

REGULAR MEETING OF THE COMMON COUNCIL (OCTOBER 25, 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 25, 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

APPROVAL OF MINUTES

Councilman Ahlersmeyer moved to accept the minutes of the meetings held on September 6 and September 20, 2016. Motion seconded by Councilwoman King and motion passed unanimously.

ORDINANCE 4882

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

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.

Mayor Stutsman stated he would like to request to have the Council make two amendments to the EDIT budget by lowering the appropriation for Michiana Partners to \$0.00 as they did not make a request to Goshen this year and by removing the words 'Façade Program' from the Downtown Goshen, Inc budget line. Mayor Stutsman further stated it looks like tax caps are going to be lower than originally thought during the budget preparation and he appropriated less for the 2017 budget than 2016 to help build up cash balances. Some additional appropriations may need to be processed next year.

Councilwoman King asked the significance behind removing the façade wording. Attorney Barks explained this way the City can make the donation with less restriction on the donation.

Councilman Scharf stated he has some proposed reductions to the 2017 budget and pointed out the significant needs in the next 5-10 years spelled out in the Mayor's budget letter. Councilman Scharf read through the following proposed reductions:

Fund/Line	Amt Requested	Reduction	Proposed Amt
General/CRC-Contract Svc	\$ 25,300	\$ 7,500	\$ 17,800
EDIT-Chamber of Commerce	\$ 50,000	\$ 3,800	\$ 46,200
EDIT-DGI/Façade Program	\$ 70,000	\$ 5,320	\$ 64,680
EDIT-EDCEC	\$ 65,000	\$ 4,940	\$ 60,060
EDIT-No Cent Ind Bus Assist	\$ 10,000	\$ 10,000	\$ 9,240

EDIT-Michiana Partners	\$ 9,000	\$ 680	\$ 8,320
EDIT-Marketing & Promotion	\$100,000	\$ 10,000	\$ 90,000
RR/US 33 TIF-Prop Acquisition	\$875,000	\$224,700	\$650,300

CRC – \$7500 reduction to Contractual Services line or split between lines under advisement of CRC Chair.

EDIT – suggest that the external organizations funded by the City of Goshen tract the same 7.6% decrease of the overall city budget from 2016-2017. Councilman Scharf is not including Goshen Theater Inc. in the list because Mayor Stutsman has already proposed a 10% reduction to their line from 2016.

River Race/US 33/DT TIF – The reduction figure is the current total of assessed value of the properties 613, 623 & 627 S. Third St which are held by the Redevelopment Commission. While the commission has recently voted, 4-1 with Councilman Scharf dissenting, not to dispose of these properties at this time, there are compelling reasons to do so promptly, including a prohibition in Indiana state law against redevelopment commissions owning and leasing single family dwellings (IC 36-7-14-12.4).

General/Legal – In light of request for one additional fulltime staff position, he suggests that Council discuss the pros and cons of hiring or contracting with a city council attorney under IC 36-4-6-24.

The Council, Mayor and City Attorney discussed the proposed reductions.

Gina Liechty, Goshen, spoke favorably about the economic development that the EDIT donations provide which brings revenue into Goshen. Ms. Liechty does not support the proposed reductions in the EDIT fund.

Chris Stager, EDCEC, echoed Ms. Liechty’s comments about taking a pro-active approach to growth and does not support the proposed reductions in the EDIT fund.

Council Scharf moved to amend the EDIT budget by reducing Michiana Partners appropriation from \$9000 to \$0.00. Motion seconded by Councilman Weddell.

By a 7-0 vote of the Council, the amendment passed.

Councilman Scharf questioned if CRC Chair Nate Mateer Remple would suggest cutting the CRC Contractual Services line by the full proposed \$7500 reduction or if he would suggest splitting the reduction between more lines than the one. Mr. Remple stated in his opinion it would make more sense to cut from the one line. Councilman Scharf moved to amend the CRC/Contractual Services line in the General Fund to \$25,300. Motion seconded by Councilman Weddell.

CRC Member Angie Troyer stated she does not support the proposed cut to the CRC budget.

The Council roll call vote on the amendment was as follows:

AYES: MCKEE, ORGILL, SCHARF, WEDDELL

NAYS: AHLERSMEYER, GAUTSCHE, KING

By a 4-3 vote of the Council, the amendment passed.

Councilman Scharf moved to amend the EDIT budget by reducing the Marketing & Promotion appropriation to \$90,000. Motion seconded by Councilman Weddell.

Chamber of Commerce President David Daughtery stated he does not support the proposed cut to this line as the City does a good job of not spending money if it is not necessary.

The Council roll call vote on the amendment was as follows:

AYES: ORGILL, SCHARF

NAYS: AHLERSMEYER, GAUTSCHE, KING, MCKEE, WEDDELL

By a 2-5 vote of the Council, the amendment failed.

Councilman Scharf moved to amend the Consolidated River Race/US 33/DowntownTIF budget by reducing the Property Acquisition appropriation by \$224,700. Motion seconded by Councilman Orgill.

The Council, Mayor and City Attorney discussed the motion in length including recent legislation changes that allow the City Council to reduce the Redevelopment Commission's budget. Community Development Director Mark Brinson explained the appropriation to the Property Acquisition line has been budgeted for several projects with the most substantial being the northwest bike trail. This project is 80% federally funded and the Commission must have the City's 20% for the project to move forward.

Redevelopment Commission Member Tom Stump spoke on the proposed cut including the historical philosophy of the Commission and in his opinion the timing to sell the properties will be in the next two to three years. Mr. Stump stated he does not support the amendment.

The Council and Mayor further discussed the motion including upcoming Redevelopment projects and the eventual sale of the three properties owned by the Commission.

Councilman Scharf rescinded his motion with the plan that the Council will 'check again in a year on the status of these properties' next year at budget time. Councilman Orgill agreed and rescinded his second to the motion.

The Council roll call vote on the Ordinance as amended was as follows:

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

NAYS: NONE

(ORDINANCE 4882 DULY PASSED AND ADOPTED THIS 25TH DAY OF OCTOBER 2016.)

ORDINANCE 4884

Council President McKee introduced Ordinance 4884 entitled “2017 ANNUAL COMPENSATION FOR THE EMPLOYEES OF THE CIVIL CITY OF GOSHEN, CITY OF GOSHEN WATER AND SEWER UTILITIES, AND CITY OF GOSHEN STORMWATER UTILITY.”

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.

Attorney Barkes explained proposed changes in Exhibit A as:

- Page 3 – Fire – Civilian Fire Chief has been changed from ungraded to Grade 25.
- Page 4 – Non-specified – Public Works Director has the percentage share of costs changed from 50% Civil City and 50% Water & Sewer to 10% Civil City, 65% Water & Sewer and 25% Stormwater.
- Page 6 – Police – Civilian Police Chief has been changed from ungraded to Grade 25.

Attorney Barkes explained the proposed change in Exhibit D as:

- Civilian Fire Chief and Civilian Police Chief have been deleted from the exhibit since the positions are both now a Grade 25.

Clerk-Treasurer Bontrager explained a three-way split between funds for an employee’s wages is a nightmare for payroll.

Mayor Stutsman explained his reasoning for this change is the City used to have a Director of Public Works and when he retired his position was not filled and the two City Engineers became department heads. There have been some communication issues in the past couple of years and he believes we need one person overseeing the department. Dustin Sailor will be the Director of Public Works and the new City Engineer Leslie Biek will be the department head of City Traffic Engineer. Currently Dustin Sailor’s wages are paid by Water & Sewer and Stormwater, the reason the Mayor placed the 10% as City is he didn’t feel Utilities should be paying the time he will be overseeing City projects. Councilman Weddell questioned if the Director of Public Works job description has changed as the grade changed from a 28 to 32. Mayor Stutsman stated that will be happening before the position takes place in 2017 but this Salary Ordinance has to be passed in November of this year. Councilman Weddell would like to see the job description before approving this Ordinance. Mayor Stutsman stated he would like to ask for the Council’s support tonight with the commitment that he will bring the job description to the Council before implementing the position. Councilman Weddell questioned if the Council could

pass the Salary Ordinance at the lower grade tonight and amend it later after reviewing the job description. Attorney Barkes stated there is a way to do that but it relates to creating a new job position so there is a way but not with this exact format.

When asked by Councilman Scharf, Clerk-Treasurer Bontrager suggested a 'Salary Reimbursement' line could be created in the Engineering department budget to reimburse the Utilities for 10% of the Director of Public Works' salary each year. Currently we have changed processes in the Clerk-Treasurer's office to reimburse cell phone costs and clothing costs so these items do not have to be split during the year with wages. This 10% could be accomplished the same. Mayor Stutsman stated he would be fine with this option.

Councilwoman Orgill moved to amend the Ordinance by changing the wage split in Exhibit A for the Director of Public Works position to 75% Water & Sewer and 25% Stormwater. Motion seconded by Councilwoman Gautsche.

The Council roll call vote was as follows:

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

NAYS: NONE

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

Councilman Weddell moved to amend the Ordinance by reducing the pay grade of the Director of Public Works from Grade 32 to Grade 30 in Exhibit A. Motion died for lack of a second.

Councilman Orgill moved to amend the Ordinance by changing the Civilian Fire Chief position from ungraded to Grade 25 in Exhibit A. Motion seconded by Councilman Weddell.

The Council roll call vote was as follows:

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

NAYS: NONE

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

Councilman Orgill moved to amend the Ordinance by changing the Civilian Police Chief position from ungraded to Grade 25 in Exhibit A. Motion seconded by Councilman Weddell.

By a 7-0 unanimous vote of the Council, the amendment passed

Councilman Orgill moved to amend the Ordinance by removing the Civilian Fire Chief and Civilian Police Chief position from Exhibit D. Motion seconded by Councilman Weddell.

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

Clerk-Treasurer Bontrager requested the Council amend the Ordinance by changing the title of 'First Deputy' to Utilities Office Supervisor and delete the position of 'Second Deputy' in the Water & Sewer Department section of Exhibit A. So moved by Councilman Orgill and motion seconded by Councilman Weddell.

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

Cemetery Director Burt Matteson questioned why his part-time labor positions were no longer in Exhibit A under the Cemetery department. Attorney Barkes explained the positions are covered under the 'Non-specified' department under Laborer – General, Semiskilled and/or Skilled.

By a 6-1 (NAY-WEDDELL) vote of the Council, the Ordinance passed on first reading as amended.

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 Weddell.

The Council roll call vote was as follows:

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

NAYS: NONE

(ORDINANCE 4884 DULY PASSED AND ADOPTED THIS 25TH DAY OF OCTOBER 2016.)

ORDINANCE 4885

Council President McKee introduced Ordinance 4885 entitled "2017 ANNUAL COMPENSATION FOR THE MEMBERS OF THE CITY OF GOSHEN FIRE DEPARTMENT."

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 Weddell.

The Council and Mayor discussed that the contracts with Police, Fire and Teamsters go through 2017 but will need to have negotiation teams in 2017.

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 4885 DULY PASSED AND ADOPTED THIS 25TH DAY OF OCTOBER 2016.)

ORDINANCE 4886

Council President McKee introduced Ordinance 4886 entitled "2017 ANNUAL COMPENSATION FOR THE MEMBERS OF THE CITY OF GOSHEN POLICE DEPARTMENT."

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 Weddell.

The Council roll call vote was as follows:

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

NAYS: NONE

(ORDINANCE 4886 DULY PASSED AND ADOPTED THIS 25TH DAY OF OCTOBER 2016.)

ORDINANCE 4887

Council President McKee introduced Ordinance 4887 entitled "2017 ANNUAL COMPENSATION FOR THE RESERVE OFFICERS OF THE CITY OF GOSHEN POLICE DEPARTMENT."

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 4887 DULY PASSED AND ADOPTED THIS 25TH DAY OF OCTOBER 2016.)

RESOLUTION 2016-39

Council President McKee introduced Resolution 2016-39 entitled "APPROVE THE INTERLOCAL AGREEMENT WITH ELKHART COUNTY FOR VEHICLE REPAIR."

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.

By 7-0 unanimous vote of the Council, Resolution 2016-39 was passed.

PRIVILEGE OF FLOOR

Mayor Stutsman stated since budget is over his administrative assistant will begin scheduling meetings for the Council rules committee.

Councilman Scharf questioned if a Councilmember could attend a meeting by video conference. Attorney Barks stated to his recollection the member could not vote or count towards a quorum but he will confirm that.

Councilman Weddell thanked Mayor Stutsman for his hard work in creating a budget for the first time. Councilman Orgill stated his thanks also to the Clerk-Treasurer and department heads for answering all of his questions.

Councilman Ahlersmeyer moved to adjourn. Motion seconded by Councilman Weddell and the meeting adjourned at 9:45 P.M.

APPROVED: _____
Mayor, Jeremy Stutsman
Goshen, Indiana

ATTEST: _____
Tina M. Bontrager
City Clerk-Treasurer