors, saying that he asked if any might be available to meet with the current and past **youth advisors**. He said he and **Councilor King** and **Clerk-Treasurer Aguirre** met with them and learned about their experiences as youth advisors and what they are doing now. He said he was grateful for the youth advisor program.

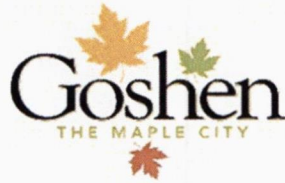
**Councilor Pérez** said today he forwarded to **Police Chief José Miller** an article about the shortage of police officers. He asked Chief Miller how the Police Department is doing filling open positions and what can be done to better recruit officers and keep the community safe. **Chief Miller** responded that the department is in a better position than it was a year ago. He said there are two positions that need to be filled and then the department technically will be at full staff. Still, he said the department is eight or nine officers short because they are not yet fully trained. Chief Miller added that more retirements are expected, in 2023 and 2024; so it will be important to fill positions promptly.

**Mayor Stutsman** said the City intends to plan ahead and quickly fill the positions next year before retirements to cut down on the absences of officers who are training. He said that might mean that the Police Department may seek an additional appropriation to hire more officers.

**Councilor Pérez** said he also wanted to discuss the importance of doing more to address domestic violence. He said Goshen College recently received a grant to reduce sexual assault, stalking and domestic violence. He said the City should be proactive in addressing these issues and support non-profit organizations that work in these areas.

**Clerk-Treasurer Aguirre** distributed a draft Common Council schedule for 2023 which listed proposed Council meetings, holidays and special dates (**EXHIBIT #4**). He asked Councilors to review the draft calendar and inform him and **Mayor Stutsman** of any scheduled Council meetings they cannot attend. Aguirre said the calendar is scheduled to be voted on at the Dec. 19, 2022 Council meeting. **Mayor Stutsman** said that if three Councilors indicate they cannot attend the same meeting, that meeting likely will be canceled.

**Councilor Pérez** said he previously informed Mayor Stutsman and **Councilors Eichorn and Weddell** that he cannot attend the next two Council meetings – on Dec. 19 and Dec. 27. He said he will be out of the country.



There were no further comments by elected officials.

Councilor Eichorn made a motion to adjourn the meeting. Councilors unanimously approved the motion to adjourn the meeting.

Mayor Stutsman adjourned the meeting at 7:31 p.m.

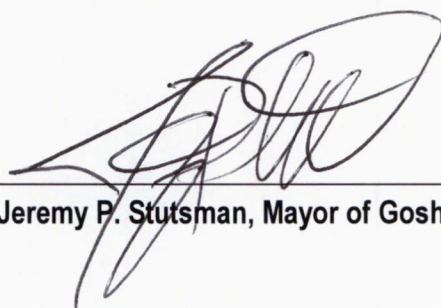
**EXHIBIT #1:** *A one-page spreadsheet, titled "City of Goshen Trash and Recycling Statistics," which was distributed to Councilors at the meeting by City Director of Environmental Resilience Aaron Sawatsky Kingsley during consideration of agenda item 1) Presentation: City of Goshen Climate Action Plan progress. The spreadsheet showed early data on the impact of the change in the City's solid waste and recycling program.*

**EXHIBIT #2:** *Ordinance 5149, 2022 Bonus Pay, a proposal to provide bonuses to City of Goshen employees. Mayor Stutsman emailed the ordinance to Councilors before the Dec. 5 meeting and distributed copies to Councilors at the meeting. Copies also were made available to the public at the meeting.*

**EXHIBIT #3:** *A memorandum, dated Dec. 5, 2022, by Mayor Stutsman that outlined how Ordinance 5149 was developed and why it should be approved. The Mayor emailed the memorandum to Councilors, the news media and others before the meeting and provided copies to Councilors and the public at the Dec. 5 meeting.*

**EXHIBIT #4:** *Draft 2023 Goshen City Council Calendar of Council meetings, holidays and special dates distributed to Councilors during the Elected Officials Reports by Clerk-Treasurer Aguirre. He asked Councilors to review the draft calendar, which is scheduled to be voted on at the Dec. 19, 2022 Council meeting.*

APPROVED:

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

ATTEST:

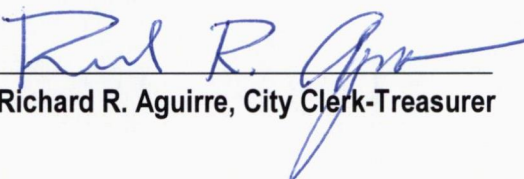
  
\_\_\_\_\_  
Richard R. Aguirre, City Clerk-Treasurer

EXHIBIT #1

City of Goshen Trash and Recycling Statistics

Year	Month	Recycling				Total Tonnage	Previous Year Tonnage	Landfilled Trash				Total Tonnage	Previous Year's Tonnage	Trash Reduction
		Route No.	Tonnage	Route No.	Tonnage			Route No.	Tonnage	Route No.	Tonnage			
2022	Aug	620A	53.14	620B	55.31	108.45	0	320	485.18	321	485.15	970.33	1178.06	18%
2022	Sep	620A	77.64	620B	63.36	141	0	320	434.54	321	462.58	897.12	1106.68	19%
2022	Oct	620A	63.36	620B	66.83	130.19	0	320	385.7	321	423.41	809.11	1075.08	25%
2022	Nov	620A		620B		0	0	320		321		0	1045.49	
	Dec	620A		620B		0	0	320		321		0	1073.46	
	Jan	620A		620B		0	0	320		321		0		
	Feb	620A		620B		0	0	320		321		0		
	Mar	620A		620B		0	0	320		321		0		
	Apr	620A		620B		0	0	320		321		0		
	May	620A		620B		0	0	320		321		0		
	Jun	620A		620B		0	0	320		321		0		
	Jul	620A		620B		0	0	320		321		0		

**ORDINANCE 5149****2022 Bonus Pay**

WHEREAS, the public health emergency caused by the spread of COVID-19 has placed extra burdens and work stresses on City of Goshen employees.

WHEREAS, the aftereffects of the public health emergency caused by the pandemic have continued to negatively impact our staff due to delayed projects now moving forward at the same time that current projects are also moving forward, as well supply chain issues and employee shortages negatively affecting all such projects.

WHEREAS, over the last year and a half, inflation has increased far more than we would have expected.

WHEREAS, the Mayor requests and Council desires to provide for bonus pay to compensate the City's dedicated employees for bearing the additional burdens and work stresses resulting from the aftereffects of the public health emergency, and to help counteract the effects of abnormally high inflation.

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

- (A) This ordinance applies to all City of Goshen employees, excluding elected officials, meeting the following eligibility requirements:
- (1) The employee must be actively employed with the City on December 5, 2022.
  - (2) The employee must fill a position that is regularly scheduled to work at least Twenty (20) hours per week or 1,040 hours each year, and is not filling a temporary, intermittent, or seasonal position, as well as Members of the City of Goshen Board of Public Works and Safety.
- (B) Employees to which this Ordinance applies under Section (A) above shall be entitled to receive a one-time bonus payment in the following amounts:
- (1) Five Hundred Dollars (\$500.00) for those employees filling positions that are regularly scheduled to work a typical work week of Forty (40) hours, or at least 2,080 hours each year; and
  - (2) Three Hundred Fifty Dollars (\$350.00) for those employees filling positions that are regularly scheduled to work at least Twenty (20) hours but less than Forty (40) hours per week, or at least 1,040 hours but less than 2,080 hours each year.
- (C) Payment of the Bonus Pay will be made in December 2022, in a lump sum, less any required withholdings.
- (D) This increase will not be added to employee base wages for purposes of calculating any increase in pay for 2023 or subsequent years.

PASSED by the Goshen Common Council on December \_\_\_\_\_, 2022.

\_\_\_\_\_  
Presiding Officer

ATTEST:

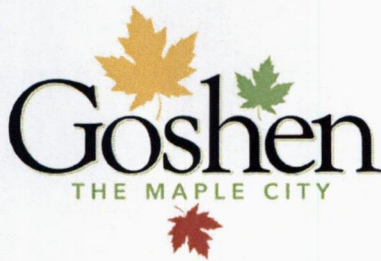
\_\_\_\_\_  
Richard R. Aguirre, Clerk-Treasurer

PRESENTED to the Mayor of the City of Goshen on December \_\_\_\_\_, 2022, at the  
hour of \_\_\_\_\_ : \_\_\_\_\_ .m.

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

APPROVED and ADOPTED on December \_\_\_\_\_, 2022.

\_\_\_\_\_  
Jeremy P. Stutsman, Mayor



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

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

Phone (574) 533-9322 • Fax (574) 533-9740 • TDD (574) 534-3185  
mayor@goshencity.com • www.goshenindiana.org

To: Goshen City Council Members  
From: Mayor Jeremy Stutsman  
Cc: City of Goshen Department Heads and City Staff  
Date: December 5, 2022  
Subject: Employee Bonus

The events of 2020 have changed not only how we operate as City Government but also how busy we are on a day-to-day basis. In late 2020 I requested approval to issue a \$1000.00 COVID-19 bonus to our staff as an acknowledgement of the extra work that came with an already busy workload.

As we came out of 2020 and worked through both 2021 and 2022, one thing has become clearer: The results of the pandemic have affected our economy and our community's workforce availability. Pre-2020 we were in a better position to compete with private sector wages; all departments saw brief periods throughout the year that would allow for some staff downtime, which in turn gave us time to catch up on secondary priorities, projects and planning and we had more reasonable workloads.

As our economy continues to move forward, department workloads have not diminished. Over the last two years, our business and residential communities have been working fast to recover, which is keeping our staff jumping from one project to the next. They have been helping keep the private sector moving as quickly as possible. I am not aware of any departments in the City of Goshen experiencing any type of a break in the high workload or any time that could be considered downtime.

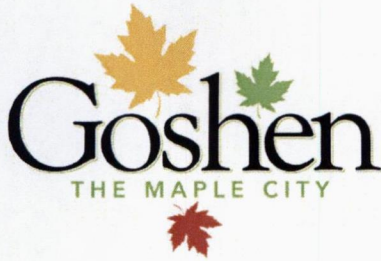
In addition, we are all well aware of how inflation has affected us over the last year and a half. The impact on our staff is no different. Inflation has reached historic highs, hitting 7.7% year-over-year in October. Unfortunately, we should not expect relief anytime soon. The rising cost of goods will further erode staff wages.

For these reasons, I am requesting the authorization through City Ordinance to issue a year-end bonus of \$500.00 per full-time staff member and a prorated amount for our permanent part-time staff.

Considering that we have 266 full-time and 12 permanent part-time staff, this will cost just under \$140,000.00. This will not take an additional appropriation because we have the money in the budget we can move around. We have this money available due to the efficiencies and conservative use of our budget by the city staff. No elected official will receive this bonus.

The idea for this only came up in the last couple of weeks. It has been the last several days that I realized it could be a reality. I have been working through the 2022 budget to better understand where we are for the year. During this process I have been in discussions with Department





**Jeremy P. Stutsman, Mayor**  
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Heads. The plain and simple: our departments and staff are continually checking projects off, they are getting great things done for our community, and they all are overloaded with their to-do lists.

I have worked with the Legal Department to create Ordinance #5149. If passed, this will authorize the \$500 bonus. I have talked to a few council members about this and received positive responses. It was my intent to bring it to the December 19<sup>th</sup> council meeting; however, following discussions with Clerk-Treasurer Aguirre. I would like to ask the council to add it to the agenda tonight for our December 5<sup>th</sup> meeting. CT Aguirre and his staff are busy with all the year-end filings and work. CT Aguirre would prefer this to be passed sooner than later so it can be worked into one of the last two paychecks and still allow his staff to keep up with the remainder of their work load.

I am grateful for our staff and the consistent dedication they show in their jobs. Please join me in supporting their efforts and saying thank you with this year-end bonus. I do not plan on this becoming a yearly request.

Sincerely,

A handwritten signature in blue ink, appearing to read "JPM", with a long horizontal flourish extending to the right.

Jeremy P. Stutsman

# 2023 GOSHEN CITY COUNCIL CALENDAR

All meetings are conducted in the Council Chambers, Police & Court Building, 111 E. Jefferson St. and are at 6 p.m. unless stated otherwise.

## January

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

## February

S	M	T	W	T	F	S
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

## March

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12	13	14	15	16	17	18
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26	27	28	29	30	31	

## April

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23	24	25	26	27	28	29
30						

## May

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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

## June

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					1	2
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17	18	19	20	21	22	23
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## July

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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

## August

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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

## September

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

## October

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

## November

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			1	2	3	4
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

## December

S	M	T	W	T	F	S
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

**Key:**



Council meeting



Special dates

Holidays

**Notes:**

- Feb. 13: Joint meeting with School Board
- March 29–April 7: GCS Spring Break
- May 5: Council Retreat (Friday)
- Aug. 21–24: AIM Idea Summit
- Sept. 18: Budget 1st reading
- Oct. 2: Budget 2nd reading
- Oct. 16–27: GCS Fall Break
- Oct. 30: Additional budget meeting (if needed)
- Nov. 7: General Election
- Dec. 27: Year-end category transfers, 5:30 p.m.

