

GOSHEN COMMON COUNCIL

Minutes for the Regular Meeting of March 21, 2017

The Common Council of the City of Goshen, Indiana met in a regular meeting on March 21, 2017 at 7:00 P.M. in the City Court Room/Council Chambers at the Goshen Police & Court Building, 111 East Jefferson Street, Goshen, IN. Presiding Officer was Mayor Stutsman, with members of the Council present or absent as follows:

PRESENT: Councilman Ahlersmeyer, McKee, Orgill, Scharf, Weddell
Councilwoman Gautsche, King
Youth Advisor Biller

ABSENT: None

CHANGES TO THE AGENDA

Clerk-Treasurer Angie McKee requested the addition of Minutes from the March 7, 2017 meeting be added to the Approval of Minutes. Motion made by Councilwoman Gautsche to add the Minutes from March 7, 2017. Motion seconded by Councilman Scharf. Seeing no other changes to the Agenda, Mayor Stutsman called for a vote to approve the Agenda as amended.

By a 7-0 unanimous vote the motion passed.

APPROVAL OF MINUTES

Mayor Stutsman called for a motion regarding the Minutes from January 3, 2017, February 7, 2017, and March 7, 2017. Councilman Weddell made a motion to approve the Minutes from January 3, 2017, February 7, 2017, and March 7, 2017 as presented. Motion seconded by Councilman Ahlersmeyer.

By a 7-0 unanimous vote the motion passed.

PRESENTATIONS

Eighth-grade students from Goshen Middle School, along with their school advisor Mr. Ulfig, presented in favor of installing a city-wide Wi-Fi system at 5 minutes and 37 seconds of the audio recording. Council questions regarding the presentation begin at 15 minutes and 55 seconds of the audio recording. Public comments regarding the presentation begin at 19 minutes and 05 seconds of the audio recording.

ORDINANCE # 4895

Council President McKee introduced Ordinance #4895 entitled "TREE HAZARD REDUCTION ON PRIVATE PROPERTY."

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

Councilman Scharf outlined the scope of the ordinance at 22 minutes and 58 seconds of the audio recording.

PUBLIC HEARING ON ORDINANCE #4895

Mayor Stutsman opened Public comments. Public comments begin at 25 minutes and 53 seconds of the audio recording.

COUNCIL COMMENTS ON ORDINANCE #4895

Mayor Stutsman opened Council comments. Council comments begin at 48 minutes and 41 seconds of the audio recording.

Mayor Stutsman asked the Clerk-Treasurer to call the roll. Roll Call was as follows:

AYES: Gautsche, King, Scharf

NAYES: Ahlersmeyer, McKee, Orgill, Weddell

By a 3-4 vote the Ordinance failed.

ORDINANCE #4897

Council President McKee introduced Ordinance #4897 entitled "GOSHEN COMMON COUNCIL RULES OF ORDER."

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

COUNCIL COMMENTS ON ORDINANCE #4897

Mayor Stutsman opened Council comments. Council comments begin at 1 hour, 10 minutes, and 03 seconds of the audio recording.

Motion to amend Section 1, Item A to include "Robert's Rules of Order, most current edition, shall govern proceedings in all cases unless they are in conflict with these rules" to the end of the Item made by Councilman Weddell. Motion seconded by Councilman Orgill.

By a 7-0 vote the motion passed.

Motion to amend Section 5 to remove Item C made by Councilman Weddell. Motion seconded by Councilman Ahlersmeyer.

Mayor Stutsman asked the Clerk-Treasurer to call the roll. Roll Call was as follows:

AYES: Ahlersmeyer, King, McKee, Orgill, Scharf, Weddell

NAYES: Gautsche

By a 6-1 vote the motion passed.

Motion to strike Section 7 made by Councilman Weddell. Motion seconded by Councilman Ahlersmeyer.

Mayor Stutsman asked the Clerk-Treasurer to call the roll. Roll Call was as follows:

AYES: Ahlersmeyer, McKee, Weddell

NAYES: Gautsche, King, Orgill, Scharf

By a 3-4 vote the motion failed.

Motion to amend Section 7, Item A to require a motion, a second, and a roll call vote to conduct a paper ballot vote made by Councilman Weddell. Motion seconded by Councilman Ahlersmeyer.

Mayor Stutsman asked the Clerk-Treasurer to call the roll. Roll Call was as follows:

AYES: Ahlersmeyer, McKee, Weddell

NAYES: Gautsche, King, Orgill, Scharf

By a 3-4 vote the motion failed.

Motion to amend Section 7, Item A to include “Upon the request of any two Common Council members” to conduct a paper ballot vote made by Councilman Ahlersmeyer. Motion seconded by Councilman Scharf.

Mayor Stutsman asked the Clerk-Treasurer to call the roll. Roll Call was as follows:

AYES: Ahlersmeyer, McKee, Weddell

NAYES: Gautsche, King, Orgill, Scharf

By a 3-4 vote the motion failed.

Motion to amend Section 8, Items A and B to reverse the item order made by Councilman Weddell. Motion seconded by Councilwoman King.

By a 7-0 unanimous vote the motion passed.

Motion to amend Section 8, Item B to change the word “is” to the word “may” and to include “by the Presiding Officer” to the end of the Item made by Councilman Scharf. Motion seconded by Councilman Weddell.

By a 7-0 unanimous vote the motion passed.

Motion to amend Section 10, Item C to include “at the earliest possibility taking into consideration City staff’s need to properly review and comment on the issue...” made by Councilman Scharf. Motion seconded by Councilwoman King.

By a 6-1 vote the motion passed.

Motion to amend Section 12 to state that a meeting of the Common Council shall only be cancelled by a majority vote of the Council members unless there is an emergency, such as a natural disaster or weather emergency, in which case the Mayor may cancel the meeting made by Councilwoman King. Motion seconded by Councilman Scharf.

Mayor Stutsman asked the Clerk-Treasurer to call the roll. Roll Call was as follows:

AYES: Gautsche, King, Scharf

NAYES: Ahlersmeyer, McKee, Weddell

PRESENT: Orgill

Mayor Stutsman asked Councilman Orgill if he would like to change his vote. Councilman Orgill’s vote remained PRESENT.

Mayor Stutsman voted NAY, breaking the tie.

By a 3-4-1 vote the motion failed.

Motion to amend Section 13, Item A to replace “The minutes shall be prepared” with “The minutes are strongly encouraged to be prepared” made by Councilman Weddell. Motion seconded by Councilwoman King.

Mayor Stutsman asked the Clerk-Treasurer to call the roll. Roll Call was as follows:

AYES: Ahlersmeyer, King, McKee, Orgill, Scharf, Weddell

NAYES: Gautsche

By a 6-1 vote the motion passes.

Motion to amend Section 14, Item A to remove the final sentence of Item A made by Councilman Orgill. Motion seconded by Councilwoman King.

Mayor Stutsman asked the Clerk-Treasurer to call the roll. Roll Call was as follows:

AYES: Orgill

NAYES: Ahlersmeyer, Gautsche, King, McKee, Scharf, Weddell

By 1-6 vote the motion failed.

Motion to amend Section 14, Item A to change “may” to “shall” and to change “City Communications Coordinator” to “Mayor’s Office” made by Councilwoman King. Motion seconded by Councilwoman Gautsche.

Mayor Stutsman asked the Clerk-Treasurer to call the roll. Roll Call was as follows:

AYES: Gautsche, King, McKee, Orgill, Scharf, Weddell

NAYES: Ahlersmeyer

By a 6-1 vote the motion passed.

Motion to amend Section 14 to include a new Item D that “There shall be at least 7 days between the time all City Council members receive an application for a vacancy on a City Council appointed seat and the time at which the Council votes on that applicant” made by Councilwoman King. Motion seconded by Councilman Orgill.

Mayor Stutsman asked the Clerk-Treasurer to call the roll. Roll Call was as follows:

AYES: Gautsche, King, Orgill, Scharf, Weddell

NAYES: Ahlersmeyer, McKee

By a 5-2 vote the motion passed.

PUBLIC HEARING ON ORDINANCE #4897

Mayor Stutsman opened Public comments. Public comments begin at 2 hours, 51 minutes, and 21 seconds of the audio recording.

Mayor Stutsman called for a motion to vote on the Ordinance. Motion to pass the Ordinance as amended made by Councilman Weddell. Motion seconded by Councilwoman Gautsche.

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

BOARD AND COMMISSION (RE)APPOINTMENTS OF CITIZEN MEMBER

Motion made by Councilwoman King to table to appointment until the next Council meeting.
Motion seconded by Councilman Ahlersmeyer.

By a 7-0 unanimous vote the motion passed.

PRIVILEGE OF THE FLOOR

Angie Troyer (Goshen) spoke to the CRC kickoff event at 3 hours, 00 minutes, and 23 seconds of the audio recording.

Mayor Stutsman spoke to tax capital losses at 3 hours, 01 minutes, and 22 seconds of the audio recording.

Mayor Stutsman spoke to the Meijer dark store lawsuit at 3 hours, 02 minutes, and 28 seconds of the audio recording.

Clerk-Treasurer McKee spoke to abatement statements at 3 hours, 06 minutes, and 16 seconds.

Councilman Scharf moved to adjourn. Motion seconded by Councilwoman Gautsche and the meeting adjourned at 10:07 P.M.

APPROVED: _____

Mayor, Jeremy P. Stutsman

Goshen, Indiana

ATTEST: _____

Angie McKee

City Clerk-Treasurer