

GOSHEN COMMON COUNCIL

Minutes for the Regular Meeting of July 17, 2018

The Common Council of the City of Goshen, Indiana met in a regular meeting on July 17, 2018 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 McKee, Nisley, Orgill, Scharf, Weddell, Youth Advisor Perez-Diener
Councilwoman Gautsche, King

ABSENT:

CHANGES TO THE AGENDA

Mayor Stutsman called for any changes to the Agenda or a motion to approve the Agenda as presented. Motion to add Resolution 2018-41 to the Agenda was made by Council President Weddell. Motion seconded by Councilman Scharf.

By a 7-0 unanimous vote the Agenda approved as amended.

APPROVAL OF MINUTES

Mayor Stutsman called for a motion regarding the Minutes from July 3, 2018. Motion to approve the Minutes as presented made by Councilman Orgill. Motion seconded by Councilwoman Gautsche.

By a 7-0 unanimous vote the Minutes were approved as presented.

PRIVILEGE OF THE FLOOR

Mr. Glenn Null spoke about a posting on Facebook made by the Goshen Police Department regarding bicycling and also skateboarding on First Fridays at 5 minutes and 42 second of the audio recording.

Councilman Scharf spoke about the drudging project at the Goshen Dam Pond and the editorial that was in the Goshen News at 7 minutes and 14 seconds of the audio recording.

Mayor Stutsman had a question for Councilman McKee and Councilwoman Gautsche regarding the smoking ordinance at 9 minutes and 45 seconds of the audio recording.

Mayor Stutsman also congratulated everyone that is involved with the Elkhart County 4H Fair at 10 minutes and 25 seconds of the audio recording.

PUBLIC HEARING ON ORDINANCE 4971

Mayor Stutsman opened the Public Hearing. There were no comments made by the public.

ORDINANCE 4971

Council President Weddell introduced Ordinance 4971 entitled "ADDITIONAL APPROPRIATIONS."

Council President Weddell asked the Clerk-Treasurer to read the Ordinance by title only for its second and final reading and moved for its passage. Motion seconded by Councilman Scharf.

Mayor Stutsman spoke about the Ordinance at 11 minutes and 48 seconds of the audio recording

COUNCIL COMMENTS ON ORDINANCE 4971

Mayor Stutsman opens Council comments. There were no comments made by the Council.

PUBLIC COMMENTS ON ORDINANCE 4971

Mayor Stutsman opened public comment. There were no comments made by the public.

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

AYES: Gautsche, King, McKee, Nisley, Orgill, Scharf, Weddell and Youth Advisor Perez-Diener

NAYS:

By a 7-0 unanimous vote the Ordinance passed.

(ORDINANCE #4971 DULY PASSED AND ADOPTED THIS DAY OF JULY 17, 2018)

ORDINANCE 4972

Council President Weddell introduced Ordinance 4972 entitled "AN AMENDMENT TO GOSHEN ZONING ORDINANCE 3011."

Council President Weddell 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.

Rhonda Yoder spoke about the Ordinance at 13 minutes and 5 seconds of the audio recording

Councilman Orgill spoke about the Ordinance at 13 minutes and 47 seconds of the audio recording.

COUNCIL COMMENTS ON ORDINANCE #4972

Mayor Stutsman opened Council comments. Council comments start at 14 minutes and 18 seconds of the audio recording.

PUBLIC COMMENTS ON ORDINANCE #4972

Mayor Stutsman opened Public comments. There were no comments made by the public.

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

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

ORDINANCE #4972

Council President Weddell introduced Ordinance #4972 entitled "AN AMENDMENT TO GOSHEN ZONING ORDINANCE 3011."

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

COUNCIL COMMENTS ON ORDINANCE #4972

Mayor Stutsman opened Council comments. Council comments start at 15 minutes and 23 seconds of the audio recording.

PUBLIC COMMENTS ON ORDINANCE #4972

Mayor Stutsman opened Public comments. There were no additional comments made by the public.

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

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

NAYS:

By a 7-0 unanimous vote the Ordinance passed

(ORDINANCE #4972 DULY PASSED AND ADOPTED THIS DAY OF JULY 17, 2018)

PUBLIC HEARING ON RESOLUTION 2018-39

Mayor Stutsman opened the Public Hearing. Public comments start at 16 minutes and 28 seconds of the audio recording.

RESOLUTION 2018-39

Council President Weddell introduced Resolution 2018-39 entitled "CONFIRMING THE DESIGNATION OF THE MIDDLEBURY STREET ECONOMIC REVITALIZATION AREA TO AUTHORIZE A TAX PHASE-IN FOR LACASA, INC."

Council President Weddell asked the Clerk-Treasurer to read the Resolution by title only and moved for its passage. Motion seconded by Councilwoman King.

Mayor Stutsman addresses the public at 22 minutes and 06 seconds of the audio recording.

Brad Hunsberger from LaCasa, Inc. made a presentation starting at 23 minutes and 10 seconds of the audio recording.

Larry Gautsche President of LaCasa, Inc. made a presentation starting at 28 minutes and 48 second of the audio recording.

PUBLIC COMMENTS ON RESOLUTION 2018-39

Mayor Stutsman opened public comments. Public comments start at 38 minutes and 20 seconds of the audio recording.

COUNCIL COMMENTS ON RESOLUTION 2018-39

Mayor Stutsman opened Council comments. Council comments start at 46 minutes and 16 seconds of the audio recording.

Brad Hunsberger from LaCasa, Inc. responds to Councilman Orgill at 50 minutes and 15 seconds of the audio recording.

Council comments start again at 51 minutes and 52 seconds of the audio recording.

Councilman Nisley makes a motion to Amend Resolution at 55 minutes and 56 seconds of the audio recording. Motion seconded by Councilman McKee

COUNCIL COMMENTS ON AMENDMENT TO RESOLUTION 2018-39

Mayor Stutsman opened Council comments on the amendment only. Council comments start at 56 minutes and 20 seconds of the audio recording.

PUBLIC COMMENTS ON AMENDMENT TO RESOLUTION 2018-39

Mayor Stutsman opened Public comment. Public comments start at 57 minutes and 58 seconds of the audio recording.

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

AYES: McKee, Nisley

NAYS: Gautsche, King, Orgill, Scharf, Weddell

By a 2-5 vote the amendment to Resolution 2018-39 fails

Mayor Stutsman asked for any further question.

Council comments start at 59 minutes and 21 seconds of the audio recording.

Councilman Scharf makes a motion to Amend Resolution at 1 hour, 1 minute and 37 second of the audio recording.

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

AYES: Gautsche, King, Orgill, Scharf, Weddell

NAYS: McKee, Nisley

By a vote of 5-2 the Resolution passes

(RESOLUTION 2018-39 DULY PASSED AND ADOPTED THIS DAY OF JULY 17, 2018)

RESOLUTION 2018-40

Council President Weddell introduces Resolution 2018-40 entitled "APPROVING THE GOSHEN PLAN COMMISSION WRITTEN ORDER FOR THE DECLARATORY RESOLUTION TO AMEND THE ECONOMIC DEVELOPMENT PLAN FOR THE CONSOLIDATED RIVER RACE/US 33 ECONOMIC DEVELOPMENT AREA AND ALLOCATION AREA."

Council President Weddell ask the Clerk-Treasurer to read the Resolution by title only and moved for its passage. Motion was seconded by Councilwoman King.

Mayor Stutsman addresses the Council and public starting at 1 hour 7 minutes and 06 seconds of the audio recording.

City Attorney Larry Barkes spoke about Resolution at 1 hour 7 minutes and 20 seconds of the audio recording.

COUNCIL COMMENTS ON RESOLUTION 2018-40

Mayor Stutsman opened Council comments. Council and City Attorney comments start at 1 hour 8 minutes and 0 seconds of the audio recording.

Councilman Scharf make a motion to Amend Resolution at 1 hour 10 minutes and 19 seconds of the audio recording. Motion seconded by Councilwoman Gautsche.

COUNCIL COMMENTS ON AMENDMENT OF RESOLUTION 2018-40

Mayor Stutsman opened Council comment on Amendment. Council comments start at 1 hour 10 minutes and 55 seconds of the audio recording.

PUBLIC COMMENT ON AMENDMENT OF RESOLUTION 2018-40

Mayor Stutsman opened public comment. There were no comments made by the public.

By a 7-0 unanimous vote the Amendment passed.

COUNCIL COMMENT ON RESOLUTION 2018-40 AS AMENDED

Mayor Stutsman asked the Council for further comment. Council comments start at 1 hour 14 minutes and 34 seconds of the audio recording.

PUBLIC COMMENT ON RESOLUTION 2018-40 AS AMENDED

Mayor Stutsman opened Public comment. There were no comments made by the public.

By a 7-0 unanimous vote the Resolution passes

(RESOLUTION 2018-40 AS AMENDED DULY PASSED AND ADOPTED THIS DAY OF JULY 17, 2018)

RESOLUTION 2018-41

Council President Weddell introduces Resolution 2018-41 entitled "WAVING WATER AND SEWER CONNECTION FEES FOR LACASA REAL ESTATE."

Council President Weddell ask the Clerk-Treasurer to read the Resolution by title only and moved for its passage. Motion was seconded by Councilwoman King.

Mayor Stutsman addresses the Council at 1 hour 15 minutes and 34 seconds of the audio recording.

City Attorney Larry Barks spoke on Resolution at 1 hour 16 minutes and 02 seconds of the audio recording.

COUNCIL COMMENTS ON RESOLUTION 2018-41

Mayor Stutsman opened Council comment. Council comment starts at 1 hour 16 minutes and 52 seconds of the audio recording.

Brad Hunsberger from LaCasa addresses the Council at 1 hour 17 minutes and 24 seconds of the audio recording.

Council comments start again at 1 hour 18 minutes and 17 seconds of the audio recording.

Brad Hunsberger from LaCasa again addresses Council at 1 hour 24 minutes and 07 seconds of the audio recording.

Councilman Nisley makes a motion to Amend Resolution at 1 hour 25 minutes and 24 seconds of the audio recording. Motion seconded by Councilman Orgill.

COUNCIL COMMENTS ON AMENDMENT OF RESOLUTION 2018-41

Mayor Stutsman opened Council comments. Council comments start at 1 hour 25 minutes and 35 seconds of the audio recording.

PUBLIC COMMENT ON AMENDMENT OF RESOLUTION 2018-41

Mayor Stutsman opened Public comment. There were no comments made by the public.

By a 7-0 unanimous vote the Amendment passed.

Councilman Nisley makes a motion to Amend Resolution at 1 hour 26 minutes and 12 seconds of audio recording. Motion withdrawn

Council comments start again at 1 hour 26 minutes and 54 seconds of the audio recording.

City Attorney Larry Barks spoke on Resolution at 1 hour 27 minutes and 04 seconds of the audio recording.

Brad Hunsberger from LaCasa addresses the Council at 1 hour 27 minutes and 26 seconds of the audio recording.

City Attorney Larry Barks spoke on Resolution at 1 hour 28 minutes and 53 seconds of the audio recording.

Council comments start again at 1 hour 30 minutes and 11 seconds of the audio recording.

Council President Weddell makes motion to Amend Resolution at 1 hour 30 minutes and 48 seconds of the audio recording. Motion seconded by Councilman Nisley.

COUNCIL COMMENTS ON AMENDMENT TO RESOLUTION 2018-41

Mayor Stutsman opened Council comments. Council comments start at 1 hour 31 minutes and 08 seconds.

PUBLIC COMMENT ON AMENDMENT TO RESOLUTION 2018-41

Mayor Stutsman opened Public comment. Public comments start at 1 hour 31 minutes and 36 seconds of the audio recording.

By a 7-0 unanimous vote the Amendment passed.

COUNCIL COMMENTS ON RESOLUTION 2018-41 AS AMENDED

Mayor Stutsman opened Council comments. There were no comments made by the Council.

PUBLIC COMMENTS ON RESOLUTION 2018-41 AS AMENDED

Mayor Stutsman opened Public comments. There were no comments made by the public.

Council comments start at 1 hour 38 minutes and 35 seconds of the audio recording.

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

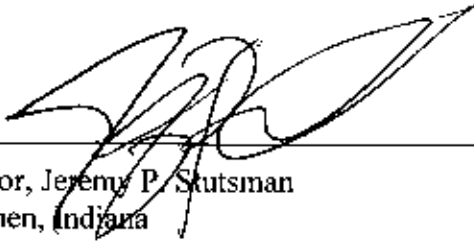
AYES: Gautsche, King, McKee, Orgill, Scharf, Weddell

NAYS: Nisley

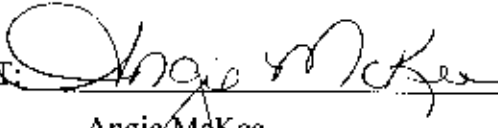
By a 6-1 vote the Resolution as Amended passed.

(RESOLUTION 2018-41 DULY PASSED AND ADOPTED ON THIS DAY OF JULY 17, 2018)

Councilwoman King moved to adjourn. Motion seconded by Councilwoman Gautsche and the meeting adjourned at 8:34 P.M.

APPROVED: 

Mayor, Jeremy P. Stutsman
Goshen, Indiana

ATTEST: 

Angie McKee
City Clerk-Treasurer