

GOSHEN COMMON COUNCIL

Minutes for the Regular Meeting of October 9, 2018

The Common Council of the City of Goshen, Indiana met in a regular meeting on October 9, 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
Youth Advisor Perez-Diener

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 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 September 4, 2018 and September 18, 2018. Motion to approve the Minutes as presented made by Councilwoman King. Motion seconded by Councilman Orgill.

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.

Councilwoman King distributed handouts to the Council regarding responsible bidder toolkit.

Councilman Scharf would like to give a big thumbs up to the Green Project of the Year award that Goshen won for their solar initiative.

Mayor Stutsman also spoke regarding the award, he gave statistics and presented the video that was shown at the AIM conference.

Mayor Stutsman also congratulated Youth Advisor Perez-Diener on winning the N.I.C Cross Country Sectional and also wished him luck at Regionals.

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 second and final reading. Motion seconded by Nisley.

City Attorney Larry Barkes explains why this is back for a second time starting at 14 minutes and 40 seconds of the audio recording.

COUNCIL COMMENTS ON ORDINANCE 4977

Mayor Stutsman opened Council comment. No comments were made by the Council.

PUBLIC COMMENTS ON ORDINANCE 4977

Mayor Stutsman opened public comment. No comments were made by the public.

By a 7-0 unanimous vote the Ordinance passed

(ORDINANCE #4977 DULY PASSED AND ADOPTED THIS DAY OF OCTOBER 9, 2018)

PUBLIC HEARING ON ORDINANCE 4983

Mayor Stutsman opened the public hearing. Public comments start at 16 minutes and 36 seconds of the audio recording.

ORDINANCE 4983

Council President Weddell introduced Ordinance #4983 entitled "AN ORDINANCE VACATING PUBLIC WAYS IN THE CITY OF GOSHEN, INDIANA."

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

City Planning and Zoning Administrator Rhonda Yoder spoke regarding the Ordinance starting at 18 minutes and 44 seconds of the audio recording.

Attorney Steve Olson from Yoder, Ainlay, Ulmer and Buckingham, LLP speaks in favor of the Ordinance on behalf of his client starting at 20 minutes and 13 seconds of the audio recording.

COUNCIL COMMENTS ON ORDINANCE 4983

Mayor Stutsman opened Council comment. Council comments start at 26 minutes and 15 seconds of the audio recording.

PUBLIC COMMENTS ON ORDINANCE 4983

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

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

Mayor Stutsman asked for a unanimous Council consent to consider the Ordinance for passage during one meeting. As there was not unanimous consent, Mayor Stutsman declared that the Ordinance would not be heard on a second reading.

ORDINANCE 4984

Council President Weddell introduced Ordinance #4984 entitled "AMEND 2018 SALARY ORDINANCE 4929."

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

City Attorney Larry Barks spoke regarding the Ordinance starting at 53 minutes and 08 seconds of the audio recording.

COUNCIL COMMENTS ON ORDINANCE 4984

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

PUBLIC COMMENTS ON ORDINANCE 4984

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

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 4984

Council President Weddell introduced Ordinance #4984 entitled "AMEND 2018 SALARY ORDINANCE 4929."

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 4984

Mayor Stutsman opened Council comment. No additional comments were made by Council.

PUBLIC COMMENTS ON ORDINANCE 4984

Mayor Stutsman opened public comment. No comments were made by the public.

By a 7-0 unanimous vote the Ordinance passed

(ORDINANCE #4984 DULY PASSED AND ADOPTED THIS DAY OF OCTOBER 9, 2018)

RESOLUTION 2018-47

Council President Weddell introduced Resolution #2018-47 entitled "A RESOLUTION APPROVING APPENDIX D, ELKHART AND GOSHEN BICYCLE & PEDESTRIAN MASTER PLAN , AN AMENDMENT TO UNCOMMONLY GREAT GOSHEN: COMPREHENSIVE PLAN & COMMUNITY VISION 2025."

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

City Planning and Zoning Administrator Rhonda Yoder spoke on the Resolution starting at 58 minutes and 25 seconds of the audio recording.

COUNCIL COMMENTS RESOLUTION 2018-47

Mayor Stutsman opened Council comment. Council comment starts at 59 minutes and 01 seconds of the audio recording.

PUBLIC COMMENTS RESOLUTION 2018-47

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

By a 7-0 unanimous vote, the Resolution passed.

(RESOLUTION 2018-47 DULY PASSED AND ADOPTED THIS DAY OF OCTOBER 9, 2018)

RESOLUTION 2018-49

Council President Weddell introduced Resolution #2018-49 entitled "APPROVE THE GRANT AGREEMENT FOR THE EDWARD J. BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM."

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

Mayor Stutsman spoke on the Resolution starting at 1 hour 00 minutes and 05 seconds of the audio recording.

COUNCIL COMMENT ON RESOLUTION 2018-49

Mayor Stutsman opened Council comment. Council comments start at 1 hour 00 minutes and 28 seconds of the audio recording.

Chief Miller spoke regarding the number of radio's being ordered starting at 1 hour 00 minutes and 48 seconds of the audio recording.

Council comments resume starting at 1 hour 01 minutes and 21 seconds of the audio recording.

PUBLIC COMMENT ON RESOLUTION 2018-49

Mayor Stutsman opened public comment. No comments were made by the public.

By a 7-0 unanimous vote the Resolution passed.

(RESOLUTION #2018-49 DULY PASSED AND ADOPTED THIS DAY OF OCTOBER 9, 2018)

RESOLUTION 2018-50

Council President Weddell introduced Resolution #2018-50 entitled "APPROVAL DISPOSAL OF 102 EAST KERCHER ROAD BY REDEVELOPMENT COMMISSION."

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

City Attorney Larry Barks speaks regarding the Resolution starting at 1 hour 03 minutes and 07 seconds of the audio recording.

COUNCIL COMMENTS ON RESOLUTION 2018-50

Mayor Stutsman opened Council comment. Council comments start at 1 hour 03 minutes and 34 seconds of the audio recording.

PUBLIC COMMENTS ON RESOLUTION 2018-50

Mayor Stutsman opened public comment. No comments were made by the public.

By a 7-0 unanimous vote, the Resolution passed.

(RESOLUTION #2018-50 DULY PASSED AND ADOPTED ON THIS DAY OF OCTOBER 9, 2018)

RESOLUTION 2018-51

Council President Weddell introduced Resolution #2018-51 entitled "APPROVAL DISPOSAL OF SOUTH STATE ROAD 15 ESTATE BY REDEVELOPMENT COMMISSION."

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

City Attorney Larry Barks speaks regarding Resolution starting at 1 hour 06 minutes and 25 seconds of the audio recording.

COUNCIL COMMENTS ON RESOLUTION 2018-51

Mayor Stutsman opened Council comment. Council comments start at 1 hour 06 minutes and 56 seconds of the audio recording.

PUBLIC COMMENTS ON RESOLUTION 2018-51

Mayor Stutsman opened public comment. No comments were made by the public.

By a 7-0 unanimous vote, the Resolution passed.

(RESOLUTION #2018-51 DULY PASSED AND ADOPTED THIS DAY OF OCTOBER 9, 2018)

RESOLUTION 2018-52

Council President Weddell introduced Resolution #2018-52 entitled "AN EMERGENCY RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS."

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

COUNCIL COMMENTS ON RESOLUTION 2018-52

Mayor Stutsman opened Council comment. No comments were made by the Council.

PUBLIC COMMENTS ON RESOLUTION 2018-52

Mayor Stutsman opened public comment. No comments were made by the public.

By a 7-0 unanimous vote, the Resolution passed.

(RESOLUTION #2018-52 DULY PASSED AND ADOPTED THIS DAY OF OCTOBER 9, 2018)

ORDINANCE 4982

Council President Weddell introduced Ordinance #4982 entitled "ORDINANCE FOR APPROPRIATIONS AND TAX RATES (2019 BUDGET)."

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 Gautsche.

Mayor Stutsman gave a recap starting at 1 hour 09 minutes and 28 seconds of the audio recording.

COUNCIL COMMENTS ON ORDINANCE 4982

Mayor Stutsman opened Council comment. Council comments start at 1 hour 10 minutes and 11 seconds of the audio recording.

Mayor Stutsman starts going through the budget department by department starting at 1 hour 11 minutes and 49 seconds of the audio recording.

Councilman McKee makes a motion to reduce the CRC/Contractual Service line by \$5,000 and increase the Mayor's full-time personnel line for his salary by \$5,000. Motion seconded by Councilman Nisley.

COUNCIL COMMENTS ON AMENDMENT TO ORDINANCE 4982

Mayor Stutsman opened Council comment. Council comments start at 1 hour 20 minutes and 00 seconds of the audio recording.

PUBLIC COMMENTS ON AMENDMENT TO ORDINANCE 4982

Mayor Stutsman opened public comment. No comments were made by the public.

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

AYES: McKee, Nisley, Orgill

NAYS: Gautsche, King, Scharf, Weddell

By a 4-3 vote, the amendment fails.

COUNCIL COMMENTS ON ORDINANCE 4982

Mayor Stutsman opened Council comment. Council comments start at 1 hour 27 minutes and 46 seconds of the audio recording.

Council President Weddell makes a motion to reduce the CRC/Contractual Service line by \$2,000 and also reduce the Council/Specialty Pay line by \$3,000 for a total of \$5,000 to be used to increase the Mayor's full-time personnel line for his salary. Motion seconded by Councilman McKee.

COUNCIL COMMENTS ON AMENDMENT TO ORDINANCE 4982

Mayor Stutsman opened Council comment. Council comments start at 1 hour 29 minutes and 01 seconds of the audio recording.

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

AYES: McKee, Nisley, Orgill, Weddell

NAYS: Gautsche, King, Scharf,

By a 4-3 vote, the amendment passes.

COUNCIL COMMENTS ON ORDINANCE 4982

Council comments start again at 1 hour 31 minutes and 52 seconds of the audio recording.
Mayor Stutsman returns to the budget starting at 1 hour 34 minutes and 14 seconds of the audio recording.

PUBLIC COMMENTS ON ORDINANCE 4982

Mayor Stutsman opened public comment. Public comments start at 1 hour 57 minutes and 17 seconds of the audio recording.

COUNCIL COMMENTS ON ORDINANCE 4982

Mayor Stutsman asked if there were an additional comments from the Council. Additional comments start at 2 hours 00 minutes and 15 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, Weddell

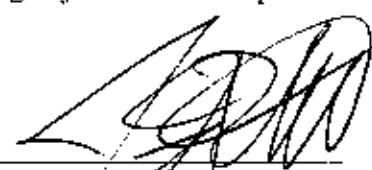
NAYS:

PRESENT: Scharf

By a 6-0-1 vote, the Ordinance passed. Let the record show that Councilman Scharf voted present on this ordinance.

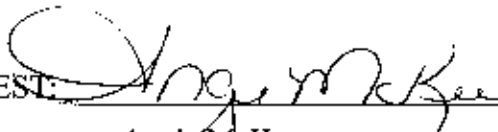
Council President Weddell moved to adjourn. Motion seconded by Councilwoman Gautsche and the meeting adjourned at 9:19pm.

APPROVED: _____



Mayor, Jeremy P. Stutsman
Goshen, Indiana

ATTEST: _____



Angie McKee
City Clerk-Treasurer