

REGULAR MEETING OF THE COMMON COUNCIL (OCTOBER 11, 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 October 11, 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 Gautsche motioned to amend the agenda by moving items 1 & 2 (Public Hearing on the 2017 Budget and Ordinance 4882 – 2017 Budget Adoption Ordinance) to the end of the Agenda. Motion seconded by Councilman Orgill and motion passed unanimously.

APPROVAL OF MINUTES

Councilman Ahlersmeyer moved to accept the minutes of the meeting held on August 16, 2016. Motion seconded by Councilwoman Gautsche and motion passed unanimously.

ORDINANCE 4877

Council President McKee introduced Ordinance 4877 entitled “AN ORDINANCE TO AMEND ORDINANCE NO. 3011, KNOWN AS THE ZONING AND USE REGULATIONS ORDINANCE FOR THE CITY OF GOSHEN, INDIANA, BY REZONING THE AREA OF REAL ESTATE HEREINAFTER DESCRIBED FROM INDUSTRIAL M-1 DISTRICT TO RESIDENTIAL R-1 DISTRICT.”

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.

City Planner Rhonda Yoder explained this Ordinance is a neighborhood rezoning for seven single family residential properties from Industrial M-1 to Residential R-1. The request was heard at the Plan Commission meeting on September 20 and was sent to the City Council with a favorable recommendation by a vote of 7-0. Rhonda further explained that non-conforming properties are subject to non-conforming requirements. This re-zoning was most likely prompted by the fact that lenders do not like to give loans for non-conforming properties which could cause a hardship on the property owner.

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 4877 DULY PASSED AND ADOPTED THIS 11TH DAY OF OCTOBER 2016.)

ORDINANCE 4878

Council President McKee introduced Ordinance 4878 entitled “AN ORDINANCE TO AMEND ORDINANCES 2092 AND 4696 OF THE GREENCROFT GOSHEN PLANNED UNIT DEVELOPMENT (PUD).”

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 Councilman Ahlersmeyer.

City Planner Rhonda Yoder explained this Ordinance is a request for a major change to the Greencroft PUD to combine two entrances and configure a new entrance with some associated reconfiguration of the internal parking and traffic circulation. This request was heard at the Plan Commission meeting on September 20 and was sent to the City Council with a favorable recommendation by a vote of 7-0.

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 Councilwoman Gautsche.

Councilwoman King confirmed from Rhonda Yoder that notices were sent to adjacent property owners and the Plan Commission held a public hearing.

The Council roll call vote was as follows:

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

NAYS: NONE

(ORDINANCE 4878 DULY PASSED AND ADOPTED THIS 11TH DAY OF OCTOBER 2016.)

ORDINANCE 4879

Council President McKee introduced Ordinance 4879 entitled "AN AMENDMENT TO GOSHEN ZONING ORDINANCE 3011 FOR CHANGES RELATED TO SIGNS."

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.

City Planner Rhonda Yoder explained the Plan Commission met on September 20 and considered a request for a text amendment to the Zoning Ordinance related to the regulations of signs based on recent changes in the law. Generally, sign codes and ordinances must avoid making any reference to the content of the signs being regulated. Rhonda Yoder requested that the Council pass the Ordinance tonight as it is written and make any other changes the Council would like to see at a later date so the Ordinance is in compliance this evening.

The Council discussed creating a committee as was previously done to begin to modify the City's Sign Ordinance.

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 4879 DULY PASSED AND ADOPTED THIS 11TH DAY OF OCTOBER 2016.)

RESOLUTION 2016-34

Council President McKee introduced Resolution 2016-34 entitled "A RESOLUTION APPROVING AN AMENDMENT TO UNCOMMONLY GREAT GOSHEN: COMPREHENSIVE PLAN & COMMUNITY VISION 2025."

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 stated these changes are to help with a potential tax credit project for LaCasa and the Hawks Building.

City Planner Rhonda Yoder explained Comprehensive Plan amendments go through a public hearing at the Plan Commission, they approve the amendments and then Council approves and adopts the amendments. The Plan Commission approved these amendments at the September 20th meeting.

The 3 amendments are adding specific projects to the Implementation Section based on the goals and objectives in the plan.

By 7-0 unanimous vote of the Council, Resolution 2016-34 was passed.

ORDINANCE 4880

Council President McKee introduced Ordinance 4880 entitled "LIPPERT/KEYSTONE ANNEXATION."

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.

Councilman Ahlersmeyer recused himself from the discussion and vote on this Ordinance as Lippert is his employer.

City Attorney Larry Barkes explained this is annexing three parcels of land. One parcel has a current manufacturing operation. Keystone is proposing to build two additional buildings on a portion of the other parcels and looking on starting construction as soon as possible.

Mayor Stutsman stated he is grateful they are expanding here and this is a nice investment in the community.

By a 6-0 vote of the Council the Ordinance was passed on first reading only.

PUBLIC HEARING ON ORDINANCE 4881

Mayor Stutsman opened the Public Hearing and explained this is an Additional Appropriation Ordinance.

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

ORDINANCE 4881

Council President McKee introduced Ordinance 4881 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 Councilman Ahlersmeyer.

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 4881 DULY PASSED AND ADOPTED THIS 11TH DAY OF OCTOBER 2016.)

RESOLUTION 2016-35

Council President McKee introduced Resolution 2016-35 entitled "AUTHORIZING THE EXTENSION OF CITY SEWER UTILITIES AND WATER UTILITIES TO REAL ESTATE OUTSIDE THE CORPORATE BOUNDARIES, AND APPROVING THE ANNEXATION AGREEMENT WITH LIPPERT COMPONENTS MANUFACTURING, INC, AND KEYSTONE RV COMPANY."

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.

Councilman Ahlersmeyer recused himself from the discussion and vote as Lippert is his employer.

Attorney Barkes stated this Resolution authorizes the extension of water and sewer utilities, the conditions under which the annexation will occur and the terms of the reimbursement agreement. Attorney Barkes explained the reimbursement will happen by one of two formulas either 50% of the TIF revenues generated or 8% of the total public cost but not more than 90% of the TIF revenues generated.

Bob Pettit, Keystone RV, stated they are trying to get these buildings started so they can start operations in the buildings in March and April of 2017.

Councilman Orgill moved to table the Resolution as he would like to have more time to read the Resolution. Motion seconded by Councilwoman King.

The Council roll call vote was as follows:

AYES: ORGILL

NAYS: GAUTSCHE, KING, MCKEE, SCHARF, WEDDELL

By a 1-5 vote of the Council, the motion failed.

By a 5-0-1 (ORGILL-PRESENT) vote of the Council, Resolution 2016-35 was passed.

RESOLUTION 2016-36

Council President McKee introduced Resolution 2016-36 entitled "DOCUMENTING THE FILING OF A PETITION FOR ANNEXATION INTO THE CITY OF GOSHEN BY KEYSTONE RV COMPANY."

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 Scharf questioned if this leaves any completely surrounded parcels unincorporated. Attorney Barkes confirmed it does not and actually fills in a gap.

By 7-0 unanimous vote of the Council, Resolution 2016-36 was passed.

RESOLUTION 2016-37

Council President McKee introduced Resolution 2016-37 entitled "DOCUMENTING THE FILING OF A PETITION FOR ANNEXATION INTO THE CITY OF GOSHEN BY LIPPERT COMPONENTS INC AND LIPPERT COMPONENTS MANUFACTURING INC."

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 Ahlersmeyer recused himself from the discussion and vote as Lippert is his employer.

By 6-0 vote of the Council, Resolution 2016-37 was passed.

RESOLUTION 2016-38

Council President McKee introduced Resolution 2016-38 entitled "APPROVING THE AGREEMENT WITH INDIANA DEPARTMENT OF TRANSPORTATION FOR COMMUNITY CROSSINGS MATCHING GRANT 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 Weddell.

Mayor Stutsman explained we applied for a \$1,000,000 matching grant and received it. It looks like we will not receive the full million due to project costs but we also will not be spending a full million out of Special Distribution LOIT fund.

By 7-0 unanimous vote of the Council, Resolution 2016-38 was passed.

PUBLIC HEARING ON ORDINANCE 4882

Mayor Stutsman opened the Public Hearing.

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

ORDINANCE 4882

Council President McKee introduced Ordinance 4882 entitled "ORDINANCE FOR APPROPRIATIONS AND TAX RATES."

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 Councilman Ahlersmeyer.

Mayor Stutsman stated this was a new process for him and his goal with the 2017 budget was to keep it as close to 2016 budget as possible. Council President McKee and Umbaugh have provided numbers showing our tax loss may not be as high as first estimated.

Dan Hedden, Umbaugh partner, explained Umbaugh's role with the City is to ensure Goshen is following the statutory process, to give feedback as to how your budget looks in context to your historical budgets and budgets throughout the State. The budget information the Council has in front of them that is contained in Gateway and summarized in his presentation does meet the statutory requirements and does preserve cash reserves especially in the operating funds.

Capital needs of \$24million plus in the next 5-10 years is a matter of planning and funding through a funding source such as general obligation bonds, leases or TIF funding and then budgeting for the payback for as much as possible. Mayor Stutsman explained the list of needs is not necessarily going to be funded in the next 10 years and does not include all needs but he wants to keep looking at future needs and possible revenues.

The Mayor, Council and Mr. Hedden discussed the following while going through each budget sheet for each fund/department:

- Circuit Breakers – Estimate from the State is high – First year the State was required to project this amount for units.
- Rainy Day Fund – As of now it looks like we do not have to use any money from the fund in 2016 and possibly transfer money into the fund in 2017.
- CRC – Is facilitator needed – No staff support for commission – All volunteers – Budget used to be \$24,000 and is now \$34,000 – Previous agreement with Center for Community Justice for mediation services of \$500 for 6 month term and no services were used.

Jose Rosales, Center for Community Justice, stated the trial program was conducted in the winter and would like to see it extended to a warm weather trial period.

- Council – Retreat in 2017 – Travel is \$500 set at each member – Goodwin Scholarship funding moved to Police Department budget per Council President McKee's request.
- Mayor – Communications Coordinator wage and benefits added to this budget.

- Expenditure line names and numbers are created by using a State Board of Accounts uniform system chart of accounts.
- Legal – Administrative Assistant position previously paid 25% from Legal and 75% from Redevelopment will be paid 100% from Redevelopment in 2017 and this budget includes a new Paralegal position in 2017.
- Court – Now has a previous part-time employee as fulltime therefore the fulltime appropriation increased and there is no for part-time appropriation.
- Board of Works – Unemployment is paid only when a claim is filed, in earlier years the City has had to pay several claims therefore funds are appropriated to this line – Bank Charge is ADP payroll charges and ACA reporting requirements new in 2016 – Print, Advertising, Mayor processing more mailings/printing – Other Service Charge is where all trash, recycling and dial-a-truck costs are paid from, at the Council's request the Clerk-Treasurer will email each of them a detailed breakdown of the 2016 expenses to date in the line
- Building Department – Does not include vehicles needed by the department but the Mayor is currently trying to shift some cars around and get some replacement cars for the pool cars of the City – Part-time rental inspector position is currently vacant, difficult to hang on to an employee in the position as part-time, may need to make fulltime if find the position is needed.
- Central Garage – This budget will continue to increase as the fleet ages, will continue to work on asset management plan – Administrative Assistant in this budget was paid 50% from Utilities and will be paid 100% from Central Garage in 2017.
- Police – Fatal Alcohol Crash Team is a type of compensation that is grant funds, this compensation is reimbursed to the City when paid out – Other Services is for annual fees for certain services – Specialty pay, Increment, Shift differential these appropriations are transferred to the fulltime line during the year and paid out of fulltime.
- Fire – Pension and Fuel appropriations are being paid out of Public Safety LOIT for Fire and Police in 2017 – Saved Clothing Allowance is being encumbered each year by Fire to build up an amount to be able to replace the protective clothing as required.
- MVH – Salt prices down – Gas/Electric appropriation is for Street Department building only.
- Parks – Increasing part-time wages, hopefully less turnover and sometimes unpleasant tasks – Natural plantings to decrease mowing – Replacing vehicles as recommended by Central Garage.
- Aviation – The City subsidizes the airport – Wonderful facility – Any opportunity to increase fees to lower subsidy.
- EDIT – DGI and Façade appropriation lines combined – Marketing and Promotion appropriation increased by eliminating the business retention appropriation and EID grant appropriation has not been used in several years and added \$35,000 for a total of \$100,000, will be doing mailers at least three times a year to keep public up to date and planning ahead for all website updates and related costs. Services Contractual appropriation is Engineering project costs and historically has additional appropriations throughout the year as expensed funds are reimbursed by the State or Federal Government – Michiana Partnership is an economic development group the City works with offering services to small businesses along with North Central Indiana Business Assistance does a lot of regional work and works closely with the EDCEC – Mayor

plans to speak with every group we give EDIT funds to informing them that future budgets of the City may not allow for the same distribution to their group if costs and operational needs for the City continue to rise faster than revenues – Capital Projects appropriation is Engineering project costs. – Mayor did not appropriate all of the estimated revenue for 2017 so may be looking at an additional appropriation in this fund in 2017 for upcoming expenses.

- Rainy Day Budget – Will need to process an additional appropriation in 2017 if we need to subsidize General Fund expenses.
- Public Safety LOIT - \$250,000 for Police Cars – Moved Police and Fire fuel expenses here.
- LOIT Special Distribution - \$150,000 Street equipment needs - \$350,000 paving internal roads in 2017.
- Beautification & Restoration Trust – Did not budget – May appropriate cash in 2017 for a project – Council may by Ordinance find fund dormant and then move to another fund – Currently about \$3200 in fund.
- Residential Lease Fee Fund – Revenue does not completely cover expenses - \$30.00 cost every two years to landlords.
- South East TIF - \$1,000,000 in Capital Projects is for several projects in 2017.
- River Race/US 33/DT TIF – Property Acquisition is a general budget line, currently budgeted in 2017 for the Northwest bike trail, Steury Ave stormwater issues, W. Pike Street and 9th Street stormwater improvements. May have some properties particularly on Third St that could potentially offer some revenue if sold.
- Plymouth Ave TIF – Stormwater issues on hold as property looking at went into foreclosure.
- Millrace Trust – Mayor wants to appropriate cash in 2017 to use towards a beneficial project on the millrace.

By a 7-0 unanimous vote of the Council the Ordinance passed on first reading only.

PRIVILEGE OF FLOOR

No items presented under Privilege of Floor.

Councilman Ahlersmeyer moved to adjourn. Motion seconded by Councilwoman Gautsche and the meeting adjourned at 9:40 P.M.

APPROVED: _____

Mayor, Jeremy Stutsman
Goshen, Indiana

ATTEST: _____

Tina M. Bontrager
City Clerk-Treasurer