



GOSHEN COMMON COUNCIL

Minutes of the NOVEMBER 18, 2024 Regular Meeting

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

At 6:00 p.m., assisted by Mayor Gina Leichty, Selah Rojas Lopez (a 4th-grader at Parkside Elementary School) called the meeting to order and 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) Megan Peel (District 4)
Donald Riegsecker (District 1) Matt Schrock (District 3)
Council President Brett Weddell (At-Large) Youth Adviser Tageeya Galeb
Absent: Doug Nisley (District 2)

Approval of Minutes:

Mayor Leichty said no Council minutes were available to review/approve.

Approval of Meeting Agenda:

Mayor Leichty presented the agenda as prepared by the Clerk-Treasurer. Councilor Peel moved to approve the agenda as presented. Councilor Schrock seconded the motion. **Motion passed 6-0 on a voice vote.**

Privilege of the Floor:

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

David Janzen of Goshen said each Wednesday at noon a group of about 25 Goshen citizens stand at the corner of Lincoln and Main streets and call for an end to the violence in Gaza, in the West Bank of Palestine. He said the group wants the United States to stop sending military aid to Israel that is "used not just to combat Hamas fighters, but to pressure Palestinian people to leave their homeland so that Israeli settlements can be turned to Gaza and also expand their hold in the West Bank."

Janzen asked Councilors to pass a resolution calling for the U.S. President and Congress to cease funding the military weapons used by Israel. He said, "I know the City does not have the authority to stop this slaughter and starvation going on for over a year. However, over 100 city councils in the United States have expressed opposition to the conduct of the Israeli government."

Janzen said U.S. law forbids military resources being used against civilian populations, but "pleas to Congress and President Biden to follow our laws have fallen on deaf ears. So, why can't local government take a stand, however symbolic, demanding our country's leaders to follow laws as we do here in Goshen?"

"I'm aware that feelers to the Council, on pursuing such a resolution, took place maybe six weeks ago with replies, the consensus perhaps, that it would be too controversial or dividing to consider. Given the violence that is spreading in the West Bank and into Lebanon with no end in sight, I hope you'll consider this risk and add the Council's voice to those who believe only a reduction in arms provisions will bring the conflicting parties to a bargaining table."



Janzen said he traveled to Palestine last year and knows people who have been affected by the death and destruction. He said people continue to suffer and die.

Janzen said he recognized that “the actions of Hamas on Oct. 7, 2023 were brutal and wrong and have led to more violence. They hold over 60 hostages from Israel in their tunnels. Israelis have the right to protection and to live in peace. Yet the 76 years of oppression by the Israeli government against the Palestinians must also be acknowledged. There are also thousands of teenage Palestinians and young adults detained in West Bank prisons without charges.”

Janzen concluded by reminding Councilors of a Common Council resolution that was passed in 2015 that acknowledged that Goshen once was a “sundown town,” a community that forbid African-Americans from living within the City limits. He said a Council resolution calling on Washington, D.C. to stop funding weapons for Israel could also be a similarly “powerful expression of truth.”

Mayor Leichty thanked **Janzen** for his comments.

Dean Jessup of Goshen told the Council about the problem of vehicles being driven at excessive speeds on West Kercher Road. He said several Councilors have acknowledged this problem.

Jessup said, “We’ve had major traffic accidents on West Kircher Road, the most recent on the 24th of October – a full, large semi rolling over and sliding through two residential homes’ yards. This speed has to be brought under control on West Kircher.”

Jessup said only one current Councilor was serving on the Council in 2017 when the expansion of Kercher Road was debated. He said, “This is an opinion forced upon us, a very unattainable, unmanageable issue of a very deceptive curve coming into town from the west from Orchard across the Elkhart River bridge. There’s an extremely deceptive tight curve, and I’m sure everyone here has navigated that area.” **Jessup** said there have been multiple vehicle accidents at that site, including one vehicle last winter that slid into his yard.

Jessup said he understands that the City can’t change the design of the road that was imposed by the County or the current speed through the residential area. However, he called on the Council to persuade the City Traffic Commission to approve additional signage to slow the traffic before it enters the curve.

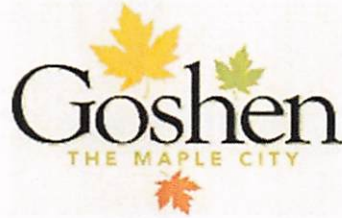
Mayor Leichty thanked **Jessup** for his comments.

Council President Weddell said, “Just so the Council knows, he’s been in communication with a number of us, and I still haven’t seen the agenda for Thursday’s Traffic Commission meeting, but my expectation that it should be there for discussion.”

Bruce Miller of Goshen said a few hours ago he was made aware of a number of flyers, including a couple of dozen, that were left on South 7th Street and others downtown. He said he wanted the young people present to be aware of this. He said the flyers were hate mongering and expressed anti-immigrant feelings and were promoted by members of the Ku Klux Klan.

Miller said the flyer’s message was “Leave now. Avoid deportation. We need your help addressing the public to monitor and track all immigrants. Report them all.” The flyer also listed Jan. 20, 2025, the inauguration of Donald Trum as President, as the date of “mass deportation” from the United States.

Miller asked Councilor to consider making a statement as a Council “something to the effect of your hate isn’t welcome here in Goshen.”



Miller said, "This sort of thing is being addressed in the national media today because of masked Ku Klux Klanners in the downtown streets of Columbus, Ohio. Many of the national media outlets have been decrying that kind of bigoted racist and anti-immigrant propaganda and saying, 'It's not welcome there.'

"It's not welcome in any law-abiding, and a community with a conscience that I believe Goshen is. I'm proud to live here. And I'm very unhappy with people coming from outside, if that's the case and I kind of hope it is, but also people who might embrace these kind of feelings within the City of Goshen, or choose to receive this thing without speaking to it. So, I'm here to say as a citizen of this country, as a as a proud resident of Goshen, that I'm very unhappy with those kind of things happening in Goshen and hope there will be no more."

Mayor Leichty thanked **Miller** and said she would be sharing her statement in response to the flyers being distributed. She said she would share during the reports from elected officials at the end of the meeting.

River Norton of Goshen read two poems – one from Gaza and one from New York – about the death and destruction in Palestine and the resulting impact of the loss of life. The first poem, titled "***If I Must Die***," was written by **Refaat Alareer**, a professor of world literature and creative writing at the Islamic University of Gaza, who was killed by an Israeli Defense Force airstrike on Dec. 6, 2023. The poem:

If I Must Die

*If I must die you must live to tell my story to sell my things,
to buy a piece of cloth and some strings,
(make it white with a long tail)
so that a child, somewhere in Gaza while looking heaven in the eye
awaiting his dad who left in a blaze — and bid no one farewell
not even to his flesh, not even to himself — sees the kite, my kite you made, flying up above,
and thinks for a moment an angel is there bringing back love.
If I must die
let it bring hope,
let it be a story.*

Norton said the second poem was by **Anthony Alessandrini**, an English professor at Kingsborough Community College, which is part of City University of New York system. The poem, "***Hole in the World***," was a tribute to **Refaat Alareer**, who wrote the above poem before he was killed. The poem:

Hole in the World

*On the day you were murdered, I did many of the things you would have done if alive —
woke up, kissed my daughter, went to work,
taught a few curious souls a little about reading a poem —
then read the news in which your name appeared without you there anymore.
Your assassins were thorough.
On the day you were murdered I was not.
I came home and read to my daughter and made her supper.
Whatever your killers could have accused you of —
being a poet, being a teacher, being a lover of the world
and a hater of those killers by the numbers — that's me too.*



*But I'm here where the bombs began their journey, not there where they found their final home.
Therefore: I'm alive while you are not.*

*Poems, I tell the students, are made of simple things yoked together
to make the unimaginable exist. A new thing previously unthinkable.*

*On the day you were no more I wanted to be able
to hold my daughter in my arms and tell her a story.
I didn't want to speak of your children missing you forever.
I didn't want to tell her we never met and never will.*

Where in this poem, where in this world does the word genocide go?

If I must die, you wrote,

Let it bring hope, let it be a tale

I write this poem and it makes nothing happen.

Nevertheless, the hole in the world where you still should be is real.

Those left behind to labor with words:

Let us make some poems to fit the form of your absence.

Norton concluded by stating: "In a City where there are KKK flyers being posted, we used to be a sundown town. It is our responsibility more than anyone else, but specifically our responsibility, to say something – to let people know hate does not belong here. Thank you to those who spoke before me. Thank you for Palestine."

John Stoltzfus of Goshen thanked Goshen Councilors and citizens "for doing the work of having conversations that are complex, that hold time – what's been, what is, and something of what we become."

Stoltzfus said the poet **Joy Harjo**, in one of her poems, wrote: "If these words can do anything, if these songs can do anything, I say bless this house with stars. Transfix us with love."

Stoltzfus continued, "In a City Hall, where people meet routinely and for hours talk about the matters of the City, conversations that I mostly do not participate in directly in the same way, I want to say first of all, 'Thank you.'

Stoltzfus then read words from a friend in Gaza, Sally Ahmed, an English teacher. He message:

"Today as I ventured into the unknown searching for bread to eat, I found nothing. and when I finally did, it cost 50 shekels roughly, \$15. Everything is so expensive. I don't understand why all this continues, why it never ends. It is a tragedy, a true ordeal. Words seem to have no impact on anybody, on anyone.

"When I watch videos of people speaking on our behalf and trying to end this injustice, I feel a fleeting sense of happiness, but deep down I know it won't change anything. Nothing ever changes. It is the tragedy in every sense of the word. What we are enduring here is far more exhausting than anyone can imagine. It's difficult, unbearably so."

Stoltzfus said people can communicate with Sally Ahmed by searching for her name on LinkedIn.

In conclusion, **Stoltzfus** said, "Again, thank you for your care and your work here, and thank you for hearing."

Mayor Leichty and **Council President Weddell** thanked **Stoltzfus** for his comments.

Nancy Graber of Goshen said she wanted to add her voice to the others who have already spoken tonight. She said hers was "a voice for peace, a voice for us to consider who is our neighbor, to include boundaries beyond Goshen, beyond the United States, to consider what the United States is doing, particularly right now in Gaza."



Graber said she joins a weekly online Bible study and prayer time from Palestine. She said, "One of the statistics that was shared this past Thursday is the fact that 85,000 tons of bombs have been dropped by Israel since Oct. 7, 2023. Most of these bombs have been financed by the United States."

Graber asked Councilors to consider passing a resolution in opposition to the "genocide" in Gaza. She added, "I don't have the title in my head, but in 2010 the United States signed something to be against genocide. It seems as though that effort that was done 14 years ago has been forgotten, set aside somehow, just not even considered in this current dilemma that's happening."

Graber concluded, "With so many lives being lost, I hope that this Council will consider very seriously these pleas that we're bringing to you tonight. Thank you for listening."

Mayor Leichty thanked **Graber**.

Mayor Leichty closed the public comment period at 6:23 p.m.

1) Presentation: Speeches by Kid Mayor and Kid Council finalists

Mayor Leichty said there would now be presentations from the eight fourth grade students who are the finalists in the City Kid Mayor election. She said one of the students will be selected by their peers to serve as Kid Mayor to represent all students and the other seven will serve as Kid Councilors and meet during the spring semester.

Mayor Leichty said each student came up with a topic that they feel is important to people in our community, and they will be sharing that with the Council. The following students then spoke on the following topics:

- **Calla Hobbs** from Model. Platform: Reducing food waste.
- **Lucas Graber** from Model. Platform: Providing books for students' homes.
- **Camila Gallardo Sandoval** from Prairie View. Platform: Cleaning the Elkhart River.
- **Victoria Serrano Muro** from Prairie View. Platform: Encouraging volunteerism to reduce littering.
- **Ezra Shenk** from Waterford. Platform: Improving bluebird habitats.
- **Jones Lehman** from Parkside. Platform: Encouraging students to reduce littering.
- **Whitney Gwaltney** from Parkside. Platform: Providing supplies to people who lost everything.
- **Lydia Jordan** from Chamberlain. Platform: Promoting nutritious eating.

After the brief student speeches, **Mayor Leichty** said, "Goshen's future is very bright. We have kids working on food waste, making sure that kids have access to books, making sure the Elkhart River is clean, making sure we're organizing our friends and churches to do litter cleanup, helping save wildlife ... making sure that people who have nothing have resources to start over and making sure that people have access to nutritious food."

The **Mayor** added, "I can definitely see why these eight kids all are part of the finalists that had stepped forward to be part of the Kid Councilor and Kid Mayor program. And the exciting thing is, kids, that whether you're selected to be Mayor or not, you will have the opportunity to work on these issues in the coming semester. So, I just want to say on behalf of the City, thank you so much for your courage and coming and standing before the City Council tonight."

2) Resolution 2024-30, A Resolution Providing for the Transfer Of Appropriations (for the Planning and Court departments)



Mayor Leichty called for the introduction of Resolution 2024-30, *A Resolution Providing for the Transfer Of Appropriations (for the Planning and Court departments)*. Council President Weddell asked the Clerk-Treasurer to read Resolution 2024-30 by title only, which was done.

Weddell/Schrock made a motion to approve Resolution 2024-30.

BACKGROUND:

Resolution 2024-30 would authorize the transfer of funds from one budget category to another for two City of Goshen departments.

In a Nov. 18, 2024 memorandum to the Common Council, **Deputy Clerk-Treasurer Jeffery Weaver** wrote that **Resolution 2024-30** would authorize moving available resources between major categories within the City's funds. He said the Mayor and Clerk-Treasurer requested this resolution because the Common Council is the City's fiscal body which authorizes the City's budget and any budget adjustments.

Weaver explained 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 requires Council approval to move appropriations 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. By moving an appropriation from one category to another, **Weaver** wrote that 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.

Weaver wrote that the two proposed category transfers are due to a mismatch in the 2024 Budget. Last year the Council approved the 2024 Budget with a 3.5% wage increase when the 2024 Wage Ordinance allowed for a 5% wage increase. The Planning and Court departments both identified a gap in their budgets due to this difference, but fortunately the Board of Works Wage Contingency line is designed for instances like this.

The Planning Department was seeking to transfer \$4,860 from the Board of Work's Payroll Contingency Fund to the Planning Full-time Personnel budget line. In addition, \$20,000 would be transferred from the Board of Work's Payroll Contingency Fund to the Court Full-Time Personnel budget line. This transfer also allows for a Court position, scheduled to move from part-time to full-time in January, to become full-time in the final months of 2024.

Weaver also wrote 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 departments. This category transfer is an adjustment that only requires Council approval to be final and does not require notification to the State.

SUMMARY OF NOV. 18, 2024 COUNCIL CONSIDERATION & APPROVAL OF RESOLUTION 2024-20:

Mayor Leichty asked **Deputy Clerk-Treasurer Weaver** to discuss the resolution.

In conversation with **Council President Weddell**, **Weaver** first clarified that this was Resolution 2024-20 and not Resolution 2024-30, as mistakenly listed on the agenda.

Weaver then briefly discussion the resolution, whose purpose was to allow spending from a contingency fund to pay unanticipated personnel expenses for the Planning and Court departments. He said there would be a \$4,860 transfer to Planning and \$20,000 to the Court.

Mayor Leichty invited questions or comments from Councilors. There were none.



Council President Weddell clarified with City Attorney Bodie Stegelmann and Deputy Clerk-Treasurer Weaver that it was acceptable to vote on the resolution without absolute certainty about the correct number.

At 6:41 p.m., Mayor Leichty asked if there were any questions or comments about Resolution 2024-20 from the audience. There were none.

On a voice vote, Councilors unanimously passed Resolution 2024-20 A Resolution Providing for the Transfer Of Appropriations, by a 6-0 margin, with all Councilors voting yes, at 6:41 p.m.

3) Resolution 2024-03, Adopting an Electronic Meetings Policy to Allow Members of the Common Council to Participate in Meetings by Electronic Means of Communication

Before the formal introduction of Resolution 2024-03, Mayor Leichty said “we had agreed that when we voted on this item, that we would have all the Councilors present today for the discussion. We don’t have all of the Councilors present today to make that vote. So, it would make be my recommendation that we hear the preliminary presentation from our Legal Department, but then table a vote until all the Councilors can be present.”

Mayor Leichty called for the introduction of Resolution 2024-03, *Adopting an Electronic Meetings Policy to Allow Members of the Common Council to Participate in Meetings by Electronic Means of Communication*. Council President Weddell asked the Clerk-Treasurer to read the Resolution by title only, which was done. **Weddell/Peel made a motion to approve Resolution 2024-03.**

BACKGROUND:

Resolution 2024-03 would allow Common Council members to participate in Council meetings by electronic means of communication, essentially online video conferencing allowing users to be seen and heard.

According to Resolution 2024-03:

- Indiana Code 5-14-1.5-3.5 allows a member of the governing body of a political subdivision who is not physically present at a meeting of the governing body to participate in a meeting by any electronic means of communication that:
 1. Allows all participating members of the governing body to simultaneously communicate with each other; and
 2. Allows the public to simultaneously attend and observe the meeting, except for a meeting held in executive session;
- To allow this, the governing body must adopt a written policy establishing the procedures that apply to a member’s participation in a meeting by an electronic means of communication, which may include procedures that are more restrictive than the procedures established by I.C. 5-14-1.5-3.5; and
- The Goshen Common Council seeks to adopt a written policy establishing the procedures that apply to a member’s participation in a meeting by an electronic means of communication.

By approving Resolution 2024-03, the Council would adopt the following Electronic Meetings Policy, summarized as follows:



Section 1. Attendance at Meetings of the Common Council by Electronic Means of Communication

A. Council member not physically present for a Council meeting may participate by electronic means that:

1. Allows all participating members of the Common Council to simultaneously communicate with each other; and
2. Allows the public to simultaneously attend and observe the meeting, except for a meeting held in executive session.

B. The following conditions apply to a Common Council member not physically present but participating in the meeting by an electronic means of communication:

1. At least fifty percent (50%) of the Common Council members must be physically present at a meeting at which a member may participate by an electronic means of communication.
2. All votes taken during a meeting at which at least one (1) member participates by an electronic means of communication must be taken by roll call vote.
3. Subject to Section 2, paragraph C, a member who participates in a meeting by an electronic means of communication may participate in final action only if the member can be seen and heard.
4. Subject to Section 2, paragraph C, a member who participates by an electronic means of communication shall be considered present for purposes of establishing a quorum.

Section 2. Limitations

A. A member of the Common Council may not attend more than two (2) meetings in a calendar year by an electronic means of communication, unless the member's electronic participation is due to:

1. Military service;
2. Illness or other medical condition;
3. Death of a relative; or
4. An emergency involving actual or threatened injury to persons or property.

B. A member of the Common Council may attend two (2) consecutive meetings ("a Set of Meetings") by an electronic means of communication; however, a member must physically attend, in person, at least one (1) meeting between Sets of Meetings that the member attends by an electronic means of communication, unless the member's absence is due to:

1. Military service;
2. Illness or other medical condition;
3. Death of a relative; or
4. An emergency involving actual or threatened injury to persons or property.

C. A member of the Common Council may NOT participate in a meeting by an electronic means of communication at which the Common Council may take final action to:

1. Adopt a budget;
2. Make a reduction in personnel;
3. Initiate a referendum;
4. Establish or increase a fee;
5. Establish or increase a penalty;
6. Exercise the Council's power of eminent domain; or
7. Establish, raise or renew a tax.



Section 3. Technological Failure

A. Technological failure in an electronic means of communication that disrupts or prevents:

- A. The simultaneous communication between a member who is not physically present at the meeting and the Common Council; or
- B. A member of the public who is not present at the meeting from attending and observing the meeting; does not prevent the Common Council from conducting the meeting or affect the validity of an action taken by the Common Council at the meeting if the sum of the Common Council members physically present at the meeting and the Common Council members participating by electronic communication without technological failure satisfy the quorum and (if a final action is taken) the voting requirements of the Common Council.

Section 4. Minutes or Memoranda

The minutes or memoranda of a meeting at which any member of the Common Council participates by an electronic means of communication must:

A. Identify each member who:

- 1. Was physically present at the meeting;
- 2. Participated in the meeting by using any electronic means of communication; and
- 3. Was absent; and

B. Identify the electronic means of communication by which:

- 1. Members participated in the meeting; and
- 2. Members of the public attended and observed the meeting, if the meeting was not an executive session.

Section 5. Declared Emergencies

A. Members are not required to be physically present for a meeting of the Common Council during such time when following authorities have declared a disaster emergency and the disaster emergency remains in effect:

- 1. The governor under I.C. 10-14-3-12; or
- 2. The mayor under I.C. 10-14-3-29, to the extent allowed by I.C. 5-14-1.5-3.7.

B. Members may participate in a meeting during a declared emergency by an electronic means of communication provided that:

- 1. At least a quorum of the members participate in the meeting by an electronic means of communication or in person.
- 2. The public may simultaneously attend and observe the meeting unless the meeting is an executive session.
- 3. The minutes or memoranda of the meeting must comply with requirements for meetings where members are allowed to attend by an electronic means of communication.

C. All votes taken during a meeting at which at least one member participates by an electronic means of communication must be taken by roll call vote.

Section 6. Definitions

The definitions found in I.C. 5-14-1.5-2, as amended, shall apply to this policy.



Section 7. Application

The policy adopted by this resolution shall be known as the "Electronic Meetings Policy" of the Common Council and it shall apply to meetings of the Common Council and all other governing bodies of the City of Goshen, excluding the Goshen Board of Aviation Commissioners, until such time as such other governing bodies adopt policies substantially similar to this policy, in accordance with Indiana law.

Section 8. Intent of Policy

A. It is the intent of this policy to comply with the provisions of I.C. 5-14-1.5-3.5 and I.C. 5-14-1.5-3.7, as each may be amended from time to time, to allow for a member of the Common Council who is not physically present at a meeting to participate by any electronic means of communication. In the event that I.C. 5-14-1.5-3.5 and I.C. 5-14-1.5-3.7 are amended or repealed, then this policy shall be amended to comply with said amended statutory provisions.

B. This resolution incorporates by reference the provisions of I.C. 5-14-1.5-3.5 and I.C. 5-14-1.5-3.7, as each may be amended from time to time; however, the more restrictive provisions of this resolution shall govern.

Section 9. Effective Date

This resolution shall be effective from and after adoption.

SUMMARY OF NOV. 18, 2024 COUNCIL PRESENTATION & CONSIDERATION OF RESOLUTION 2024-03:

Mayor Leichty said Resolution 2024-03, which was discussed by Councilors earlier in the year, "would allow Council members who have to be away to be able to participate electronically following the state guidelines, plus some additional guidelines as recommended by Council members."

Mayor Leichty said there was extensive Legal Department review of the resolution, based on questions and requested modifications by Council members. She said **City Attorney Bodie Stegelmann** would outline the resolution as amended and then Councilors could decide whether to support it or not.

Stegelmann said Councilors raised four or five issues, including whether Resolution 2024-03 would apply to all boards and commissions of the City. He said based on the definitions in the statute, each board and commission would need to adopt their own version of this resolution. While language was added so that the resolution would apply until the commissions and boards adopted their own policies, he said the statute requires separate policies.

Stegelmann said a question was raised about the number of meetings a Councilor could participate in by electronic communication. He said the statute specified that they can only attend 50% remotely. So, the resolution would limit electronic participation to not more than two meetings per year with additional exceptions for military service or illness or a death in the family, or a local or state declared emergency.

The resolution makes clear, **Stegelmann** said, that a Councilor may not participate in a meeting by electronic communication if the Council is attempting to take final action to adopt the budget, make a reduction in personnel. Initiate a referendum, establish or increase a fee, establish or increase a penalty, exercise the Council's power of eminent domain; or establish, raise or renew a tax.

Stegelmann said the question was raised whether a Councilor could still sit in that type of meeting and just not vote. He said, "Statutory language is pretty clear. The Council member may not participate in a meeting that calls for one of those measures by electronic participation, so they need to be present at the meeting to be involved in discussion, to vote or anything else on that measure."



City Attorney Stegelmann said the language of the resolution mirrors the statute, which specifies that if one member is participating by electronic means of communication and there's a technological failure, the vote can move forward. "So, that's the default that's under the statute. If the Council would like to change that, I think there would be power for the Council to change that if there were any other ideas about how to proceed if there's a failure with the technology."

Stegelmann said a question also was raised about the last meeting of the year, and whether it could just be conducted electronically. He said "the statute requires at least 50% of the Council members to be present. So, no more than three could participate in that last meeting electronically."

Stegelmann invited additional questions or concerns.

Mayor Leichty confirmed with **Stegelmann** that at a meeting involving topics for which electronic participation was not allowed, a Councilor could still listen in remotely but would not be able to participate in the discussion or ask any questions and would not be counted as present for that meeting.

Councilor Gerber asked **Stegelmann** to explain the language in Section 2B which states, "*A member of the Common Council may attend two (2) consecutive meetings ("a Set of Meetings") by an electronic means of communication; however, a member must physically attend, in person, at least one (1) meeting between Sets of Meetings that the member attends by an electronic means of communication, unless the member's absence is due to*" such exceptions as an illness or a death in the family.

Stegelmann said that provision relates to the limitation of Councilors not attending more than two meetings by electronic means of communication with some specific exceptions, adding, "So theoretically, someone could qualify to attend more than two meetings by electronic means of communication." However, he said a Councilor could only attend a third meeting remotely if it was because of one of the four listed exceptions.

Councilors Riegsecker and Peel also commented on this portion of the resolution.

Council President Weddell said he understood that there would be topics on a Council agenda that required the physical presence of Councilors and would not allow for electronic participation by a Councilor. But he asked if a Councilor could vote on other non-specified agenda items or if the presence of that one item would prohibit a Councilor from participating in the entire meeting. **Stegelmann** responded, "It's the meeting that they may not participate in. So, it's not just that agenda topic; it's the entire meeting."

Council President Weddell asked about the impact on a Councilor who is participating electronically of Section 3B which specifies, "*B. A member of the public who is not present at the meeting from attending and observing the meeting; does not prevent the Common Council from conducting the meeting or affect the validity of an action taken by the Common Council at the meeting if the sum of the Common Council members physically present at the meeting and the Common Council members participating by electronic communication without technological failure satisfy the quorum and (if a final action is taken) the voting requirements of the Common Council.*"

Stegelmann said, "If a person from the public cannot either observe or attend electronically, I think what this is saying is the item can go forward. I mean, if that's based on a technological failure."

Councilor Lederach asked if the face of the Councilor participating electronically would be projected on the screen in the Council chamber. **Mayor Leichty** said, "Yes, and we did that recently. We had testimony during the Board of Works, where the person giving the testimony could not attend in person, and that person gave testimony with their face on the screen."



Councilor Lederach clarified that the inability of a member of the public to observe a meeting due to a technological failure would not prohibit a Councilor from participating remotely. However, that Councilor would need to be seen and heard on a screen by those physically attending a Council meeting.

Councilor Schrock asked if these rules were similar to those in place during the COVID-19 pandemic. **Council President Weddell** said during the pandemic the Mayor and one Councilor had to be present while this resolution would require that at least 50% of Councilors to be present.

Councilor Peel said, "I think it would behoove any of us who intend to participate electronically to sign in early and connect with (City staff) to ensure that we're visible, that they can hear us and not five minutes before."

Council President Weddell said the Council presently doesn't allow public participation electronically. He asked if that would still be the case.

Mayor Leichty said, "That is correct. This is for this body to participate and ... whatever the Council adopts would be what we would present to all other boards and commissions to adopt as well because we want the same policy. We don't want people to have to figure out new rules if they happen to serve on more than one board or commission."

Council President Weddell confirmed that this change potentially could be facilitated by the electronic devices Councilors are expected to receive in 2025. However, he said there could be issues if members of other City boards or commissions don't meet in the Council chamber or don't have access to the same technology.

Mayor Leichty responded, "It may be worth a discussion with different boards and commissions about meeting locations as well to ensure that continuity to make sure we can support them if we're going to move forward with the remote participation procedure."

There were no further questions or comments from Councilors.

At 6:57 p.m., Mayor Leichty invited questions or comments from audience members. There were none.

Council President Weddell/Councilor Peel made a motion to table Resolution 2024-03 until the next regularly scheduled Council meeting.

Mayor Leichty and Councilors discussed the date to next consider Resolution 2024-03 because of the expected absence of Councilors in December. They agreed it would need to be moved to January.

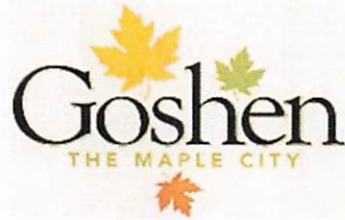
Council President Weddell/Councilor Peel then made a revised motion to table Resolution 2024-03 indefinitely.

City Attorney Stegelmann said Resolution 2024-03 could be placed on the table and eventually added to the Council agenda when all Councilors will be present. **Councilors** agreed with that approach.

On a voice vote, Councilors voted unanimously, by a 6-0 margin, to indefinitely table Resolution 2024-03, Adopting an Electronic Meetings Policy to Allow Members of the Common Council to Participate in Meetings by Electronic Means of Communication, at 6:59 p.m.

Elected Official Reports:

Mayor Leichty raised the issue of the date of the next scheduled Council meeting, which was Dec. 9, 2024.



Mayor Leichty said she will be absent Dec. 9 and asked to move the next meeting to Dec. 16. Councilors present seemed to affirm the proposed meeting change to Dec. 16.

Next, Mayor Leichty read the Nov. 18, 2024 statement she shared with WSBT-TV in response to Ku Klux Klan flyers that recently were disseminated in Goshen neighborhoods. The statement:

To our Goshen Community,

This past weekend, some Goshen residents discovered racist recruitment fliers from a Kentucky-based chapter of the Ku Klux Klan littered on their lawns. These fliers, intended to spread fear and division, urged residents to spy on their neighbors and report them to authorities. Similar incidents have occurred in nearby cities, with police confirming that this group periodically conducts such activities to recruit members.

Let me be clear: Goshen stands united against any form of discrimination, intimidation, or harassment.

Our local law enforcement remains focused on its mission of serving and protecting all residents. Hate-filled messages like those distributed this weekend have no place in our community.

Goshen was founded and has prospered through the contributions of immigrants from all continents. Each generation of newcomers has shaped our community's identity, enriching our culture and driving our success. We remain committed to ensuring that all who work toward the good of Goshen are treated with dignity and respect.

Immigration policy is a complex issue that must be addressed thoughtfully at the federal level. We urge our representatives in Washington to work toward bipartisan solutions that meet the needs of all communities while upholding the principles of our nation.

Thank you

Mayor Leichty asked if Councilors had any thoughts they wanted to share about the flyers.

Council President Weddell said, "Well said."

Councilor Gerber said, "I appreciate the official condemnation, and share your sentiments ... I would welcome a conversation with anyone on this body if we want to talk about any other possible actions of the Council."

Councilor Peel said she would be interested in doing that.

Council President Weddell said, "It could be as simple as endorsing the Mayor's statement ... Whether or not that's rapid enough for some people are not, I can't answer, but or we could come together and create a statement to put it out adjacent to the Mayor's (statement)."

Councilor Gerber said she would work with **Council President Weddell** on a statement

Councilors Lederach and Peel affirmed that suggestion.

Mayor Leichty said, "I spoke to one of the other local mayors today, and they (KKK) had dropped this litter in some adjacent neighborhoods, too. And so apparently this is something they periodically do in different cities throughout the United States as a recruitment tool."

Councilor Schrock said the flyers were distributed in various areas of the City.

Council President Weddell said, "Before my time on Council, we had members of the KKK attend (Council meetings), and I believe at that time the City Council passed a resolution or ordinance prohibiting the wearing of hooded masks at a Council meeting in public. So, that happened and I know that probably 20 years ago they had a rally, probably."



Councilor Lederach said, "We dealt with it at the high school at the time when I was there as well."

Council President Weddell said, "So, it's an unfortunate thing that that hate comes into our community. But I think that we have shown examples of standing together fighting against that."

Councilor Peel said, "It's been talked about in on social media today by a few people that while it's good to know what these flyers look like and what's being said, to not put those images of those flyers back onto social media because it's just spreading their hate. And it's good for us to talk about it and to condemn it, and make sure that those who did it recognize that it's not tolerated in Goshen. But we don't need to put those imagery out there."

Mayor Leichty asked if **Councilors** had additional reports to share.

Council President Weddell said he was able to send a text message to **Councilor Nisley**, who agreed with moving the next Council meeting from Dec. 9 to Dec. 16. **Mayor Leichty** confirmed that the next Council meeting would be Dec. 16 at 6 p.m.

Council President Weddell said the **Traffic Commission** would be meeting this Thursday at 4 30 p.m. and he expected a discussion about traffic on **Kercher Road**. He added, "I think definitely something needs to be done. I know that Engineering has definitely already been looking at that."

Council President Weddell said the **Redevelopment Commission** met last week and adopted its comprehensive five-year plan, which was lengthy. He said he could get an electronic copy to any Councilors who wanted to read it.

Councilor Peel said the **EID** met last week, and that she's enjoyed its meetings even though they begin at 7:45 a.m. **Mayor Leichty** explained that EID stands for the **Economic Improvement District**. She said years ago property owners in the downtown district voted to create a special taxation district and the property taxes collected with that additional amount ... anywhere from \$60,000 to \$80,000 a year, it varies, the taxes collected go into a fund that is then utilized for the beautification of the downtown district."

Councilor Peel said it has been great to go to the meeting and to interact with City staff. She said at the last meeting, EID members talked about Art Alley and potentially getting programming to display new art. She said the holiday decorations have gone up. And she said the board also talked also about the replacement of the brick planters, which will be more economical and won't damage vehicles as badly if struck.

Councilor Peel said the **Community Relations Commission** met and was given the task of reviewing and voting on the Kid Mayor submissions. She said there also was discussion about potential changes to the CRC ordinance.

Councilor Lederach said the **Board of Aviation Commission** met today and they extended an invitation to Councilors for a holiday luncheon at the airport at 11 a.m. on Dec. 6.

Councilor Riegsecker said he has attended meetings of the **Board of Public Works and Safety** and has found it exciting to see all of the new Police Officers being sworn into office.



Clerk-Treasurer Aguirre acknowledged and congratulated new **City Fire Chief Anthony Powell**, who was present for his first Council meeting as Chief. The audience responded with applause.

Aguirre also asked **Goshen College students and their professor, Duane Stoltzfus**, to stand and be recognized. He said that as a classroom assignment, the students would be writing a story based on something that happened at this meeting, and they had a midnight deadline. He asked Councilors to stay after the meeting to be interviewed.

Council President Weddell congratulated **Chief Powell** and added, "The (installation) ceremony was one of the most emotional things I've witnessed. I wasn't prepared for that. But congratulations, and we all thank Chief Sink for all of his service." **Mayor Leichty** said, "It was quite the meaningful event."

Mayor Leichty asked **Youth Adviser Tageeya Galeb** if she any updates from her school events.

Youth Adviser Galeb said the youth caucus met last week, and for the month of November is conducting a **Thanksgiving drive for the Window**, the Goshen non-profit, faith-based organization that provides services to people with limited incomes. She said, "A lot of people have donated stuff and hopefully, by the end of next week, we're going to go through the items and then donate them to the Window, which is exciting."

Galeb said in December, students are planning to have a **toy drive** and then give all those toys to **Goshen Hospital** to give to all the children who in the hospital throughout Christmas.

Councilor Peel and Mayor Leichty thanked **Galeb** for her efforts.

Councilor Schrock said Tuesday night the **East Goshen Neighborhood Association** would be holding its annual **free chili dinner** at Abshire Cabin. He said all were welcome

Councilor Schrock said a good **City flood response plan meeting** was held earlier today. He said it this an effort organize all City departments and residents in case of another flood emergency. He added that the next meeting will be held in January.

Councilor Peel said at 1 p.m. Tuesday there would be a groundbreaking ceremony for the **Aerial Cycleworks apartments** at 10th and Plymouth streets. She said Councilors were invited to attend.

Adjournment:

Noting that **Councilor Nisley** (who usually makes the motion was absent), **Mayor Leichty** invited a motion to adjourn the meeting.

Councilor Schrock made a motion to adjourn the meeting. Councilor Peel seconded the motion. By a 6-0 voice vote, Councilors unanimously approved the motion to adjourn the meeting.

Mayor Leichty adjourned the meeting at 7: 14 p.m.



APPROVED:

A handwritten signature in blue ink, appearing to read "Gina Leichty", is written over a horizontal line. The signature is fluid and cursive.

Gina Leichty, Mayor of Goshen

ATTEST:

A handwritten signature in black ink, appearing to read "Richard R. Aguirre", is written over a horizontal line. The signature is cursive and somewhat stylized.

Richard R. Aguirre, City Clerk-Treasurer