

GOSHEN COMMON COUNCIL

Minutes for the Regular Meeting of August 7, 2018

The Common Council of the City of Goshen, Indiana met in a regular meeting on August 7, 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 2018-46 to the Agenda was made by Council President Weddell. Motion seconded by Councilwoman King.

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

APPROVAL OF MINUTES

There were no minutes to approve

PRIVILEGE OF THE FLOOR

Mayor Stutsman talked about the need to get the Economic Development Commission up and running again.

Councilwoman King talked about the current gift policy.

Councilman Scharf asked to have Resolution 2018-45 added to the next Council Agenda.

PUBLIC HEARING ON ORDINANCE 4970

Mayor Stutsman opened the Public Hearing. Let the record show that no one spoke.

RESOLUTION 2018-42

Council President Weddell introduced Resolution 2018-42 entitled "GOSHEN COMMUNITY SCHOOLS ANNEXATION AREA FISCAL PLAN."

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

COUNCIL COMMENTS ON RESOLUTION 2018-42

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

PUBLIC COMMENTS ON RESOLUTION 2018-42

Mayor Stutsman opened public comment. Public comments start at 16 minutes and 58 seconds of the audio recording.

By a 7-0 unanimous vote the Resolution passed.

(RESOLUTION 2018-42 DULY PASSED AND ADOPTED THIS DAY OF AUGUST 7, 2018)

ORDINANCE 4973

Council President Weddell introduced Ordinance 4973 entitled "AMEND 2018 SALARY ORDINANCE 4927."

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 Gautsche.

Mayor Stutsman speaks on the Ordinance at 20 minutes and 36 seconds of the audio recording.

COUNCIL COMMENTS ON ORDINANCE #4973

Mayor Stutsman opened Council comments. Council comments start at 21 minutes and 12 seconds of the audio recording.

PUBLIC COMMENTS ON ORDINANCE #4973

Mayor Stutsman opened Public comments. Public comments start at 21 minutes and 44 seconds of the audio recording.

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 #4973

Council President Weddell introduced Ordinance #4973 entitled "AMEND 2018 SALARY ORDINANCE 4927."

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 Gautsche.

COUNCIL COMMENTS ON ORDINANCE #4973

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

PUBLIC COMMENTS ON ORDINANCE #4973

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 #4973 DULY PASSED AND ADOPTED THIS DAY OF AUGUST 7, 2018)

RESOLUTION 2018-43

Council President Weddell introduced Resolution 2018-43 entitled "INTERLOCAL AGREEMENT WITH ELKHART COUNTY TO HEAR AND DISPOSE OF COUNTY ORDINANCE VIOLATIONS."

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 speaks on the Resolution starting at 23 minutes and 58 seconds of the audio recording.

COUNCIL COMMENTS ON RESOLUTION 2018-43

Mayor Stutsman opened Council comments. Council comments start at 24 minutes and 38 second of the audio recording.

Judge Stegelmann responds to question at 24 minutes at 47 seconds of the audio recording.

PUBLIC COMMENTS ON RESOLUTION 2018-43

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

By a 7-0 unanimous vote the Resolution passed.

(RESOLUTION 2018-43 DULY PASSED AND ADOPTED THIS DAY OF AUGUST 7, 2018)

ORDINANCE #4947

Council President Weddell introduces Ordinance #4947 entitled "COUNTY ROAD 28 ANNEXATION."

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

COUNCIL COMMENTS ON ORDINANCE #4947

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

PUBLIC COMMENT ON ORDINANCE #4947

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

NAYS:

By a 7-0 unanimous vote the Ordinance passed

(ORDINANCE #4947 DULY PASSED AND ADOPTED THIS DAY OF AUGUST 7, 2018)

ORDINANCE #4948

Council President Weddell introduces Ordinance #4948 entitled "THE GARDENS SIXTH ANNEXATION."

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

COUNCIL COMMENT ON ORDINANCE #4948

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

PUBLIC COMMENT ON ORDINANCE #4948

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

NAYS:

By a 7-0 unanimous vote the Ordinance passed

(ORDINANCE #4948 DULY PASSED AND ADOPTED THIS DAY OF AUGUST 7, 2018)

ORDINANCE #4949

Council President Weddell introduces Ordinance #4949 entitled "WESTORIA ANNEXATION."

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

COUNCIL COMMENTS ON ORDINANCE #4949

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

PUBLIC COMMENT ON ORDINANCE #4949

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

By a 7-0 unanimous vote the Ordinance passed.

(ORDINANCE #4949 DULY PASSED AND ADOPTED ON THIS DAY OF AUGUST 7, 2018)

ORDINANCE #4950

Council President Weddell introduces Ordinance #4950 entitled "THE CROSSING ANNEXATION.:"

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

COUNCIL COMMENT ON ORDINANCE #4950

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

PUBLIC COMMENT ON ORDINANCE #4950

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

By a 7-0 unanimous vote the Ordinance passed.

(ORDINANCE #4950 DULY PASSED AND ADOPTED ON THIS DAY OF AUGUST 7, 2018)

ORDINANCE #4951

Council President Weddell introduces Ordinance #4951 entitled "CLOVER TRAILS ANNEXATION."

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

COUNCIL COMMENT ON ORDINANCE #4951

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

PUBLIC COMMENT ON ORDINANCE #4951

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

By a 7-0 unanimous vote the Ordinance passed.

(ORDINANCE #4951 DULY PASSED AND ADOPTED ON THIS DAY OF AUGUST 7, 2018)

ORDINANCE #4952

Council President Weddell introduces Ordinance #4952 entitled "RIDGEWOOD SUBDIVISION ANNEXATION."

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

PUBLIC COMMENT ON ORDINANCE #4952

Mayor Stutsman opened Public comment. Public comment starts at 30 minutes and 45 seconds of the audio recording.

COUNCIL COMMENT ON ORDINANCE #4952

Mayor Stutsman opened Council comment. Council comment starts at 37 minutes and 06 seconds of the audio recording.

Councilman Scharf makes a motion to leave Parcel number 20-11-16-351-002.000-014 as A-1 instead of moving to R-1. Motion seconded by Councilman Nisley.

COUNCIL COMMENT ON AMENDMENT TO ORDINANCE #4952

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

City Attorney Barks spoke on the amendment starting at 37 minutes and 42 seconds of the audio recording.

Council comment resumes at 38 minutes and 52 seconds of the audio recording.

PUBLIC COMMENT ON AMENDMENT TO ORDINANCE #4952

Mayor Stutsman opened public comment on amendment only.

By a 7-0 unanimous vote the Amendment to Ordinance passed.

Mayor Stutsman asked if there were any other comments from the Council or public on the ordinance as amended.

Councilman Nisley spoke at 40 minutes and 53 seconds of the audio recording.

By a 7-0 unanimous vote the Ordinance passed.

(ORDINANCE #4952 DULY PASSED AND ADOPTED ON THIS DAY OF AUGUST 7, 2018)

ORDINANCE #4953

Council President Weddell introduces Ordinance #4953 entitled "MONROE STREET ANNEXATION."

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

COUNCIL COMMENT ON ORDINANCE #4953

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

PUBLIC COMMENT ON ORDINANCE #4953

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

By a 7-0 unanimous vote the Ordinance passed.

(ORDINANCE #4953 DULY PASSED AND ADOPTED ON THIS DAY OF AUGUST 7, 2018)

ORDINANCE #4954

Council President Weddell introduces Ordinance #4954 entitled "EAST LINCOLN AVENUE ANNEXATION."

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

COUNCIL COMMENT ON ORDINANCE #4954

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

PUBLIC COMMENT ON ORDINANCE #4954

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

By a 7-0 unanimous vote the Ordinance passed.

(ORDINANCE #4954 DULY PASSED AND ADOPTED ON THIS DAY OF AUGUST 7, 2018)

RESOLUTION 2018-44

Council President Weddell introduced Resolution 2018-44 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 seconded by Councilman Nisley.

Mark Brinson spoke regarding the Resolution at 45 minutes and 31 seconds of the audio recording.

COUNCIL COMMENT ON RESOLUTION 2018-44

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

PUBLIC COMMENT ON RESOLUTION 2018-44

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

By a 7-0 unanimous vote the Resolution passed.

(RESOLUTION 2018-44 DULY PASSED AND ADOPTED THIS DAY OF AUGUST 7, 2018)

RESOLUTION 2018-46

Council President Weddell introduced Resolution 2018-46 entitled "INTERLOCAL MEMORANDUM OF UNDERSTANDING FOR 2018 EDWARD J. BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FORMULA PROGRAM AWARD."

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

Mayor Stutsman spoke regarding the Resolution starting at 46 minutes and 48 seconds of the audio recording.

COUNCIL COMMENT ON RESOLUTION 2018-46

Mayor Stutsman opened Council comment. Council comments start at 47 minutes and 17 seconds of the audio recording.

Chief Jose Miller speaks regarding the Resolution starting at 48 minutes and 00 seconds of the audio recording.

PUBLIC COMMENT ON RESOLUTION 2018-46

Mayor Stutsman opened public comment.

By a 7-0 unanimous vote the Resolution passed.

(RESOLUTION 2018-46 DULY PASSED AND ADOPTED THIS DAY OF AUGUST 7, 2018)

COUNCIL DISCUSSION ITEM

The discussion regarding changes to the smoking ordinance at 50 minutes and 18 seconds of the audio recording.

Councilwoman King moved to adjourn. Motion seconded by Councilwoman Gautsche and the meeting adjourned at 8:19 P.M.

APPROVED: _____


Mayor, Jeremy P. Stutsman
Goshen, Indiana

ATTEST: _____


Angie McKee
City Clerk-Treasurer