



GOSHEN COMMON COUNCIL

Minutes of the JANUARY 29, 2024 Regular Meeting

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

Mayor Gina Leichty called the meeting to order at 6:03 p.m. Assisted by the Mayor, Council Youth Adviser Jessica Velazquez Valdes led the Pledge of Allegiance.

Mayor Leichty asked Clerk-Treasurer Aguirre to conduct the roll call.

Present: Linda Gerber (At-Large) Phil Lederach (District 5) Doug Nisley (District 2)
Megan Peel (District 4) Donald Riegsecker (District 1) Matt Schrock (District 3)
Council President Brett Weddell (At-Large)
Youth Adviser Jessica Velazquez Valdes (Non-voting)

Absent: None

Clerk-Treasurer Aguirre made the following announcement before any Council action was taken:

"Immediately after the adjournment of the last Council meeting, on Jan. 8, 2024, the Common Council met in an Executive Session. The Executive Session was convened pursuant to the provisions of the Open Door Law and Indiana Code 5-14-1.5- 6.1(b), and as permitted by state statute: (10) When considering the appointment of a public official, to (B): Consider applications.

"More specifically, the Common Council reviewed and discussed the 2024 applicants for City Boards and Commissions. Appointments to City Boards and Commissions are scheduled to be made publicly at the Council's Regular Meeting today, Jan. 29, 2024. No other subject matter was discussed at the Jan. 8 Executive Session. The meeting was convened at 7:49 p.m. and adjourned at 8:42 p.m."

Approval of Minutes:

Mayor Leichty asked the Council's wishes regarding the minutes of the Jan. 8, 2024 Regular Meeting as prepared by Clerk-Treasurer Aguirre. Councilor Nisley moved to accept the minutes as presented by the Clerk-Treasurer. Councilor Riegsecker seconded the motion. The motion passed 7-0 on a voice vote.

Approval of Meeting Agenda:

Mayor Leichty presented the agenda as submitted by the Clerk-Treasurer. Councilor Nisley moved to accept the agenda as submitted. Councilor Peel seconded the motion. Motion passed 7-0 on a voice vote.

Privilege of the Floor:

At 6:07 p.m., Mayor Leichty invited public comments for matters not on the agenda.

Matt Norment, the co-owner of The Energy Well in downtown Goshen, said he and his former wife began their business seven years ago after leaving their previous jobs, adding it was a "saving grace."



Norment said he has had previous conversations with **Councilors** and former Mayor **Jeremy Stutsman** about the parking situation downtown and, especially, the issue of downtown employees using on-street parking spaces (instead of City lots), rendering them unavailable to customers. He said this was an issue he and other downtown business owners have had and he receives weekly and sometimes daily complaints about this from his customers. **Norment** said, "I tell them 'It's part of downtown business and downtown shopping, that you don't always get the best spot. Sometimes you have to take a walk.' But when they have limitations in their life, it makes it a lot harder for them and in turn, we lose business."

Norment said the problem is especially bad on Washington Street, near his business, because the employees of **EI Duranguense** catering services use seven to 10 parking spots a day on the street, which could be used by customers, instead of using the City parking lot behind the building. **Norment** said he tried to talk to the business owner about the issue but was turned away.

Norment also said that **Mayor Stutsman** declined to meet with him and address the problem. He said this situation has negatively affected his business. He estimated that for him, a six-customer per-day loss due to a lack of parking cost him \$1,800 per month, while 12 customers lost per day cost him about \$3,600.

"That's a lot of money for me and that affects my life in a negative way, and right now our business is on the outs because this has been impacting for so long — of course other circumstances, too — but this is not helping, and there's a simple solution to it, if we can just encourage business owners to utilize City parking so customers can have priority parking. Without customers, we don't have downtown businesses," he said.

Norment said he contacted **Mayor Leichty's** office and the person who answered declined to allow him to speak with the Mayor.

Mayor Leichty responded that there are no parking restrictions downtown, but business owners are encouraged to have their employees park in City lots behind their buildings.

The **Mayor** also said, "It's a complete honor system, so there are no required or reserved parking spaces for any particular business. It's a delicate balance that the City neighborhood of businesses have to navigate all the time to provide parking spaces both for their employees and for their customers. Every business that I know of downtown would love to have reserved parking in front of their business and that's not something that the City has identified as a necessity.

"There seems to be more than adequate parking downtown in aggregate, although sometimes for certain businesses that does require a bit of walking for people who are visiting businesses. And in Mr. **Norment's** case, being on the corner, there are some limitations on that. You would have to cross a busy street if you had to park in the City lot, which is generally open and available, and people aren't willing to do that. So that location is tricky."

Councilor Schrock asked if there was an ordinance requiring Main Street employees to park in City lots. **Mayor Leichty** said employees "are strongly encouraged to but there isn't any penalty I am aware of." **Councilor Schrock** said he thought there was an ordinance on this issue.

Mayor Leichty said the City used to have a ticketing system, but not anymore. She said "it was perceived as business unfriendly." Neighbors can be asked to use the City lots, she added, but can't be required to do so.

Council President Brett Weddell, the owner of Wellington & Weddell Eye Care, on the same block as **EI Duranguense** and the Energy Well, said there used a parking monitor who issued tickets to people whose vehicles remained in parking places for too long. However, he said that system was eliminated, and he was unaware of any prohibition on downtown employees using on-street parking spaces.



Council President Brett Weddell said he does prohibit his own employees from parking on the street in order to free up customer parking spaces. He added that he has a small private lot behind his business. He did confirm that the El Duranguense catering truck does park on the street.

There were no further comments, so Mayor Leichty closed the public comment period at 6:16 p.m.

1) City of Goshen Financial Report

Mayor Leichty said **Deputy Clerk-Treasurer Jeffery Weaver** would be providing a City financial overview. She said the purpose was to keep Council members informed monthly of City finances and numbers so they can better oversee the City's budget and finances.

BACKGROUND:

As part of the agenda meeting packet, **Deputy Clerk-Treasurer Weaver** provided Councilors with a memorandum, dated Jan. 29, 2024, and three pages of data on the City's prior year expenditures and 2024 spending budget for general fund departments, special revenue funds, restricted funds and redevelopment restricted funds as well as a summary cash activity report for the year ended Dec. 31, 2023. Before the meeting, Weaver distributed a corrected final page from the report (**EXHIBIT #1**)

In his memorandum, **Weaver** wrote that the Mayor and Clerk-Treasurer were collaborating to provide regular reports to keep the Common Council and community members better informed about the City of Goshen's financial position and budget and help Councilors "manage the finances of the City, appropriate money and establish budgets."

Weaver wrote that this report included generalized financial data for the year ended Dec. 31, 2023 and some preliminary discussion about the current budget year. He wrote that the Clerk-Treasurer's Office was in the process of completing its 2023 Annual Financial Report to the State Board of Accounts, as well as other required reports to the State Department of Local Government Finance and other state and local agencies, so the information presented to the Council on Jan. 29, 2024 should be considered a preliminary snapshot in time and did not necessarily reflect the final numbers that will be reported to state and local agencies.

DEPUTY CLERK-TREASURER REPORT TO COUNCIL:

To underscore his oral report, **Deputy Clerk-Treasurer Weaver** used a five-page PowerPoint presentation, titled "Treasury Report," which was an explanation of the City's prior year expenditures and 2024 spending budget for general fund departments, special revenue funds, restricted funds and redevelopment restricted funds as well as a summary cash activity report for the year ended Dec. 31, 2023 (**EXHIBIT #2**).

Weaver said that as part of a long-term goal of better informing the Council, he would be providing a high-level look at 2023 spending and how that compared to the 2024 budget. To aid in understanding, Weaver said he compiled a report with many of the City's 81 funds into different categories, including the 30 categories that the Council actively deals with. He said he also would talk about the City's cash balances.

Weaver began with a discussion of **General Fund** spending, which primarily is for payroll and day-to-day operating costs and includes most City departments, including the Council, Clerk-Treasurer, Cemeteries, Police, Fire, Building and Planning. In 2023, spending increased 4.1% over 2022 spending, which Weaver said was expected.



Total spending from the General Fund was \$20,041,967 in 2020, \$23,595,920 in 2021, \$25,780,232 in 2022 and \$26,837,943 in 2023. **The 2024 budget for the General Fund is \$31,430,835.**

Councilor Peel asked why the Common Council budget increased from \$121,089 in 2022 to \$185,889 in 2023.

Weaver said that was because the primary and general municipal election costs were paid from that budget.

Weaver said the **Special Revenue Funds** category includes the "Big Four" funds – the General Fund, the Motor Vehicle Highway Fund (for streets) and the Motor Vehicle Highway Restricted Fund, Parks and the Public Safety Local Income Tax Fund. He said the Special Revenue Funds pay for payroll and operating costs. He said in 2023, Special Revenue Funds spending increased by 11.8% over 2022 spending.

Council President Weddell confirmed that the City's Rainy Day Fund has a balance but had no expenditures in 2023. **Weaver** affirmed that understanding and noted that the Rainy Day Fund has a balance of about \$2.1 million. Total spending from Special Revenue Funds was \$11,148,686 in 2020, \$11,200,834 in 2021, \$11,292,053 in 2022 and \$12,622,906 in 2023. **The 2024 budget for Special Revenue Funds is \$15,834,360.**

Weaver said **Restricted Funds** are mostly used for capital projects, debt service and trust funds. He said most of its spending is for large capital purchases – construction projects and equipment – and there is very little payroll or supplies spending. In 2023, he said spending decreased 4.1% over 2022 spending.

Total spending from Restricted Funds was \$1,902,725 in 2020, \$3,180,919 in 2021, \$4,039,867 in 2022 and \$3,874,202 in 2023. **The 2024 budget for Restricted Funds is \$6,512,038.**

Weaver said **Redevelopment Restricted Funds** are from Tax Increment Financing (TIF) and the funds raised are used for capital projects, primarily construction projects in those districts. In 2023, spending in this category increased 95.5% over 2022 spending.

Total spending from Redevelopment Restricted Funds was \$3,647,616 in 2020, \$5,531,830 in 2021, \$6,781,056 in 2022 and \$13,259,792 in 2023. **The 2024 budget for Redevelopment Restricted Funds is \$21,282,229.**

Weaver also provided a **summary of cash activity for the year ended Dec. 31, 2023.** The City had a beginning cash balance on Jan. 1, 2023 of \$111,618,615, receipts of \$111,-518,802, expenditures of \$114,628,325 and an ending cash balance on Dec. 31, 2023 of \$108,509,092. The ending cash balance was composed of \$18,411,086 in the General Fund, \$21,017,822 in Special Revenue Funds, \$16,627,424 in Restricted Funds, \$26,811,886 in Redevelopment Funds, \$17,895,872 in Unappropriated Funds and \$7,745,022 in Utility Funds.

Weaver said next month the Clerk-Treasurer's Office hopes to begin providing reports that compare the 2024 budget with how much is being spent monthly and quarterly. He said the goal is to provide Councilors with a clearer idea of revenue and expenditures to help with the yearly budgeting process.

Council President Weddell and **Councilor Nisley** thanked **Weaver** for his report and work. Council President Weddell also thanked **Mayor Leichty** for providing monthly reports. In turn, **Mayor Leichty** thanked **Deputy Clerk-Treasurer Weaver** and **Clerk-Treasurer Aguirre** for their work.

Mayor Leichty asked **City Attorney Bodie Stegelmann** if the Council needed to approve the report. Stegelmann said that since it was an information report, it didn't need to be approved.



2) Council appointments to City Boards and Commissions

Mayor Leichty said the next agenda item was Council appointments to City Board and Commissions.

Council President Weddell said the process should go smoothly. First, he said the Council needed to make an appointment to the **Goshen Public Library Board of Trustees** to a four-year term. He said **Brad Mosness**, the only applicant, has served two terms and wanted to be reappointed. He also has the support of **Library Director Ann Margaret Rice**.

Councilors Nisley/Riegsecker nominated **Brad Mosness** for appointment to the Library Board.

There were no further nominations.

On a voice vote, Councilors unanimously appointed Brad Mosness to the Library Board, by a 7-0 margin, with all Councilors present voting for Mosness.

Mayor Leichty requested a clarification on the facilitation of the nomination and voting process for the Council appointments. She said she had expected to oversee the process. **Council President Weddell** said in the past, he has done so. **Councilor Peel** said the Council has overseen the process. **Mayor Leichty** said that was fine; she just wanted a clarification, adding that she was happy to share the facilitation duties.

Council President Weddell said the Council next had to appoint two members to the **City Redevelopment Commission** to one-year terms. He said **four people applied: Council President Brett Weddell, Colin Yoder, James Loewen and Jonathan Graber**.

Council President Weddell said the **Mayor** informed him that she has appointed **Jonathan Graber to the Redevelopment Commission** and **James Loewen to the Board of Zoning Appeals**. He said that didn't mean **Loewen** couldn't still be appointed to the Redevelopment Commission. He also suggested that Councilors vote on each Redevelopment Commission appointee individually.

Councilors Nisley/Riegsecker nominated **Brett Weddell** for appointment to the Redevelopment Commission. There were no further nominations for the first position.

On a voice vote, Councilors unanimously appointed Brett Weddell to a one-year term on the Redevelopment Commission, by a 7-0 margin, with all Councilors present voting for Weddell.

Council President Weddell opened nominations for the second opening on the Redevelopment Commission.

Councilors Nisley/Schrock nominated **Colin Yoder** for appointment to the Redevelopment Commission.

Councilors Gerber/Lederach nominated **James Loewen** for appointment to the Redevelopment Commission.

Council President Weddell closed the nominations

On a roll call vote, Councilors appointed Colin Yoder to a one-year term on the Redevelopment Commission, by a 5-2 margin. Councilors Nisley, Peel, Riegsecker, Schrock and Weddell voted for Yoder and Councilors Gerber and Lederach voted for Loewen.

Council President Weddell said the Council also had to fill three vacancies on the **City Shade Tree Board**. He said two were full three-year terms and one was a partial term.



Council President Weddell said there were four Shade Tree Board applicants: Emma Conrad (a current member), Phippen Roth, Natasha Kauffman and Jeremy Kyle Strain.

Council President Weddell suggested each appointment be handled individually.

Councilors Schrock/Gerber nominated Emma Conrad for appointment to the Shade Tree Board.

There were no further nominations for the first position.

On a voice vote, Councilors unanimously appointed Emma Conrad to a three-year term on the Shade Tree Board, by a 7-0 margin, with all Councilors present voting for Conrad.

Council President Weddell invited nominations for the second position on the Shade Tree Board.

Councilors Peel/Schrock nominated Phippen Roth for appointment to the Shade Tree Board.

There were no further nominations for the second position.

On a voice vote, Councilors unanimously appointed Phippen Roth to a three-year term on the Shade Tree Board, by a 7-0 margin, with all Councilors present voting for Roth

Finally, Council President Weddell said the Council needed to fill a Shade Tree Board partial term, which will end on Dec. 31, 2025. He said there were two applicants remaining: Natasha Kauffman and Jeremy Kyle Strain.

Councilors Schrock/Nisley nominated Jeremy Kyle Strain for appointment to the Shade Tree Board.

There were no further nominations for the third position.

On a voice vote, Councilors unanimously appointed Jeremy Kyle Strain to a two-year term on the Shade Tree Board, by a 7-0 margin, with all Councilors present voting for Strain.

Mayor Leichty said she had distributed to Councilors a list of draft appointments of Council liaisons to City Departments and Board and Commissions. Before the appointments are finalized, the Mayor said she would welcome feedback from Councilors.

2) Resolution 2024-1, Grant Agreement for 2024 Edward Byrne Memorial JAG Program Funds

Mayor Leichty called for the introduction of Resolution 2024-01, *Grant Agreement for 2024 Edward Byrne Memorial JAG Program Funds*. Council President Weddell asked the Clerk-Treasurer to read Resolution 2024-01 by title only, which was done.

Weddell/Schrock/Nisley made a motion to approve Resolution 2024-1.

BACKGROUND:

The City Police Department applied to and was awarded \$60,750 in grant funding from the Edward Byrne Memorial Justice Assistance Grant Program for fiscal year 2024 to be used for the purchase of in-car mount radios.

The City Legal Department asked the Council to approve Resolution 2024-01, which would approve the terms and conditions of the grant agreement between the Indiana Criminal Justice Institute and Goshen Police Department.



SUMMARY OF JAN. 29, 2024 COUNCIL DISCUSSION AND APPROVAL OF RESOLUTION 2024-01:

Mayor Leichty asked if Councilors previously approved this grant agreement.

Clerk-Treasurer Aguirre said the Board of Works and Common Council approved a similar grant agreement last year and the Council was being asked to do so again. He said the Board of Public Works and Safety approved the same grant agreement two weeks ago.

Mayor Leichty said this agreement has already been reviewed. She asked if there were any comments or questions about the agreement. There were not.

Mayor Leichty asked if Councilors were prepared to vote on Resolution 2024-01. **Council President Weddell** said Councilors were ready to vote.

On a voice vote, Councilors unanimously approved Resolution 2024-01, Grant Agreement for 2024 Edward Byrne Memorial JAG Program Funds, by a 7-0 margin, with all Councilors present voting "yes," at 6:36 p.m.

Elected Official Reports

Council President Weddell said he appreciated the City updates on possible flooding by **City Stormwater Coordinator Jason Kauffman**

Councilor Peel said she also appreciated the thorough reports from the **Elkhart County Humane Society**.

Councilor Nisley asked for an update on the **City's wage and compensation study**, which was prepared by Baker Tilly Municipal Advisers. He asked for an update on its status and when it will be presented to the Council.

Mayor Leichty responded that she and **Deputy Mayor Mark Brinson** will be meeting to discuss the report in the next week or two. She said they will discuss the final modifications in compensation, which then will be brought to the Council, possibly at the end of February. She said these will be the updated salary classifications that will need to be reviewed and approved. She confirmed the City now has all the data from Baker Tilly.

Councilor Peel said that at the last meeting of the **City Community Relations Commission (CRC)**, there was a discussion about potentially reducing the number of commissioners from nine to seven people. She said there was a good conversation and all those present favored the reduction. However, Councilor Peel said commissioners wanted to re-evaluate the issue at the end of the year because the Commission is undergoing a lot of change and Commissioners want to make sure there are enough members to do the Commission's work. She added there is a good and cohesive commission that should work well with only seven members.

Councilor Lederach asked when the CRC will revisit the issue.

Councilor Peel said that would be up to the Common Council. **Mayor Leichty** said Board and Commission appointments start to be made in October. She said if Councilors want to make a change, it would be good to bring that proposal to the Council sometime between October and the end of the year.

Councilor Schrock said that after reading through the minutes of the Jan. 8 meeting, he was reminded of the reports by **City Department heads**. He said he wanted to thank them for their reports and their good work.



Councilor Schrock also said he wanted to thank the **City Street Department** for its recent snow removal work. Mayor Leichthy agreed and also thanked Utility crews for their work repairing water mains. She also said she participated in a ride-along with a City snow-removal crew. She encouraged Councilors to do the same. Clerk-Treasurer Aguirre complimented Mayor Leichthy for her excellent job coordinating the City's emergency response to the recent winter freeze. The Mayor said she appreciated the compliment.

There were no further Council comments or questions.

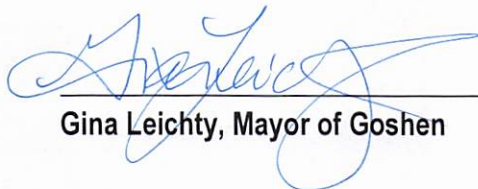
Councilor Nisley made a motion to adjourn the meeting, which was seconded by Councilor Schrock. Councilors unanimously approved the motion to adjourn the meeting.

Mayor Leichthy adjourned the meeting at 6:43 p.m.

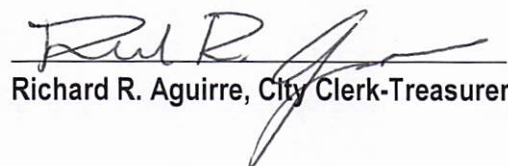
EXHIBIT #1: A corrected final page of a report by Deputy Clerk-Treasurer Jeffery Weaver, which included a memorandum, dated Jan. 29, 2024, and three pages of data on the City's prior year expenditures and 2024 spending budget for general fund departments, special revenue funds, restricted funds and redevelopment restricted funds as well as a summary cash activity report for the year ended Dec. 31, 2023 (corrected).

EXHIBIT #2: "Treasury Report," a five-page PowerPoint presentation prepared and presented to the Council by Deputy Clerk-Treasurer Weaver. The presentation was a comparison of the City's prior year expenditures and 2024 spending budget for general fund departments, special revenue funds, restricted funds and redevelopment restricted funds as well as a summary cash activity report for the year ended Dec. 31, 2023.

APPROVED:


Gina Leichthy, Mayor of Goshen

ATTEST:


Richard R. Aguirre, City Clerk-Treasurer

CITY OF GOSHEN CLERK-TREASURER'S OFFICE

SUMMARY CASH ACTIVITY REPORT FOR YEAR ENDED DECEMBER 31, 2023

| | Cash Balance as of 1/1/2023 | Receipts | Expenditures | Cash Balance as of 12/31/2023 | |
|----------------------------|--------------------------------|-----------------------|-------------------------|----------------------------------|-----|
| General Fund | \$ 14,587,173 | \$ 30,661,856 | \$ (26,837,943) | \$ 18,411,086 | |
| Special Revenue Funds | 17,105,588 | 16,535,140 | (12,622,906) | 21,017,822 | |
| Restricted Funds | 16,625,420 | 3,876,206 | (3,874,202) | 16,627,424 | |
| Redevelopment Funds | 23,886,869 | 16,184,789 | (13,259,792) | 26,811,866 | |
| Unappropriated Funds | 32,620,711 | 10,448,191 | (25,173,030) | 17,895,872 | (1) |
| Utility Funds | 6,792,854 | 27,602,188 | (26,650,020) | 7,745,022 | (2) |
| Total Fund Activity | \$ 111,618,615 | \$ 105,308,370 | \$ (108,417,893) | \$ 108,509,092 | |

SUMMARY CASH ACTIVITY REPORT FOR YEAR ENDED DECEMBER 31, 2023



- (1) Amounts not reflected in DLGF-approved budget. Primarily internal services, internal fund transfers, bond-funded construction and grant activity.
- (2) Utilities finances and budgets maintained on an accrual basis in the Utilities offices.

(Prepared for January 29, 2024 Goshen City Common Council meeting)
 (Figures are preliminary and subject to change)

EXHIBIT #2

TREASURY REPORT

2023 and 2024 Budgets

- Compare fund categories
- Discuss increases in 2024 budget

Cash Balances

- Includes all City's funds
- Ending cash balance of \$108,509,092

TREASURY REPORT

General Fund Spending

- Primarily payroll and day-to-day operating costs
- Most departments have a budget in this fund
- 2023 spending increased 4.1% over 2022 spending

Special Revenue Funds Spending

- Includes the other “Big Four” funds
- Funded through certain revenues specific to these funds
- Even spread of expense types
- 2023 spending increased 11.8% over 2022 spending

TREASURY REPORT

Restricted Funds Spending

- Primarily capital projects, debt service and trust funds
- Spending primarily capital expenditures, very few payroll or supplies spending
- 2023 spending decreased 4.1% over 2022 spending

Redevelopment Funds Spending

- Includes TIF Funds and Redevelopment Debt Service
- Funded entirely by TIF receipts
- Spending is primarily capital expenditures
- 2023 spending increased 95.5% over 2022 spending

TREASURY REPORT

Cash Balances

- 2023 ended the year with \$108,509,092
- Includes Unappropriated and Utilities Funds

2024 Budget Reporting

- Focus on the current year's spending and budget performance
- Emphasis on different spending patterns for different types of expenses

TREASURY REPORT

2024 Budget Reporting

- Focus on the current year's spending and budget performance
- Emphasis on different spending patterns for different types of expenses