



GOSHEN COMMON COUNCIL

Minutes of the FEBRUARY 26, 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 6:02 p.m. Assisted by the Mayor, Kid Councilor Amari Stoll led the Pledge of Allegiance. Amari is a student at Chamberlain Elementary School.

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

Present: 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)

Absent: Linda Gerber (At-Large) and Youth Adviser Jessica Velazquez Valdes (Non-voting)

Approval of Minutes:

Mayor Leichty asked the Council's wishes regarding the minutes of the Jan. 29, 2024 Regular Meeting and the Feb. 2, 2024 Work Session as prepared by Clerk-Treasurer Aguirre. Councilor Peel moved to accept the minutes as presented by the Clerk-Treasurer. Councilor Nisley seconded the motion. Motion passed 6-0 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 Riegsecker seconded the motion. Motion passed 6-0 on a voice vote.

Privilege of the Floor:

At 6:05 p.m., Mayor Leichty invited public comments for matters not on the agenda. There were none.

1) City of Goshen Monthly Expenditure Report

Mayor Leichty asked Deputy Clerk-Treasurer Jeffery Weaver to provide the monthly City Financial Report, which is intended to keep Council members informed of City finances and help them 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 Feb. 26, 2024, that included two pages of data on the City's year-to-date expenditures for general fund departments, special revenue funds, restricted funds and redevelopment restricted funds.

In his memorandum, Weaver wrote that the attached Monthly Financial Report provided financial information for the Civil City spending as of January month-end. The Clerk-Treasurer's Office produces this report upon month-end closing and makes it available to the Common Council and City management.



Weaver wrote that the report supplemented, but did not replace, other financial reports prepared by the Clerk-Treasurer's Office such as monthly cash reports, departmental financial reports and the Annual Financial Report published in the State of Indiana's Gateway database.

Weaver wrote that at the end of January, the Council-approved budget had spent \$3,945,502 of the \$75,059,462 budgeted for the 2024 calendar year. This amounted to 5.3% of the total 2024 budget. Encumbrances are holdovers from the prior year's budget which are included in the current budget. When accounting for encumbrances, the total spending was \$4,288,254 of the budgeted \$78,460,933.

DEPUTY CLERK-TREASURER REPORT TO COUNCIL:

Deputy Clerk-Treasurer Weaver summarized his written report of January City expenditures. He said a similar update was discussed last month during the report on the December financials from 2023. He said it showed the amounts spent in January from departments and funds that were approved as part of the 2024 budget last year, not including Utilities, which is a separate budget.

Weaver said the first category is payments made by City Departments from the general fund. He said most of the expenditures are for payroll, supplies and some services. **Weaver** also summarized the Special Revenue Funds, the Opioid Settlement Fund (which has not been spent), and Restricted funds, which are for capital projects. He also discussed grant and redevelopment funds.

Councilor Riegsecker asked about the encumbrances for the Common Council budget, noting that 27% of the Council's budget has been spent. **Weaver** the funds were encumbered because City staff knew about pending expenses for the Municipal election. He said the bill arrived in January and was paid.

Councilor Riegsecker also asked about the Opioid Settlement Fund. **Weaver** confirmed that none of those funds have been budgeted or spent, adding that an additional appropriation from the fund would be presented later in the meeting.

Councilor Nisley said his constituents asked him to tell **Weaver** that he is doing a great job and they are happy that **Weaver** is providing this financial information. **Weaver** said he appreciated the comment. **Mayor Leichty** said she appreciated the support from the Clerk-Treasurer's office in providing monthly financial reports to the Council and the public.

Mayor Leichty asked **City Attorney Bodie Stegelmann** if the Council needed to approve the report. **Stegelmann** said that wasn't necessary because this was just a report given for informational purposes.

2) Public hearing and consideration of Ordinance 5177, Vacation of Public Ways in the City of Goshen, Indiana

Mayor Leichty called for the introduction of Ordinance 5177, *Vacation of Public Ways in the City of Goshen*. Council President **Weddell** asked the Clerk-Treasurer to read Ordinance 5177 by title only, which was done. **Weddell/Peel** made a motion to approve Ordinance 5177 on First Reading.

BACKGROUND:

In a Feb. 26, 2024 memorandum to the Council, **City Planner Rhonda Yoder** provided the background and context of Ordinance 5177. She wrote that the Goshen Plan Commission met on Jan. 16, 2024, in regular session and considered a request for the vacation of ±0.79 acres of unimproved public right of way.



Yoder wrote that the proposed vacated property was generally located east of Regent Street and north of Waterford Mills Parkway, located within a City-owned retention area and an area to be developed as part of the Cherry Creek subdivision.

The Plan Commission reached the following outcome: Forwarded to the Goshen Common Council with a favorable recommendation by a vote of 8-0.

Yoder wrote that the recommendation was based upon the following:

1. The proposed vacation will not hinder the growth or orderly development of the neighborhood, as the right of way to be vacated has never functioned as public right of way.
2. The proposed vacation will not make access difficult or inconvenient, as the right of way to be vacated has never provided access.
3. The proposed vacation will not hinder access to a church, school or other public building or place, as the right of way to be vacated has never provided any of the described access.
4. The proposed vacation will not hinder the use of the public way, as the right of way to be vacated has never functioned as public right of way.
5. Because no existing utilities have been identified in the area to be vacated, the vacation may occur without a utility easement.

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

If passed by the Council, Ordinance 5177 would grant the request to vacate approximately 0.79 acres of unimproved public right of way generally located east of Regent Street and north of Waterford Mills Parkway.

SUMMARY OF FEB. 26, 2024 PUBLIC HEARING AND COUNCIL APPROVAL OF ORDINANCE 5177:

Mayor Leichy asked **City Planning & Zoning Administrator Rhonda Yoder** if she had a presentation. Yoder said it was customary to first open a public hearing on Ordinance 5177.

Council President Weddell raised a point of order. He recommended that the **Mayor** gavel in, open a public hearing on Ordinance 5177, invite public comments, hear any comments, close the hearing and then proceed with the introduction of Ordinance 5177 and a presentation on it. **Mayor Leichy** acknowledged the recommendation and with a smile stated, "The continuing education of Mayor Leichy."

Mayor Leichy opened a public hearing on Ordinance 5177 and invited comments. There were none. The **Mayor** then closed the public hearing.

Council President Weddell noted for the record that he had made a motion to pass Ordinance 5177 on First Reading and that **Councilor Peel** seconded the motion. The **Clerk-Treasurer** acknowledged this took place.

City Planner Yoder provided the background of Ordinance 5177 as outlined in her Feb.26, 2024 memorandum to the Council. She discussed the Plan Commission's approval of the request and the reasons for it. She also said there was no public comments at the Plan Commission meeting.

Mayor Leichy asked if there were any other Council questions or comments about Ordinance 5177. There were none. **Council President Weddell** said Councilors were ready to vote.



On a voice vote, Councilors unanimously passed Ordinance 5177, *Vacation of Public Ways in the City of Goshen, Indiana*, on First Reading by a 6-0 margin, with all Councilors present voting yes, at 6:16 p.m.

Councilors gave unanimous consent to proceed with the Second Reading of Ordinance 5177.

Mayor Leichty called for the introduction on Second Reading of Ordinance 5177, *Vacation of Public Ways in the City of Goshen, Indiana*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5177 by title only, which was done.

Weddell/Peel moved to approve Ordinance 5177 on Second Reading.

At 6:17 p.m., Mayor Leichty invited further Council comments on Ordinance 5177. There were none. Council President Weddell then said Councilors were ready to vote.

On a voice vote, Councilors unanimously passed Ordinance 5177, *Vacation of Public Ways in the City of Goshen, Indiana*, on Second Reading by a 6-0 margin, with all Councilors present voting yes, at 6:17 p.m.

3) Ordinance 5178, Amend Membership of Goshen Community Relations Commission

Mayor Leichty called for the introduction of Ordinance 5178, *Amend Membership of Goshen Community Relations Commission*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5178 by title only, which was done.

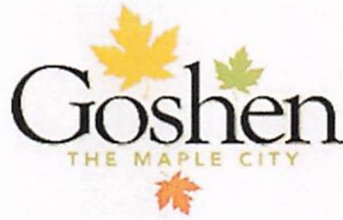
Weddell/Peel made a motion to approve Ordinance 5178 on First Reading.

BACKGROUND:

Ordinance 5178 would amend the membership of the City of Goshen Community Relations Commission. It would do so by establishing that the Community Relations Commission "shall consist of a minimum of seven members, and a maximum of nine members, all who must be residents of the City of Goshen." Before passage, the Commission consisted of nine members.

Ordinance 5178 also would establish:

- The Mayor shall appoint up to five members of the Commission, and the Goshen Common Council shall appoint up to four members of the Commission. In making the appointments to the Commission, the appointing authority shall take into consideration all interests in the community's diversity.
- All members shall be appointed for a term of three years. All terms expire on the first Monday in January, but a member continues in office until his or her successor is appointed; however, if the appointing authority provides written notice to the member whose term expires, and to the Community Relations Commission, that a successor will not be appointed, the member's term expires.
- If a vacancy occurs on the Commission during the term of an appointed member, then the appointing authority shall appoint a successor to serve the remainder of the unexpired term.



- The appointing authority may remove a member from the Commission for cause, which shall include repeated failure to attend meetings of the Commission; failure or refusal to discharge duties as a Commissioner; commission of a felony; willful or repeated failure or refusal to follow lawful procedures in the conduct of office; or gross misconduct bringing the member, the City or the Commission into discredit.
- Commission members will automatically be removed for missing in excess of four scheduled meetings during a calendar year unless an exception is made for an excuse ruled acceptable by the appointing authority. In the event of such removal, the appointing authority shall certify in writing to the member and the Community Relations Director the cause for such removal.

Ordinance 5178 also would establish:

- At the first meeting of every calendar year, the Commission shall elect from among its membership a Chairperson who shall serve until the first meeting of the following calendar year.
- The Commission shall hold one (1) regular meeting each month, and such called meetings as its Chairperson may deem to be necessary.
- **A majority of the appointed members of the Commission (four members if seven members are appointed and five members if either eight or nine members are appointed) must be present to constitute a quorum.** It shall take the concurrence of a majority of the Commission membership present at a proper quorum to take official action.

Accompanying a copy of Ordinance 5178 in the Council agenda packet was a letter addressed to Councilors from Sharon Beechy, the secretary of the Community Relations Commission. She wrote as follows:

“At the request of the City Council, the Community Relations Commission considered changing our number of members from nine to seven during our January 9, 2024 meeting.

“After much discussion, the members present decided to approve this change with the understanding that the number would be re-evaluated at the end of this year. We want to see how our commission’s work goes with the reduced number of members, and with the changes put in place in how we operate as a commission.

“Those at the meeting voted unanimously. One member was absent. When polled, the person indicated they would not have voted in favor of the change.

“Thank you for your ongoing support of the Community Relations Commission.”

SUMMARY OF FEB. 26, 2024 COUNCIL DISCUSSION AND APPROVAL OF ORDINANCE 5178:

Mayor Leichty invited Council comments or questions on Ordinance 5178.

Councilor Peel said she thought it was important for everyone to understand that the ordinance would authorize as few as seven members of the Commission and as many as nine. She said this was a good compromise and would keep the Commission with its current seven members and that it is functioning well. She said that if Commission members decided they would like nine members, two more could be added. Councilor Peel thanked **Mayor Leichty** for coming up with the idea and **City Attorney Bodie Stegelmann** for stating that this could be done.

Mayor Leichty said a number of Community Relations Commission members were present. She asked if any wanted to comment on Ordinance 5178.



Cathie Cripe of Goshen, the chair of the Community Relations Commission (CRC), said the CRC members liked this idea. She said it would provide flexibility and would allow for a quorum to be present at meetings, especially because some members might not be able to attend every meeting. She thanked CRC members for their work. CRC members Lori Copsey and Sharon Beechy introduced themselves.

Mayor Leichty asked if there were any other questions or comments about Ordinance 5178.

Council President Weddell said that ultimately it would be up to the Mayor and Council whether to appoint additional Commission members. Mayor Leichty agreed and said both could act on recommendations.

Council President Weddell said at the same time, in order to prevent an even number of CRC members, there would need to be a consensus among Councilors and the Mayor so that appropriate appointments are made. Mayor Leichty agreed.

Mayor Leichty asked if Councilors were prepared to vote. It appeared that they were, although there were no clearly audible responses.

On a voice vote, Councilors unanimously passed Ordinance 5178, Amend Membership of Goshen Community Relations Commission, on First Reading by a 6-0 margin, with all Councilors present voting yes, at 6:20 p.m.

Council President Weddell said Councilors gave unanimous consent to proceed with the Second Reading of Ordinance 5178.

Mayor Leichty called for the introduction on Second Reading of Ordinance 5178, *Amend Membership of Goshen Community Relations Commission*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5178 by title only, which was done.

Weddell/Schrock moved to approve Ordinance 5178 on Second Reading.

At 6:21 p.m., Mayor Leichty invited further comments on Ordinance 5178.

Councilor Lederach said that it appeared the difference between seven and nine commission members has been posed as a question of efficiency vs. inclusiveness, adding: "That hasn't made complete sense to me." He said he did appreciate that the Commission will have the opportunity over the coming months of experimenting and deciding what is really the best number of members. He said he liked the compromise, but after some months he would like to hear back about the appropriate number of commissioners from CRC members.

Council President Weddell said Councilor Peel had said she had compiled some data on the makeup of the CRC. Councilor Peel said the CRC has five women and two men, three people of color and a good balance by age. She said the CRC could use more men in the future and more people of color. She also said what she likes most about the CRC's makeup is the willingness of members to work together.



Councilor Peel said it has been a pleasant experience to work with this group. She added: "They are there to get things done and to work with our new Mayor and our Community Relations Manager and the changes that are being made and how they want to go about the mission of the CRC."

Council President Weddell asked if this was **Councilor Peel's** third year of working with the CRC. **Councilor Peel** said it was, but noted she had a brief break.

Council President Weddell said **Councilor Peel's** "perspective was key to keeping us informed about the progress. Thank you." **Councilor Peel** responded, "You're welcome."

Mayor Leichty asked if **Councilors** were prepared to vote. It appeared that they were, although again there were no clearly audible responses.

On a voice vote, Councilors unanimously passed Ordinance 5178, Amend Membership of Goshen Community Relations Commission, on Second Reading by a 6-0 margin, with all Councilors present voting yes, at 6:24 p.m.

4) Ordinance 5179, Additional Appropriations

Mayor Leichty called for the introduction of **Ordinance 5179, Additional Appropriations**. **Council President Weddell** asked the Clerk-Treasurer to read **Ordinance 5179** by title only, which was done.

Weddell/Nisley made a motion to approve **Ordinance 5179** on **First Reading**.

BACKGROUND:

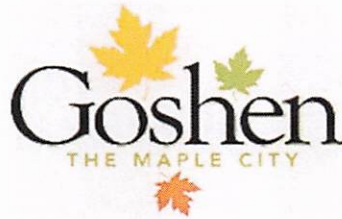
In a memorandum to the Mayor and Council, dated Feb. 26, 2024, **Deputy Clerk-Treasurer Jeffery Weaver** wrote that **Ordinance 5179, Additional Appropriations, was seeking authorization to spend additional and available money from various accounts**. He wrote that the Mayor and Clerk-Treasurer requested this ordinance because the Common Council is the City's fiscal body which authorizes the City's budget and any budget adjustments.

Weaver wrote that an appropriation is "permission to spend available money" and is tied to a specific fund. Within a fund there are four spending categories and multiple accounts. It is possible to get permission to move budgeted spending between accounts and categories, but sometimes the total appropriation within a fund is insufficient for the fund's total spending, due to emergencies, unforeseen circumstances, or budget errors.

In this case, **Weaver** wrote that the Mayor and Clerk-Treasurer were proposing an additional appropriation if the expenditures are necessary and paying the expenditure might otherwise overspend the budgeted appropriation. After Council approval, the Clerk-Treasurer would submit the additional appropriation to the Department of Local Government Finance ("DLGF") for final approval. The DLGF will only approve an additional appropriation if the Clerk-Treasurer proves that the City has cash available for the additional appropriation and the following year's budget.

Weaver wrote that the two appropriations in the attached ordinance would allow for a **\$250,000.00 loan to LaCasa**. The City of Goshen designated the Major Moves Fund as the "loan fund" from which loans to outside entities are paid.

Upon approval of the Major Moves appropriation, **LaCasa** will be able to draw upon the available funds to pay for infrastructure construction costs up to **\$250,000**.



Weaver further explained that to bring Major Moves back to its current balance, the Opioid Settlement Restricted Fund would be used to transfer the loan principal balance to the Major Moves Fund. Internal transfers, even when approved by the Common Council, still require an additional appropriation except when correcting an error. In conclusion, **Weaver** wrote that each affected fund has sufficient cash balances to spend these appropriations. If the ordinance was approved by the Council, the Clerk-Treasurer's office would submit the necessary information to the State Department of Local Government Finance for final approval.

If approved, Ordinance 5179 would make the following additional appropriation of money in excess of the current year's budget for the fund(s) named:

OPIOID SETTLEMENT RESTRICTED FUND

228-520-00-452.0000 OPIOD RSTR / Transfer Out \$250,000.00

MAJOR MOVES

450-530-00-453.0495 MAJOR MOVES / Temporary Loan \$250,000.00

SUMMARY OF FEB. 26, 2024 COUNCIL DISCUSSION AND APPROVAL OF ORDINANCE 5179:

Immediately after Ordinance 5179 was introduced, Councilor Peel said she would recuse herself from taking part in this matter. Councilor Peel is employed at LaCasa.

Mayor Leichthy said Councilors Peel and Weddell would need to recuse themselves from some discussion and voting on this matter.

Council President Weddell said he did sign paperwork stating he should recuse himself from voting on Community Development Block Grant (CDBG) matters because LaCasa receives CDBG funds. However, he said he could vote on other matters. For full disclosure, though, Council President Weddell said he is a non-paid, non-compensated member of LaCasa's board of directors.

Councilor Schrock asked if this was the same \$250,000 loan that the Common Council approved last year for LaCasa and that it wasn't an additional \$25,000. Mayor Leichthy said that was correct.

Mayor Leichthy said Brad Hunsberger, LaCasa's Vice President of Real Estate Development, was present to make a presentation.

Deputy Clerk-Treasurer Jeffery Weaver said that Ordinance 5179 would require a public hearing.

At 6:26 p.m., Mayor Leichthy opened a public hearing on Ordinance 5179. There were no comments, so the Mayor closed the public hearing.

Mayor Leichthy invited Brad Hunsberger to provide an overview.

Hunsberger said that as Councilor Schrock noted, Ordinance 5179 was the culmination of the Council's award of funding in January 2023. He said the loan was for infrastructure improvements on Oaklawn's campus to provide additional affordable housing.

Hunsberger said in January 2024, the Board of Public Works and Safety set the interest rate for the loan. So, the appropriation in Ordinance 5179 "is the final piece of the puzzle to keep going, so I hope you consider it."



In response to a question from **Councilor Nisley**, **Hunsberger** said the work will involve the extension of water and sewer service to make this land available for development under a Planned Use Development approved in 1984.

Council President Weddell asked the interest rate that the Board of Public Works and Safety decided upon.

Hunsberger said the Board set the interest rate at 1% with forgiveness terms LaCasa will seek to meet.

Councilor Schrock asked if the project has started. **Hunsberger** said the project is in the final stages of the federal release of funds process. Once that is approved, he said LaCasa staff will contract with surveyors to start work. He added that LaCasa expects to begin drawing on the \$250,000 loan in May.

In response to a question from **Councilor Nisley**, **Hunsberger** said the \$250,000 loan will just be used for the Oaklawn project. He said it will not be public infrastructure.

Mayor Leichty asked **Hunsberger** to briefly discuss the purpose of the housing, who will benefit from the project and why the City is making these funds available.

Hunsberger said Oaklawn and LaCasa have been in a partnership about 12 years in providing permanent supportive housing in two locations in Goshen and one in Elkhart. He said this will be an extension of that program, with this funding being used to create housing for people who fit within the restricted uses of the federal Opioid Settlement Funds.

Hunsberger said these funds can be used to create supportive housing for those dealing with past opioid abuse and mental health issues. He said the \$250,000 will make up about a third of the restricted funds that the City is expecting to receive through the opioid settlement. He said the expected "hit" to the interest-bearing Major Moves Fund will be "almost negligible."

Mayor Leichty asked if there were any other Council questions or comments on Ordinance 5179. There were none.

At 6:30 p.m., **Mayor Leichty** invited public comments on Ordinance 5179.

Council President Weddell, speaking as a LaCasa board member, said this project came up last year and is very exciting. He said LaCasa had a loan from the City going back more than a decade for about \$500,000. He said LaCasa eventually paid off the loan when it was owed and this is an extension of the City's partnership with LaCasa.

Weddell related the story of a former Oaklawn patient who was successfully treated for her issues but was discharged and could not find a place to live and had a relapse. He said that person would have benefitted from the housing that will now be created. He also said that family units will be available in this project. He urged Councilors to approve Ordinance 5179 and said he loved the partnership of the City, LaCasa and Oaklawn.

Councilor Lederach said he appreciated those comments and said the partnership was "excellent synergy."

Mayor Leichty said she wanted to reiterate that the funds for the loan would come from the Major Moves Fund and not from the General Fund. She said once LaCasa has completed the project, the loan will be potentially forgiven and repaid with Opioid Settlement Funds, which are supposed to go to exactly this kind of project. So, she said the impact on the City's budget will be "negligible" because the funds will be coming from a source other than tax revenue. She said the funds will come from the Opioid Settlement.



Mayor Leichty asked **Deputy Clerk-Treasurer Weaver** if she had provided an accurate description. **Weaver** responded, "Yes."

Clerk-Treasurer Aguirre provided additional background and context. He said at the end of 2023, the Major Moves Fund had a balance just above \$4.7 million. He said the City's Opioid Settlement Funds were above what the City had anticipated receiving. At the end of December, he said the City was notified that it will receive more than the \$1.1 million that had been anticipated because more pharmaceutical companies are settling lawsuits with states. **Aguirre** said that as soon as LaCasa starts drawing on the loan, City staff could immediately start replenishing the Major Moves Fund if the Council desired that. He said the reimbursement would not need to take place at the end.

Councilor Riegsecker said he had a question for **Deputy Clerk-Treasurer Weaver**. He said earlier there did not appear to be a balance in the Opioid Settlement Fund, so he asked how a transfer could now be made from the fund. **Weaver** said he previously reported on how much the Council had budgeted for 2024, but there is a cash balance in the Opioid fund. He said that as the Clerk-Treasurer mentioned, the Major Moves Fund has \$4.7 million. He said Ordinance 5179 would earmark \$250,000 from Major Moves that the Council would authorize be spent. **Weaver** said that the City is not allowed to spend any of the \$4.7 million in the Major Moves Fund until the Council approves that spending in the form of an appropriation.

Councilor Riegsecker asked if City staff was recommending also taking \$250,000 out of the Opioid Settlement Fund and spending that also.

Mayor Leichty said the \$250,000 would be withdrawn from the Major Moves Fund and the City would replenish those funds with \$250,000 from the Opioid Settlement Fund.

Councilor Riegsecker said he understood that, but asked if the \$250,000 would be withdrawn, bypassing the budget process and deposited into the Major Moves Fund.

Weaver said this was an amendment to the 2024 budget in the form of an additional appropriation. **Councilor Riegsecker** said he was having trouble understanding that process from the documents provided, but did know what was being done.

Council President Weddell asked if there is roughly \$1.2 million in the Opioid Settlement Fund, why isn't the \$250,000 not just being taken out of that fund.

Mayor Leichty responded that it was a timing issue because there had been a question about when the settlement funds would be released and available to the City. So, she said the Major Moves Fund was a readily available source. **Clerk-Treasurer Aguirre** added that the Major Moves Fund has been used for these loans in the past.

Mayor Leichty asked if there were additional comments or questions or if Councilors were prepared to vote. **Council President Weddell** said Councilors were ready to vote.

On a roll call vote, Councilors passed Ordinance 5179, Additional Appropriations, on First Reading by a 5-0 margin, with Councilors Lederach, Nisley, Riegsecker, Schrock and Weddell voting yes, at 6:37 p.m. Councilor Peel recused herself from participating in the discussion and voting.

Councilors gave unanimous consent to proceed with the Second Reading of Ordinance 5179.



Mayor Leichty called for the introduction on Second Reading of Ordinance 5179, *Additional Appropriations*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5179 by title only, which was done. **Weddell/Lederach moved to approve Ordinance 5179 on Second Reading.**

At 6:38 p.m., Mayor Leichty invited further Council or public comments on Ordinance 5179.

Councilor Riegsecker said he was having trouble with the documents in understanding that the \$250,000 for the loan will come from the Opioid Settlement Fund when it wasn't in the budget to approve a transfer out of it. But he said he would trust the Clerk-Treasurer's Office that this will all work out or there will be a later request to move \$250,000 into the budget.

In response to further comments from Councilors Riegsecker and Nisley and Mayor Leichty, Deputy Clerk-Treasurer Weaver said there will be the need for an additional appropriation of \$250,000 from the Opioid Settlement Fund because the City will be paying a different fund. He said this is where governmental finance becomes very complicated because money is being moved from one fund to another and auditors examine this very closely.

Weaver said when the Major Moves Fund is reimbursed, the Clerk-Treasurer's Office will file a claim, which will create a payment that will go out of the Opioid Settlement Fund and immediately into the Major Moves Fund. He said there have been times when checks have been cut, when filing a claim, from one City fund and immediately deposited into another City fund the same day. He said this may seem excessive, but this leaves a paper trail, which auditors love.

Councilor Riegsecker asked how \$250,000 could be transferred out of the Opioid Settlement Restricted Fund when it has a zero balance. Clerk-Treasurer Aguirre said it doesn't have a zero balance. It was about \$150,000.

Councilor Riegsecker said it isn't in an available budget line now. Weaver said it has a cash balance and some of those funds are being moved into a fund that can be spent. Eventually, he said \$250,000 will be transferred and receipted into the Major Moves Fund.

Councilor Riegsecker and Weaver engaged in further brief conversation about the budget and appropriations process.

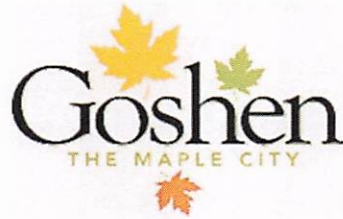
There were no further Council questions and Council President Weddell said Councilors were ready to vote.

On a voice vote, Councilors passed Ordinance 5179, Additional Appropriations, on Second Reading by a 5-0 margin, with Councilors Lederach, Nisley, Riegsecker, Schrock and Weddell voting yes, at 6:42 p.m. Councilor Peel recused herself from participating in the discussion and voting.

5) Resolution 2024-02, A Resolution Providing for the Transfer of Appropriations

Mayor Leichty called for the introduction of Resolution 2024-02, *A Resolution Providing for the Transfer of Appropriations*. Council President Weddell asked the Clerk-Treasurer to read Resolution 2024-02 by title only, which was done.

Weddell/Schrock made a motion to approve Resolution 2024-2.



BACKGROUND:

In a memorandum to the Mayor and Council, dated Feb. 26, 2024, Deputy Clerk-Treasurer Jeffery Weaver wrote that **Resolution 2024, A Resolution Providing for the Transfer of Appropriations**, was seeking authorization to move available resources between major categories within the City's funds. He wrote that the Mayor and Clerk-Treasurer requested this ordinance because the Common Council is the City's fiscal body which authorizes the City's budget and any budget adjustments.

Weaver wrote that an appropriation is "permission to spend available money" and is tied to a specific fund. Within a fund there are four spending categories and multiple accounts. The Department of Local Government Finance ("DLGF") requires Council approval to move an appropriation from one category to another. The Council can approve this when a department needs additional room to spend in one category and has available appropriations in another category.

Weaver explained that by moving an appropriation from one category to another, the Council will only change the category from which the City pays an expenditure. The Council is not approving any additional spending with this resolution, so the fund's total appropriation remains the same.

For the transfer in Resolution 2024-02, Weaver wrote that the Central Garage unexpectedly needed to replace an above-ground hoist but there was not room in the Central Garage capital budget for this purchase. The request is to move \$7,731.00 from the Supplies budget to the Capital budget for the hoist.

Weaver concluded that if the Council approves the proposed category transfer, the Clerk-Treasurer will then register the adjustments in the City's books and communicate the transfer to the department. This category transfer is an adjustment that only requires Council approval to be final, and does not require notification to the DLGF

If passed Resolution 2024-02 would approve the transfer of funds between the following budget categories:

GENERAL FUND CATEGORY TRANSFER FROM:

Budget Category: Supplies
Line Number: 101-510-18-422.0251
Line Name: CG / Other Garage & Motor
Amount of the Transfer: (\$7,731.00)

GENERAL FUND CATEGORY TRANSFER TO:

Budget Category: Capital Expenditures
Line Number: 101-510-18-445.0501
Line Name: CG / Machinery & Equipment
Amount of the Transfer: \$7,731.00
Purpose of Transfer: To fund the unexpected purchase of an above ground hoist and installation

SUMMARY OF FEB. 26, 2024 COUNCIL DISCUSSION AND APPROVAL OF RESOLUTION 2024-02:

Mayor Leichty asked if Councilors had any questions or comments about Resolution 2024-02.

Council President Weddell said this appropriation made more sense because this was transferring money from one City fund to another. Given that, he said he could understand the confusion on the previous matter.

Clerk-Treasurer Aguirre said City Fleet Manager Carl Gaines was present if Councilors wanted an explanation.

Gaines said the garage was seeking a new hoist to make operations more functional.



Gaines said the garage has an older hoist that "is not very friendly and no one wants to use it. And now that we have a full crew, finally, productivity is our main concern and this hoist will allow us to be more efficient."

Mayor Leichty thanked **Gaines**. **Council President Weddell** congratulated **Gains** for having a full crew.

Mayor Leichty asked if Councilors were prepared to vote on Resolution 2024-02. **Council President Weddell** said Councilors were ready to vote.

On a voice vote, Councilors unanimously approved Resolution 2024-02, A Resolution Providing for the Transfer of Appropriations, by a 6-0 margin, with all Councilors present voting "yes," at 6:44 p.m.

Elected Official Reports

Councilor Peel said the City Community Relations Commission (CRC) met on Feb. 13. She said Commissioners had a great conversation about what's happening in neighborhoods. She said **City Communications Manager Amanda Guzman** and **Community Relations Manager Hannah Scott-Carter** are doing a great job attending neighborhood meetings and reporting on what's happening. **Councilor Peel** said the CRC also discussed the upcoming International Women's Day Luncheon (on March 8).

Mayor Leichty said she was pleasantly surprised how well ticket sales went for the first International Women's Day Luncheon. She said the Mayor's Office wanted to execute the event well. She said 100 tickets were available and only one or two remain. She added, "We're very excited about that."

Council President Weddell said the City Redevelopment Commission met Feb. 13 and acted on a number of additional appropriations for various projects, including infrastructure near the Aerial Cycleworks apartment complex on 10th Street. He said this will benefit the surrounding neighborhood. He said other appropriations were intended to help complete the railroad Quiet Zone. He said American Structurepoint is being hired to help complete the final stages of the project. He said some of the work involves ensuring vehicles cannot cross the tracks.

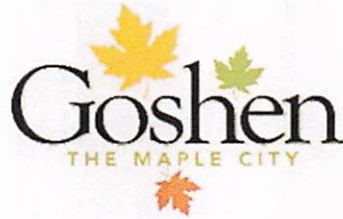
City Director of Public Works & Utilities Dustin Sailor concurred with that description.

Council President Weddell said the Commission also approved some survey work on properties the City owns near the Waterford Parkway. He said the properties had been purchased for a possible a road extension, but are no longer needed and the City will be selling those properties. However, he said the City will be retaining right of ways on those properties, so the City doesn't have to purchase them if needed in the future.

Council President Weddell said the Traffic Commission also met recently. He said it was "fun" meeting, adding that the Traffic Commission had its first 4-3 vote that he has experienced.

Councilor Schrock thanked the Mayor's staff for providing water at the meeting for Councilors. **Mayor Leichty** said she would pass that gratitude on to **City Hall Administrative Assistant Tracy Eggleston**, who provided the water.

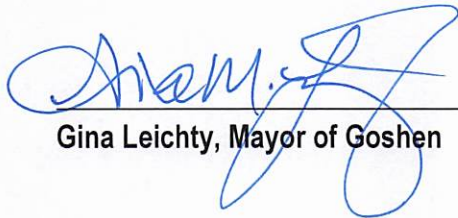
There were no further Council comments or questions.



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

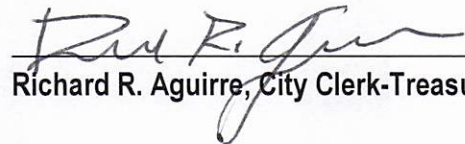
Mayor Leichy adjourned the meeting at 6:49 p.m.

APPROVED:



Gina Leichy, Mayor of Goshen

ATTEST:



Richard R. Aguirre, City Clerk-Treasurer