



GOSHEN COMMON COUNCIL

Minutes of the AUGUST 25, 2025 Regular Meeting

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

At 6:02 p.m., assisted by Mayor Gina Leichty, Adi Roman Lara and Serenity Roman Lara (sisters and students in Goshen Community Schools) called the meeting to order and led the Pledge of Allegiance.

Mayor Leichty asked Clerk-Treasurer Aguirre to conduct the roll call with the following results:

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 Abril Reyes (non-voting)	

Approval of Minutes:

No minutes were available to review.

Approval of Meeting Agenda:

Mayor Leichty presented the agenda as prepared by the Clerk-Treasurer with the request to add Ordinance 5232, *An ordinance of the City of Goshen authorizing the issuance of waterworks revenue bonds for the purpose of providing funds to pay the cost of certain additions, extensions and improvements to the municipal waterworks ...*

Councilor Nisley moved to approve the agenda as amended. Councilor Peel seconded the motion. The motion passed 7-0 on a voice vote.

Note: a copy of Ordinance 5232 was provided to Councilors before the meeting (EXHIBIT #1)

1) Presentation: City Fire Department Life Saving Awards to Michael Hamby, Hannah Estes, Jon Weishaupt, Jordan Hunter, Jerod Erb and Shane McKerchie

Mayor Leichty invited Fire Chief Anthony Powell to make two life-saving presentations from. He said:

"We have two presentations for life-saving awards. Our staff is very humble and they did not want to be here. They think it is part of their job. So, I did pull some national statistics, and in a cardiac event, where you go to the hospital, there's a 10% chance that you will come out of the hospital, walk out of the hospital, and not have neurological deficits. So, I just want them and everyone else to know that this is very significant."

Chief Powell said the first presentation was for Division Chief Michael Hamby. Chief Powell gave the following summary of events:

"On the morning of June 26, 2025, at approximately 9.10 a.m., Division Chief Michael Hamby, while off duty at his residence on Patricia Church Drive (in Granger), heard a call for help in his neighborhood. Without hesitation, Chief Hamby immediately responded and discovered a man lying on the ground in full cardiac arrest.

"Assessing the situation with speed and clarity, he initiated lifesaving chest compressions and began CPR with no equipment or support crew at his side. Thanks to his prompt and decisive actions, by the time EMS arrived and the patient was transported to the hospital, a pulse had been restored – a direct result of Chief Hamby's intervention.

"This remarkable act of service was witnessed by neighbors, including Jason Gour, Division Chief of Operations for Elkhart Fire Department, who personally commended Hamby for his actions and later submitted a formal letter of praise. Chief Gour stated: 'Hamby's actions this morning saved that man's life. I am very grateful for Michael Hamby.'



"Support for Chief Hamby's heroism was further echoed by Battalion Chief Ken Miller of Clay Fire Territory, who wrote: 'This act exemplifies the highest standards of courage, professionalism, and commitment to public service... Chief Hamby's quick thinking, training, and unwavering dedication to the safety of others are a testament to the values we uphold.'

Chief Powell continued, "Chief Hamby's actions on that day demonstrate what it truly means to serve – whether on duty or not. He is a shining example of the courage, skill, and selflessness that define the Goshen Fire Department. His quick response saved a life and strengthened the bond between our department and the community we are sworn to protect. It is my honor to present Division Chief Michael Hamby with the Life Saving Award, recognizing his extraordinary actions that went above and beyond the call of duty."

The man whose life Chief Hamby saved, Arthur Rulli, came forward and presented the award. He said, "I am so grateful to Michael for what he's done for me. He gave me extra time to be with my family."

Next, Chief Powell recognized the actions of five other members of the Goshen Fire Department – Hannah Estes, Jonathan Weishaupt, Shane McKerchie, Jordan Hunter, and Jerod Erb. Chief Powell said:

"On the evening of Feb. 1st, 2023, Goshen Medic 921 and Rescue 961 were dispatched to a residence in Goshen for a report of a patient in cardiac arrest. The patient, a 67-year-old male, had collapsed suddenly in his home. His wife and family were present and had already initiated CPR with the assistance of a GPD officer when our crews arrived.

"Upon entering the scene, the Goshen Fire Department crew took over care and immediately began a highly coordinated resuscitation effort. The patient had no carotid pulse and showed signs of agonal respirations. What followed was an exceptional display of teamwork and professionalism:

- Manual and mechanical CPR were administered promptly.
- Multiple defibrillations were performed to address ventricular fibrillation.
- Advanced airway management was initiated, including successful intubation under difficult conditions.
- Medications including Fentanyl, Lidocaine, and Etomidate were administered to support resuscitation and patient comfort.
- A 12-lead ECG, spinal motion restriction, and oxygen therapy were also conducted with precision and care.

"After 5 minutes of intense effort, the crew successfully achieved Return of Spontaneous Circulation (ROSC). The patient's condition stabilized enough for safe transport, and he arrived at Goshen Hospital with improved vital signs and intact neurological status. These actions not only exemplify technical excellence and calm under pressure, but more importantly, they reflect the compassion, courage, and commitment our paramedics and EMTs bring to work every single day.

"Because of their swift and heroic response, a life was saved—and a family was given another day with their loved one. It is my honor, on behalf of the Goshen Fire Department, to present Lifesaving Awards to:

- **Paramedic Hannah Estes** – Lead provider on scene
- **Paramedic Jonathan Weishaupt** – Driver and IV therapy provider
- **Paramedic Shane McKerchie** – Advanced airway management and medication administration
- **EMT Jordan Hunter** – Oxygen support and mechanical CPR assistance
- **Paramedic Jerod Erb** – Critical support in patient care and extrication

Chief Powell concluded, "Please join me in thanking them for their outstanding service to the City of Goshen."



Mike Davis, whose life was saved, came forward to thank the firefighters. He said, "I want to say thank you to the Goshen Fire Department. What I understand is they were there in three minutes from the Central Fire Station. Goshen has one of the best departments in the area. They deserved a hand."

Mayor Leichty also thanked the firefighters.

2) City financial report and budget update (Clerk-Treasurer's Office)

Clerk-Treasurer Richard R. Aguirre delivered a financial and budget update to Councilors.

BACKGROUND:

In a Aug. 25, 2025 memorandum to the Common Council, Deputy Clerk-Treasurer Jeffery Weaver wrote that he was attaching financial reports summarizing the budget and cash balance performance for Civil City funds included in the 2025 budget, which was approved by the Council in October 2024. These reports were intended to provide a reasonable understanding of the City's financial position. They were unaudited and may require some interpretation.

Fund Balance Report

Weaver wrote that this report provided the reconciled cash balance of the budgeted funds for July 31, 2025, illustrating the City's liquidity position across all funds and demonstrating that each fund maintained a sufficient balance to support budgeted expenditures.

Budget Report – Revenues

Weaver wrote that this page summarized revenue collections for each fund through July 31, 2025, showing progress toward projected revenue levels. Some funds receive the levy in two allotments in June and December (General, Debt Service, MVH, Cumulative Fire, Park & Recreation, Aviation, CCD, Cumulative Sewer).

Budget Report – Expenditures

Weaver wrote that this report displayed expenditures incurred to date for each fund, allowing for an assessment of spending trends relative to annual appropriations, with an expected 42% of the budget left at this point in 2025.

Budget Report – Expenditures in the General Fund

Weaver also wrote that the last page broke down the General Fund by department, providing a focused view of each department's budget performance to date.

SUMMARY OF AUGUST 25, 2025 COUNCIL DISCUSSION OF CITY FINANCIAL REPORT:

Mayor Leichty invited a presentation from Clerk-Treasurer Aguirre.

Aguirre provided an overview of his City financial report and budget update. Key points:

- Deputy Clerk-Treasurer Weaver had family obligations and could not be present tonight;
- The report shows that things are going very well in terms of the City's finances and budget;
- The report shows the same pattern as over the last few months – the City is getting in what it should be getting in and spending what it needs to be spending;
- The City is actually running a little bit better because of a few factors that will be mentioned;
- This is the time of year when the budget will start to show some dramatic changes, in that there will be things moving out quickly from accounts;
- For example, the Red Hawk Academy is getting going for the fall and there will be many expenses going out of its accounts for the Fire Department;



- One department that is performing exactly where it should be is the Cemeteries Department; they are spending as they should for this time of year;
- There has been some turnover in the City, as well as the Clerk-Treasurer's Office coming up, and some departments will have bigger budgets until positions are filled;
- There are some negative budget numbers because some accounts get two levies a year and had expenses that have gone out but these budget lines will be replenished in December;
- Some redevelopment funds also will be receiving additional revenue;
- Some departments have spent a little less than normal;
- The City has about \$22 million in the General Fund, \$23 million in the TIF for the Southeast, and also has a balance in the TIF for the Cherry Creek housing development;
- Fortunately, things are going very well and there's nothing remarkable about this report.

There were no questions or comments from Councilors about the report.

Mayor Leichty invited a motion to approve the financial and budget report.

Councilors Weddell and Lederach made a motion to approve the budget and financial report. On a voice vote, the motion passed unanimously, a by a 7-0 vote.

3) Ordinance 5231, Amend Ordinance 3011 by Rezoning Real Estate Hereinafter Described from Commercial B-1 District to Residential R-3 District (for development of a two-story apartment building with 24 units, located at 1423 Lincolnway East)

Mayor Leichty called for the introduction of Ordinance 5231, *Ordinance 5231, Amend Ordinance 3011 by Rezoning Real Estate Hereinafter Described from Commercial B-1 District to Residential R-3 District*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5231 by title only, which was done.

Weddell/Peel made a motion to approve Ordinance 5231 on First Reading.

BACKGROUND:

Ordinance 5231 was seeking the Common Council's approval to amend Ordinance 3011 by Rezoning Real Estate Hereinafter Described from Commercial B-1 District to Residential R-3 District for development of a two-story apartment building with 24 units, located at 1423 Lincolnway East.

In an Aug. 25, 2025 memorandum to the Council, City Planner Rhonda Yoder wrote that the Goshen Plan Commission met on Aug. 19, 2025, in regular session and considered a request for a rezoning from Commercial B-1 District to Residential R-3 District, for development of a two-story apartment building with 24 units, for the subject property generally located at 1423 Lincolnway East, with the following outcome:

Forwarded to the Goshen Common Council with a favorable recommendation by a vote of 5-1.

The recommendation was based on the following:

1. The rezoning is consistent with the existing zoning and mixed land use in the area.
2. The requirements of the R-3 District are able to be met.



Prior to the Plan Commission meeting, Yoder wrote that the Planning office received one phone call asking for more information. At the Plan Commission meeting, there were several questions about the landscaping and barriers planned along the south property line adjacent to Meadows of College Green, and several questions about the type of management planned for the apartments.

According to Ordinance 5231:

DJSJ, LLC, Wightman, and Creative Design Solutions Inc., submitted an application on the 29th day of July 2025 to rezone the real estate hereinafter described from Commercial B-1 District to Residential R-3 District, and the Goshen City Plan Commission did after proper legal notice conduct a hearing on said Petition as provided by the Law on the 19th day of August 2025, and recommended the adoption of this Ordinance by a vote of 5-1.

If Ordinance 5231 was approved, it would be ordained by the Common Council that:

Property generally located on the west side of Lincolnway East, south of Shasta Drive, with a common address of 1423 Lincolnway East ... shall be rezoned from Commercial B-1 District to Residential R-3 District, and the zone maps designated and referred to in Ordinance No. 3011 shall hereby be amended and ordered amended to reflect such classification and rezoning of said real estate.

SUMMARY OF AUG. 25, 2025 COUNCIL CONSIDERATION & APPROVAL OF ORDINANCE 5231:

Mayor Leichty invited a staff presentation on Ordinance 5231.

City Planning & Zoning Administrator Rhonda Yoder said the Goshen Plan Commission met on Aug. 19 in regular session and considered this rezoning request from Commercial B1 District to Residential R3 District for development of a two-story apartment building with 24 units at 1423 Lincoln Way East. She said this request was forwarded to the Goshen Common Council with a favorable recommendation by a vote of 5 to 1.

Yoder said the recommendation was based on the following: The rezoning is consistent with existing zoning and mixed land use in the area, and the requirements of the R3 district are able to be met.

Yoder noted that this is a developed site that has been used for office use, so it has a building and a parking lot, which will essentially stay the same. She added that prior to the Plan Commission meeting, the City received one phone call asking for more information and at the Plan Commission meeting, there were several questions about landscaping and barriers planned along the south property line adjacent to Meadows of College Green, and several questions about the type of management plan for the apartments.

Council President Weddell said he understood there were questions about landscaping and barriers. He asked if there were responses or answers to the concerns of residents. **Yoder** said partial landscaping is required for an R3 district adjacent to single-family or two-family residential, housing so that will be required along the south property line, and also along a portion of the east property line. She said that will be part of the site and landscape plans that need to be submitted for review and approval.

Council President Weddell asked what partial landscaping entailed. **Yoder** said the partial landscaping will be a mix of coniferous and shrubs, "and the zoning ordinance has a specific formula for the number of trees and shrubs based on the length of the property line."

Councilor Peel asked if the developer was going to tear the existing building down. **Yoder** answered, "No. The existing building will be reused and rehabbed."

Councilor Peel asked for comments from the developer.



Terry Lang of Wightman, an architecture, civil engineering, and land surveying company in South Bend, representing the petitioner, provided an overview of the project. He said the developer wants to take an existing office building, built in the 1960s that previously served as the Commodore Office Building and then the headquarters of Viewrail, and turn it into 24 apartments.

Lang said the building is good structurally and will be converted into studio, one-bedroom and two bedroom apartments. He said the site also has a parking lot for up to 40 vehicles.

Lang said the developer plans to comply with the zoning ordinance with regards to landscaping and fencing as well as any other City requirements. He acknowledged that the new owner is aware of questions from neighbors about the impact of the apartments on the neighborhood.

Councilor Peel asked if the new units would be market rate apartments. **Lang** answered that they would be rented "at market rate or even maybe a tad bit higher."

Councilor Gerber asked if the developer lives in Goshen. **Lang** said, "The developer lives halfway between Goshen and Elkhart. He is a local businessman and has a reputation for building and design work. So, you're not dealing with an out-of-town developer that is from Chicago or Los Angeles or New York. It is a local Elkhart County resident that is putting this project together."

Councilor Gerber asked the timeline if the Council gave its approval tonight. **Lang** said, "Construction will begin probably right away. They've been doing some cleanup work on site. There was a lot of trees that had been damaged through storms and stuff like that. But I would anticipate it to begin right away. I know there's a demand for residential housing in the area right there, and with the R-3 zoning to the north and west of the site, we have a hotel which is a residential-type use immediately north ... so, we're not doing anything that's not already in the area."

Council President Weddell asked the timeline for completion of the apartments. **Lang** said, "I don't know. A lot of it's going to be getting materials more than anything else ... the building needs a roof, so you'll probably see that'll be the very first thing that's being done on that to get it protected." He added that the developer has owned the property since the start of 2025.

Council President Weddell said that the property appears to be in disrepair with overgrown vegetation. **Lang** said the property owner agreed with that description.

Council President Weddell said he's heard from neighbors concerned about the lack of fencing. **Lang** said that the developer would be willing to fence his property.

Planning & Zoning Administrator Yoder clarified that a variance is only needed if the applicant installs a fence only and not partial landscaping. She said, "They can do a fence and landscaping together. It's if the fence is requested in place of the partial landscaping that they would require a variance."

Councilor Peel said, "I think it's important to acknowledge that when Park 33 was being built, there were a lot of neighbors in that residential area concerned about people walking through. I have gotten both people saying this... this has happened, it continues to happen, but some people that contacted me were okay with that. They would just wish that there was perhaps a designated trail that they could go on instead of going through personal property. "So, I commend you for wanting to maybe put up a fence to stop that ... While I don't think everybody in that area thinks that a fence is needed, I think if you're willing to do that, then that would definitely help. And maybe, you know, work with some of the neighbors, to figure out how to maybe direct traffic so that they are not walking through personal property and private property for the other areas, like at Park 33."

Councilor Peel also said she was concerned about the apartments renting for above market rate.



Councilor Peel asked, "What type of amenities would perhaps make these (worth renting for) higher than market rate?" Lang said, "Well, at this point, we're developing those amenities ... This is the very first step, is getting the parcel pre-zoned appropriately for that." He said there might be a pickleball court or a dog park.

At 6:37 p.m., Mayor Leichty invited questions from the audience.

James Loewen of Goshen said he wanted to discuss fences and access because a few years ago he lived for about 18 months in the Park 33 complex and enjoyed it. He said at the edge of Park 33 there was an area one could walk through and by trespassing gain access to another street and a store. He said he probably used it a handful of times in 18 months, although he understood the concerns from neighbors about trespassing.

Loewen said he was advocating for City leaders to make Goshen "a place that's great for homeowners, property owners, residents, cars, as well as pedestrians and people who use bicycles ... I don't know the specifics of it and how the geometry of this layout would work, but let's keep in mind that sometimes you do want to facilitate a cut through, and if there's a way to do that that makes it agreeable to the property owners, that's something to keep in mind as well."

Debbie Fath of Goshen, who lives in the nearby Meadows subdivision, said she was concerned that the property being developed wasn't big enough for 24 apartments, especially for a complex charging \$1,500 to \$2,000 per unit. As a former financial counselor and home ownership counselor at Lacasa, Fath asked about the type of apartments to be built, their square footage and the planned amenities.

Fath said she understood the building had a history of mold and air quality issues in the basement. She also said she learned a neighbor was involved in a dispute with the developer over property boundaries and the possible removal of trees on the property.

At 6:42 p.m., Mayor Leichty asked if Councilors had additional comments or questions.

Councilor Schrock asked if any studies were done to support that apartments can be rented for above market rate. Lang said, "That's what they did before they started this project, was a marketing analysis for what the market rate is, and what could be a little bit above that. We're not looking to be, you know, at entry level. I think with that location, close to the amenities of the park across the street right there, the location speaks for itself for what they're going to be asking for."

Addressing Debbie Fath's concerns, Lang said, "We have been out on the site, done a survey out there, located property corners, and those property corner locations have been marked out there so that property owners are on notice of where that property line is down through there.

"As we go through the process, if they're going to be doing fencing or landscaping, those lines will be re-marked to make sure all of those improvements are in on their property. We're not going to be tearing something out on somebody else's property. And I can't vouch for what somebody said about the trees."

Lang continued, "Realtors at times say, 'Oh, your property goes back to the trees back there,' and that's how vague that generic term is used with where the property line is at. So, we have done a survey out there on site, and are very much aware of it."



As for the alleged mold issue, Lang said, "The entire site is going to be cleaned up and brought into today's standards. They've evaluated the structural portion of the building, and it is suitable for the demolition of the inside, and to create the apartments on the inside, within that guideline. And we'll work with the Building Department and all their requirements that they need to have to meet code."

Regarding the square footage of the apartments, Lang said, "The configuration of the apartments is in the beginning stages right now. This is the very first thing. My guess is you'll probably be looking at somewhere between 700 to 1,000 square feet, depending upon the number, if it's an individual bedroom or two-bedroom apartment."

Council President Weddell asked the approximate rental prices of the apartments. Lang said about \$1,500 a month.

Bill Malone of Goshen said that for a property of this size with 24 units, the City should have more detailed plans to present to the Council. He said, "It sounds like sort of a gray area here; there's no real answers. That stuff should be all planned. I also think that the border, the fence, or the shrubbery should be a definite plan, should be a definite full layout of what goes where and when it's going to be there. I think the thing should be tabled. I don't say it should be turned down. It should be tabled until the appropriate questions are answered."

Mayor Leichty asked Planning & Zoning Administrator Yoder to clarify what phase of the process the project is at and what is being decided tonight.

Yoder said, "So this is a straight rezoning just to go from one district to another. They would not have had to submit any plans at all for that. As my staff report said, this is not site plan review, but they have provided a site plan. They have provided some elevations, they've provided some initial information, but that is not required. Basically, all they need to demonstrate is that they are able to meet the R-3 requirements, so that they have the capacity to do what the R3 district requires."

Mayor Leichty said there would be future opportunities for the community to see what the apartments will actually look like, to hear more details as it develops. She said, "This developer has just happened to go above and beyond. They're just asking for a rezoning. They've provided us with a conceptual idea of what they're looking at, but there will be lots more opportunity for public input, and this will come back."

Yoder responded, "I don't know that there will be more opportunity for public input. If they meet all the requirements, they're basically going to submit plans to the city for administrative review, and we will review them. If there's something that doesn't meet the requirements, then it would possibly come back to the public."

"But basically, it's going to be our job as staff to confirm that they meet all the requirements. And like you said, drainage, utilities, building codes, fire codes, zoning, so all of that is part of our administrative review. And so, if this gets approved, then they will submit the detailed plans for review to show that they meet all those requirements."

Councilor Peel said, "I think something that's important to talk about here is they're not asking us for money. They're just asking us to rezone the area. So, unlike, say, Cherry Creek, or Aerial Cycle Works, or places like that that are wanting TIF dollars, where they would have to come to us with site plans and PUDs and things like that, that's not the case here."

"So, they are funding this on their own. And, so it's frustrating that we wouldn't be able to see that, or have this conversation in the public after this, but, it's also nice to have people coming to the table with their own funding to do a project, especially right now."

Councilor Riegsecker agreed with Councilor Peel, adding, "We start getting into specifics, and what it's going to cost them and what their rent is ... those are all business decisions that we really don't do anything about."



Councilor Riegsecker said this will be a good improvement for Goshen. He added, "We'll leave it up to the staff to make sure that they get everything else done when the time comes in regard to fencing, shrubbery, and all those other requirements that will make all the neighbors happy. So, I'm content with what we've heard so far tonight."

Mayor Leichty asked Councilors if they were ready to vote. They indicated that they were.

After an initial voice vote indicated that there was at least one conflicting vote, Council President Weddell asked the Clerk-Treasurer to conduct a roll call vote.

On a roll call vote, Councilors passed Ordinance 5231, *Ordinance 5231, Amend Ordinance 3011 by Rezoning Real Estate Hereinafter Described from Commercial B-1 District to Residential R-3 District*, on First Reading by a 6-1 margin, with Councilors Gerber, Lederach, Peel, Riegsecker, Schrock and Weddell voting "yes" and Councilor Nisley voting "no" at 6:51 p.m. Youth Adviser Reyes also voted "yes."

Councilors did not require consent for a Second Reading of Ordinance 5230, so they proceeded.

Mayor Leichty called for the introduction of Ordinance 5231, *Amend Ordinance 3011 by Rezoning Real Estate Hereinafter Described from Commercial B-1 District to Residential R-3 District*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5231 by title only, which was done.

Weddell/Peel made a motion to approve Ordinance 5231 on Second Reading.

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

Mayor Leichty asked if Councilors were ready to vote. They indicated that they were.

On a roll vote, Councilors passed Ordinance 5231, *Ordinance 5231, Amend Ordinance 3011 by Rezoning Real Estate Hereinafter Described from Commercial B-1 District to Residential R-3 District*, on Second Reading by a 6-1 margin, with Councilors Gerber, Lederach, Peel, Riegsecker, Schrock and Weddell voting "yes" and Councilor Nisley voting "no" at 6:53 p.m. Youth Adviser Reyes also voted "yes."

4) Resolution 2025-12, Contract with the Indiana Department of Transportation for Street Sweeping Services. Mayor Leichty called for the introduction of Resolution 2025-12, *Contract with the Indiana Department of Transportation for Street Sweeping Services*. Council President Weddell asked the Clerk-Treasurer to read Resolution 2025-12 by title only, which was done.

Weddell/Nisley made a motion to approve Resolution 2025-12.

BACKGROUND:

Resolution 2025-12 would approve the terms and conditions of a contract for the City of Goshen with the Indiana Department of Transportation for Street Sweeping Services from July 1, 2025 to June 30, 2029. According to Resolution 2025-12:



- The Indiana Department of Transportation wants to contract with the City of Goshen for the City to provide services to clean the dirt and debris from the curbed portions of State Road 119, State Road 15, and US Highway 33 that run through the Goshen corporate limits.
- Pursuant to Indiana Code § 36-1-7 et seq., a power that may be exercised by one governmental entity may be exercised by one entity on behalf of another entity if the entities enter into a written agreement.

If the resolution was approved, it would be resolved the Goshen Common Council approves the terms and conditions of the Contract with the Indiana Department of Transportation for Street Sweeping Services attached to and made a part of this resolution. Among the terms:

- The State agrees to pay the City \$360 per curb mile per year, for a total of \$7,416 per year. Total remuneration under this Contract shall not exceed \$29,664.
- The City shall submit one (1) invoice to the State each year and the State shall pay the invoice in accordance with its regular fiscal procedures. When submitting the invoice, the LPA shall certify that the service(s) has been provided.
- This Contract shall be effective for a period of 48 months – July 1, 2025 through June 30, 2029.

SUMMARY OF AUG. 25, 2025 COUNCIL CONSIDERATION & APPROVAL OF RESOLUTION 2025-12:

Mayor Leichty said was a straightforward agreement. The City contracts with the Indiana Department of Transportation (INDOT) to provide street sweeping services for the State on highways that run through the City. The Mayor said, "It's a take-it-or-leave-it kind of situation. It's not very much money, and it's stayed pretty flat for many years, but it's better than nothing. And either we take it and use it toward our street sweeping that we'll do in those areas or we do it anyway and don't get paid."

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

At 6:54 p.m., Mayor Leichty asked if there were any questions or comments about Resolution 2025-12 from the audience. There were not.

On a voice vote, Councilors unanimously passed Resolution 2025-12, Contract with the Indiana Department of Transportation for Street Sweeping Services, by a 7-0 margin, with Councilors voting "yes," at 6:54 p.m.

5) Ordinance 5232, An ordinance of the City of Goshen authorizing the issuance of waterworks revenue bonds for the purpose of providing funds to pay the cost of certain additions, extensions and improvements to the municipal waterworks of said City, the issuance of revenue bonds to provide for the cost thereof, the collection, segregation and distribution of the revenues of said works, providing for the safeguarding of the interests of the owners of said bonds, other matters connected therewith, including the issuance of notes in anticipation of bonds, and repealing ordinances inconsistent herewith

Mayor Leichty called for the introduction of Ordinance 5232, *An ordinance of the City of Goshen authorizing the issuance of waterworks revenue bonds for the purpose of providing funds to pay the cost of certain additions, extensions and improvements to the municipal waterworks ...* Council President Weddell asked the Clerk-Treasurer to read Ordinance 5232 by title only, in a shortened form, which was done.

Councilors Weddell/Schrock made a motion to approve Ordinance 5232 on First Reading.



BACKGROUND:

Before the Common Council for consideration was Ordinance 5232.

Tyler Coffel, a manager with Baker Tilly Municipal Advisers and a consultant to the City of Goshen, offered this summary to the Council on Friday, Aug. 22, 2025:

"The Bond Ordinance being introduced, authorizes the Utility to issue Bond Anticipation Notes (BANs) through the SRF Program. These BANs will be forgivable and, for all intents and purposes, function as grant funds.

"The Ordinance authorizes up to \$5.4 million as a safeguard in case project costs exceed expectations. However, SRF has confirmed that the City's actual BAN amount will be \$4 million. The proceeds will be used for planning and design work related to the South Wellfield Project. They will cover all preliminary engineering costs associated with the elimination of Emerging Contaminants in the upcoming project.

"The BANs will be forgiven by the SRF Program with no repayment required. Preliminary costs that are not eligible under the Forgivable BAN will be covered using the remaining 2016 Bond proceeds and cash available in the Depreciation Fund, which is currently well above recommended reserve levels."

A few hours before the Aug. 25 meeting, City Director of Public Works & Utilities Dustin Sailor emailed Common Council members this written summary of Ordinance 5232:

Tonight (Aug. 25, 2025) Council will be asked to approve a Bond Anticipation Note (BAN) for the Goshen Water Utility. This action allows the City to secure \$4 million in forgivable funding through the State Revolving Fund (SRF) Program to support the South Wellfield Project, which addresses water quality and emerging contaminant issues.

Why This Matters:

- **No Impact on Utility Rates for Design Costs:** Without this BAN/grant, the Utility would have needed to borrow ~\$2.5 million through the open market to pay for project design. That loan would have been added to long-term debt in 2026–2027, increasing utility rates.
- **Forgivable BAN = Grant:** The SRF BAN requires no repayment. It functions as grant funding, covering design and preliminary engineering at no cost to ratepayers.

Key Details:

- **Bond Ordinance:** Authorizes issuance of BANs through SRF up to \$5.4 million (a safeguard in case costs rise). Actual BAN award = \$4 million.
- **Funding Use:** Planning and design work for the South Wellfield Project, including engineering related to removing emerging contaminants (PFAS) from the City's water supply.
- **Supplemental Funds:** Any preliminary costs not covered by the BAN will come from 2016 Bond proceeds and the Utility's Depreciation Fund (which remains above recommended reserves).
- **Long-Term Project Support:** Goshen has also been selected to participate in SRF's traditional drinking water funding that is capped at \$7.5 million once the design is complete.

Background:

- **April 2025:** Goshen Utilities submitted a Preliminary Engineering Report (PER) to the Indiana Finance Authority (IFA) requesting funding assistance.
- **July 2025:** SRF selected Goshen's project for traditional drinking water funding, and the opportunity to participate in the pooled funding at the State's AAA bond rating.
- **Emerging Contaminants Identified:** PFAS detected at the North Wellfield prompted SRF staff to connect Goshen to a special funding program focused on safe water sources.



Action Requested:

Council approval of the Bond Ordinance authorizing the SRF Bond Anticipation Note (BAN) for the Goshen Water Utility.

Closing:

This BAN represents a unique, time-sensitive funding opportunity that eliminates millions in design costs from future utility rates. Goshen Utilities appreciates SRF and IFA staff for identifying this grant and supporting Goshen's efforts to provide safe, sustainable drinking water.

SUMMARY OF AUG. 25, 2025 COUNCIL CONSIDERATION & APPROVAL OF ORDINANCE 5232:

Note: a copy of Ordinance 5232 was provided to Councilors before the meeting (EXHIBIT #1)

Mayor Leichty invited a staff presentation on Ordinance 5232.

City Director of Public Works & Utilities Dustin Sailor discussed the purpose and importance of Ordinance 5232 and the rationale for its passage. **Sailor said:**

"This has been somewhat fast-tracked. It's an opportunity provided to us by the Indiana Finance Authority (IFA), also representing the State Revolving Loan Fund. We're in the process of developing our planning for the South Wellfield. In early evaluation of that, the estimated cost for the design phase of this is about \$3.5 million.

Sailor said, "Because we submitted a PER, Preliminary Engineering Report, in April, and had information in there regarding, the North wellfield, IFA has offered the City a BAN, a Bond Anticipation Note, that would allow for up to \$4 million of design funding.

"This BAN normally would go into the open market for funding of this, and then that bond would be repaid at the time we close on the formal loan, and this would all be included as part of our final rate for the utility. In this particular situation, the State Revolving Loan Fund is offering us a BAN that is basically a grant. They call it a BAN because that's how their funding operation works, but this will be a no-cost bond for the City that can be used for design fees, and will not have any rate impact for ratepayers.

Sailor concluded, "So, I think this is a complete win, and I really appreciate the State Revolving Loan Fund's and the Indiana Finance Authority's assistance by offering this to the City and the Ratepayers."

Mayor Leichty responded, "This is some welcome good news in the midst of a lot of not great news, so, hopefully, the Council will move forward and we'll take it."

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

Because she said so many people were in the audience, **Councilor Peel** asked **Sailor** to talk about the importance of the new South Wellfield.

Sailor said, "The City has two wellfields in Goshen. One is the North Wellfield, and the other is the Kercher Wellfield. The North Wellfield was built back in the 1930s. The Kercher Wellfield was developed in the 1990s. Both wellfields are sitting on postage-stamp size properties that allow for no expansion or even replacement of the wells.

"Because of that, we are hamstrung in any future development or replacement of the wells and maintenance. And so, to proceed forward, we needed a new piece of property. A piece of property became available down by the airport ... about 75 acres. So, that provides plenty of room for development. We have been evaluating the aquifer down there. It appears to have very good water quality and potentially developable up to 10 million gallons per day of capacity. So, that is what we are putting together now for construction, in roughly 2027."



At 6:59 p.m., Mayor Leichty again invited questions from members of the audience. There were none.

Councilor Schrock thanked Sailor and his team for finding funds for this project. He added, "It's good news when we don't get to hear a bunch of good news."

Councilor Gerber said, "I would agree with that. I'm also wondering since we're looking at rate increases in order to fund this total project, will this offset some of that?"

Mayor Leichty said, "That is still being evaluated in its totality. Baker Tilly (Municipal Advisers) is doing a comprehensive rate analysis, factoring in a number of things."

Dustin Sailor said, "That \$3.5 million I talked about in open market BAN would typically be closed at the end when we do a full bond on the final project. And so right now, that \$3.5 million will not be included in the rate increase."

Mayor Leichty asked if Councilors were ready to vote. They indicated that they were.

On a voice vote, Councilors unanimously approved Ordinance 5232, An ordinance of the City of Goshen authorizing the issuance of waterworks revenue bonds for the purpose of providing funds to pay the cost of certain additions, extensions and improvements to the municipal waterworks ..., on First Reading by a 7-0 margin, with all Councilors voting "yes," at 7:00 p.m.

Mayor Leichty asked if Councilors would give unanimous consent to proceed with the Second Reading of Ordinance 5232, suspending the rules to consider Ordinance 5232 on Second Reading on the day it was introduced. They indicated that they were.

Mayor Leichty asked the Council President to proceed with the Second Reading of Ordinance 5232, *An ordinance of the City of Goshen authorizing the issuance of waterworks revenue bonds for the purpose of providing funds to pay the cost of certain additions, extensions and improvements to the municipal waterworks ...* Council President Weddell asked the Clerk-Treasurer to read Ordinance 5232 by title only, which was done.

Councilors Weddell/Nisley made a motion to approve Ordinance 5232 on Second Reading.

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

On a voice vote, Councilors unanimously approved Ordinance 5232, An ordinance of the City of Goshen authorizing the issuance of waterworks revenue bonds for the purpose of providing funds to pay the cost of certain additions, extensions and improvements to the municipal waterworks ... on Second Reading by a 7-0 margin, with all Councilors voting "yes," at 7:02 p.m.

Mayor Leichty announced that Ordinance 5232 had been approved.



6) Ordinance 5229, An Ordinance Imposing a Municipal Wheel Tax and Municipal Vehicle Excise Tax and Creating the City of Goshen Municipal Wheel Tax Fund and the City of Goshen Municipal Surtax Fund Mayor Leichty called for the introduction of Ordinance 5229, *An Ordinance Imposing a Municipal Wheel Tax and Municipal Vehicle Excise Tax and Creating the City of Goshen Municipal Wheel Tax Fund and the City of Goshen Municipal Surtax Fund*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5229 by title only, which was done.

Weddell/Lederach made a motion to approve Ordinance 5229 on Second Reading.

BACKGROUND:

Ordinance 5229 would impose a Municipal Wheel Tax and Municipal Vehicle Excise Tax and create the City of Goshen Municipal Wheel Tax Fund and the City of Goshen Municipal Surtax Fund. The ordinance states:

- Indiana Code 6-3.5-11 (the "Wheel Tax Act") authorizes the Common Council of the City of Goshen (Common Council) to impose by ordinance an annual municipal wheel tax of not less than \$5.00 and not more than Forty Dollars (\$40.00) on certain classes of vehicles registered within the City of Goshen;
- I.C. 6-3.5-10 (the "Excise Tax Act") authorizes the Common Council to impose by ordinance an annual municipal vehicle excise tax (the "Surtax") at a specific amount of at least Seven and 50/100 Dollars (\$7.50) and not more than Twenty-Five Dollars (\$25.00) on certain vehicles registered in the City;
- The Wheel Tax Act prohibits the Common Council from adopting an ordinance imposing a municipal wheel tax unless the Common Council concurrently adopts an ordinance under I.C. 6-3.5-10 to impose the annual municipal vehicle excise tax;
- The Excise Tax Act prohibits the Common Council from adopting an ordinance imposing a municipal vehicle excise tax unless the Common Council concurrently adopts an ordinance under I.C. 6-3.5-11 to impose the annual municipal wheel tax;
- City of Goshen seeks to concurrently adopt a municipal vehicle excise tax pursuant to I.C. 6-3.5-10 and a municipal wheel tax pursuant to I.C. 6-3.5-11;
- The City of Goshen will not be eligible for Community Crossings Lane Mile Direct Distributions unless it adopts a municipal wheel tax and a municipal vehicle excise tax;
- The City has developed a transportation asset management plan, approved by the Indiana Department of Transportation, that the City will send to the Indiana Bureau of Motor Vehicles and the Department of State Revenue, along with this ordinance, if adopted; and
- The Common Council deems it necessary to impose the annual municipal vehicle excise tax and the annual municipal wheel tax so that it may generate revenue to adequately construct, reconstruct, repair, and maintain the streets and roads under the jurisdiction of the City.

If approved by the Council it would be ordained:

Section 1. Municipal Wheel Tax and Municipal Wheel Tax Fund

A. Definitions. The definitions set forth in Indiana Code § 6-3.5-11-1, as amended, are incorporated herein by reference and shall apply throughout this Section 1.

B. Imposition and Rate of Municipal Wheel Tax. Effective January 1, 2026, a municipal wheel tax ("Wheel Tax") in the amount of Forty Dollars (\$40.00) shall be imposed on each of the following classes of vehicles registered in the City of Goshen pursuant to I.C. 6-3.5-11, as amended:



1. Buses.
 2. Recreational vehicles.
 3. Semitrailers.
 4. Trailers with a declared gross weight of more than nine thousand (9,000) pounds.
 5. Trucks and tractors with a declared gross weight or more than eleven thousand (11,000) pounds.
 6. Any other vehicle to which the Wheel Tax applies, pursuant to I.C. § 6-3.5-11-3, as amended.
- C. Exempt Vehicles. A vehicle is exempt from the Wheel Tax if the vehicle is:
1. Owned by the State of Indiana;
 2. Owned by a state agency of the State of Indiana;
 3. Owned by a political subdivision of the State of Indiana;
 4. Subject to the annual municipal vehicle excise tax imposed pursuant to I.C. 6-3.5-10;
 5. A bus owned and operated by a religious or non-profit youth organization and used to transport persons to religious services or for the benefit of its members;
 6. A school bus;
 7. A motor vehicle that is funeral equipment and that is used in the operation of funeral services as defined in I.C. § 25-15-2-17; or
 8. Any other vehicle exempt from the Wheel Tax under I.C. § 6-3.5-11-4, as amended.
- D. Collection of Wheel Tax. The Wheel Tax is due and shall be collected by the Indiana Bureau of Motor Vehicles each year at the time the vehicle is registered.
- E. City of Goshen Municipal Wheel Tax Fund. The "City of Goshen Municipal Wheel Tax Fund" is hereby created and shall be a non-reverting fund. The Clerk-Treasurer shall deposit the Wheel Tax revenues received in the City of Goshen Municipal Wheel Tax Fund.
- F. Use of Municipal Wheel Tax Fund. The City may only use the Wheel Tax revenues in the Municipal Wheel Tax Fund for the following purposes:
1. To construct, reconstruct, repair, or maintain streets and roads that are under the jurisdiction of the City of Goshen;
 2. As a contribution to an authority established under I.C. § 36-7-23;
 3. For the City's contribution to obtain a grant from the local road and bridge matching grant fund under I.C. 8-23-30; and
 4. Any other use allowed under I.C. 6-3.5-11, as amended.
- G. Accounting of Municipal Wheel Tax Fund. On or before October 1st of each year, the Clerk Treasurer shall provide the Mayor and the Common Council an estimate of the Wheel Tax revenues to be received by the City during the next calendar year. The City shall include the estimated Wheel Tax revenues in the City's budget estimate for the next calendar year.
- H. Transmittal of Ordinance. The Common Council authorizes the Mayor or the Mayor's designee to provide a copy of this Ordinance and a copy of a letter from the Department of Transportation approving the City of Goshen transportation asset management plan to the Indiana Department of Revenue and to the Indiana Bureau of Motor Vehicles, as required by I.C. § 6-3.5-11-8, as amended.
- Section 2. Municipal Vehicle Excise Tax and Municipal Surtax Fund.**
- A. Definitions. The definitions set forth in Indiana Code § 6-3.5-10-1, as amended, are incorporated herein by reference and shall apply throughout this Section 2.



B. Imposition and Rate of Municipal Vehicle Excise Tax. Effective January 1, 2026, a municipal vehicle excise tax ("Surtax") in the amount of Twenty-five Dollars (\$25.00) shall be imposed on each of the following classes of vehicles registered in the City of Goshen pursuant to I.C. 6-3.5-10, as amended:

1. Passenger motor vehicles.
2. Motorcycles.
3. Motor driven cycles.
4. Collector vehicles.
5. Trailer vehicles with a declared gross weight of 9,000 pounds or less, except for a trailer described in I.C. 6-6-5-0.5(2).
6. Trucks with a declared gross weight of 11,000 pounds or less.
7. Mini-trucks.
8. Military vehicles.
9. Any vehicle that is subject to the vehicle excise tax under I.C. 6-6-5, as amended.

C. Collection of Surtax. The Surtax is due and shall be collected by the Indiana Bureau of Motor Vehicles each year at the time a vehicle is registered.

D. City of Goshen Municipal Surtax Fund. The "City of Goshen Municipal Surtax Fund" is hereby created and shall be a non-reverting fund. The Clerk-Treasurer shall deposit the Surtax revenues received in the City of Goshen Municipal Surtax Fund.

E. Use of Municipal Surtax Fund. The City may only use the Surtax revenues in the City of Goshen Municipal Surtax Fund for the following purposes:

1. To construct, reconstruct, repair, or maintain streets and roads under the jurisdiction of the City of Goshen;
2. For the City's contribution to obtain a grant from the local road and bridge matching grant fund under I.C. 8-23-30; or
3. Any other uses allowed under I.C. 6-3.5-10, as amended.

F. Accounting of Municipal Surtax Tax Fund. On or before October 1st of each year, the Clerk Treasurer shall provide the Mayor and the Common Council an estimate of the Surtax revenues to be received by the City during the next calendar year. The City shall include the estimated Surtax revenues in the City's budget estimate for the next calendar year.

G. Transmittal of Ordinance. The Common Council authorizes the Mayor or the Mayor's designee to provide a copy of this Ordinance and a copy of a letter from the Department of Transportation approving the City of Goshen transportation asset management plan to the Indiana Bureau of Motor Vehicles, as required by I.C. § 6-3.5-10-6, as amended.

Section 3. Other Ordinances.

All ordinances and parts of ordinances inconsistent or in conflict with the terms of this Ordinance are repealed to the extent of the inconsistency or conflict.

Section 4. Severability.

The provisions of this Ordinance are severable, and the invalidity of any phrase, clause, or part of this Ordinance shall not affect the validity or effectiveness of the remainder of the Ordinance.

Section 5. Effective Date.

This Ordinance shall be in full force and effect from and after its passage, approval, and adoption according to the laws of the State of Indiana.



SUMMARY OF DISCUSSION AND FIRST READING APPROVAL OF ORDINANCE 5229 ON JULY 28, 2025:

- Mayor Leichty called for the introduction of Ordinance 5229, *An Ordinance Imposing a Municipal Wheel Tax and Municipal Vehicle Excise Tax and Creating the City of Goshen Municipal Wheel Tax Fund and the City of Goshen Municipal Surtax Fund*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5229 by title only, which was done.
- Weddell/Lederach made a motion to approve Ordinance 5229 on First Reading.
- Mayor Leichty gave an overview of Ordinance 5229.
- Councilors made comments and asked questions.
- At 7:35 p.m., Mayor Leichty invited comments and questions from the audience.
- Seven members of the audience commented on Ordinance 5229.
- At 7:52 p.m., Mayor Leichty closed the public comment period.
- Councilors and the Mayor made concluding comments.
- On a written ballot vote, Councilors passed Ordinance 5229, *An Ordinance Imposing a Municipal Wheel Tax and Municipal Vehicle Excise Tax and Creating the City of Goshen Municipal Wheel Tax Fund and the City of Goshen Municipal Surtax Fund*, on First Reading by a 6-1 margin, with Councilors Gerber, Lederach, Peel, Riegsecker, Schrock and Weddell voting "yes" and Councilor Nisley voting "no" at 8:04 p.m. Youth Adviser Reyes cast a non-binding "yes" vote.
- Councilors did not give unanimous consent for the Second Reading of Ordinance 5229, so the matter was scheduled for further consideration at the Council's next meeting, on Aug. 25, 2025.

SUMMARY OF AUG. 25, 2025 COUNCIL CONSIDERATION & APPROVAL OF ORDINANCE 5229:

As she did during the First Reading of Ordinance 5229 on July 28, 2025, Mayor Leichty explained the background and rationale of this measure, which would impose a Municipal Wheel Tax and a Municipal Vehicle Excise Tax and create the City of Goshen Municipal Wheel Tax Fund and the City of Goshen Municipal Surtax Fund.

Mayor Leichty said that earlier this year the State Legislative Assembly approved a law that requires municipalities to impose a municipal wheel tax if they want to be eligible for an automatic lane distribution (fund).

The Mayor said at one point, lawmakers deliberated about whether or not any of the funding distributed through Community Crossings grants would require a wheel tax. She said they ended up shelving that idea, although it may come back in the next legislative session. But the Mayor said legislators decided that only communities with a wheel tax would be eligible for a pot of money that's set aside for municipalities.

If Ordinance 5229 was approved, Mayor Leichty said that Goshen residents registering their vehicles at the Bureau of Motor Vehicles would have to pay \$25 per year for an average car and \$40 a year for a larger truck or bigger vehicle. The Mayor said, "And these funds can only be utilized for repairing our roads and streets. So, this isn't something this has been something that's been available to the City Council, for many years, and this Council body has never felt like it was a priority to move forward with the wheel tax because it was not being imposed by the State as a requirement to receive any kind of funding.

"That changed, and so the Council and I as Mayor, are responding in order to make sure that Goshen secures its part of that funding," Mayor Leichty said. "We believe that by having this modest additional amount that will help us secure some much-needed funding for the \$52 million worth of road repairs that are needed."



Mayor Leichty said this new tax will generate about \$750,000, which she conceded was "a drop in the bucket." However, she said, "We feel that it is a prudent use of dollars, making sure that you, as residents of our community, are getting, every opportunity to have access to better roads and streets."

Mayor Leichty said she would soon open the public comment period and first wanted to hear from Goshen residents before hearing from anyone present who lives outside the City.

Mayor Leichty invited questions and comments from Councilors.

Councilors Gerber and Peel asked if this tax would be subject to annual renewal. **Mayor Leichty** said the Council could impose a sunset provision, but any changes in Ordinance 5229 would need to be made by Aug. 30.

Councilor Peel said given the unknowns going into the next three years, having a fee that would sunset after a year would be helpful until the City is able to get more accurate information about the impact of property tax reform. She added, "We might be able to adjust this next year."

Council President Weddell said, "Another way of looking at it would be to link it to their requirement of in order to receive the Community Crossings lane mile distributions and the community crossings, link it to that. If they actually correct their error, which I'm not holding my breath ... then the wheel tax would just automatically go away."

Councilor Peel said, "That's another way of doing it, too. What do you guys think?"

Councilor Riegsecker said he has reviewed the ordinance and had a question about clause "F" in Section 1, which specifies, "The City may only use the wheel tax revenues in the Municipal Wheel Tax Fund for the following purposes "and then in #3 states for the City's contribution to obtain a grant from the local road and bridge matching grant fund." He said, "If it's not in existence, that would go away, but I'm not sure without legal counsel that covers that."

City Attorney Bodie Stegelmann responded, "That's one of the approved uses, but that doesn't mean that the City couldn't use money from other sources for that match."

Councilors Riegsecker and Schrock further discussed the uses of the wheel tax.

Stegelmann then said, "Community Crossings has two funds, or will have two funds. One is matching grants, and then there's also this Lane Mile Distribution, where money is going to be set aside, and then communities that have the wheel tax will share distributions from that fund, but it'll be based on the number of lane miles we have in the city. "So, it's kind of like a pro-rata type calculation that somebody will do. My understanding is the lane mile distribution, we must have this ordinance in place to share in that distribution. The Community Crossings grant, which is competitive, we do not need this."

Mayor Leichty said, "What they (legislators) were discussing early on is that to be eligible for any portion of Community Crossings, you had to have a wheel tax. They are carving money out of Community Crossings ... that used to be in the competitive grant program and putting it in this new Lane Mile Distribution program."

Councilor Riegsecker asked if it was too late to apply for state funds for next year. **Mayor Leichty** said, "No, not if we adopt it today ... That's why we're doing it right now." She added that the City had to submit required paperwork to the State before Sept. 1 to be able to impose a wheel tax next year.

In response to a question from **Councilor Lederach**, the **Mayor** said under the new Lane Mile Distribution program, the City would be eligible to receive up to \$1.5 million. However, she said the exact amount is unknown.



Councilor Nisley said it is not guaranteed the City will raise \$750,000 from the wheel and excise tax. **Mayor Leichty** said, "That's an estimate based on what the numbers that we've received from the BMV (Bureau of Motor Vehicles)." **Councilor Nisley** said, "That's a really high estimate because there's a lot of things that they (State) probably didn't take into consideration ... I went to the license branch and changed all my trailer license plates over to permanent. So, I only had to buy them once, and I got it in before this tax went in, so I'll never have to pay that tax. The other thing I did is change my license plates to a two-year and I paid out two years, so I don't have to redo them again until the end of 2022. So, if you're counting on just numbers that they looked at, I think that number is pretty high."

Councilor Riegsecker said, "I don't think we can count on anything right now." **Mayor Leichty** said, "The question is whether or not we want the lane mile distribution. That's how I would frame the question that's before the Council tonight. Obviously, it means the imposition of a tax."

Next, **Council President Weddell** read the following July 31, 2025 quote from Gov. Mike Braun, who he noted was a Republican: "Wheel taxes are something you're going to need to use, because if you don't do that, it's going to be hard for the State to partner up in places that need even more for their own roads."

Mayor Leichty said, "And he was specifically speaking about Goshen."

Council President Weddell said, "The other thing I'll mention, too, thanks to our state legislators, if you live in the city limits of Goshen, you'll be taxed twice on the wheel tax. That's not us doing that. That's our state legislators."

Councilor Lederach said, "I would agree. We have to play the cards that we're dealt, which is a really bad hand. And so, we get through this year, put pressure on the state legislators to make changes in the January session and do what we have to do because that's the hand we were dealt."

Councilor Nisley said, "Some of the other communities that I've talked to, they're just staying flat for this year and not going to do anything. I know the County is taking money out of their rainy day fund."

Referring to Goshen, **Councilor Nisley** said, "This really doesn't really hurt us probably until 2027 and 2028. My concern is that we're going to the public to ask for a tax that they're going to be taxed twice for. And we haven't even looked at our budget to see what's in there that we could eliminate to help this without ... asking for another tax."

In the coming years, **Councilor Nisley** said it appeared the City would raise fees, including a new fee for trash collection, as well as sewer and water rate increases. He said, "We're putting the cart before the horse. We could make it through 2026 with what we have now and give them (legislators) the chance to... fix their screw-ups."

Mayor Leichty said, "We do know that we're estimated, and this is based on the state's information that they provided, about \$850,000 less in revenue than what we would have gotten before Senate Bill 1 was implemented. So, we know that's happening. We also know that other bonding units, like the library, have reduced the property tax caps and the revenues that we're receiving."

"And ... every division of this City has made cuts in their budget for next year in order to make sure that we are presenting something to the City that's fair and that we're operating within our means. I recognize that you're taking that on faith. I have not presented you with those numbers yet, but the folks behind you can tell you that they presented ideas to stay flat or come up with savings options for future years."

Mayor Leichty continued, "This isn't something that we would take lightly. I also don't know of any (Council) district that couldn't use a little bit of extra money for their roads and streets. So, if your district is part of that, I hope that would be something that you would be willing to consider."



Council President Weddell said, "One thing that I'll just echo, one of our residents at the last meeting, Mr. Doyle, his comment, and I think it makes sense. If we have an additional \$700,000 that comes into the City going towards our roads, his concern, and it would be my concern and it should be everyone's concern, is that we're not diverting \$700,000 that was always going to go to the roads to something else. We want that money to stay, and it would be an additional (amount) that was, so there would be more for our roads that are in desperate need of help."

Councilor Nisley said, "And then let's also remember that \$750,000 only does a total rebuild of less than one block of road repair. So, is there not rainy day money there that we can tap into to help us make it through? Like I said, we've got until 2027 or 2028 to really look at this and drill down on it and make our cuts."

"We need to look at our budget. I know the Mayor says that everybody has cut. Yes, they have cut. And I've talked to a few of the department heads that's done that. And there's a few, they're afraid that with cuts they have to make, services are going to be cut. But that's something we have to look at."

Council President Weddell said at a recent meeting Elkhart County Council members said they had no idea how they were going to prepare their budget because they have no idea what their revenues will be based upon Senate Enrolled Act 1.

"And to ask us, Elkhart County, Elkhart City and Nappanee to be able to make these difficult decisions when the State can't even give you reliable numbers, because they don't even understand what they passed, it's very disheartening – very disheartening for us, but also for the people who are sitting over here in front of us, and anyone else. It's going to be a very, very difficult thing, and I think we need to be as proactive as possible to anticipate the worst case scenario."

Mayor Leichty said, "Councilor Nisley, you make a great point. The correct sequence of things, if there were a correct sequence, would be to wait until after the budget is passed, and then introduce this. Unfortunately, if we're going to do this for next year, then we have today – this is the day. So, I hear, and I don't disagree that it would be a preferable scenario to make that determination after the budget had passed, but unfortunately, we don't get to decide what that timeline is for this year."

Councilor Gerber said, "I do not think we can forego this lane mile distribution eligibility. I think it would be irresponsible of us to turn our backs on that. No one wants to increase the cost of living in Goshen, and if we pass a tax, we will do that. And I would certainly welcome a discussion about affordability in our community and how we can contribute to that."

"We've been handed this raw deal from the State, and the onus is on us now to go to our legislators and ask them to actively work on this, listen to our concerns and the proposed solutions, and do something to fix this. I would love to sunset this and not have to pass new taxes, but the position we're in tonight is we're looking at foregoing possible money from the state that can go to help fix our roads and sidewalks, and I think that would be irresponsible."

Councilor Gerber continued, "I've also heard from people who are saying, 'Yes, I am willing to pay this tax.' And they are concerned for the people who do not have as much money, and the impact it will have on them, and concerns about this being regressive, but I think we have to move forward with it."

Council President Weddell suggested this might be the appropriate time for a Council motion to add a sunset provision to Ordinance 5229. **Mayor Leichty** said she preferred a motion after hearing from the public.

The Mayor asked if Councilors had further comments. **Councilor Riegsecker** said he wanted to wait until after the public comments.



At 7:22 p.m., Mayor Leichty invited comments from Goshen residents.

Paul Stauffer of Goshen said he supported the proposed wheel and excise taxes, adding "No one likes new taxes, obviously, but under the circumstances, I think this is a no-brainer. These new fees are one of the few options available to the City to offset some of the projected revenue shortfalls, and plus, as pointed out, they unlock some additional sources of funding from the State that we probably won't get if we don't pass this thing."

Stauffer continued, "To be clear, as was acknowledged, Gov. Mike Braun and his Republican supermajority in the State House created this financial mess, but dealing with the fallout is left to you guys, our local elected officials, regardless of your party affiliation. But considering who caused the problem, I do think the Republicans on this Council bear an extra burden of responsibility to be a part of the solution here.

"So, you all have a choice to make. This is about choosing to be responsible, or choosing to avoid responsibility. If you care about fiscally responsible government, I would ask you to vote yes on this, and I ask and I hope that this measure will pass with unanimous support."

John Dolezal of Goshen said he was a property owner and supported the wheel tax. Still, he said he was "not happy about it. Of course, no one would be happy about it, but I'm also predicting that in two years, there's going to be politicians who live in the governor's mansion and go to our legislature, who are going to be bragging about how they cut our taxes.

"And yet, they left it up to you and the residents of cities all over Indiana to then deal with the consequences, just so they could brag that they cut taxes, when actually what they were doing was taking money out of one pocket and putting it into another pocket."

Nancy Brown of Goshen asked why the City of Goshen or any municipality was going to "buckle under to the State's arm twisting to get any kind of funding." She said she opposed the wheel tax and said, "I think it's wrong. I think the property taxes did a great disservice to the community. I don't like it."

Brown also said, "I don't remember how many times that we've been told taxes are going pay for our roads; our roads are going to be good. And it never happens. We were supposed to get money from the Hoosier Lottery. That never happened. So, I'm pissed off, and I want you to know it.

Mayor Leichty thanked **Brown** adding, "We encourage you to direct that enthusiasm and sentiment to our folks downstate."

Rob Brenneman of Goshen said he supported the wheel tax. He said, "I know it's a hard decision, and I don't envy you to have to vote for a tax if you do, but I encourage you to do that.

"The cross street where I live is Monroe and between 5th and 6th streets it's basically a gravel road there. I spent the better part of my 20s living in Guatemala City; the roads are better there than in a good chunk of Goshen.

"It's no fun to pay taxes for anything, really, but for cars, I pay a lot in car insurance because I have two teens, and so I guess \$40 or \$25 feels like a drop in the bucket compared to how much I have to pay for car insurance, but that's another issue. But to be able to use a car, we need infrastructure for that. It's not free to drive, but somebody has to build a road in order for my car to be any use to me, so I do have to pay. And I don't like it, but I support the tax."



Kevin Marks of Goshen said he has lived here in Goshen since he retired from the military, adding, "There's something I'm really used to. I'm used to sacrificing. And I know that anytime you have a tax, it's a sacrificial thing." Marks said he appreciated the comments from Councilor Nisley about the wheel tax. Marks said he owns a truck, small truck, a van and a camper. He then asked a series of questions about what vehicles would be covered by the wheel and excise taxes.

Council President Weddell said anything registered through the BMV, plated, would be subject to the tax. **Mayor Leichty** said off-road vehicles would be taxed because they are licensed through the state and can access all roads. Marks said, "I'm not in favor of these wheel taxes, because ... I sacrificed a good majority of my life for this country." Mayor Leichty thanked Marks for his service.

Councilor Nisley said he noticed that vehicles registered to funeral homes are exempt from the tax. He said, "The only thing I can figure out is we've had somebody downstate that is a funeral director that wanted that in." The Mayor said Councilor Nisley was "Shrewd."

Virginia Marks of Goshen said she has lived in Goshen for 30 years and opposed the wheel tax because he lives on a limited income. She said, "When we get our raise for Social Security, it's going to go for Medicare insurance. Where do we get the money from? We have to give up food. We have to give up other things to pay things we can't afford. What do you want us to do? Give our blood?"

Marks said, "Can you think about giving senior citizens 65 and older a lower tax rate, maybe half? That would be great. I would go with that. I hope that you think about it."

Rebecca Unternahrer of Goshen said she owns two vehicles. "I figure it (tax) is \$2.08 a month per vehicle ... I know grocery expenses have gone sky high, and that it's really, really difficult these days for many of us.

"I don't know if it's possible to prorate these taxes somehow or other, based on income? I have no idea, but I am in support of the tax. It feels like the City is being coerced; surely, the City's being coerced by the State and losing whatever funding could be coming in seems like too much of a risk."

Geri Randolph of Goshen said the wheel tax was "just the way of getting more money, period. I don't think you need it for the roads. I don't think you need it for the streets or anything else. It's just taxing people to death.

"I don't care what you say. You waste a lot of money out here on these walkways so people can go out and have fun on Sundays or whenever, but you can't think about the people of Goshen. We are being taxed to death. My property right now is taxed over \$2,000 a year." She said she "lives off of Social Security."

Randolph continued, "You guys make good money up here, or you wouldn't be sitting up there, but we're supposed to be taxed to death? Where is your heart? I mean, some of these people don't care, but I'm telling you, from where I'm sitting, I can't afford it. And I have a handicapped daughter that I have to care for. And I'm 80 years old, and to tell you the truth, I just think it sucks."

Nicholas Sanger of Goshen said he has lived in Goshen for about a year and lives near the City fire station on College Avenue. He said, "I think it does suck about the tax, and that you guys have a responsibility to try to make up the budget deficit. I was here last month, and I know you talked about several cuts that you've already had to make, including a fire station and fire station employees."



Sanger said the State should not be reducing local revenue and that this new tax was justified. He said, "I think having this tax in place, while it won't (add) any firefighter, I think it will definitely make our City roads and streets better than what it was without it, not to mention the fact that we get the lane distribution potential funds from that. And it's not like you guys said that you can't change this down the road. It doesn't have to be a forever thing. No offense to those people, but if you have five vehicles, you usually have the money to pay for five vehicles. And so, I just want to say I'm a support of this."

Sanger said the City has a deficit because property taxes are being lowered, "so, a lot of these people here who have houses are getting their taxes cut."

Council President Weddell said, "That's a bill of sale that was sold." **Sanger** said, "Then that's my misunderstanding." **Mayor Leichty** said, "No, you are repeating what you've been told ... The City's revenue has been reduced because of the changes in SB 1, so that part is true. We'll talk in a little bit about some of the complexities of the bill that's been proposed and why it's problematic."

Sanger concluded, "Okay, I do appreciate that. Yeah. And I will say I have seen construction driving around Goshen, so I know you guys are working out there, working and fixing the roads."

The **Mayor** said that was thanks to the Engineering Department team.

Ron Byler, who lives in downtown of Goshen, thanked Councilors for their work for the City. He said he wanted to ask Councilors a question: "If or when you pass this resolution, can you send a letter of protest with it to the State?"

Mayor Leichty responded, "Oh, I don't think there'll be any shortage." **Byler** said, "I'm talking about from this Council. Can you send a letter of protest to the State because this is only the beginning." The **Mayor** thanked **Byler** and added, "That's good food for thought."

Mark Huser of Goshen said unlike most of the people in attendance, he was present in 2009 when the wheel tax was first discussed as a supplement the current budget.

Huser said he also remembered when Elkhart County approved a wheel tax and the **Goshen Mayor** said funds could be moved elsewhere because they wouldn't be needed for roads anymore. He said then-Councilor **Everett Thomas** said that wasn't the intent of the wheel tax.

Huser continued, "Unfortunately, I personally believe the roads have gone downhill since 2009. And so, I would question where the money ever went to begin with." He challenged the Council to increase funding for roads.

Huser also said, "Like some others that have spoken, I am on a fixed income now. This does make a difference. My standard of living continues to go down each and every year ... That's what I'm interested in is how can I at least maintain the status quo."

Jim Norton of Goshen said he was concerned "about the fact that most of the people here in Goshen voted for somebody who kind of brought this on."

Norton said, "One of the issues that I know that really gets me is the fact that we want to put a lot of money into ICE (Immigration and Customs Enforcement) to get rid of the immigrants. Well, the immigrants are the ones that are making Goshen. I've been a landlord for over 30 years. In the beginning, I rented both to citizens and to immigrants. It was the citizens that I had to take to court. The immigrants always paid, took care of the property. I soon quit renting to citizens and only rented to immigrants."



Norton said, "They took care of the property, they paid timely, and over the 30 years, I have not had one case of not being paid on that. And I have, like I say, 10 units and two that I manage on that over for that period of time. So that's where the money has gone."

Norton also said the United States caused the influx of immigrants. He said, "I visited the state of Oaxaca back in the 1990s when NAFTA (the North American Free Trade Agreement) went in. The taxes destroyed their economy. That's why the people came north, because that's the only place that they could live."

Kevin Marks of Goshen, who spoke earlier, said he originally was from Fastoria, Ohio, which was once a thriving town but is becoming a ghost town. "And I don't want to see Goshen turn into Fastoria, Ohio."

Marks said City leaders need to make wiser spending decisions. He said he knows Goshen recently closed the community swimming pool and he wondered whether it could have been repaired. He urged leaders to do a better job trying to save money. He said he has noticed that many City vehicles are parked at the Central Garage and said they should either be repaired or auctioned off.

Marks added, "Basically, I think you only need to get out and look around and say 'Where do I see these things? Where am I seeing this wasteful spending?' ... I think we could have saved a million dollars here in Goshen the last couple of years. I know so."

Council President Weddell said many of the cars at the Central Garage are going up for auction.

Of the Central Garage, **Mayor Leichty** said, "Our fleet manager works very hard to do routine maintenance to ensure that we stretch the lifetime of those vehicles as long as we possibly can. We also have a lot of vehicles that are relied upon for emergency services and so we want to make sure that they are in good working order at all times. So, there's a regular set of vehicles that the team of mechanics works on every single day to make sure that routine maintenance is happening."

Mayor Leichty also said the cost of such materials as concrete has rapidly increased, pushing up the cost of infrastructure repairs beyond the rate of inflation. "So, cities, even if we had the same amount of revenue, we would be falling behind."

"And that's why our City Department heads work so diligently to stretch every dollar on this community's behalf, and to do more with less and less and less every year, because we cannot keep up with the increase in the cost of goods. We're doing our best to make sure that the vibrant city that you all love continues to be a shining place where people want to come and live."

At 7:50 p.m., Mayor Leichty closed the public comment period.

Councilor Riegsecker then made extensive comments, which he prepared in advance. He said:

"I empathize with some of the statements that people said. I really do. And, hopefully I can clear up some things here by the time we get done. But the state legislators put cities in a difficult situation with many uncertainties. That's where the problem is right now, as to what the outcome would be and many unknown consequences."

"So, there's a lot of unknowns, and **Councilor Nisley** mentioned some things, too, and I agree with that. Do you wait or do take a chance, or do you go? And so, our own governor suggested the City should enact a wheel tax to cover the shortfall. Plus, to be eligible for the Community Crossing and the Mile Match Grant Program, which I think is an important match – it's like free money – but you have to spend a little money to get that free money, so to speak."



In response to a question asked, Councilor Riegsecker said, "According to my calculations, most homeowners will not receive any major property tax relief. And we'll still be subject to the 1% cap, so you're going to be paying the same that you were paying before, as long as your appraisal doesn't go up, but we've been subject to the 1% cap for years. I've never been able to get under that. I've always been right there at the 1%, so I know what my taxes are going to be, because it's going to be 1% of what they appraised my house at.

"But all homestead tax bills provides for a new 10% property tax credit capped at \$300, so you are going to get some relief. Everybody is going to get some relief due to that. That is applied after the circuit breaker credit and all other credits. For example, the over 65 credits, blind and disabled, etc. There's going to be other credits that are out there as well. I think that over 65 is another \$150, so I'll take it.

Councilor Riegsecker continued, "It appears one of the major property tax savings to me, and I haven't got this nailed down yet, is the business personal property tax, which increases exemption thresholds from, like, \$80,000 to \$2 million. That's at the 3% cap, and those 3% people will benefit from this, so they're going to be saving taxes, but the homeowners are not going to be saving taxes.

"No one likes new taxes or fees, but that is where we are today. There are certain services and amenities that affect everyone – police, fire, water and sewer, roads, trash pickup. Those five things everybody's got to use, or everybody needs to have, right? We are at a quandary in that no one knows for certain what will be the total fallout due to SB 1. There are some knowns, though. Some knowns from the past."

Councilor Riegsecker said one of the certainties is that Goshen's road conditions have deteriorated and need to be improved. He said it would take major expenditures to dramatically improve the conditions of the City's roads. And Councilors already were discussing the need for more funds before Senate Bill 1 was approved.

"So, I believe ... that we should approve this Second Reading of the wheel tax for several reasons."

- Goshen needs the funds to improve our roads and this benefit affects all residents of Goshen.
- All homestead property owners will be getting a reduction in property taxes of up to \$300, and all the City is asking for is a little bit back -- \$25 back to the City – for those who have one car.
- Most business will benefit from the business personal property tax exemption, and should see a reduction in their taxes, and all the City is asking from them is "a little bit of this back to improve our roads."
- The City has the possibility of getting matching funds from the State and will lose the opportunity if it doesn't pass a wheel tax.

Councilor Riegsecker said, "For most homeowners, this equates to less than 7 cents per day. Some will say we're nickel and diming us to death with taxes. We are, but that falls right in between the nickel and the dime. It's 7 cents per day, and that's really what we are asking from everyone to have a better road system."

As for the proposed sunset provision, Councilor Riegsecker said "maybe there should be an amendment to discontinue if the grants program is discontinued, but again, maybe we should just discontinue it in two years to see how this is going to pan out, so everybody knows we have a sunset."

Councilor Riegsecker said he remembers when the county enacted a wheel tax that was going to be last for five years, but it was never repealed. So, he said a sunset also would allow for a review of road conditions.

Councilor Riegsecker concluded, "I think we're doing the right thing, and I know politicians say this all the time, but you're going to have to trust us. We know what the budget is, and I think everyone right here at these two tables (on the Council) is going to hold everyone accountable to make sure that that money is used correctly."



Councilor Nisley said, "One thing I was going to say is both you guys (Councilors Weddell and Riegsecker) used the quote from Gov. Braun about enacting a wheel tax, and you're taking that as gospel. You've got to remember, he's the one that crafted why we're in this position we are. And you're trusting him to say that?"

Councilor Riegsecker responded, "I don't trust anybody from the State right now, but we don't know how we're going to be affected, and I think we need to take every precaution to make sure that we can keep moving forward and using this money that we can get for good use."

Councilor Nisley said, "I'm a Republican, and so is he (Gov. Braun) and we're not supposed to talk bad about him, but he did not do the job that he was put in there to do." **Councilor Riegsecker** said he didn't disagree.

Councilor Nisley said national Democrats said the same thing when they pushed through major legislation without even reading it. "And I think that's what happened in this one, too."

Councilors Riegsecker and Nisley agreed that it's not certain Goshen would receive additional State money by imposing the wheel and excise tax. **Council Riegsecker** said adding a two-year sunset provision could then be used to repeal the tax. **Councilor Nisley** said two years was too long.

Mayor Leichty pointed out that no major infrastructure improvements take less than two years, so a longer trial period would be helpful. **City Director of Public Works & Utilities Dustin Sailor** confirmed that planning a full reconstruction of a road takes at least two years. He said the City has had more than \$4 million in road work this year, about five projects.

Councilor Schrock asked if the Engineering Department did any research on using less expensive slurry roads and chip and seal to extend the life of the City's roads for five to ten years.

Sailor said, "Five to ten years is a stretch ... we're in the freeze-thaw area. And so, chip and seal, we're definitely looking at applying chip and seal to roads. We're going to get three to five years additional wear surface out of that. The slurry seals, we've tried some of that down on 14th and 15th streets. They work for a period of time, two or three years, but the cracks, propagate back up through, and that" and are not cost-effective.

Councilor Peel said she agreed 100% with audience member **Nancy Brown**. "I'm pissed off and this sucks. And I guarantee most of you out there feel the same way.

"What I want to point out is the past (City) administrations we've been doing really well financially. We've always had a surplus. We've always had good cash reserves. We've always done really, really well with our money – so much so that we were able to plan for a new pool. We planned for a new fire station."

Councilor Peel continued, "And now, because of the state, and the way that they've decided to change their funding because of Gov. Braun and our state representatives, we are now not able to build a new pool. We have to put that on hold, potentially for good, or hopefully not. Who knows when we'll be able to get this new fire station? And who knows how we're going to fund the \$35 million in road repairs that we have to do. This is a small portion of that.

"So, we all are angry ... I am angry that I have to vote for this. I'm angry that I have to potentially put more fees down. I have to pay for those, too. Every one of us has to pay for those. Mike Braun is making us do a lot of different things because of his thing. So, we all have hard decisions that we have to make, and none of us are happy about it. So, please recognize that these are not decisions that we want to make. And we want to make sure that we are being as responsible as possible. So, we feel your anger, We echo your anger. At least I do."

Audience member **Nancy Brown** responded as **Councilor Peel** was speaking. The Mayor advised Brown that the public comment period was over. Brown asked to speak again, and the Mayor agreed.



Nancy Brown of Goshen said, "You said we had a surplus last year? A lot of cash reserves. Where did it go?"

Mayor Leichty said, "I'm the one who prepares the budget, so I will answer your question. So, we get funds from the State that can only be used for specific purposes – to make sure that you have clean drinking water, to make sure that the dirty water in your house disappears when you flush the toilet, to make sure that our public safety responds in the appropriate amount of time when you have a heart attack. Most of our firefighters' responses are medically related, more than 85% of them. We also have public safety officers that we are paying for, and so as our population adjusts, so does our needs for emergency response and public safety.

The **Mayor** continued, "So, all of the designated funds that come in for a specific fund get designated for those dollars. Now, during COVID, when things were shut down, we were not able to spend things on some of the road repairs and some of the long-term projects that we had planned to do, and so we developed higher cash balances, but we couldn't spend them on anything else except those infrastructure projects that they were designated for.

"So, this would be like if you give money to the Boys and Girls Club for their nutrition program, they can't spend it on anything else besides that. So, when the State gives us money for something that's designated, we can only spend it for those things. So, I just want to clarify that we're not just sitting on loads of cash like Scrooge McDuck over here, swimming around in it. We have to spend the money on the things that the state tells us we can spend money on."

Mayor Leichty asked **Brown** if she adequately answered her questions. **Brown** responded, "No, but I don't expect you to. I want to know how come we're so damn poor? You guys are collecting all these taxes. Where's all this money going? You're saying roads. Okay, I understand that. Why can't we figure out something cheaper to do?"

Mayor Leichty invited **Brown** to have coffee with her so she can explain the expenditures in greater detail. **Brown** said, "Okay, I do want to figure out some way to do things better, cheaper, safer."

Mayor Leichty asked if **Councilors** had further comments or questions.

Council President Weddell asked if any **Councilor** wanted to make a motion to amend Ordinance 5229.

For about 10 minutes, **Councilors** discussed the idea of amending the ordinance to add a sunset provision that would suspend the collection of wheel and excise taxes after a certain point. They discussed the pros and cons of adding this provision, the timing and the best wording and place in draft Ordinance 5229.

Councilors discussed the prospects of the Legislative Assembly rescinding the requirement that municipalities must impose wheel and excise taxes to qualify for supplemental State funds. They also discussed tying a sunset clause to a repeal of that provision.

Council President Weddell said he opposed imposing a sunset provision because of the need for millions more for road improvements. **Councilors Peel** and **Nisley** said they supported a sunset provision, especially if the Legislative Assembly eliminates the wheel tax requirement to qualify for Community Crossings or Lane Distribution funds.

Councilor Nisley/Councilor Riegsecker then made a motion to amend Ordinance 5229 by replacing the current Section 3 (page 4) with a new Section 3, titled "Legislative Change," worded as follows: "If the Indiana Legislature removes the requirement for the City to impose the Wheel Tax and Surtax to make the City eligible for Community Crossing matching grants or Lane Mile Direct Distributions, the City Council shall re-evaluate the taxes imposed under this Ordinance."



On a roll call vote, Councilors approved the amendment by a 5-2 vote with Councilors Lederach, Nisley, Peel, Riegsecker and Schrock voting "yes" and Councilors Gerber and Weddell voting "no," at 8:21 p.m. Youth Adviser Reyes also voted "yes."

Mayor Leichty asked if Councilors were ready for a final vote. They indicated they were.

On a ballot vote, Councilors passed the just-amended Ordinance 5229, *An Ordinance Imposing a Municipal Wheel Tax and Municipal Vehicle Excise Tax and Creating the City of Goshen Municipal Wheel Tax Fund and the City of Goshen Municipal Surtax Fund*, on Second Reading by a 6-1 margin, with Councilors Gerber, Lederach, Peel, Riegsecker, Schrock and Weddell voting "yes" and Councilor Nisley voting "no," at 8:25 p.m. Youth Adviser Reyes also voted "yes."

Mayor Leichty thanked Councilors for their "careful deliberations on a really tough issue."

Privilege of the Floor

At 8:26 p.m., Mayor Leichty invited public comments for matters "not on the agenda that has not already been discussed, and that is a topic that is germane to the work of this Council. So, that means something within the City limits relating to infrastructure or public safety or services that the City provides."

Nancy Brown of Goshen said she had several complaints about Gleason Industries, which operates in the City. She said Gleason allows its employees to park along the railroad tracks, creating "one hell of a mess along there, especially from Pearl Street down to Monroe Street and I was told that because Gleason rents or leases the right-of-way from the railroad, that you guys couldn't do nothing about it. I'd like to know if we could turn that around somehow. The other thing is why is it that the railroad gets to leave their junk lay there. My God, it's years, decades."

Ed Groff of Goshen thanked Councilors for their work, adding, "I think these are outrageous times that we're living through, and I think it's going to get worse. But I have something that I think is maybe a little bit of hopefulness. I, as a citizen, am more than happy to pay taxes and want to pay more taxes, because what gets done with those taxes is essential for all of us to live a quality of life and get the services that we need and desire."

Groff continued, "I'm concerned that the taxes that we're talking about recently. As a property owner, I'll get maybe \$300. That to me isn't what matters. I feel like the wheel tax distributes the tax burden throughout the entire population. I think it's a move away from taxing people with greater resources and income. Maybe there's equity in that, but I don't think so. I think we ought to be moving in the opposite direction.

"And if we can't do that as a country or as a state, then I'm wondering if the City of Goshen has a line in your budget where you would accept donations. I think we are moving into an era where things are going to get a bit really critical and I think there is a lot of affluence in this community."

Groff concluded, "I'm not affluent, but I'm not poor. I would like to know that there's a place I could give money to the City of Goshen to keep doing what it needs to be doing. And I think we can change the narrative and not just assume that all of us out here are totally against taxation. I'm not. I think we need voluntary taxation and increase it. So that's what I wanted to say."



Mayor Leichty responded, "There are donation funds in virtually every department, and so we would be happy to connect you where you feel those dollars would be best spent. So, feel free to reach out to my office, and we would be happy to talk with you more about that."

Council President Weddell said, "Many of our parks are from generous donations from community members or some of the amenities at those parks."

Mark Huser of Goshen offered a humorous comment. "I am a fan of Oreos. I've tried to avoid those nowadays. But if you've ever ate an Oreo, you have to brush your teeth six or seven times to get it out. Have we ever tried to patch our roads with those? Just a thought."

Councilors and audience members laughed.

At 8:31 p.m., Mayor Leichty closed the public comment period.

Elected Official Reports

Mayor Leichty invited reports from Council members.

Council President Weddell said he along with the **Mayor, Deputy Mayor Brinson, and Councilor Gerber** recently attended a meeting hosted by the area's state representatives with **Rep. Jeff Thompson, the chairman of the House Ways and Means Committee**. He said, "Our hope was that we would find out details and explanations concerning Senate Enrolled Act 1, but I think that we left that meeting with more questions than answers."

Council President Weddell said statements were published in the newspaper about the meeting, but he would encourage people to listen to the online recording of that week's **Elkhart County Council meeting on YouTube**. He said at the meeting, "**County Councilman-at-Large Stephen Clark** gave an amazing breakdown of what did and did not happen at that meeting. And he gives it a really, really comprehensive review of 'the bill of sales' that our property taxpayers were sold (regarding Senate Bill 1) and the realities of what we're seeing."

Council President Weddell continued, "I would like to compliment **Mayor Leichty** on her eloquent statement to the Chairman – 'Post-haste fix it. Fix it yesterday. Don't just think about it and talk about it for a couple of years ...' I don't know how any of us, any city, municipality or business owner, would be able to think about a budget for the following year when I have zero comprehension of the impacts of what revenues might be coming in. So, we have our work cut out for us. I encourage everyone that's here to continue to stay engaged. Come, ask questions, hear about the budget, review the budget with us, so that you and we can all become more frustrated."

Council President Weddell added that he recently learned that the City Redevelopment Commission could lose \$3 to \$3.8 million based upon some of the new rule changes in Senate Enrolled Act 1. He said he is seeking more information about the impacts of Senate Bill 1 and will pass on what he learns to Councilors.

Councilor Lederach said, "I would just piggyback on that, because this last week I sat through two meetings that **Mayor Leichty** spoke to different groups, one at Greencroft and one at Waterford Crossing. And they were excellent, very helpful. I had a lot of positive feedback from that. So, if you're interested, I know your schedule's full, but if you can get in on a talk where Mayor Leichty talks about the impact on the City, it's well worth your time."



Council President Weddell said, "I'll add one other thing, **Councilman Gerber**, you mentioned also **Stephen Clark**, he was wanting to set up some sort of a meeting, a public forum, town hall or a County Council meeting of some sorts, having our state legislators come in and help explain some of these, and I would hope he continues to follow through on that request. And I will make sure that he knows that many of us may want to contribute and participate with that as well ... The mayor is the voice of the city, but it's up to us as well to engage our local state legislators so that they fully understand What they've laid in our lap."

The audience responded with applause.'

Councillor Riegsecker said he and his grandkids recently attended the City's "Touch-a-Truck" and enjoyed it. He complimented City staff for the event.

Councillor Riegsecker also said he received several letters this week from a concerned citizen, **Rebecca Unternahrer**, who praised some of the amenities Goshen offers and some department heads. He said, "I appreciate receiving those because they're not letters complaining about something. They were very nice letters, and she hopes that we continue to fund these things that we can. So, we need to take that into consideration, which we would, but it was nice to have someone reaffirm those. So, thank you very much."

Clerk-Treasurer Richard R. Aguirre distributed to Common Council members a statement that he then read into the record (EXHIBIT #3).

Aguirre said that from Aug. 10-14, he attended the annual conference of the Indiana League of Municipal Clerks and Treasurers and the State Board of Accounts School in French Lick, which included two days of sessions required by the State. He said one unexpected highlight were comments by **Dave Wood**, who has served as **Mayor of Mishawaka** for since 2010 after serving 12 years on the Council. Wood, a Republican, also is the president of Accelerate Indiana Municipalities, a group that represents Indiana councils, mayors and clerk treasurers.

Aguirre said **Wood** criticized **Senate Enrolled Act 1**, which he described as a man-made crisis for local government finance – "a crisis that threatens the viability of cities, towns across Indiana to maintain the level of service that our residents count on, services that are foundational to public trust, economic growth, and community well-being." He said Mishawaka will suffer a \$15 million revenue loss, 20% of the city's general fund, which will force a reduction of essential services, including police, fire, streets, neighborhoods, and the local economy.

Aguirre said **Wood** called on Indiana's clerk treasurers to be knowledgeable about the impact of SEA 1, to share that information with the community, to advocate and to educate for changes in this legislation. He also called on local officials to activate citizens by going out into the community and getting them involved.

Quoting Wood, Aguirre said, "The fight cannot happen in the backrooms of city halls alone. We must inform and empower our residents to speak out. They need to know what's at stake, and they need to be ready to advocate with us. There is strength in numbers, and our numbers are neighbors."

Aguirre said **Wood** also called on clerk-treasurers to promote practical sound solutions and for local government to be more efficient."

Aguirre said that **Mayor Wood** concluded his remarks with a very strong call to action. **Wood** said, "Don't be passive in this moment. Be active, informed, persistent, and vocal. Don't wait for someone else to carry the banner. Pick it up and wave it high. Because the truth is, there is no cavalry coming — we are it."

Aguirre recommended that Councilors consider **Mayor Wood's** comments in their deliberations.



Mayor Leichty thanked Aguirre for his comments and then said:

"I'll just, add to that that when I think about having an impact on people's lives, local government is really where that happens, and at the city level. We are the closest, to the ground, with people here in our community, and I know just how much this Council cares about the well-being of people in our community.

"And it has been heartening as we face these incredibly daunting challenges ahead, when we're looking at a potential loss of up to 38% of our revenue that we would typically receive from the state. Imagine what that would do to your household budget.

"This would not be the same City if this fully goes into effect in 2028. As it's being phased in, Goshen will not be the same. And it's been heartening to know that the people closest on the ground who live with you, who work with you, who are neighbors with you, are advocating together on the City's behalf. They're not afraid to cross party lines, to have hard discussions and say, this is what's right, and we want to fix the formula that's been broken.

"And that's not about pointing fingers or casting blame. It's about standing together and fixing what needs to be fixed for the good of all here before we all head off the cliff together.

The Mayor continued, "So, I just want to say how much I appreciate working with all of you, every single person around this table. I appreciate the pushback, I appreciate the pushes forward. I appreciate the calls to be more efficient. I appreciate all of it. So, I know that we can shoulder this because we can work together, and not every community can say that. But I know this one can.

"And so, I just want to extend my gratitude to you, and thanks to all of you who showed up tonight. I know this is a particularly long meeting, and I can't promise the next ones will be any shorter as we're heading into budget season, so bring snacks if you need to. We won't give you a hard time if you need to bring some snacks."

Adjournment:

Councilor Nisley made a motion to adjourn the meeting. Councilor Peel seconded the motion. By a 7-0 voice vote, Councilors unanimously approved the motion to adjourn the meeting.

Mayor Leichty adjourned the meeting 8:43 p.m.

EXHIBIT #1: *Ordinance 5232, An ordinance of the City of Goshen authorizing the issuance of waterworks revenue bonds for the purpose of providing funds to pay the cost of certain additions, extensions and improvements to the municipal waterworks of said City, the issuance of revenue bonds to provide for the cost thereof, the collection, segregation and distribution of the revenues of said works, providing for the safeguarding of the interests of the owners of said bonds, other matters connected therewith, including the issuance of notes in anticipation of bonds, and repealing ordinances inconsistent herewith. Ordinance 5232 was added to the agenda of the Aug. 25, 2025 meeting and eventually passed.*

EXHIBIT #2: *City of Goshen Waterworks Revenue Planning BAN Proposed Timetable.*



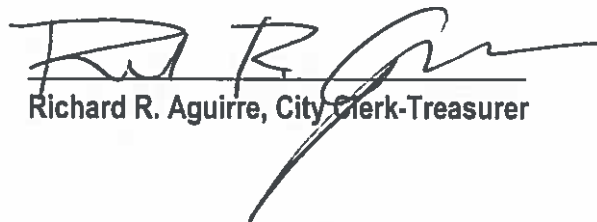
EXHIBIT #3: *A statement read by Clerk-Treasurer Richard R. Aguirre during the Elected Officials Reports period during the Council meeting. The statement included remarks by Mishawaka Mayor Dave Wood.*

APPROVED:

A blue ink signature of Gina Leichty, Mayor of Goshen, written over a horizontal line.

Gina Leichty, Mayor of Goshen

ATTEST:

A black ink signature of Richard R. Aguirre, City Clerk-Treasurer, written over a horizontal line.

Richard R. Aguirre, City Clerk-Treasurer