

## **GOSHEN COMMON COUNCIL**

### **Minutes for the Regular Meeting of September 4, 2018**

The Common Council of the City of Goshen, Indiana met in a regular meeting on September 4, 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,  
Councilwoman Gautsche, King

**ABSENT:** Youth Advisor Percz-Diener

### **CHANGES TO THE AGENDA**

Mayor Stutsman called for any changes to the Agenda or a motion to approve the Agenda as presented. Motion to approve the Agenda as presented made by Councilman Nisley. Motion was seconded by Councilman Scharf.

By a 7-0 unanimous vote the Agenda passed as presented.

### **APPROVAL OF MINUTES**

Mayor Stutsman called for a motion regarding the Minutes from August 7, 2018. Motion to approve the Minutes as presented made by Councilman Orgill. Motion seconded by Councilwoman King.

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

### **PRIVILEGE OF THE FLOOR**

No one from the public spoke during privilege of the floor.

Councilman Orgill apologizes for his tone at the last meeting.

Council President Weddell talked about the Goshen Housing Authority.

Councilwoman Gautsche asked questions regarding the Goshen Housing Authority and also reminded everyone about the walk on September 15<sup>th</sup>.

Councilwoman King congratulated Councilwoman Gautsche on her retirement.

**ORDINANCE 4975**

Council President Weddell introduced Ordinance 4975 entitled "AN ORDINANCE TO AMEND ORDINANCES 2954 AND 4942 OF THE PICKWICK VILLAGE PLANNED UNIT DEVELOPMENT (PUD)."

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

Planning administrator Rhonda Yoder speaks on the Ordinance starting at 12 minutes and 30 seconds of the audio recording.

**COUNCIL COMMENTS ON ORDINANCE 4975**

Mayor Stutsman opens Council comments. No one from the Council spoke.

**PUBLIC COMMENTS ON ORDINANCE 4975**

Mayor Stutsman opened public comment. No one from the public spoke.

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 4975**

Council President Weddell introduced Ordinance 4975 entitled "AN ORDINANCE TO AMEND ORDINANCES 2954 AND 4942 OF THE PICKWICK VILLAGE PLANNED UNIT DEVELOPMENT (PUD)."

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

**COUNCIL COMMENTS ON ORDINANCE 4975**

Mayor Stutsman opened Council comment. No one from the Council spoke.

**PUBLIC COMMENTS ON ORDINANCE 4975**

Mayor Stutsman opened public comment. No one from the public spoke.

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

(ORDINANCE #4975 DULY PASSED AND ADOPTED THIS DAY OF SEPTEMBER 4, 2018)

**ORDINANCE 4976**

Council President Weddell introduced Ordinance 4976 entitled "2019 COMPENSATION FOR ELECTED OFFICIALS."

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

**COUNCIL COMMENTS ON ORDINANCE 4976**

Mayor Stutsman opened Council comment. Council comment starts at 15 minutes and 34 seconds of the audio recording.

**PUBLIC COMMENTS ON ORDINANCE 4976**

Mayor Stutsman opened public comment. No one from the public spoke.

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 4976**

Council President Weddell introduced Ordinance 4976 entitled "2019 COMPENSATION FOR ELECTED OFFICIALS."

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

**COUNCIL COMMENTS ON ORDINANCE 4976**

Mayor Stutsman opened Council comment. No one from the Council spoke.

**PUBLIC COMMENTS ON ORDINANCE 4976**

Mayor Stutsman opened public comment. No one from the public spoke.

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 #4976 DULY PASSED AND ADOPTED THIS DAY OF SEPTEMBER 4, 2018)

**ORDINANCE 4977**

Council President Weddell introduced Ordinance 4977 entitled "2019 COMPENSATION FOR CIVIL CITY AND UTILITIES EMPLOYEES."

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

Mayor Stutsman comments on the Ordinance starting at 19 minutes and 57 seconds of the audio recording.

**COUNCIL COMMENTS ON ORDINANCE 4977**

Mayor Stutsman opened Council comment. Council comment starts at 20 minutes and 47 seconds of the audio recording.

**PUBLIC COMMENTS ON ORDINANCE 4977**

Mayor Stutsman opened public comment. Public comment starts at 22 minutes and 08 seconds of the audio recording.

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

There was not unanimous consent for a second reading.

**ORDINANCE 4978**

Council President Weddell introduced Ordinance 4978 entitled "2019 COMPENSATION FOR FIRE DEPARTMENT EMPLOYEES."

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

**COUNCIL COMMENTS ON ORDINANCE 4978**

Mayor Stutsman opened Council comment. No one from the Council spoke.

**PUBLIC COMMENTS ON ORDINANCE 4978**

Mayor Stutsman opened public comment. No one from the public spoke.

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 4978**

Council President Weddell introduced Ordinance 4978 entitled "2019 COMPENSATION FOR FIRE DEPARTMENT EMPLOYEES."

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

**COUNCIL COMMENTS ON ORDINANCE 4978**

Mayor Stutsman opened Council comment. No one from the Council spoke.

**PUBLIC COMMENTS ON ORDINANCE 4978**

Mayor Stutsman opened public comment. No one from the public spoke.

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 #4978 DULY PASSED AND ADOPTED THIS DAY OF SEPTEMBER 4, 2018)

**ORDINANCE 4979**

Council President Weddell introduced Ordinance 4979 entitled "2019 COMPENSATION FOR POLICE DEPARTMENT EMPLOYEES."

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

**COUNCIL COMMENTS ON ORDINANCE 4979**

Mayor Stutsman opened Council comment. Council comments start at 25 minutes and 52 seconds of the audio recording.

**PUBLIC COMMENTS ON ORDINANCE 4979**

Mayor Stutsman opened public comment. No one from the public spoke.

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 4979**

Council President Weddell introduced Ordinance 4979 entitled "2019 COMPENSATION FOR POLICE DEPARTMENT EMPLOYEES."

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

**COUNCIL COMMENTS ON ORDINANCE 4979**

Mayor Stutsman opened Council comment. No one from the Council spoke.

**PUBLIC COMMENTS ON ORDINANCE 4979**

Mayor Stutsman opened public comment. No one from the public spoke.

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 #4979 DULY PASSED AND ADOPTED THIS DAY OF SEPTEMBER 4, 2018)

**ORDINANCE 4980**

Council President Weddell introduced Ordinance 4980 entitled "2019 COMPENSATION FOR RESERVE POLICE OFFICERS."

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

**COUNCIL COMMENTS ON ORDINANCE 4980**

Mayor Stutsman opened Council comment. No one from the Council spoke.

**PUBLIC COMMENTS ON ORDINANCE 4980**

Mayor Stutsman opened public comment. No one from the public spoke.

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 4980**

Council President Weddell introduced Ordinance 4980 entitled "2019 COMPENSATION FOR RESERVE POLICE OFFICERS."

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

**COUNCIL COMMENTS ON ORDINANCE 4980**

Mayor Stutsman opened Council comment. No one from the Council spoke.

**PUBLIC COMMENTS ON ORDINANCE 4980**

Mayor Stutsman opened public comment. No one from the public spoke.

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 #4980 DULY PASSED AND ADOPTED THIS DAY OF SEPTEMBER 4, 2018)

**ORDINANCE 4960**

Council President Weddell introduced Ordinance 4960 entitled "RESTRICTIONS ON SMOKING AND USE OF E-CIGARETTES. VAPING."

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

**COUNCIL COMMENTS ON ORDINANCE 4960**

Mayor Stutsman opened Council comment. Council comment starts at 32 minutes and 07 seconds of the audio recording.

Councilwoman King makes a motion to amend the Ordinance. Motion was seconded by Council President Weddell.

**COUNCIL COMMENTS ON AMENDMENT TO ORDINANCE 4960**

Mayor Stutsman opened Council comment. Council comments start at 44 minutes and 33 seconds of the audio recording.

**PUBLIC COMMENTS ON AMENDMENT TO ORDINANCE 4960**

Mayor Stutsman opened public comment. Public comment starts at 45 minutes and 51 seconds of the audio recording.

**COUNCIL COMMENTS ON AMENDMENT TO ORDINANCE 4960**

Mayor Stutsman came back to the Council for additional comments. Council comments start at 52 minutes and 30 seconds of the audio recording.

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

AYES: Gautsche, King, McKee, Weddell

NAYS: Nisley, Orgill, Scharf

By a 4-3 vote the amendment passed

**COUNCIL COMMENTS ON ORDINANCE 4960**

Mayor Stutsman opened Council comments. Council comments start at 54 minutes and 08 seconds of the audio recording.

Councilwoman Gautsche makes a motion to amend the Ordinance. Motion was seconded by Council President Weddell.

**PUBLIC COMMENTS ON AMENDMENT TO ORDINANCE 4960**

Mayor Stutsman opened public comments. Public comments start at 1 hour 06 minutes and 49 seconds of the audio recording.

Mayor Stutsman makes a comment on the amendment starting at 1 hour 13 minutes and 04 seconds of the audio recording.

**COUNCIL COMMENTS ON AMENDMENT TO ORDINANCE 4960**

Mayor Stutsman opened Council comments. Council comments start at 1 hour 16 minutes and 20 seconds of the audio recording.

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 amendment passed



**COUNCIL COMMENTS ON ORDINANCE 4960**

Mayor Stutsman opened Council comments. Council comments start at 1 hour 19 minutes and 19 seconds of the audio recording.

Councilman Scharf makes a motion to amend the Ordinance. Motion was seconded by Councilman Orgill.

**PUBLIC COMMENTS ON AMENDMENT TO ORDINANCE 4960**

Mayor Stutsman opened public comment. No one from the public spoke.

**COUNCIL COMMENTS ON AMENDMENT TO ORDINANCE 4960**

Mayor Stutsman opened Council comment. Council comments start at 1 hour 25 minutes and 51 seconds of the audio recording.

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

AYES: King, Orgill, Scharf

NAYS: Gautsche, McKee, Nisley, Weddell

By a 4-3 vote the amendment failed.

**COUNCIL COMMENTS ON ORDINANCE 4960**

Mayor Stutsman opened Council comment. Council comments start at 1 hour 30 minutes and 31 seconds of the audio recording.

Councilman Orgill makes a motion to amend the Ordinance. Motion was seconded by Councilwoman King.

**COUNCIL COMMENTS ON AMENDMENT TO ORDINANCE 4960**

Mayor Stutsman opened Council comment. Council comments start at 1 hour 38 minutes and 06 seconds of the audio recording.

**PUBLIC COMMENTS ON AMENDMENT TO ORDINANCE 4960**

Mayor Stutsman opened public comment. No one from the public spoke.

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

AYES: Orgill, Scharf

NAYS: Gautsche, King, McKee, Nisley, Weddell

By a 5-2 vote the amendment failed.

**COUNCIL COMMENTS ON ORDINANCE 4960**

Mayor Stutsman opened Council comments. Council comments start at 1 hour 40 minutes and 09 seconds of the audio recording.

Council President Weddell makes a motion to amend the Ordinance. Motion was seconded by Councilman Nisley.

**PUBLIC COMMENTS ON AMENDMENT TO ORDINANCE 4960**

Mayor Stutsman opened public comment. Public comments start at 1 hour 42 minutes and 10 seconds of the audio recording.

**COUNCIL COMMENTS ON AMENDMENT TO ORDINANCE 4960**

Mayor Stutsman opened Council comment. Council comments start at 1 hour 46 minutes and 36 seconds of the audio recording.

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 amendment passed

**COUNCIL COMMENTS ON ORDINANCE 4960**

Mayor Stutsman opened Council comment. Council comments start at 1 hour 47 minutes and 32 seconds of the audio recording.

**PUBLIC COMMENTS ON ORDINANCE 4960**

Mayor Stutsman opened public comment. Public comments start at 1 hour 47 minutes and 54 seconds of the audio recording.

**COUNCIL COMMENTS ON ORDINANCE 4960**

Mayor Stutsman brought it back to the Council for further comments. Council comments start at 2 hours 01 minute and 03 seconds of the audio recording.

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

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

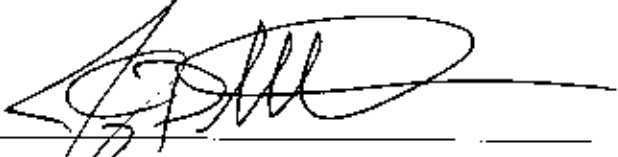
NAYS: Orgill

By a 6-1 vote the Ordinance passed


(ORDINANCE #4960 DULY PASSED AND ADOPTED THIS DAY OF SEPTEMBER 4, 2018)

Councilman Nisley moved to adjourn. Motion seconded by Councilwoman King and the meeting adjourned at 9:00pm.

APPROVED: \_\_\_\_\_

  
Mayor, Jeremy P. Stutsman  
Goshen, Indiana

ATTEST: \_\_\_\_\_

  
Angie McKee  
City Clerk-Treasurer