

**REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF GOSHEN,
TO BE HELD MAY 7, 2019 AT 7:00 P.M. AT THE COUNCIL CHAMBERS
111 EAST JEFFERSON STREET, GOSHEN, INDIANA**

.....
OUT OF RESPECT TO OTHERS IN THIS MEETING, PLEASE TURN ELECTRONIC DEVICES
OFF OR TO SILENT MODE. IF A CONVERSATION IS NECESSARY, PLEASE STEP OUTSIDE
OF THE MEETING ROOM. THANK YOU.

Call to Order by Mayor Jeremy Stutsman

Pledge of Allegiance

Roll Call of Council: Councilwoman Gautsche _____ Councilwoman King _____
Councilman McKee _____ Councilman Nisley _____
Councilman Orgill _____ Councilman Scharf _____
Council President Weddell _____
Youth Advisor Perez-Diener _____

Approval of Agenda and Changes to Agenda

Approval of Minutes

April 23rd

Agenda Items:

PRIVILEGE OF THE FLOOR

1. ORDINANCE 4999

(SECOND READING)

BUILDING DEPARTMENT PERMIT CONFLICT OF INTEREST

PUBLIC HEARING ON ORDINANCE 5000

2. ORDINANCE 5000

**(FIRST READING)
(SECOND READING)**

ADDITIONAL APPROPRIATION

Next Council Meeting: May 21, 2019, at 7:00pm

ADJOURNMENT OF MEETING

ORDINANCE 4999

Building Department Permit Conflict of Interest

WHEREAS Senate Enrolled Act No. 142 enacted by the Indiana General Assembly requires the City to adopt an ordinance to establish a procedure to address instances where a building commissioner, building code official, or inspector has a direct or indirect financial interest in the issuance of a permit.

NOW, THEREFORE, BE IT ORDAINED by the Goshen Common Council that:

- (1) A assistant building commissioner, building code official, or building inspector of the City of Goshen may not issue a permit or oversee the issuance of a permit through a subordinate if the assistant building commissioner, building code official, or building inspector has a conflict of interest.
- (2) A “conflict of interest,” for the purposes of this ordinance, means a direct or indirect financial interest in the issuance of a permit.
- (3) A “permit,” for the purposes of this ordinance, is defined in Indiana Code § 36-7-4-1109(b) to include:
 - (a) An improvement location permit.
 - (b) A building permit.
 - (c) A certificate of occupancy.
 - (d) Approval of a site-specific development plan.
 - (e) Approval of a primary or secondary plat.
 - (f) Approval of a contingent use, conditional use, special exception or special use.
 - (g) Approval of a planned unit development.
- (4) If a building code official, a building inspector or assistant building commissioner has a conflict of interest, they shall immediately report the conflict of interest to the community development director. The community development director shall be authorized to either issue a permit or oversee the issuance of a permit through a subordinate who does not have a conflict of interest or to appoint a qualified temporary replacement who shall be authorized to issue a permit or oversee the issuance of a permit through a subordinate who does not have a conflict of interest.
- (5) If the community development director and assistant building commissioner both have a conflict of interest, the community development director shall immediately report the conflict of interest to the mayor. The mayor shall appoint a qualified temporary replacement who shall be authorized to issue a permit or oversee the issuance of a permit through a subordinate who does not have a conflict of interest.

PASSED by the Goshen Common Council on _____, 2019.

Presiding Officer

ATTEST:

Angie McKee, Clerk-Treasurer

PRESENTED to the Mayor of the City of Goshen on _____, 2019 at _____
a.m./p.m.

Angie McKee, Clerk-Treasurer

APPROVED and ADOPTED on _____, 2019.

Jeremy P. Stutsman, Mayor

ORDINANCE 5000

ADDITIONAL AND REDUCTION APPROPRIATION ORDINANCE

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; now therefore:

SECTION 1: Be it ordained by the Common Council of the City of Goshen, Elkhart County, Indiana, that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out the funds named and for the purposes specified, subject to the laws governing the same:

SPECIAL DISTRIBUTION LOIT – FUND 257

LOIT Spec Dist/Paving 335.0520.....\$218,000

PASSED AND ADOPTED, this 7th day of May 2019, by the Common Council of the City of Goshen, Indiana.

Presiding Officer

ATTEST: _____
Angie McKee, Clerk-Treasurer

Presented by me to the Mayor of the City of Goshen, Indiana, on the _____ day of May 2019.

Angie McKee, Clerk-Treasurer

This Ordinance approved and signed by me on the _____ day of May 2019.

Jeremy Stutsman, Mayor



Dave Gibbs, Commissioner
STREET DEPARTMENT, CITY OF GOSHEN
475 Steury Avenue • Goshen, IN 46528-3006

Phone (574) 534-9711 • Fax (574) 534-1568
streets@goshencity.com • www.goshenindiana.org

April 19, 2019

Clerk Treasurer McKee,

I had originally budgeted \$250,000 for 2019 paving, which council had approved. After the budget release, it appears the money is not there. Upon further investigation there is only a total \$368,006.30 left in the Special LOIT fund. I have an encumbrance in the amount of \$149,665.51, which the Street Department will be paving with. I am requesting an appropriation for the remaining amount of \$218,000 for the Special LOIT Paving Line 257-510-00-335.0520. We will be repairing many of the concrete roads with this money and need to hire a contractor as the Street Department does not do concrete repairs.

Thank You.
David Gibbs