

GOSHEN COMMON COUNCIL

Minutes of the FEBRUARY 6, 2023 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 6:01 p.m. and led the Pledge of Allegiance.

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

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

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

Approval of Minutes: Mayor Stutsman asked the Council's wishes regarding the minutes of the Jan. 23, 2023 Regular Meeting. Councilor King made a motion to approve the Jan. 23 minutes as presented. Councilor Schrock seconded the motion. The motion passed 7-0 on a voice vote.

Approval of Meeting Agenda: Mayor Stutsman presented the meeting agenda for approval. Councilor Eichorn moved to approve the agenda as submitted. Councilor King seconded the motion. The motion passed 7-0 on a voice vote.

Privilege of the Floor:

At 6:03 p.m., Mayor Stutsman invited public comments on matters not on the agenda. There were none.

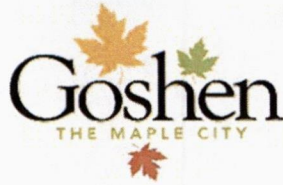
1) Ordinance 5144: Revision of Stormwater User Fees for the Goshen Department of Stormwater Management (Second Reading)

Mayor Stutsman called for the introduction of Ordinance 5144, *Revision of Stormwater User Fees for the Goshen Department of Stormwater Management* on Second Reading. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5144 by title only, which was done. Weddell/Eichorn moved to approve Ordinance 5144 on Second Reading.

BACKGROUND:

In a Dec. 19, 2022 memorandum to the Council, City Stormwater Coordinator Jason Kauffman explained that earlier in 2022, the **Greater Elkhart County Stormwater Partnership**, composed of the City of Elkhart, the City of Goshen, Elkhart County, and the Town of Bristol (the partners), agreed that a **review of the stormwater user fee was necessary**. 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 and had not been increased.

Baker Tilly recommended that the minimum rate be increased from \$15 per equivalent residential unit (ERU) to \$36.10 per ERU annually. The Partnership's Municipal Separate Storm Sewer System (MS4) Advisory Board met on Nov. 17, 2022, and agreed to recommend an increase in the user fee 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.



On Nov. 21, 2022, the City Stormwater Board held a public hearing on the proposed fee increase and unanimously approved Resolution 2022-01, allowing for and recommending the current stormwater user fee to be revised to the proposed rate over three phases. After adoption of Resolution 2022-01, an amended ordinance was prepared to take to the Goshen Common Council for discussion and a vote on Dec. 19.

If passed, Ordinance 5144 would take effect Feb. 1, 2023 as long as similar ordinances with the same rate increases were approved by the Elkhart County Commissioners, Elkhart County Council, the Town of Bristol and the City of Elkhart.

On Dec. 19, 2022, Ordinance 5144 was discussed and the Council passed the Ordinance on first reading. The second reading of Ordinance 5144 was tabled until the Council's Jan. 23, 2023 meeting.

On Jan. 23, 2023, Councilors engaged in an extensive discussion about Ordinance 5144 focused on whether to proceed with the second reading or delay a vote until later this year or 2024. A majority of Councilors indicated that they believed Ordinance 5144 had merit and that the City required more funds to address stormwater needs. However, there appeared to be an emerging majority of Councilors who wanted to delay implementation of the higher stormwater fee until 2024. Ultimately, Councilors Nisley and Riegsecker moved to table the Second Reading of Ordinance 5144 to the Council's Feb. 6, 2023 meeting.

On a roll call vote, Councilors tabled the Second Reading of Ordinance 5144 to the Feb. 6, 2023 Council meeting by a 4-3 margin, with Councilors Nisley, Riegsecker, Schrock and Weddell voting "yes" and Councilors Eichorn, King and Pérez voting "no." Youth Adviser Velasquez Valdes voted "pass."

FEB. 6, 2023 DISCUSSION & PASSAGE OF ORDINANCE 5144:

Mayor Stutsman said the Council was taking on Ordinance 5144 on the second reading for the third time. He invited City Stormwater Coordinator Jason Kauffman to provide an overview and update on the proposed ordinance.

Kauffman provided an update. He said that having checked with Elkhart County Attorney Steve Olson, he learned that even if all of the partners passed the higher uses fees in 2023, they would not take effect until 2024.

In response to questions from Councilor Riegsecker, Kauffman said that if the higher fees were approved, the City of Goshen and other partners would still have shortfalls in meeting stormwater management needs. He said the shortfall for Goshen would be about \$500,000 a year. Kauffman said a user fee of \$51 for the City of Goshen, would have met the City's needs without a shortfall, but the amount was reduced so other partners would support it.

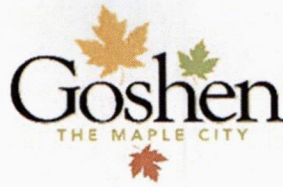
Councilor Pérez noted that other cities and the County seemed unlikely to approve the higher fees. He asked Kauffman what would happen if the Goshen Council approved the increase and other partners did not.

Kauffman said Goshen's approval would be a step along the path to other partners approving the increase. He agreed that the other partners have not indicated much interest in approving higher fees, but said Goshen's approval could encourage others. He added that higher fees will not take effect unless all four partners approve them, but said if the increase failed, the City of Goshen could advance a proposal to raise the fees by itself.

Councilor Pérez asked about the next steps, including perhaps forming a task force of elected officials from the partners to pursue the increase. Kauffman said that possibility was discussed.

Mayor Stutsman pointed out that the partnership currently includes representatives of the cities and the County who are supposed to advance the views of the elected officials. He said before moving forward by itself, City staff would need to make sure the County would bill a higher fee for the City of Goshen. In the meantime, the Mayor said the City should move forward with needed stormwater projects.

Council President Weddell said he understood that if the partner cities and the County do not pass the fee increase by the end of March, the matter cannot take effect this year and the rate will not change.



Kauffman agreed with that understanding. He added that the partnership would not be dissolved and that members would continue working together.

Councilor Riegsecker thanked **Kauffman** for his thorough work and the information provided to the Council. He asked for clarification on how it was determined the fee should be raised to \$36 a month. **Kauffman** said that the \$36 fee worked best for all the partners. **Council President Weddell** also thanked **Kauffman** for his efforts.

Councilor Schrock said he supported a higher user fee, although preferably taking effect in 2024. He said that he wished he could get a commitment from the Engineering and Stormwater Management departments that the City would address the flooding problems on Olive Street and Blackport Drive. He said problems in those areas have gotten worse and should be fixed. **Kauffman** agreed and said the City plans to address related problems affecting Rock Run Creek. **Councilor Schrock** said it appears the City Goshen is ahead of other nearby communities in addressing wastewater treatment and stormwater issues.

Councilor King thanked **Kauffman** for the information he has provided and for making the case for a fee increase. She said she agreed with **Councilor Schrock** that real leaders "step out and do what needs to be done."

Councilor Pérez asked if there was a role for Goshen Councilors to meet with elected officials from Bristol, Elkhart and Elkhart County and call on them to pass the higher fees.

Mayor Stutsman responded that he would support that effort. He said he has already contacted other elected officials to assess where they stand. He said Elkhart County Commissioners approved the fee increase last year, but others have not. The Mayor said he understands the reluctance to pass higher fees because it is an election year, "but I think it's important that elected officials remember that they're here to lead and not to win elections." He said he would be willing to join Goshen Councilors in speaking with local elected officials.

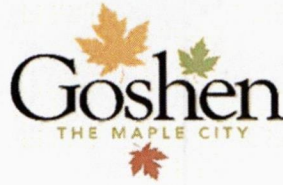
Council President Weddell said he has personally discussed the fee increase with two Elkhart County Council members, and expressed his strong opinion. Asked by **Councilor Pérez** what they responded, **Council President Weddell** said, "You can only imagine." **Mayor Stutsman** said he has not spoken to any county councilors, but has spoken to officials from other cities.

Council President Weddell said he recently spoke to a reporter for the *Goshen News* about the biggest issues facing the City. He said it is an election year, "but we still need to get work done and a lot of people are afraid to get work done in an election year. Let's step up to the plate and let's get the work done." **Councilor Eichorn** responded, "Exactly."

Councilor Pérez suggested that the Council President and Mayor and other Councilors meet with other elected officials and encourage passage of the higher fees. And if that effort fails, he said the City should pursue the imposition of higher fees by itself. **Mayor Stutsman** agreed and encouraged Councilors to reach out to their counterparts in other cities and the County while he said he and the Council President could also reach out.

Council President Weddell responded, "And if don't want to vote for it, have them vote no. Take a vote so that we know how to proceed." Other **Councilors and the Mayor** agreed.

Councilor Nisley said he has not felt comfortable increasing the fees now, although he said he supported continued stormwater management work. He said this was not the right time to impose higher fees because of the current economic situation, but it may be in a year or two.



Mayor Stutsman responded that he could respect that position, but any fee increase would not take effect for a year. He also said that ever since he served on the Council, he was told by other Councilors and people in the community that the City "needs to act more like a business. And the reality is every business is raising its rates right now because everybody's costs are going up and we're not exempt from that." He said the City must make sure any increases are reasonable, but delaying necessary cost increases for too long can eventually result in huge increases. He said this happened six or seven years ago with large water rate increases. He said a balance is needed.

Councilor Nisley said it has alleviated some of his concerns that any fee increase would not take place until next year, but he said there's no telling what economic conditions will be like in 2024. He said a few RV companies appear to be laying off people. He conceded that "it's not a lot of money, but every nickel and dime adds up."

Mayor Stutsman and **Councilor Schrock** asked for clarification on when the higher fees would take effect.

Kauffman said the higher payments would not take effect until 2024.

Councilor Schrock asked the action the Bristol Town Council took. **Mayor Stutsman** said it passed a resolution to increase the fees to the current level, because it was assessing lower fees than Goshen, Elkhart and Elkhart County. The Mayor said Bristol council members also voted that the council would take further action if other partners passed the higher fees. "Everybody is passing it safe," he added.

Councilor Nisley commented that other parts of the City need stormwater work. **Councilor Schrock** said that when residents see work is being done they may support higher fees. **Councilor Nisley** said that could be true as long as work is being done near their neighborhoods.

Councilor Pérez asked if the City Engineering Department had timeline for completing stormwater projects on the east and west sides of the City.

City Director of Public Works & Utilities Dustin Sailor said if he had to choose it would be on the eastside, since the costs of the work would be lower. He said it would take a balance between the funding and the need. For example, Sailor said West Goshen has long been a flood study area, but to address flooding would require land purchases and the development of stormwater retention basins. And on the eastside, he said addressing flood issues will require cleaning our unregulated drainage ditches and other actions.

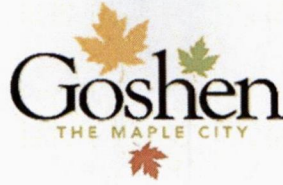
Councilor Nisley asked if the City is seeking additional funds for the work. **Mayor Stutsman** said the City is seeking additional funds wherever possible, whether through state or federal sources.

Sailor said even if the higher fees were approved, the City would still not have enough money to complete needed projects. **Mayor Stutsman** said he approved the higher fees even though they will not meet the City's needs.

Councilors briefly discussed the impact of the fee increases, including on businesses.

At 6:28 p.m., Mayor Stutsman invited public testimony on Ordinance 5144.

Glenn Null of Goshen said he thought clearing drainage ditches was a County responsibility and the City should not need to pay for that work. Null said he has lived in Goshen for a long time and that the east and west portion of the City have always had flooding problems. He said the flood problems in his neighborhood began in 1994 due to a poor street paving project and still is a problem. While Null said he understands the need for big projects, he said small projects such the one on his street, also should be done. Null also said the County Council members are not going to approve this fee increase, so he didn't know why the Goshen Council was spending so much time on this issue.



There were no further public comments, so Mayor Stutsman closed the public comment period at 6:31 p.m.

Councilor Eichorn said it was time for the Council to vote on the fee increase,

Councilor Riegsecker said he wanted to make a few comments. He said he already reviewed various scenarios at the past two Council meetings. He began by stating that the Council would not be voting on a new tax or fee, but on an existing fee. He said that when the rate of inflation was considered, from 2006 until this year, the rate should be \$22 already, compared with the current \$15 fee. He said that should be considered because everything costs more today.

Councilor Riegsecker said Jason Kauffman did a good job explaining the impact of the higher fees and the fact that the City of Goshen would continue to run a deficit in the funding necessary for stormwater management work. He said if any partner should be supporting a higher fee, it should be Goshen and if other partners oppose an increase, they should be voting "no." He also said there would be 16 months before the fee increase will take effect and everyone can figure out the impact on his or her properties and budget for the increase.

Councilor Riegsecker said the City Council has a duty to protect property from stormwater damage, which would cost residents much more money to remedy than the higher fees. Councilor Riegsecker said he did not want to raise the fees, but the City has many stormwater projects it needs to complete. He added that he has fewer concerns about the impact of the possible fee increase because it will not take effect until next year.

There were no further comments from Councilors. Council President Weddell indicated Councilors were ready to vote.

On a roll call vote, Councilors unanimously passed, by a 7-0 vote, Ordinance 5144, Revision of Stormwater User Fees for the Goshen Department of Stormwater Management, on Second and Final Reading with all councilors present voting "yes" at 6:35 p.m.

2) Resolution 2023-02, Approving a Loan to LaCasa of Goshen, Inc. from the Local Major Moves Construction Fund

Mayor Stutsman called for the introduction of Resolution 2023-02, *Approving a Loan to LaCasa of Goshen, Inc. from the Local Major Moves Construction Fund*. Council President Weddell asked the Clerk-Treasurer to read Resolution 2023-02 by title only, which he did.

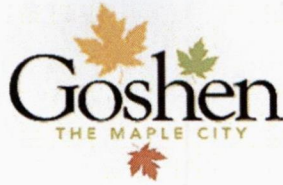
Weddell/Pérez moved to approve Resolution 2023-02.

BACKGROUND:

Resolution 2023-02 set forth the rationale for and terms of a proposed forgivable City of Goshen loan of \$500,000 to LaCasa of Goshen, Inc. for the construction of permanent supportive housing on property owned by the Oaklawn Psychiatric Center, Inc. at 302 Lakeview Drive.

As originally introduced, the resolution stated that:

- The City of Goshen has established a fund known as the Local Major Moves Construction Fund;
- The Local Major Moves Construction Fund currently has a balance of \$4,561,537.34;
- Funds in the City's Local Major Moves Construction Fund may be expended as authorized by Indiana Code § 8-14-16-5, as amended from time to time;



- The same statute allows the City to expend funds in the Local Major Moves Construction Fund to provide funding for economic development projects defined in I.C. § 6-3.6-2-8(1) or I.C. § 6-3.6-2-8(2)(A)-(K);
- LaCasa of Goshen, Inc. seeks assistance from the City of Goshen in the form of partial funding of water and sewer utility infrastructure improvements that LaCasa will require during the construction of up to six, 8-unit buildings for permanent supportive housing over the next ten (10) years to be located on real property owned by Oaklawn Psychiatric Center, Inc. at 302 Lakeview Drive;
- The cost of the water and sewer utility infrastructure improvements contemplated is expected to exceed \$500,000;
- The use of funds from the City's Local Major Moves Construction Fund to help pay for water and sewer utility infrastructure improvements at Oaklawn's real property for the benefit of the LaCasa construction project complies with the standard of I.C. § 8-14-16-5;
- The Goshen Common Council seeks to now authorize a loan from the Local Major Moves Construction Fund to LaCasa to help pay for water and sewer Utility infrastructure improvements on real property owned by Oaklawn at 302 Lakeview Drive necessitated by LaCasa's construction of six, 8-unit buildings for permanent supportive housing in an amount not to exceed \$500,000.

Therefore, if passed Resolution 2023-02 would resolve that:

1. The Goshen Common Council approves a loan to LaCasa of Goshen, Inc. from the Local Major Moves Construction Fund in an amount not to exceed \$500,000.
2. The Goshen Common Council approves the loan under the following conditions:
 - a. No interest shall accrue during the first two (2) years of the loan, after which interest shall accrue;
 - b. No payments shall be due until construction of the second 8-unit is complete, after which payments shall be made by LaCasa on a quarterly basis;
 - c. Funds shall be disbursed to LaCasa upon presentment to the City of qualifying invoices from the construction of the water and sewer infrastructure facilities;
 - d. Upon completion of each 8-unit building, the City shall forgive a principal amount of \$83,333.33.
3. The City of Goshen Board of Public Works and Safety and City staff are authorized to negotiate the terms of a final agreement with LaCasa, and the Board of Public Works and Safety is authorized to enter into a formal loan agreement with LaCasa, consistent with the terms of this resolution and negotiations that take place.
4. The City of Goshen commits to pay from its General Fund into the Local Major Moves Construction Fund amounts of the loan to LaCasa that are forgiven, beginning in the 2024 budget at the earliest.

At the Jan. 23, 2023 Council meeting:

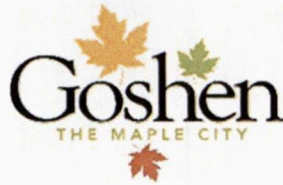
Mayor Stutsman provided brief background and context of Resolution 2023-02 as well as the rationale for passing it.

Brad Hunsberger, LaCasa's vice president for real estate development, and Mary Bales, Oaklawn's Manager of Housing Support Services, made a detailed presentation about the project.

After the Hunsberger-Bales presentation, Mayor Stutsman and Councilors engaged in an extensive conversation about the proposal.

At 7:35 p.m., Mayor Stutsman invited public comments on Resolution 2023-02. Council President Weddell, addressing the Council as a member of the public, supported the loan. Glenn Null of Goshen opposed the loan.

Michael B. Burk of Goshen asked who would decide who could use the housing when completed.



After the public testimony, Mayor Stutsman and Councilors further discussed the proposal.

Councilor Riegsecker said he believed this is a good project, but he wants to take some more time to consider it. So, Councilor Riegsecker made a motion to table Resolution 2023-02 until the next City Council meeting. Councilor Nisley seconded the motion

On a voice vote, Councilors voted unanimously to table Resolution 2023-02, Approving a Loan to LaCasa of Goshen, Inc. from the Local Major Moves Construction Fund, to the Feb. 6, 2023 Council meeting at 7:49 p.m. Mayor Stutsman asked that Councilors to reach out to him with any proposed revisions to the resolution and proposed agreement so he can reach out to LaCasa and Oaklawn.

FEB. 6, 2023 DISCUSSION AND PASSAGE OF RESOLUTION 2023-02:

Mayor Stutsman acknowledged that this housing proposal has come before the City Council somewhat abruptly, but said that was because LaCasa was trying to meet fund application deadlines. He said representatives of La Casa and the City would be addressing the Council tonight.

Mayor Stutsman said he had distributed to the Council and made available to the public at the meeting a proposed amended version of Resolution 2023, *Approving a Loan to LaCasa of Goshen, Inc. from the Local Major Moves Construction Fund* (EXHIBIT #1).

Mayor Stutsman said because of good work by City staff, he now was proposing a reduction in the loan from \$500,000 to \$250,000. In addition, because of concerns from Councilors and the public about repaying the loan to the Major Moves Construction Fund from tax dollars, the Mayor said he was now proposing repaying the loan from Opioid Settlement funds. He invited **City Director of Public Works & Utilities Dustin Sailor** to discuss the reduced infrastructure costs, which was why the Mayor said the proposed loan could be reduced to \$250,000.

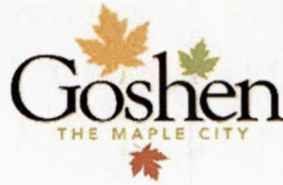
Sailor said that at the Council's last meeting, **Councilor Schrock** asked good questions about what kind of growth is anticipated north of Oaklawn, which is a good question because there is a lot of acreage that could be developed in various ways. He said before Christmas, during a meeting with LaCasa and Oaklawn staff, City staff members stated that a 16-inch water main should be installed at the proposed housing development site. Upon further consideration, Sailor said City staff determined that Oaklawn's water and sewer lines could be "right-sized" and future development would have to pay for any further expansion in the north.

Council President Weddell asked if the existing water and sewer lines could service the new buildings. In response to a follow-up question from **Councilor Schrock**, **Sailor** clarified the issue. In response to **Councilor King**, Sailor said there was no down side to proceeding as has now been recommended.

Brad Hunsberger, LaCasa's vice president for real estate development, distributed to Councilors revised site plans and LaCasa Goshen Utility Work Budget pricing for the proposed 8-unit permanent supportive housing development to be located on real property owned by Oaklawn Psychiatric Center, Inc. at 302 Lakeview Drive (EXHIBIT #2). He described the various phases of the project and the advantages of proceeding as recommended by Sailor and not expanding the water and sewer infrastructure for future growth until later.

In response to questions from **Council President Weddell**, **Hunsberger** said LaCasa and Oaklawn would have the water and sewer lines needed for phases one and two of the project and will then expand them for future phases.

Council President Weddell said he was glad this could work out in this manner.



Deputy Mayor Mark Brinson described how the City would use funds from the national Opioid Settlement to repay the LaCasa loan to the Mayor Moves Construction Fund. He said the City will receive about \$600,000 over 18 years as part of the nationwide settlement with pharmaceutical distributors. The City will receive funds that can be used for unrestricted and restricted purposes. He said one of the allowed uses for restricted funds is housing for people in drug treatment, which is exactly what LaCasa and Oaklawn are developing.

Asked by **Councilor Pérez** about how much of the spending is restricted and how much is unrestricted, **Brinson** said about \$424,000 is restricted and about \$181,000 is unrestricted.

Mayor Stutsman said the City would receive two large chunks of money for the initial two years of the settlement – \$178,000 this year in restricted funds. He said that entire amount could be used immediately to help pay down the \$250,000 loan to LaCasa. He said the remainder could be paid in later years.

Mayor Stutsman outlined the changes in the amended draft Resolution 2023-02. They were as follows:

- The amount of the proposed loan was decreased to \$250,000 from \$500,000;
- The City would forgive \$100,000 of the loan upon completion of the first of the eight-unit buildings. An additional \$100,000 would be forgiven after the completion of the third building. And upon completion of the 6th building, the City would forgive the remaining principal amount of \$50,000.
- The Oaklawn Psychiatric Center, Inc. would grant the City of Goshen an easement or dedicate sufficient land to the City to allow for future extension of public sewer and water facilities along the east boundary of Oaklawn, adjacent to State Road 15, from the southern to northern boundaries of the property.
- The City would commit to use its new Opioid Settlement Fund, using its restricted allotment, to replenish the Local Major Moves Construction Fund the full portion of the loan to LaCasa that is forgiven, beginning in the 2024 budget at the earliest. The restricted allotment of Opioid funds the City will receive total \$424,000.
- Finally, the dates of the proposed resolution have been updated.

Mayor Stutsman said he would be happy to discuss the proposed changes with Councilors. He said if there were no further changes, they could be made individually or a motion could be made to accept all of the proposed revisions.

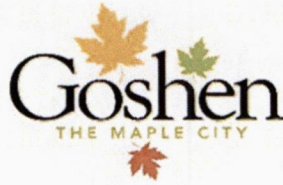
Weddell/Nisley made a motion to amend Resolution 2023-02 as highlighted in Mayor Stutsman's proposed revisions.

There was no further discussion by Councilors or the public on the revisions to Resolution 2023-02.

On a voice vote, Councilors unanimously approved, on a 7-0 vote, the proposed revisions to Resolution 2023-02, Approving a Loan to LaCasa of Goshen, Inc. from the Local Major Moves Construction Fund, as suggested by Mayor Stutsman, at 6:49 p.m.

Mayor Stutsman asked if there was further discussion by the Council on the revised resolution.

Council President Weddell said he would prefer that the Council not be involved in negotiating the terms of the loan agreement. He suggested that the Board of Works be mindful of the terms of the last agreement with LaCasa, which he believed the interest charged was 1 percent over the average of the City's annual investments.



Mayor Stutsman said he understood the request and would consider the previous terms.

Councilor Riegsecker asked about the repayment of the loan, confirming that the loans would not be forgiven until the buildings were completed. **Mayor Stutsman** said the loans can be repaid sooner if the funds were needed.

Councilor Riegsecker said he would favor replenishing the Major Moved Fund quicker.

Councilor Nisley asked what would happen if the project isn't completed in its entirety. **Mayor Stutsman** said LaCasa would be responsible for paying back \$150,000 if only two buildings were completed unless another arrangement could be made. **Council President Weddell** said LaCasa has good record of repaying loans.

Councilor Pérez thanked the Engineering Department, La Casa, Oaklawn and the Mayor for coming together with a new and better proposal. He said this should expedite the development of additional buildings and the project fits within the spending priorities of the Opioid settlement funds. Councilor Pérez also said this was a good project that will benefit the community and people who need this housing assistance.

At 6:55 p.m., Mayor Stutsman invited public testimony on Resolution 2023-02.

Glenn Null of Goshen said he was glad the size of the loan to LaCasa was reduced. He said he believes the interest should start accruing immediately and be set at 1 percent above the prime lending rate. He cautioned that using Opioid settlement funds could be risky if the LaCasa fails to fully develop the housing or there is a change in the allowable uses of Opioid settlement funds. He said the City would be losing money by setting a low interest rate.

Testifying as a member of the public, **Council President Weddell** said LaCasa's Board met last week and unanimously agreed to pursue this proposal. He thanked City staff for working with LaCasa and said Oaklawn was an excellent partner. He also said that this project would benefit people in treatment who need housing. He also said this would be the only such project in Elkhart County that will accommodate families. And he thanked the Council, the Mayor and City staff for supporting this project.

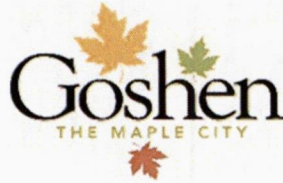
There were no further comments, so Mayor Stutsman closed public testimony at 7 p.m.

Mayor Stutsman said he was excited about the project, noting that communities across the state are trying to increase all levels of funding. Assuming all funding for the LaCasa Oaklawn project comes through, he said the City would have added workforce and market rate housing at significant levels and now some affordable housing. He said it feels like the City is on the right track and ahead of where other communities would like to be.

Councilor Pérez also praised the partnership and this proposal. He said he hopes Councilors also will promote the project. **Councilor King** echoed the positive comments from others and thanked all who contributed to the project.

Council President Weddell pointed out that the last page of the resolution listed the approval date of 2022 and not 2023. **Mayor Stutsman** said that was a minor change that can be made in the resolution.

Councilor Riegsecker asked if loans from the Major Moves Fund have always been repaid with interest. **Mayor Stutsman** said that mostly has been the case, but not always.



Councilor Riegsecker asked if Glenn Null was correct in expressing a concern about changing federal regulations. **Mayor Stutsman** said that was a valid concern, nothing that there were multiple changes regarding expenditures and reporting of American Rescue Plan funds.

However, **City Attorney Bodie Stegelmann** said the National Opioid Settlement is not made up of federal funds but a settlement and there will be fewer reporting requirements.

Council President Weddell said he has fewer concerns because the loan now is only for the first two buildings, which should be developed quickly. He said everything beyond that would be paid by LaCasa.

Councilor Eichorn and Mayor Stutsman said that was a good point.

Council President Weddell asked **Clerk-Treasurer Aguirre** if the City collected the prime interest rate on any of its investments. **Aguirre** said the City did on the funds it had in the bank. However, up until recently the City collected very little because the prime rate was so low.

Councilor Schrock said, "It felt like a no-brainer" to support LaCasa and Oaklawn. **Mayor Stutsman** agreed that they have been great community partners for decades.

Councilor Eichorn thanked Councilor Schrock for asking questions that prompted City staff to more closely examine the proposal and develop a way to lower the loan amount. She said that this shows Council conversations can change proposals for the better. **Councilor Nisley** also thanked the Mayor and City staff for reducing the loan amount, which he said had been one of his concerns.

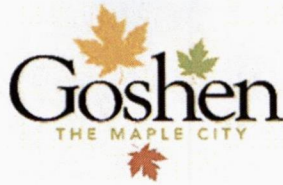
Council President Weddell noted that he has no financial interest in this project, so he has no conflict of interest. He added that he is not paid to serve on LaCasa's board. **Mayor Stutsman** said that this understanding – that **Council President Weddell** had no conflict of interest – was confirmed with the City Attorney before the LaCasa project came to the Council.

There were no further amendments to Resolution 2023-02. There were also no further Council comments. And Council President Weddell indicated that Councilors were ready to vote.

On a voice vote, Councilors unanimously passed, by a 7-0 vote, Resolution 2023-02, Approving a Loan to LaCasa of Goshen, Inc. from the Local Major Moves Construction Fund, at 7:08 p.m.

Elected Official Reports:

Councilor Nisley thanked **City Superintendent of Parks & Recreation Tanya Heyde** and the Parks and Recreation Department for agreeing to install pavilions at Baker Field and in East Goshen. He said he learned the pavilions will be installed at both parks and residents will appreciate having them for their annual picnics. **Mayor Stutsman** responded that the pavilions were ordered in the second half of 2021 and were delayed by backlogs in construction.



Councilor Pérez reminded Councilors that a few months ago they unanimously passed a resolution supporting driver cards for undocumented people in Indiana. He said a Senate committee will consider the proposal tomorrow and **Mayor Stutsman** and **Police Chief José Miller** will be testifying for the bill. He said such legislation matters and it's important to be involved in the process. Pérez said he hopes the legislation passes, because it will deliver many benefits, including enhanced public safety. He added that he will be attending a legislative breakfast in Indianapolis on Wednesday and will discuss the bill with legislators.

Mayor Stutsman said he, **Chief Miller**, and **Clerk-Treasurer Aguirre** would be attending the Senate hearing on the driver card bill. He said a positive vote in committee would send the bill to the Senate for a vote. He pointed out that the bill has bipartisan support, including the backing of 25 Republican mayors and 21 Democratic mayors.

Clerk-Treasurer Aguirre said the Council's next meeting, on Feb. 13, would be a joint meeting with the Goshen Community Schools Board in the Council chamber. He said there would mostly be reports from City and Schools staff. **Mayor Stutsman** noted that the Kid Mayor would help run the meeting and the Council and School Board youth advisers would be present.

Aguirre also said that **Councilor Nisley** went above the call of duty by attending the last Council meeting, on Jan. 23, when he had just undergone heart surgery. He noted that Councilor Nisley looked better tonight.

Councilor Schrock asked **Michael B. Burk of Goshen**, who was in the audience, if he had obtained reimbursement for utility work in front of his home. **Burk** said the matter has not been resolved yet. Mayor Stutsman said he was still trying to resolve the issue, but noted that he misunderstood who had caused the problem; he said it was NIPSCO and not the City. Still, the Mayor said he was seeking a resolution to Burk's problem.

Councilor Nisley said he heard complaints from two residents upset about problems caused by fiber optic installation. Other **Councilors** said they were aware of similar concerns. **Mayor Stutsman** said this has been a persistent issue for the City. The Mayor said City staff push the companies to correct any problems.

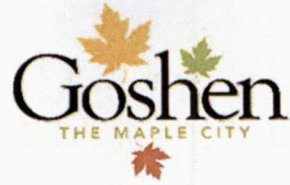
There were no further comments by elected officials.

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

Mayor Stutsman adjourned the meeting at 7:16 p.m.

EXHIBIT #1: Mayor Stutsman's proposed amended version of Resolution 2023, Approving a Loan to LaCasa of Goshen, Inc. from the Local Major Moves Construction Fund. The Mayor distributed the amended version of the resolution to Councilors and made copies of available to the public at the Feb. 6 Council meeting.

EXHIBIT # 2: Revised site plans and LaCasa Goshen Utility Work Budget pricing for the proposed 8-unit permanent supportive housing development to be located on real property owned by Oaklawn Psychiatric Center, Inc. at 302 Lakeview Drive.



APPROVED:

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

Jeremy P. Stutsman, Mayor of Goshen

ATTEST:

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

Richard R. Aguirre, City Clerk-Treasurer

**GOSHEN COMMON COUNCIL
RESOLUTION 2023-02**

**Approving a Loan to LaCasa of Goshen, Inc.
from the Local Major Moves Construction Fund**

WHEREAS, the City of Goshen has established a fund known as the Local Major Moves Construction Fund;

WHEREAS, the Local Major Moves Construction Fund currently has a balance of Four Million Five Hundred Sixty-One Thousand Five Hundred Thirty-Seven and 34/100 Dollars (\$4,561,537.34);

WHEREAS, funds in the City's Local Major Moves Construction Fund may be expended as authorized by Indiana Code § 8-14-16-5, as amended from time to time;

WHEREAS, I.C. § 8-14-16-5 allows the City to expend funds in the Local Major Moves Construction Fund to provide funding for economic development projects defined in I.C. § 6-3.6-2-8(1) or I.C. § 6-3.6-2-8(2)(A)-(K);

WHEREAS, LaCasa of Goshen, Inc. ("LaCasa") seeks assistance from the City of Goshen in the form of partial funding of water and sewer utility infrastructure improvements that LaCasa will require during the construction of up to 6, 8-unit buildings for permanent supportive housing over the next ten (10) years to be located on real property owned by Oaklawn Psychiatric Center, Inc. ("Oaklawn") at 302 Lakeview Drive;

WHEREAS, the cost of the water and sewer utility infrastructure improvements contemplated is expected to exceed **Two Hundred and Fifty Thousand Dollars (\$250,000.00)**;

WHEREAS, the use of funds from the City's Local Major Moves Construction Fund to help pay for water and sewer utility infrastructure improvements at Oaklawn's real property for the benefit of the LaCasa construction project complies with the standard of I.C. § 8-14-16-5; and

WHEREAS, the Goshen Common Council seeks to now authorize a loan from the Local Major Moves Construction Fund to LaCasa to help pay for water and sewer Utility infrastructure improvements on real property owned by Oaklawn at 302 Lakeview Drive necessitated by LaCasa's construction of 6, 8-unit buildings for permanent supportive housing in an amount not to exceed **Two Hundred and Fifty Thousand Dollars (\$250,000.00)**.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Goshen Common Council approves a loan to LaCasa of Goshen, Inc from the Local Major Moves Construction Fund in an amount not to exceed **Two Hundred and Fifty Thousand Dollars (\$250,000.00)**.
2. The Goshen Common Council approves the loan under the following conditions:

a. No interest shall accrue during the first (2) years of the loan, after which interest shall accrue;

b. No payments shall be due until construction of the second 8-unit is complete, after which payments shall be made by LaCasa on a quarterly basis;

c. Funds shall be disbursed to LaCasa upon presentment to the City of qualifying invoices from the construction of the water and sewer infrastructure facilities;

d. Upon completion of the 1st 8-unit buildings, the City shall forgive a principal amount of One Hundred Thousand Dollars (\$100,000). An additional One Hundred Thousand Dollars (\$100,000) will be forgiven for the completion of the 3rd 8-unit building. Upon completion of the 6th and final 8-unit building, the City shall forgive the remaining principal amount of the borrowed dollars of Fifty Thousand Dollars (\$50,000), (assuming the full Two Hundred and Fifty Thousand Dollars (\$250,000) is borrowed).

e. Oaklawn Psychiatric Center, Inc. must grant to the City of Goshen an easement, or dedicate sufficient land to the City, to allow for the future extension of public water and sewer utility facilities along the east boundary of Oaklawn's real property, adjacent to State Road 15, from the southern boundary of Oaklawn's real property to the northern boundary of Oaklawn's real property.

3. The City of Goshen Board of Public Works and Safety and City staff are authorized to negotiate the terms of a final agreement with LaCasa, and the Board of Public Works and Safety is authorized to enter into a formal loan agreement with LaCasa, consistent with the terms of this resolution and negotiations that take place.

4. The City of Goshen commits to use its Opioid Settlement Fund, using the restricted allotment to replenish the Local Major Moves Construction Fund the full portion of the loan to LaCasa that is forgiven, beginning in the 2024 budget at the earliest. (The restricted allotment of Opioid funds we will receive totals, Four Hundred Twenty-Four Thousand and Forty-Two Dollars (\$424,042.00)).

The Resolution is PASSES by the Common Council of the City of Goshen, Indiana on the _____ day of February, 2023.

Presiding Officer

ATTEST:

Richard R. Aguirre, Clerk-Treasurer

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

Richard R. Aguirre, Clerk-Treasurer

APPROVED and ADOPTED on February _____, 2022.

Jeremy P. Stutsman, Mayor

LaCasa Goshen Utility Work Budget Pricing



C&E Excavating

53767 CR9

Elkhart, IN 46514

Contact: Jeffrey L. Bonadies

Phone: (574)262-4346

Fax: (574)262-9251

Quote To: Attn: Brad Hunsberger - LaCasa
202 N Cottage Ave
Goshen, IN 46528
Phone: 574-533-4450 x42
Fax:

Job Name: Budget Pricing - Goshen Utility Work
Date of Plans: Revised Overview Recieved 1/25/2023
With Added Fire Risers
Revision Date: TBD - Forthcoming Plans

ITEM	DESCRIPTION	QUANTITY	UNIT		
10	MOBILIZATION	1.00	LS		
20	CONSTRUCTION ENGINEERING AND PROJECT LAYOUT	1.00	LS		
	GENERAL CONDITIONS				68,980.00
30	DEWATERING	1.00	LS		
	DEWATERING				34,100.00
40	STRIP TOPSOIL FOR UTILITY INSTALLATION	1,550.00	SY		
50	REMOVE/HAUL OFF ROADWAY	140.00	SY		
	STRIP & CLEAR/DEMO				5,060.00
100	WATER MAIN, 8"	400.00	LF		
110	WATER TAP, 8" TAP SLEEVE & VALVE	1.00	EA		
120	WATER SERVICE, 2" TAP/CURB STOP/CURB BOX/MARKER	2.00	EA		
130	FIRE HYDRANT, 8X6 TEE & 6" DI AND VALVE	2.00	EA		
150	WATER STUB/VALVE/CAP FOR FUTURE CONNECTION	1.00	EA		
	WATERMAIN & ASSOCIATED				83,180.00
160	6" FIRE SERVICE LINE	2.00	EA		
	6" FIRE SERVICE				21,500.00
200	DH MANHOLE W/CASTING	1.00	EA		
210	8" SANITARY SEWER	350.00	LF		
220	SANITARY SEWER MH WITH CASTING	3.00	EA		

ITEM	DESCRIPTION	QUANTITY	UNIT		
230	SANITARY WYE, 8x6	2.00	EA		
240	SANITARY LATERAL W/CLEANOUT	2.00	EA		
	SANITARY				67,770.00
400	GREEN AREA RESTORATION	1,550.00	SY		
600	ROADWAY PATCH, CONCRETE, DYED BLACK	180.00	SY		
	RESTORATION				21,695.00
800	WATER AND SEWER TESTING	1.00	LS		
	TESTING				2,000.00
GRAND TOTAL					\$304,285.00

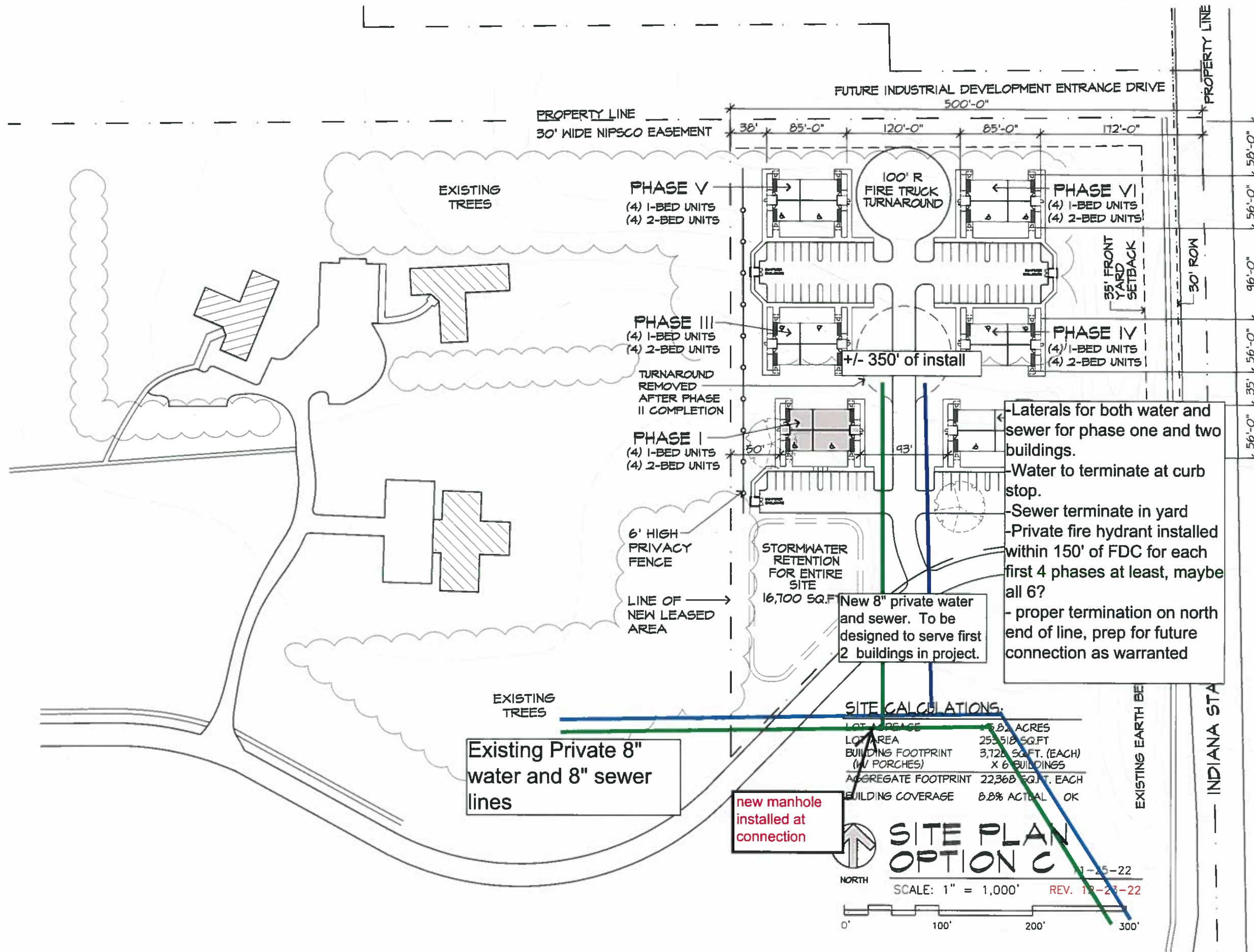
NOTES:

This proposal is budgetary in nature and should be used as such. C&E reserves the right to reprice this work when final plans are issued.

GENERAL TERMS AND CONDITIONS

1. All base bid work bid as a complete package. No dividing bid or changing scope without consent from C&E Excavating, Inc.
2. All work to be done in 1 mobilization unless otherwise noted above.
3. Work being completed during normal working hours, M-F 7:30am - 4:30pm.
4. All work subject to schedule availability at the time work is requested. No work will be scheduled until receipt of an executed contract.
5. C&E Excavating, Inc. will not be liable for delays caused by labor disturbances, weather conditions, acts of God, acts of governmental agencies, accidents, shortages of materials or supplies, or any other cause beyond our control.
6. All grading to be done 1 time only and to be +/- 0.10'. Fine grading by others. Price assumes a CAD file will be made available for GPS Grading.
7. Extra work not included in this proposal shall be executed by written change order or signed work order to be billed at our current Time and Material rates.
8. Verification of plan conformance to ADA Standards by others.
9. No allowance for construction engineering / staking, dewatering, maintenance of traffic, computer generated as built drawings, undercutting loose or unsuitable soils, subgrade treatment, geogrid, asphalt or concrete pavement, landscaping, seeding, erosion blankets, tree protection, dumpster enclosure, retaining walls, signs, striping, guardrail, bollards, or utility (gas / fiber / phone / electrical) conduits unless expressly provided in this proposal.
10. Excludes haul-off or handling of contaminated or hazardous materials, below grade obstructions, unknown borrow pits, frozen materials, or trash.
11. Pricing assumes existing survey is complete and accurate. If discrepancies are found requiring additional earthwork or grading, C&E Excavating, Inc. reserves the right to re-price this work.
12. No allowance for winter conditions.
13. Price assumes portable toilet facilities and a dumpster will be provided by the General Contractor for our use.
14. Any required utility relocations or coordination is excluded unless expressly provided in this proposal.
15. All fees, permits, and assessments shall be obtained and paid for by others unless otherwise noted above.
16. Bonding is INCLUDED in this proposal.
17. C&E Excavating, Inc. not responsible for locating or damage to any utilities not located by calling the 811 service.

NOTE: This proposal may be withdrawn by C&E Excavating, Inc. if not accepted within 30 days



PHASE V
(4) 1-BED UNITS
(4) 2-BED UNITS

PHASE V
(4) 1-BED UNITS
(4) 2-BED UNITS

PHASE III
(4) 1-BED UNITS
(4) 2-BED UNITS

PHASE IV
(4) 1-BED UNITS
(4) 2-BED UNITS

PHASE I
(4) 1-BED UNITS
(4) 2-BED UNITS

SITE CALCULATIONS:

LOT AREA	15.82 ACRES
LOT AREA	253,518 SQ.FT.
BUILDING FOOTPRINT (w/ PORCHES)	3,128 SQ.FT. (EACH) X 6 BUILDINGS
AGGREGATE FOOTPRINT	22,368 SQ.FT. EACH
BUILDING COVERAGE	8.8% ACTUAL OK

- Laterals for both water and sewer for phase one and two buildings.
 - Water to terminate at curb stop.
 - Sewer terminate in yard
 - Private fire hydrant installed within 150' of FDC for each first 4 phases at least, maybe all 6?
 - proper termination on north end of line, prep for future connection as warranted

SITE PLAN OPTION C
 1-25-22
 SCALE: 1" = 1,000' REV. 12-27-22

EXHIBIT #2



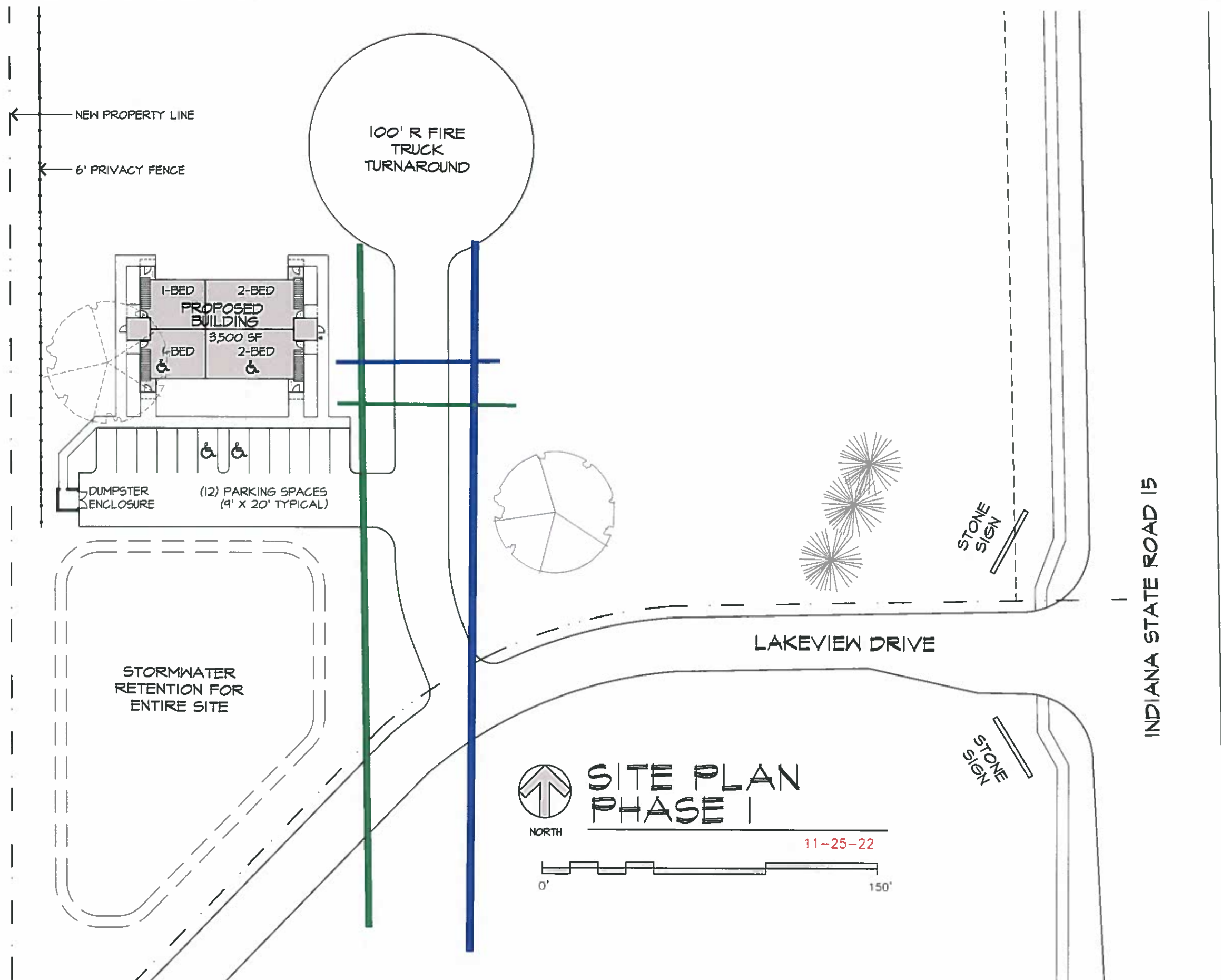
DATE	REVISION	BY	CHECKED BY

PROJECT TITLE
OAKLAWN CAMPUS APARTMENTS

PROJECT NAME
LACASA, INC.
GOSHEN, INDIANA

DATE	REVISIONS	BY

SHEET NUMBER



NORTH

SITE PLAN PHASE I

11-25-22





WestSun
Design, LLC
ARCHITECTURE • INTERIOR DESIGN



lacasa
Strong foundations. For everyone.

DATE	REVISION	PROJECT TITLE	PROJECT NAME
11-25-22	1	OAKLAWN CAMPUS APARTMENTS	LACASA, INC. GOSHEN, INDIANA
DRAWN BY	CHECKED BY	BY	
[Blank]	[Blank]	[Blank]	
SHEET NUMBER			

Legend

Sanitary Structure

Owner

- Ⓢ Private
- Ⓢ Public

Sanitary Pipe

Function

- Abandoned
- Collector
- Water Main

Fire Hydrants

Owner

- Ⓢ Private
- Ⓢ Public

Storm Str - New

- <all other values>

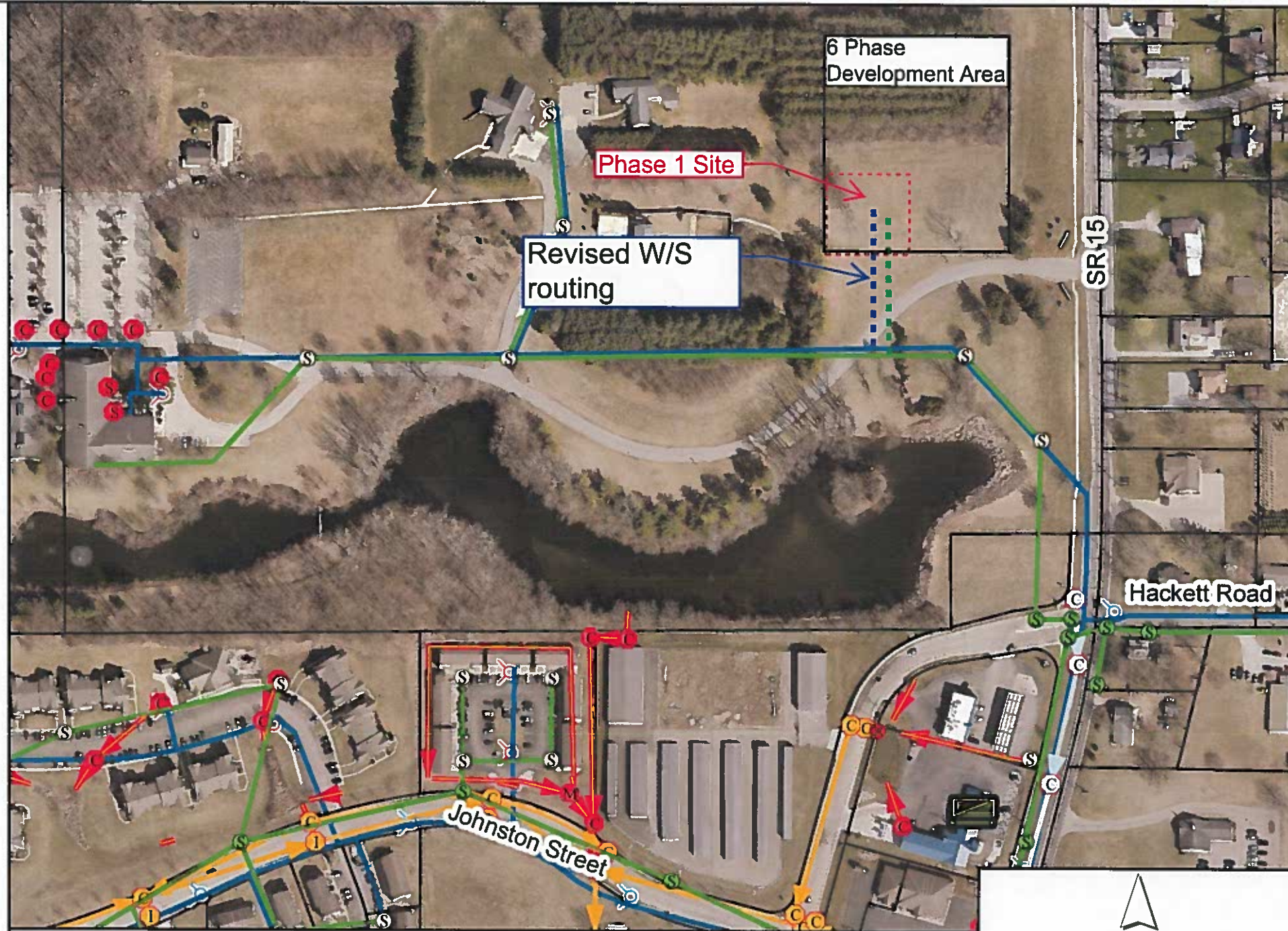
Str_Type, Owner

- Ⓢ Catch Basin, Private
- Ⓢ Catch Basin, Public
- Ⓢ Catch Basin, State
- Ⓢ Downspout, Private
- Ⓢ Drywell, Private
- Ⓢ Inlet, Private
- Ⓢ Inlet, Public
- Ⓢ Manhole, Private
- Ⓢ Storm WaterTreatment, Private

Storm Sewer Pipes

Owner

- Ⓢ Private
- Ⓢ Public
- Ⓢ State



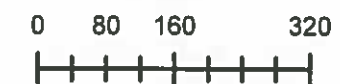
Public Utilities Map - Oaklawn and Surrounding Area

September 2022 - Map Created

2021 Aerial Photograph



Feet



1 inch = 300 feet

The City of Goshen's Digital Data is the property of the City of Goshen and Elkhart County, Indiana. All graphic data supplied by the city and county has been derived from public records that are constantly undergoing change and is not warranted for content or accuracy. The city and county do not guarantee the positional or thematic accuracy of the data. The cartographic digital files are not a legal representation of any of the features depicted, and the city and county disclaim any assumption of the legal status they represent. Any implied warranties, including warranties of merchantability or fitness for a particular purpose, shall be expressly excluded. The data represents an actual reproduction of data contained in the city's or county's computer files. This data may be incomplete or inaccurate, and is subject to modifications and changes. City of Goshen and Elkhart County cannot be held liable for errors or omissions in the data. The recipient's use and reliance upon such data is at the recipient's risk. By using this data, the recipient agrees to protect, hold harmless and indemnify the City of Goshen and Elkhart County and its employees and officers. This indemnity covers reasonable attorney fees and all court costs associated with the defense of the city and county arising out of this disclaimer.

The City of Goshen
 Department of Public Works & Safety
 Office of Engineering
 204 East Jefferson Street, Goshen, Indiana 46528
 Phone: 574-534-2201 Fax: 574-533-8626

50' utility easement for future public works

NPSCO EASEMENT DESCRIPTIONS (DR 419 PG 838)
 TWO (2) STRIPS OF LAND DESIGNATED STRIP "A" AND STRIP "B", LYING IN THE NORTH ONE-HALF (N1/2) OF SECTION FOUR (4), TOWNSHIP THIRTY-SIX NORTH (T36N), RANGE SIX EAST (R6E) OF THE SECOND PRINCIPAL MERIDIAN, ELKHART COUNTY, ELKHART TOWNSHIP, INDIANA. SAID STRIP "A" BEING THIRTY (30) FEET WIDE, LYING FIFTEEN (15) FEET EACH SIDE OF A CENTERLINE, AND SAID CENTERLINE PRODUCED, SAID CENTERLINE BEING DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON STAKE ON THE WEST RIGHT-OF-WAY LINE OF STATE ROAD #15, SAID IRON STAKE MARKING THE SOUTH EAST CORNER OF LOT EIGHT (8) MAPLE MANOR SUBDIVISION AS RECORDED IN PLAT BOOK FIVE (5) PAGE FORTY (40) IN THE OFFICE OF ELKHART COUNTY RECORDER ON THE 31ST DAY OF AUGUST, 1952; THENCE IN A SOUTHERLY DIRECTION ALONG THE WEST RIGHT-OF-WAY LINE OF STATE ROAD #15 A DISTANCE OF TWO HUNDRED TWENTY-THREE AND NINE TENTHS (223.9) FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE WESTERLY AND AT RIGHT ANGLES TO THE WEST RIGHT-OF-WAY LINE OF STATE ROAD #15, PARALLEL TO AND FIFTEEN (15) FEET SOUTH OF THE NORTH PROPERTY LINE OF GRANTOR'S LAND, A DISTANCE OF ONE THOUSAND SEVEN HUNDRED (1700) FEET TO A POINT ON GRANTOR'S LAND.

SAID STRIP "B" BEING TWENTY (20) FEET WIDE LYING TEN (10) FEET EACH SIDE OF A CENTERLINE, AND SAID CENTERLINE PRODUCED, SAID CENTERLINE BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE CENTERLINE OF SAID DESCRIBED STRIP "A" WHICH POINT IS ONE THOUSAND SIX HUNDRED TWENTY (1620) FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF STATE ROAD #15; THENCE SOUTHERLY AND AT RIGHT ANGLES TO THE CENTERLINE OF SAID DESCRIBED STRIP "A" A DISTANCE OF THREE HUNDRED TWENTY (320) FEET TO A POINT ON GRANTOR'S LAND.

LEGAL DESCRIPTION

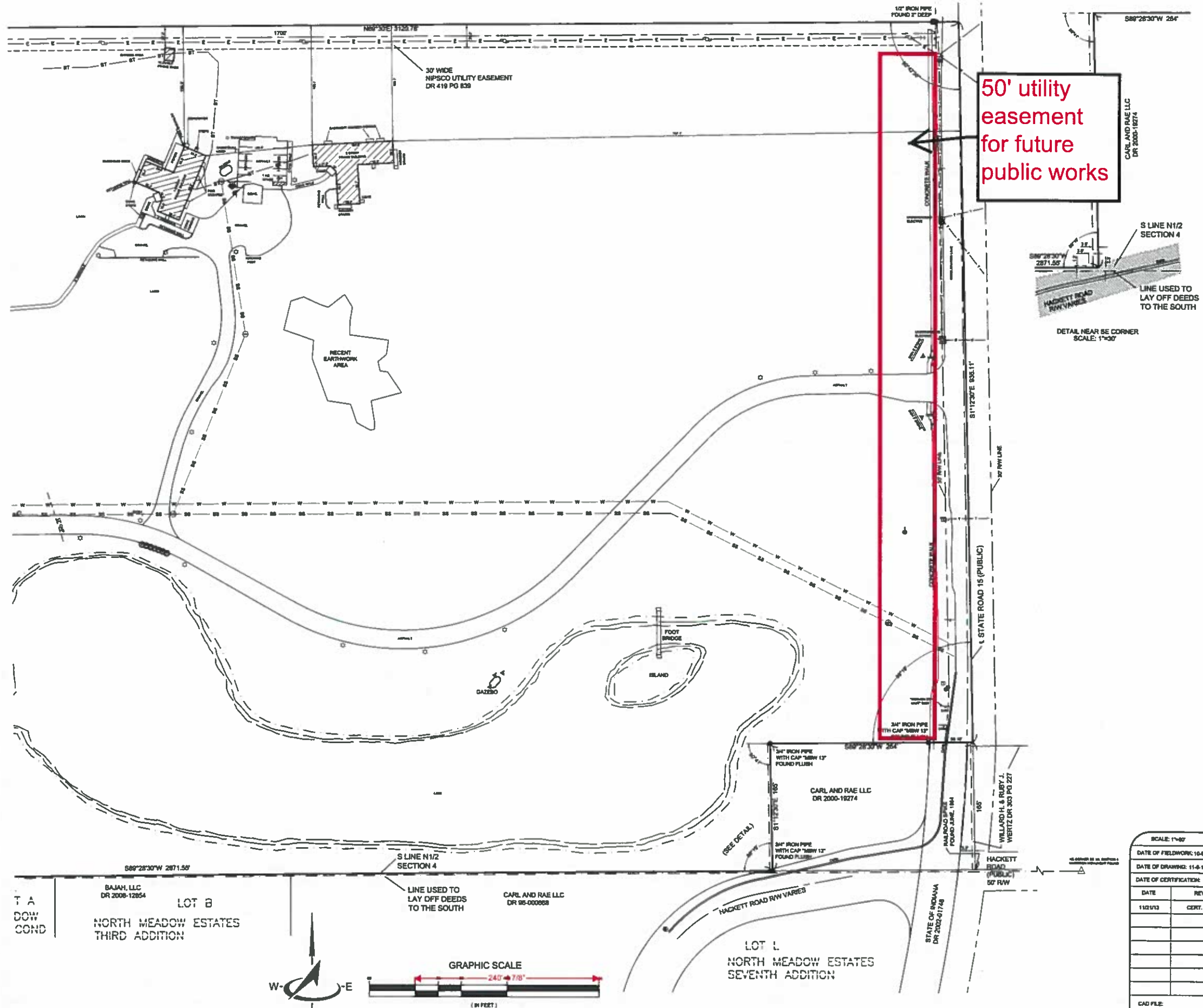
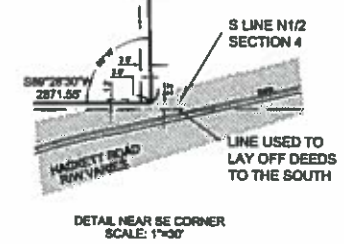
A PART OF THE NORTH ONE-HALF (N 1/2) OF SECTION FOUR (4), TOWNSHIP THIRTY-SIX (36) NORTH, RANGE SIX (6) EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A STONE IN THE CENTER OF SECTION FOUR (4), TOWNSHIP THIRTY-SIX (36) NORTH, RANGE SIX (6) EAST, THENCE WEST TWELVE HUNDRED SEVENTY-SEVEN (1277) FEET; THENCE NORTH ELEVEN HUNDRED FOUR (1104) FEET; THENCE EAST THIRTY-ONE HUNDRED EIGHTEEN (3118) FEET; THENCE SOUTHERLY NINE HUNDRED THIRTY-NINE (939) FEET; THENCE WEST SIXTEEN (16) FEET; THENCE SOUTH TEN (10) FEET; THENCE WEST FIFTEEN HUNDRED NINETY-TWO (1592) FEET TO THE PLACE OF BEGINNING.

THE ABOVE TRACT IS MORE CORRECTLY DESCRIBED AS FOLLOWS:
 PART OF THE NORTH HALF (N 1/2) OF SECTION 4, TOWNSHIP 36 NORTH, RANGE 6 EAST, SITUATE IN ELKHART TOWNSHIP, ELKHART COUNTY, STATE OF INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON STAKE MARKING THE SOUTHWEST CORNER OF THE EAST HALF (E 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 4; THENCE NORTHWARDLY ALONG THE WEST LINE OF THE EAST HALF (E 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 4 A DISTANCE OF 1101.21 FEET TO AN IRON STAKE AT THE SOUTHWEST CORNER OF LAND DESCRIBED IN A DEED TO KERMIT D. ROTH, ET AL., (DEED RECORD 368, PAGE 185); THENCE EASTWARDLY WITH A DEFLECTION ANGLE OF 89 DEGREES 58 MINUTES 30 SECONDS TO THE RIGHT AND ALONG THE SOUTH LINE OF SAID KERMIT D. ROTH, ET AL., LAND A DISTANCE OF 3128.78 FEET TO THE CENTERLINE OF INDIANA STATE ROAD 15; THENCE SOUTHWARDLY WITH AN INTERIOR ANGLE OF 89 DEGREES 42 MINUTES 30 SECONDS AND ALONG THE CENTERLINE OF SAID STATE ROAD 15 A DISTANCE OF 825.11 FEET TO A POINT THAT IS 165 FEET NORTH OF THE SOUTH LINE OF THE NORTH HALF (N 1/2) OF SAID SECTION 4; THENCE WESTWARDLY WITH AN INTERIOR ANGLE OF 89 DEGREES 19 MINUTES AND PARALLEL WITH THE SOUTH LINE OF THE NORTH HALF (N 1/2) OF SAID SECTION 4 A DISTANCE OF 264 FEET TO AN IRON STAKE; THENCE SOUTHWARDLY WITH A DEFLECTION ANGLE OF 89 DEGREES 41 MINUTES TO THE LEFT AND PARALLEL WITH THE CENTERLINE OF SAID STATE ROAD 15 A DISTANCE OF 185 FEET TO AN IRON STAKE ON THE SOUTH LINE OF THE NORTH HALF (N 1/2) OF SAID SECTION 4; THENCE WESTWARDLY WITH AN INTERIOR ANGLE OF 89 DEGREES 19 MINUTES AND ALONG THE SOUTH LINE OF THE NORTH HALF (N 1/2) OF SAID SECTION 4 A DISTANCE OF 2871.55 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR SANITARY SEWER SET OUT IN BLANKET EASEMENT DATED SEPTEMBER 23, 1988 AND RECORDED SEPTEMBER 23, 1988 IN DEED RECORD 438, PAGE 732, IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA.



BAJAH, LLC
DR 2006-12854
LOT B
NORTH MEADOW ESTATES
THIRD ADDITION

CARL AND RAE, LLC
DR 05-00068

CARL AND RAE, LLC
DR 2000-19274

LOT L
NORTH MEADOW ESTATES
SEVENTH ADDITION

WILLARD H. & JURY J.
WERTZ DR 383 PG 227

HACKETT ROAD
(PUBLIC)
50' R/W



SCALE: 1"=60'	
DATE OF FIELDWORK:	10-6-13
DATE OF DRAWING:	11-6-13
DATE OF CERTIFICATION:	10-6-13
DATE	REVISION
11/21/13	CERT. REVISED
CAD FILE:	0211-2013.dwg
JOB NUMBER:	0211-2013
DRAWN BY:	LUCI / HOB

ALTA/ACSM LAND TITLE SURVEY
 PT. N 1/2, SECTION 4, T36N, R6E
 ELKHART TOWNSHIP, ELKHART COUNTY
 GOSHEN, INDIANA

Marbach
 Marbach, Brady & Weaver, Inc.
 Engineering & Surveying Since 1918
 3220 Southview Drive
 Elkhart, Indiana 46514
 (574) 266-1010
 Fax: (574) 262-3040
 info@marbachpls.com
 www.marbachpls.com