

REGULAR MEETING OF THE COMMON COUNCIL (JULY 19, 2016)
111 EAST JEFFERSON STREET, GOSHEN, INDIANA

The Common Council of the City of Goshen, Indiana, met in the Council Chambers for a regular session on July 19, 2016 at 7:00 P.M. Presiding Officer was Mayor Stutsman with members of the Council present as follows:

PRESENT: COUNCILMAN AHLERSMEYER, MCKEE, ORGILL, SCHARF, WEDDELL
COUNCILWOMAN GAUTSCHE, KING

ABSENT: NONE

CHANGES TO AGENDA

Councilwoman King moved to add a CRC nomination to the end of the Agenda. Motion seconded by Councilwoman Gautsche and motion passed unanimously.

APPROVAL OF MINUTES

Councilwoman Gautsche moved to accept the minutes of the meeting held on May 17, 2016 and June 7, 2016. Motion seconded by Councilman Weddell. Councilman Weddell moved to amend the May 17 minutes by showing Councilman Ahlersmeyer as 'Absent'. Motion seconded by Councilwoman Gautsche and the motion passed unanimously. By a unanimous vote of the Council the minutes of both meetings passed.

PUBLIC HEARING ON ORDINANCE 4869

Mayor Stutsman opened the Public Hearing on Ordinance 4869, An Additional Appropriation Ordinance.

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

ORDINANCE 4869

Council President McKee introduced Ordinance 4869 entitled "Additional Appropriation Ordinance."

Council President McKee asked the Clerk-Treasurer to read the Ordinance by title only for its first reading and moved its passage. Motion seconded by Councilwoman Gautsche.

Mayor Stutsman suggested the Council remove the \$3500 'Specialty Pay' from the Ordinance as Mayor Stutsman stated it is not needed this year for negotiations.

Councilman Weddell moved to remove the \$3500 Specialty Pay appropriation from the Ordinance. Motion seconded by Councilman Orgill and motion passed unanimously.

The Council discussed the possibility of an additional appropriation to their budget travel line yet this year as it is depleted and some Councilmembers have shown interest in attending the IACT

annual conference in October. The Council also discussed that some additional appropriations are reimbursements and/or previous encumbrances where the funds were not used for the purpose they were encumbered and are being requested to be re-appropriated.

By a 7-0 unanimous vote of the Council the motion passed.

Mayor Stutsman 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 McKee 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 Ahlersmeyer.

The Council roll call vote was as follows:

AYES: AHLERSMEYER, GAUTSCHE, KING, MCKEE, ORGILL, SCHARF, WEDDELL

NAYS: NONE

(ORDINANCE 4869 DULY PASSED AND ADOPTED THIS 19TH DAY OF JULY 2016.)

RESOLUTION 2016-22

Council President McKee introduced Resolution 2016-22 entitled “ADOPTION OF INTERNAL CONTROL STANDARDS AND PROCEDURES.”

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

Mayor Stutsman explained this Resolution is required by State Statue.

By 7-0 unanimous vote of the Council, Resolution 2016-22 was passed.

RESOLUTION 2016-23

Council President McKee introduced Resolution 2016-23 entitled “REPORTING ALL ERRONEOUS OR IRREGULAR VARIANCES, LOSSES, SHORTAGES, OR THEFTS OF CITY FUNDS OR PROPERTY.”

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

Mayor Stutsman explained this Resolution is also required by State Statue.

Glenn Null, Goshen, questioned if this is new and if it is reported to the Council. Attorney Barkes stated this Resolution and the last one are being passed to be in compliance with the State. In the event there is a shortage the Clerk-Treasurer is required by this Resolution to report

the shortage to the State. Mr. Null urged a clear as glass approach to this as it is important for citizens to know if and when.

By 7-0 unanimous vote of the Council, Resolution 2016-23 was passed.

RESOLUTION 2016-24

Council President McKee introduced Resolution 2016-24 entitled “APPROVING THE CONTRACT WITH THE STATE OF INDIANA FOR EMERGENCY VEHICLE PREEMPTION EQUIPMENT AT TRAFFIC SIGNALS.”

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

Mayor Stutsman explained this contract is from an idea that Mayor Kauffman, Mary Cripe and Chief Sink began working on last year.

Chief Sink stated some of the stop lights are on State Highways therefore we have to have this agreement to include them in the preemption project. Chief Sink explained at the end of the project they will have a GPS transmitter in each emergency vehicle and it will turn the traffic light green for their direction of travel. This is especially important now with the construction and upcoming bridge closures.

Councilman Scharf questioned why the intersections of Pike Street & Second Street and U.S. 33 & Monroe Street are not included in the agreement. City Administrative Engineer Mary Cripe agreed the intersections should be included.

Councilman Ahlersmeyer moved to add the above intersections to Exhibit A of the agreement contingent upon INDOT accepting the proposal. Motion seconded by Councilman Scharf and motion passed unanimously.

By 7-0 unanimous vote of the Council, Resolution 2016-24 was passed.

RESOLUTION 2016-25

Council President McKee introduced Resolution 2016-25 entitled “COMMITMENT OF FUNDING UNDER COMMUNITY CROSSINGS MATCHING GRANT PROGRAM.”

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

Mayor Stutsman explained this Resolution is coming from the LOIT Special Distribution; the 75% for roads, to hopefully receive a State matching grant to double our money for this intersection.

Administrative City Engineer Mary Cripe requested the Council amend the Resolution under letter (C) to add ‘or the City’s 2015 General Obligation Bonds’ so the funding of \$275,000 under letter (C) could come from either source.

Councilman Weddell moved to add the wording under letter (C) in the Resolution as requested. Second by Councilman Ahlersmeyer and the motion passed unanimously.

Mary Cripe gave a timeline stating the work on C.R. 38 by Elkhart County including the bridge is expected to be complete by November of 2017.

By 7-0 unanimous vote of the Council, Resolution 2016-25 was passed.

RESOLUTION 2016-26

Council President McKee introduced Resolution 2016-26 entitled “APPROVE DISPOSAL OF HICKORY STREET REAL ESTATE BY REDEVELOPMENT COMMISSION.”

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

Councilman Orgill thanked Community Development Director Mark Brinson for his previous explanation that allowing ‘disposal of’ is a legal way to say ‘allow to sell’.

Councilman Scharf questioned if any money is transferred in this transaction or after the disposal from Redevelopment to the City. Mayor Stutsman stated no, not on this one. There are a few properties that the City paid to have the structure demolished and the City may be reimbursed those costs from Redevelopment. Councilman Scharf questioned the advantages to the City to allow Redevelopment to dispose of the properties. Mayor Stutsman stated one advantage is Redevelopment does not have to choose the highest bidder as the City would have to do and therefore can pick the buyer that is best for the neighborhood. City Attorney Larry Barkes added that Redevelopment also has a mechanism to petition the County and have tax liens removed and the City does not have that option.

Councilwoman King questioned if there is a mechanism in place to keep neighborhood associations informed. Councilman Weddell stated Mark Brinson has given the president of the association all of the information to keep them informed. Mayor Stutsman stated it is normal practice to notify and communicate with the neighborhood associations involved.

Glenn Null, Goshen, stated his support as it is a good way to protect the neighborhoods and this property is in his neighborhood and stated the empty lot looks a lot prettier than what was there.

By 7-0 unanimous vote of the Council, Resolution 2016-26 was passed.

RESOLUTION 2016-27

Council President McKee introduced Resolution 2016-27 entitled “APPROVE DISPOSAL OF THIRD STREET REAL ESTATE BY REDEVELOPMENT COMMISSION.”

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

After Councilwoman King requested some background on these properties; Attorney Barkes explained these are properties that Redevelopment acquired along Third Street quite some time ago. There are two grouping of properties separated by W. Jefferson Street. The intent is to solicit proposals for either grouping or both.

Councilman Scharf stated some of these properties are deeded in the City's name and some are deeded to Redevelopment and questioned how this occurred. Attorney Barkes stated it depends on how the properties were acquired at the time. Councilman Scharf wanted to submit to the Council whether any of the funds get reimbursed to the City from Redevelopment for these properties. Mayor Stutsman stated he is currently having discussions on Redevelopment reimbursing the City for properties and/or demolition costs of structures.

By 7-0 unanimous vote of the Council, Resolution 2016-27 was passed.

RESOLUTION 2016-28

Council President McKee introduced Resolution 2016-28 entitled "AN EMERGENCY RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS."

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

Mayor Stutsman explained this is a transfer to help pay for a large format copier in the Engineering Department.

By 7-0 unanimous vote of the Council, Resolution 2016-28 was passed.

COUNCIL APPOINTMENT TO COMMUNITY RELATIONS COMMISSION

Councilwoman King moved to nominate Angie Troyer. Motion seconded by Councilman Ahlersmeyer. Councilman Ahlersmeyer moved to close the nominations. Motion seconded by Councilwoman King and motion passed unanimously.

Ms. Troyer was present and gave some background on herself. Ms. Troyer also explained the 'Humans of Goshen' project which was handed over to her when the creator of the project moved out of the country. She would like to work with the CRC to have this become a CRC project. She further explained it is a lot like 'Good of Goshen' but rather than focusing on advertising for Goshen it is about individual personalized stories from people in Goshen.

Councilman Weddell moved to appoint Angie Troyer. Motions seconded by Councilman Scharf and motion passed unanimously.

PRIVILEGE OF FLOOR

Glenn Null, Goshen, thanked the City and Council for the transparency and openness and stated it is important for citizens to be informed. Further he stated his support for emergency services. We all need to appreciate and honor our Police, Fire & Ambulance personnel.

Rob Roeder, Goshen, referenced an email he sent to the Council about a common ground when it comes to the diversity in the community on the LGBT subject. He is looking for action and questioning what stood out from the two meetings held in the community in the past and what has been done. He is after harmony in the community, avoiding hatred and accepting our differences in the City.

Chad Clingerman, Goshen, discussed the 'No Left Turn' sign at Madison and Main Street and the lack of drivers paying attention to the sign. City Administrative Engineer Mary Cripe stated she anticipates that sign will be removed when the re-routing of US 33 is complete.

Angie Troyer, Goshen, stated there is a small pothole and then a manhole cover that needs to be repaired as it is a deep hole for your car tire to hit at the intersection of 2nd St and Pike St.

Mayor Stutsman asked the Council to encourage everyone they can to get on the City's new website and signup for the notices so they get public notices right away.

Councilman Weddell questioned what needs to be done to update the meeting rules to the most recent, 11th edition, Robert's Rules of Order. Mayor Stutsman explained he is working on that with Legal currently regarding the current Ordinance and places where State Statue disagrees with Robert's Rules.

Fire Chief Danny Sink stated there is a big fire in downtown Elkhart happening now and he received word that several firemen were taken to the hospital for heat related illnesses so please keep them in your thoughts and prayers.

Councilman Ahlersmeyer stated the Ribs & Rotors event was held at the airport this weekend. This was their 5th year and they had 4,500 to 5,000 people in attendance, 795 slabs of ribs, 60 helicopters and they think they set a single event record on the helicopters as the previous number was 58. The event is getting a lot of national attention.

Councilman Scharf stated he would like to suggest a discussion item for the Council of an update on the dredging project of the Goshen Dam Pond. Mayor Stutsman stated this is a good idea for information but he wants to remind everyone that the City is not in charge of this project so the Council will not be making any decisions.

Council President McKee stated his appreciation that Vietnam Veterans were given the opportunity to take a ride in a Huey military helicopter at the airport event.

Councilwoman Gautsche reminded everyone of the 7th annual Maple City Walk on September 17th at 7:30 a.m. starting at the Elkhart County Fairgrounds this year. Further it would be great if the Council would have a team. Everyone can go to the Downtown Goshen, Inc website - <http://cityonthego.org/> for complete information.

Councilwoman King asked for some clarification regarding a potential violation of the open door law referring to a previous meeting where one member was speaking for the Redevelopment Commission without any formal action on their part. Attorney Barkes stated there has to be a

majority of a Board/Commission present to have a violation or serial meetings on a subject between members can be a violation. From what he understands happened and was said, he does not see a violation.

Councilwoman King moved to adjourn. Motion seconded by Councilman Weddell and the meeting adjourned at 8:15 P.M.

APPROVED: _____
Mayor, Jeremy Stutsman
Goshen, Indiana

ATTEST: _____
Tina M. Bontrager
City Clerk-Treasurer