

## **GOSHEN COMMON COUNCIL**

### **Minutes for the Regular Meeting of June 4, 2019**

The Common Council of the City of Goshen, Indiana met in a regular meeting on June 4, 2019 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 and Weddell  
Councilwoman Gautsche, King  
Youth Advisor Perez-Diener

**ABSENT:**

### **CHANGES TO THE AGENDA**

Mayor Stutsman asked if there were any changes to the agenda. Motion to approve agenda as presented was made by Councilman Nisley. Motion was seconded by Councilwoman Gautsche.

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

### **APPROVAL OF MINUTES**

Mayor Stutsman called for a motion regarding the Minutes from May 7, 2019. Motion to approve the Minutes as presented made by Councilwoman Gautsche. Motion was seconded by Councilwoman King.

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

### **SEND OFF PRESENTATION**

Mayor Stutsman presented outgoing Youth Advisor Felix Perez-Diener with a scholarship from the Stutsman Family, the Turner family and Mutual Bank and a key to the city.

Outgoing Youth Advisor Perez-Diener thanked the Mayor and Council for being so welcoming and supportive of this position. Also, thank the Goshen community for their support of the environmental resolution that was presented by the youth.

### **SWEARING-IN**

Mayor Stutsman swore in incoming Youth Advisor Zoe Eichorn.

A second roll call was requested by Presiding Officer Mayor Jeremy Stutsman with members of the Council present or absent as follows:

**PRESENT:** Councilman McKee, Nisley, Orgill, Scharf and Weddell  
Councilwoman Gautsche and King  
Youth Advisor Zoe Eichorn

**ABSENT:**

### **SPECIAL PRESENTATION**

Chief Jose Miller commented on the body camera system and introduced the guest speakers.

Jason Dombkowski, Retired Chief of Police from the West Lafayette Police Department and Captain John Watson also of the West Lafayette Police Department made a presentation on a new body camera system.

### **PRIVILEGE OF THE FLOOR**

Mayor Stutsman – asked the Council about audience input during the Council discussion items.

Scott McCrindle – passed out a packet to the Mayor and Council members.

Councilwoman King – asked about having a youth seat on the Community Relations Commission.

Mayor Stutsman – passed out the letter explaining the Special Distribution LOIT fund that Councilwoman King asked for.

Council President Weddell – commented on the applications that the Council has been receiving for the Alcohol Beverage Board. He stated that this is an appointment from the Mayor.

### **RESOLUTION 2019-21**

Council President Weddell introduced Resolution 2019-21 entitled “PRELIMINARY RESOLUTION OF THE GOSHEN COMMON COUNCIL STATING ITS INTENT TO DISSOLVE THE HOUSING AUTHORITY FO THE CITY OF GOSHEN, INDIANA.”

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 comments on the Resolution starting at 56 minutes and 05 seconds of the audio recording.

**COUNCIL COMMENTS ON RESOLUTION 2019-21**

Mayor Stutsman opened Council comments. Council comments start at 1 hour, 00 minutes and 54 seconds of the audio recording.

City Attorney Larry Barks comments starting at 1 hour, 06 minutes and 04 seconds of the audio recording.

**PUBLIC COMMENTS ON RESOLUTION 2019-21**

Mayor Stutsman opened public comments. No public comments were made.

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

(RESOLUTION 2019-21 DULY PASSED AND ADOPTED THIS DAY OF JUNE 4, 2019)

**RESOLUTION 2019-22**

Council President Weddell introduced Resolution 2019-22 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 Scharf.

**COUNCIL COMMENTS ON RESOLUTION 2019-22**

Mayor Stutsman opened Council comments. No Council comments were made.

**PUBLIC COMMENTS ON RESOLUTION 2019-22**

Mayor Stutsman opened public comments. No public comments were made.

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

(RESOLUTION 2019-22 DULY PASSED AND ADOPTED THIS DAY OF JUNE 4, 2019)

**RESOLUTION 2019-23**

Council President Weddell introduced Resolution 2019-23 entitled "PRELIMINARY DETERMINATION CONCERNING LIPPERT COMPONENTS MANUFACTURING INC.'S COMPLIANCE WITH STATEMENT OF BENEFITS FOR PERSONAL PROPERTY.

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.

Community Development Director Mark Brinson comments on the Resolution starting at 1 hour, 08 minutes and 19 seconds of the audio recording.

City Attorney Larry Barks responds to a question from Mayor Stutsman starting at 1 hour, 09 minutes and 36 seconds of the audio recording.

**COUNCIL COMMENTS ON RESOLUTION 2019-23**

Mayor Stutsman opened Council comments. Council comments start at 1 hour, 10 minutes and 18 seconds of the audio recording.

**PUBLIC COMMENTS ON RESOLUTION 2019-23**

Mayor Stutsman opened public comments. No public comments were made.

**COUNCIL COMMENTS ON RESOLUTION 2019-23**

Mayor Stutsman brought the discussion back to the Council. Council comments start at 1 hour, 14 minutes and 25 seconds of the audio recording.

**PUBLIC COMMENTS ON RESOLUTION 2019-23**

Mayor Stutsman opened public comments. Public comments start at 1 hour, 28 minutes and 15 seconds of the audio recording.

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

AYES: McKee, Nisley, Orgill, Weddell

NAYS: Gautsche, King, Scharf

By a 4-3 vote, the Resolution passed.

(RESOLUTION 2019-23 DULY PASSED AND ADOPTED THIS DAY OF JUNE 4, 2019)

**ORDINANCE 5001**

Council President Weddell introduced Ordinance 5001 entitled "REPEALING, REPLACING AND MODIFYING PORTIONS OF THE NEIGHBORHOOD PRESERVATION ORDINANCE AND BUILDING DEPARTMENT FEE ORDINANCE."

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 1 hour, 31 minutes and 01 seconds of the audio recording.

City Attorney Larry Barks comments on the Ordinance starting at 1 hour, 31 minutes and 49 seconds of the audio recording.

**COUNCIL COMMENTS ON ORDINANCE 5001**

Mayor Stutsman opened Council comments. Council comments start at 1 hour, 36 minutes and 19 seconds of the audio recording. During the Council comments City Attorney Larry Barks and Community Development Director Mark Brinson respond to questions.

Mayor Stutsman took at 15 minute break due to a system malfunction.

**THE TIME STAMPS START OVER AT THIS POINT DURING THE MEETING BECAUSE OF A SYSTEM MALFUNCTION. THE RECORDING IS LISTED AT 06-04-19 COUNCIL-2**

**COUNCIL COMMENTS ON ORDINANCE 5001 – CONTINUED**

Mayor Stutsman opened Council comments after the break. Council comments start at 4 minutes and 58 seconds of the audio recording. During the Council comments City Attorney Larry Barks and Community Development Director Mark Brinson respond to questions.

**PUBLIC COMMENTS ON ORDINANCE 5001**

Mayor Stutsman opened public comments. Public comments start at 7 minutes and 19 seconds of the audio recording.

**COUNCIL COMMENTS ON ORDINANCE 5001**

Mayor Stutsman brought the discussion back to the Council. Council comments start at 33 minutes and 38 seconds of the audio recording.

Motion to table Ordinance 5001 was made by Council President Weddell. Motion was seconded by Councilman Nisley.

By a 7-0 unanimous vote, the Ordinance was tabled until the July 2<sup>nd</sup> meeting.

Mayor Stutsman did ask Council to email staff any changes they are thinking about prior to the July 2<sup>nd</sup> meeting.

Council President Weddell asked that it also be shared with the rest of the Council so they can see the proposed changes ahead of time.

**ORDINANCE 5002**

Council President Weddell introduced Ordinance 5002 entitled “AN ORDINANCE AMENDING ORDINANCE 3011, KNOWN AS THE ZONING AND USE REGULATIONS ORDINANCE FOR THE CITY OF GOSHEN, INDIANA, BY REZONING THE AREA OF REAL ESTATE HEREINAFTER DESCRIBED FROM RESIDENTIAL R-1 TO COMMERCIAL B-3 WITH A PLANNED UNIT DEVELOPMENT (PUB) OVERLAY DISTRICT AND AN ORDINANCE TO AMEND ORDINANCES 3474, 4223, 4305, 4306 AND 4991, AND TO EXPAND THE GOSHEN PROFESSIONAL PARK PUD BY INCLUDING THE AREA OF REZONED REAL ESTATE.”

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.

Planning and Zoning Administrator Rhonda Yoder speaks on the Ordinance starting at 44 minutes and 38 seconds of the audio recording

**COUNCIL COMMENTS ON ORDINANCE 5002**

Mayor Stutsman opened Council comments. Council comments start at 46 minutes and 47 seconds of the audio recording. During the Council comments, Mark Podgorski, Vice President of Hospital Operations responds to questions.

**PUBLIC COMMENTS ON ORDINANCE 5002**

Mayor Stutsman opened public comments. No public comments were made.

**COUNCIL COMMENTS ON ORDINANCE 5002**

Mayor Stutsman brought the comments back to the Council. Council comments start at 53 minutes and 08 seconds of the audio recording. During the Council comments Mayor Stutsman and Dustin Sailor, Director of Public Safety responds to questions.

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

**ORDINANCE 5002**

Council President Weddell introduced Ordinance 5002 entitled "AN ORDINANCE AMENDING ORDINANCE 3011, KNOWN AS THE ZONING AND USE REGULATIONS ORDINANCE FOR THE CITY OF GOSHEN, INDIANA, BY REZONING THE AREA OF REAL ESTATE HEREINAFTER DESCRIBED FROM RESIDENTIAL R-1 TO COMMERCIAL B-3 WITH A PLANNED UNIT DEVELOPMENT (PUB) OVERLAY DISTRICT AND AN ORDINANCE TO AMEND ORDINANCES 3474, 4223, 4305, 4306 AND 4991, AND TO EXPAND THE GOSHEN PROFESSIONAL PARK PUD BY INCLUDING THE AREA OF REZONED REAL ESTATE."

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 Councilman Nisley.

**COUNCIL COMMENTS ON ORDINANCE 5002**

Mayor Stutsman opened Council comments. No Council comments were made.

**PUBLIC COMMENTS ON ORDINANCE 5002**

Mayor Stutsman opened public comments. No public comments were made.

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

(ORDINANCE #5002 DULY PASSED AND ADOPTED THIS DAY JUNE 4, 2019)

**ORDINANCE 5003**

Council President Weddell introduced Ordinance 5003 entitled "AN ORDINANCE TO AMEND THE ELKHART ROAD PLANNED UNIT DEVELOPMENT (PUD), ORDINANCE 3574, AND ORDINANCE 4846 AND 4894."

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.

Planning and Zoning Administrator Rhonda Yoder comments on the Ordinance starting at 59 minutes and 08 seconds of the audio recording.

**COUNCIL COMMENTS ON ORDINANCE 5003**

Mayor Stutsman opened Council comments. No Council comments were made.

**PUBLIC COMMENTS ON ORDINANCE 5003**

Mayor Stutsman opened public comments. No public comments were made.

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

**ORDINANCE 5003**

Council President Weddell introduced Ordinance 5003 entitled "AN ORDINANCE TO AMEND THE ELKHART ROAD PLANNED UNIT DEVELOPMENT (PUD), ORDINANCE 3574, AND ORDINANCE 4846 AND 4894."

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 Councilman Nisley.

**COUNCIL COMMENTS ON ORDINANCE 5003**

Mayor Stutsman opened Council comments. No Council comments were made.

**PUBLIC COMMENTS ON ORDINANCE 5003**

Mayor Stutsman opened public comments. No public comments were made.

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

(ORDINANCE #5003 DULY PASSED AND ADOPTED THIS DAY OF JUNE 4, 2019)

**RESOLUTION 2019-24**

Council President Weddell introduced Resolution 2019-26 entitled "DISPOSAL OF 1201 COLLEGE AVENUE."

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.

Mayor Stutsman and Fire Chief Dan Sink comment on the Resolution starting at 1 hour, 02 minutes and 34 seconds of the audio recording.

**COUNCIL COMMENTS ON RESOLUTION 2019-24**

Mayor Stutsman opened Council comments. Council comments start at 1 hour, 04 minutes and 22 seconds of the audio recording.

**PUBLIC COMMENTS ON RESOLUTION 2019-24**

Mayor Stutsman opened public comments. No public comments were made.

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

(RESOLUTION #2019-24 DULY PASSED AND ADOPTED THIS DAY OF JUNE 4, 2019)

**RESOLUTION 2019-25**

Council President Weddell introduced Resolution 2019-25 entitled "WATER CONNECTION CHARGE WAIVER FOR GOSHEN COMMUNITY SCHOOLS AT 925 SOUTH GREENE ROAD."

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.

Mayor Stutsman comments on the Resolution starting at 1 hour, 07 minutes and 11 seconds of the audio recording.

Dustin Sailor, Director of Public Safety comments on the Resolution starting at 1 hour, 07 minutes and 22 seconds of the audio recording.

**COUNCIL COMMENTS ON RESOLUTION 2019-25**

Mayor Stutsman opened Council comments. Council comments start at 1 hour, 08 minutes and 38 seconds of the audio recording. During the Council comments Dustin Sailor, Director of Public Safety responds to questions.



**PUBLIC COMMENTS ON RESOLUTION 2019-25**

Mayor Stutsman opened public comments. No public comments were made.

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

AYES: Gautsche, King, Nisley, Scharf, Weddell

NAYS: McKee, Orgill

By a 5-2 vote, the Resolution passed.

(RESOLUTION 2019-25 DULY PASSED AND ADOPTED THIS DAY OF JUNE 4, 2019)

**APPOINTMENTS**

Mayor Stutsman comments on the Economic Improvement District Board starting at 1 hour, 17 minutes and 22 seconds of the audio recording.

Motion to appoint Justin Bell from The Nut Shoppe and Kare Anderson from Olympia Candy Kitchen to the EID Board. Motion was seconded by Councilman Scharf.

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

**COUNCIL DISCUSSION ITEMS**

1. Goshen Airport discussion was withdrawn and will be moved to a different meeting.
2. Homeless Agency Financial Support – Mayor Stutsman comments on this starting at 1 hour, 20 minutes and 06 seconds of the audio recording. During this time, he gave an update on the homeless situation and thanked Building Inspector Myron Grise, Community Director Mark Brinson for their work with the homeless people. Mayor asked if the Council would be open to the idea of donating a \$100,000.
3. East Goshen Water Extension – Director of Public Safety Dustin Sailor comments on this starting at 1 hour, 36 minutes and 07 seconds of the audio recording. During this time, he gave an update as to where the city is at on this project. He also introduced Bryce Gast, a new city employee in the engineering department with this primary focus being on utilities. This project is scheduled to start in 2020.

Council President Weddell makes a motion to adjourn. Councilwoman King seconded the motion. Meeting adjourned at 10:35pm.

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

  
Mayor, Jeremy P. Stutsman  
Goshen, Indiana

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

  
Angie McKee  
City Clerk-Treasurer