

**REGULAR MEETING OF THE COMMON COUNCIL  
OCTOBER 20, 2009  
111 EAST JEFFERSON STREET  
GOSHEN, INDIANA**

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The Common Council of the City of Goshen, Indiana, met in the Council Chambers for a regular session on October 20, 2009 at 7:00 P.M. Presiding Officer was Mayor Kauffman with members of the Council present as follows:

PRESENT: COUNCILMAN LANTZ, RIEGSECKER, STUMP, THOMAS  
COUNCILWOMAN GAUTSCHE, ROBINSON

ABSENT: COUNCILMAN STUTSMAN

**PRIVILEGE OF FLOOR**

Nancy Bigler, representing residents on CR 40 E of CR 27, stated no one at her end of CR 40 received notification of the meeting at Prairieview Elementary School and they have some concerns regarding emergency personnel being able to reach their properties in a timely manner and further concerns regarding their property values with the proposed cul-de-sac.

After discussion, Mayor Kauffman stated he would have to check the attendance sheets from the meetings that were held to see if anyone E. of CR 27 was present at the meeting. Further the Council is not the body that could stop the project at this point. The Redevelopment Commission would have to be the body to stop it but if they did stop the construction at this point the City would have a road unfinished all winter and would probably be sued by the contractor.

Larry Long, CR 40 stated the City is wasting money on a road to nowhere.

**CHANGES TO AGENDA**

Mayor Kauffman requested the Council add a presentation from Greencroft to the Agenda and that item number 6 be moved to item number 2 on the Agenda. Councilman Thomas moved to amend the Agenda. Second by Councilwoman Gautsche and motion passed unanimously.

**SPECIAL PRESENTATIONS**

Mark King, CEO of Greencroft of Goshen, stated Greencroft is in its 43<sup>rd</sup> year of serving the citizens of Goshen and works hard to be a good neighbor. Mr. King presented the Mayor with a check in the amount of \$50,000 for the City of Goshen as a donation stating their hopes are for the City to use the donation towards the purchase of an ambulance, fire truck and/or medical supplies.

Mayor Kauffman accepted the check and stated the City's appreciation for the gift.

**APPROVAL OF MINUTES**

Councilman Riegsecker moved to accept the Minutes of the Council meeting of September 28, 2009 as presented. Motion seconded by Councilman Lantz and motion carried unanimously.

### **PRESENTATION BY CITY FORRESTER**

City Forrester Aaron Sawatsky Kingsley stated he is applying for a grant from the Indiana Department of Natural Resources to help fund public tree inventory work and subsequently an analysis of that inventory. Part of the grant application process requirements is to inform the Council about the process of inventory and the reasons for applying for the grant.

Mr. Sawatsky Kingsley explained the following:

- Facts known about urban forests and urban trees that tell us about the way trees act in general.
- The Goshen Public Tree Inventory currently stands at 7,232 trees and 5 to 6,000 trees remain to be catalogued.
- 49% of public trees in Goshen are Maple species.
- The Value Trees Street Analysis developed by the US Forrester Service will give the City data on the following:
  - ❖ The species makeup of Goshen's urban forest.
  - ❖ The condition of the trees.
  - ❖ The age range of the forest
  - ❖ The quality and extent of tree canopy across the City.
  - ❖ The stocking potential where more trees can be planted.
  - ❖ A baseline of management action and cost.
  - ❖ Exactly how valuable are Goshen's trees in terms of carbon they capture, energy use they reduce, stormwater they keep out of sewers, pollution they remove from the air and value they add to properties.

The Council, Mayor and Mr. Sawatsky Kingsley discussed the following:

- The inventory at this time includes street trees and park trees but not the forest at Shanklin Park or the Classified Forest as this would be a big undertaking but they can figure some estimates.
- The inventory should be viewed as a tracking device and should be revisited at least every 10 years to see how the forest changes and responds to the shaping the Park Department intends to give it.
- Goshen does have a real issue with so many trees being planted in same era that then they mature at the same time and he sees this happening especially on 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> Streets.
- Goshen has been a Tree City for 13 years.
- Mayor Kauffman requested Mr. Sawatsky Kingsley contact home owners in the 600 to 900 blocks of S. Main Street regarding taking advantage of Goshen's street tree planting assistance and see if there are opportunities to plant new street trees in the area.

The Council thanked Mr. Sawatsky Kingsley for the informative report.

### **RESOLUTION NUMBER 2009-41**

Council President Stump introduced Resolution Number 2009-41 entitled “DESIGNATION OF AN ECONOMIC REVITALIZATION AREA TO OBTAIN A PERSONAL PROPERTY TAX PHASE-IN FOR CEQUENT PERFORMANCE PRODUCTS.”

Council President Stump asked the Clerk-Treasurer to read the Resolution by title only and moved its passage by roll call vote. Motion seconded by Councilman Riegsecker.

Community Development Director Mark Brinson stated the following:

- Cequent is a subsidiary of TriMas Corporation headquartered in Bloomfield, MI.
- Cequent currently employs 362 people.
- The City did award Cequent a tax phase-in for 7 years in 2005. At that time Cequent invested 4.8 million in manufacturing equipment.
- This is a new project with another expansion of production capabilities including new equipment with an estimated value of 3.9 million.
- If the phase-in is awarded Cequent will hire 47 new employees with an average hourly rate of \$11.39 and with benefits equated in raises the hourly rate to \$17.65.
- It is recommended the Council award a 5 year phase-in of taxes on the new equipment.
- Cequent has agreed to contribute 15% of their annual tax savings back to the City.

Christian Perrin, Senior Controller of Cequent stated the following:

- The company has been in business over 60 years and the plant in Goshen is their biggest.
- Receiving the tax phase-in would help them compete in the market.
- After being questioned by Councilman Thomas, Mr. Perrin stated most of their sales are outside the county.
- After being questioned by Councilman Thomas, Mr. Perrin stated financing for the project has been approved through TriMas.
- After being questioned by Councilwoman Robinson, Mr. Perrin stated they currently do not use the e-verify system with hiring new employees but it is a promise that it is their intention to start and further their human resources department is working on starting the system.
- Half of the 47 jobs should be created in approximately three months and the other half next year.

The Council, Mayor and Mark Brinson discussed the following:

- According to Mark Brinson, the basis for the recommendation for the 5 year tax phase-in is that the current point system criteria weighs heavily on the wage schedule of an applicant and with the current economy and unemployment rate it appears to be a fair compromise from the 10 year tax phase-in Cequent is requesting and no tax phase-in if the current point system were followed. There is a big point deduction in the current system for being below the average County wage. The latest amount is from 2008 and it is over \$17.00 an hour.
- When the 47 employees are hired Cequent will employ over 400 people in Goshen. The range of wages hired in at will be \$9.62, \$14.80 and a few at \$17.00. Approximately 10% of their employees are salary with the remaining 90% hourly. After being questioned by Councilwoman Gautsche, Mr. Perrin stated Cequent pays 75% of the

hourly employee's insurance costs and he will find out the number of hourly employees that cannot afford the premium.

- Councilman Thomas stated the current grid point system needs to be revisited. For example if the Council awards the tax phase-in to Cequent then the grid point system developed as a measuring tool is then not relevant.
- These are difficult times and awarding the tax phase-in could be compounding problems with the City's property tax collection percentage but by giving jobs to 47 people they may be able to then pay their property taxes where they might not have been able to before receiving a job.

By 6-0 vote of the Council, Resolution Number 2009-41 was passed.

The Council roll call vote was as follows:

AYES: GAUTSCHE: LANTZ: RIEGSECKER: ROBINSON: STUMP: THOMAS

NAYS: NONE

#### **ORDINANCE NUMBER 4561**

Council President Stump introduced Ordinance Number 4561 entitled "ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR THE GENERAL FUND FOR 2010."

Council President Stump asked the Clerk-Treasurer to read the Ordinance by title only for second and final reading and moved its passage by roll call vote. Motion seconded by Councilman Thomas.

The Council discussed cutting the CRC budget by 2 ¼ percent, asking the CRC to leave 2 ¼ percent of their budget unspent at the end of 2010 or to leave the CRC budget as is presented. Councilman Lantz stated the general comment at the CRC meeting was the hope to leave the budget as is unless the other departments are cutting their budgets then the Commission felt they should also.

The Council roll call vote was as follows:

AYES: GAUTSCHE: LANTZ: RIEGSECKER: ROBINSON: STUMP: THOMAS

NAYS: NONE

(ORDINANCE NUMBER 4561 DULY PASSED AND ADOPTED THIS 20<sup>TH</sup> DAY OF OCTOBER 2009.)

#### **ORDINANCE NUMBER 4562**

Council President Stump introduced Ordinance Number 4562 entitled "ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR FUNDS OTHER THAN THE GENERAL FUND FOR 2010."

Council President Stump asked the Clerk-Treasurer to read the Ordinance by title only for second and final reading and moved its passage by roll call vote. Motion seconded by Councilman Thomas.

The Council roll call vote was as follows:

AYES: GAUTSCHE: LANTZ: RIEGSECKER: ROBINSON: STUMP: THOMAS

NAYS: NONE

(ORDINANCE NUMBER 4562 DULY PASSED AND ADOPTED THIS 20<sup>TH</sup> DAY OF OCTOBER 2009.)

**PUBLIC HEARING ON ORDINANCE 4563**

Mayor Kauffman opened the public hearing on Ordinance 4563, Additional Appropriation Ordinance. Mayor Kauffman explained the Ordinance is for \$5,000 to be appropriated to the Cemetery Capital Improvement Fund to be used for the development of new burial areas for cremation burials exclusively and landscaping in Violett Cemetery.

Mayor Kauffman closed the Public Hearing as no person wished to speak.

**ORDINANCE NUMBER 4563**

Council President Stump introduced Ordinance Number 4563 entitled "ADDITIONAL APPROPRIATION ORDINANCE."

Council President Stump asked the Clerk-Treasurer to read the Ordinance by title only for its first reading and moved its passage. Motion seconded by Councilman Thomas.

By a 6-0 vote of the Council the motion passed.

Mayor Kauffman asked for unanimous Council consent to consider the Ordinance for passage during one meeting. As there were no objections, the Mayor declared that the Ordinance would be heard on second reading.

Council President Stump asked the Clerk-Treasurer to read the Ordinance by title only for second and final reading and moved its passage by roll call vote. Motion seconded by Councilman Thomas.

The Council roll call vote was as follows:

AYES: GAUTSCHE: LANTZ: RIEGSECKER: ROBINSON: STUMP: THOMAS

NAYS: NONE

(ORDINANCE NUMBER 4563 DULY PASSED AND ADOPTED THIS 20<sup>TH</sup> DAY OF OCTOBER 2009.)

**RESOLUTION NUMBER 2009-42**

Council President Stump introduced Resolution Number 2009-42 entitled “APPROVING THE CONTRACT WITH THE STATE OF INDIANA FOR BIDDING, CONSTRUCTION, AND FUNDING OF STREET PAVING IMPROVEMENTS.”

Council President Stump asked the Clerk-Treasurer to read the Resolution by title only and moved its passage by roll call vote. Motion seconded by Councilman Thomas.

Mayor Kauffman explained the Resolution is required by INDOT for the stimulus paving projects being completed on Bashor Road and Eighth Street.

By 6-0 vote of the Council, Resolution Number 2009-42 was passed.

**RESOLUTION NUMBER 2009-43**

Council President Stump introduced Resolution Number 2009-43 entitled “APPROVING THE CONTRACT WITH THE STATE OF INDIANA FOR BIDDING, CONSTRUCTION, AND FUNDING OF SIDEWALK IMPROVEMENTS.”

Council President Stump asked the Clerk-Treasurer to read the Resolution by title only and moved its passage by roll call vote. Motion seconded by Councilwoman Robinson.

Mayor Kauffman explained the Resolution is required by INDOT for the stimulus sidewalk and safe routes to schools projects.

Councilman Thomas expressed his thanks to Administrative City Engineer Mary Cripe for obtaining the funds for the safe routes to schools projects.

By 6-0 vote of the Council, Resolution Number 2009-43 was passed.

**RESOLUTION NUMBER 2009-44**

Council President Stump introduced Resolution Number 2009-44 entitled “TEMPORARY TRANSFER OF FUNDS BETWEEN BUDGET ACCOUNTS.”

Council President Stump asked the Clerk-Treasurer to read the Resolution by title only and moved its passage by roll call vote. Motion seconded by Councilman Riegsecker.

Mayor Kauffman explained the provisional tax bills sent out by the County did not include Economic Improvement District collections therefore they are asking for the transfer and will pay back the City when they receive their distribution.

By 6-0 vote of the Council, Resolution Number 2009-44 was passed.

**RESOLUTION NUMBER 2009-45**

Council President Stump introduced Resolution Number 2009-45 entitled “TRANSFER OF CIGARETTE TAXES DEPOSITED IN THE CUMULATIVE CAPITAL IMPROVEMENT FUND TO THE GENERAL FUND.”

Council President Stump asked the Clerk-Treasurer to read the Resolution by title only and moved its passage by roll call vote. Motion seconded by Councilman Thomas.

Mayor Kauffman explained the issue was brought to the attention of the City by the State Board of Accounts Auditor at the exit conference after they audited 2008. The City has been transferring the funds to the General Fund for as long as the Mayor can remember but the Clerk-Treasurer was unable to find an old Resolution authorizing the transfer. Therefore the State Board of Accounts recommended the Council reauthorize the transfers.

The Council congratulated the Clerk-Treasurer on a clean unqualified audit from the State.

By 6-0 vote of the Council, Resolution Number 2009-45 was passed.

Councilman Thomas moved to adjourn. Motion seconded by Councilman Lantz and the meeting adjourned at 8:30 P.M.