

GOSHEN COMMON COUNCIL

Minutes for the Regular Meeting of March 5, 2019

The Common Council of the City of Goshen, Indiana met in a regular meeting on March 5, 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 Scharf. Motion was seconded by Councilwoman Gautsche.

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

APPROVAL OF MINUTES

Mayor Stutsman called for a motion regarding the Minutes from February 5, 2019. Motion to approve the Minutes as presented made by Councilman Orgill. Motion was seconded by Councilwoman King.

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

SPECIAL PRESENTATION

Lt. Jeremy Hooley gave an update on the Police Training facility.

PRIVILEGE OF THE FLOOR

Let the record show that no one from the public spoke.

Councilman Scharf thanked the Chamber for the Chamber cards.

ORDINANCE 4992

Council President Weddell introduced Ordinance 4992 entitled "AN ORDINANCE TO AMEND ORDINANCES 3808 AND 3939 OF THE NORTH MEADOW ESTATES PLANNED UNIT

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.

Community Development Director Mark Brinson spoke on the ordinance starting at 14 minutes and 46 seconds of the audio recording.

Attorney David Swihart from Yoder, Ainlay, Ulmer and Buckingham representing the petitioner spoke on the ordinance starting at 17 minutes and 06 seconds of the audio recording.

COUNCIL COMMENTS ON ORDINANCE 4992

Mayor Stutsman opened Council comments. Council comments start at 20 minutes and 58 seconds of the audio recording.

PUBLIC COMMENTS ON ORDINANCE 4992

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

COUNCIL COMMENTS ON ORDINANCE 4992

Mayor Stutsman brought comments back to the Council. Council comments start at 22 minutes and 03 seconds of the audio recording.

Attorney David Swihart from Yoder, Ainlay, Ulmer and Buckingham answered question starting at 22 minutes and 28 seconds of the audio recording.

Andrew Rossell, P.E., founder and Senior Civil Engineer from AR Engineering answered questions starting at 24 minutes and 07 seconds of the audio recording.

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

Mayor Stutsman called for a unanimous Council consent to consider the Ordinance for passage during one meeting. There was unanimous consent Mayor Stutsman declared that the Ordinance would be heard on a second reading.

ORDINANCE 4992

Council President Weddell introduced Ordinance 4992 entitled "AN ORDINANCE TO AMEND ORDINANCES 3808 AND 3939 OF THE NORTH MEADOW ESTATES PLANNED UNIT DEVELOPMENT."

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 4992

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

PUBLIC COMMENTS ON ORDINANCE 4992

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

Mayor Stutsman did a voice vote.

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

(ORDINANCE #4992 DULY PASSED AND ADOPTED THIS DAY OF MARCH 5, 2019)

ORDINANCE 4993

Council President Weddell introduced Ordinance 4993 entitled "ESTABLISH THE ANNUAL TAX RATE FOR THE CITY OF GOSHEN CUMULATIVE BUILDING AND SINKING FUND FOR MUNICIPAL SEWER."

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 Gautsche.

COUNCIL COMMENTS ON ORDINANCE 4993

Mayor Stutsman opened Council comments. Council comments start at 26 minutes and 18 seconds of the audio recording.

Mayor Stutsman responds starting at 26 minutes and 33 seconds of the audio recording.

PUBLIC COMMENTS ON ORDINANCE 4993

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

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

Due to state statute, this Ordinance will not be heard on second reading until Tuesday March 19, 2019.

ORDINANCE 4994

Council President Weddell introduced Ordinance 4994 entitled "ESTABLISH THE ANNUAL TAX RATE FOR THE CITY OF GOSHEN CUMULATIVE CAPITAL DEVELOPMENT FUND."

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 4994

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

PUBLIC COMMENTS ON ORDINANCE 4994

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

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

Due to state statute, this Ordinance will not be heard on second reading until Tuesday March 19, 2019.

ORDINANCE 4995

Council President Weddell introduced Ordinance 4995 entitled "ORDINANCE AUTHORIZING THE CITY OF GOSHEN, INDIANA TO ISSUE AND FUND ITS "TAXABLE ECONOMIC DEVELOPMENT REVENUE NOTES, SERIES 2019" AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO"

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 Gautsche.

Councilman Scharf recuses himself from this portion of the meeting and explains why starting at 28 minutes and 57 seconds of the audio recording.

Mayor Stutsman responds starting at 29 minutes and 35 seconds of the audio recording.

City Attorney Larry Barks comments on the Ordinance starting at 30 minutes and 38 seconds of the audio recording.

Community Development Director Mark Brinson comments on the Ordinance starting at 31 minutes and 13 seconds of the audio recording.

Everett Thomas, Chair of the theater board and co-chair of the capital campaign, spoke on the Ordinance starting at 33 minutes and 28 seconds of the audio recording.

Mayor Stutsman comments starting at 40 minutes and 57 seconds of the audio recording.

COUNCIL COMMENTS ON ORDINANCE 4995

Mayor Stutsman opened Council comments. Council comments start at 41 minutes and 19 seconds of the audio recording.

PUBLIC COMMENTS ON ORDINANCE 4995

Mayor Stutsman opened public comments. Public comments start at 47 minutes and 00 seconds of the audio recording.

COUNCIL COMMENTS ON ORDINANCE 4995

Mayor Stutsman brought the comments back to the Council. Council comments start at 48 minutes and 14 seconds of the audio recording.

City Attorney Larry Barkes responds to question starting at 48 minutes and 30 seconds of the audio recording.

With a 5-1 voice vote, Mayor Stutsman asked for a Roll Call vote, Roll Call was as follows:

AYES: Gautsche, King, McKee, Nisley, Weddell

NAYS: Orgill

By a 5-1 vote, the Ordinance passed on first reading.

Let the record show that Councilman Scharf was out of the room.

Due to state statute, this Ordinance will not be heard on second reading until Tuesday March 19, 2019.

ORDINANCE 4998

Council President Weddell introduced Ordinance 4998 entitled "AMEND ORDINANCE 4897, GOSHEN COMMON COUNCIL RULES OF ORDER."

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 4998

Mayor Stutsman opened Council comments. Council comments start at 52 minutes and 24 seconds of the audio recording.

PUBLIC COMMENTS ON ORDINANCE 4998

Mayor Stutsman opened public comments. Public comments start at 56 minutes and 28 seconds of the audio recording.

By 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 was no objection, Mayor Stutsman declared that the Ordinance would be heard on a second reading.

ORDINANCE 4998

Council President Weddell introduced Ordinance 4998 entitled "AMEND ORDINANCE 4897, GOSHEN COMMON COUNCIL RULES OF ORDER."

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 4998

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

PUBLIC COMMENTS ON ORDINANCE 4998

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

Councilwoman King makes a motion to amend Ordinance starting at 1 hour, 02 minutes and 46 seconds of the audio recording. Motion was seconded by Council President Weddell.

COUNCIL COMMENTS ON AMENDMENT ORDINANCE 4998

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

PUBLIC COMMENTS ON AMENDMENT TO ORDINANCE 4998

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

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

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

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

NAYS:

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

(ORDINANCE #4998 DULY PASSED AND ADOPTED THIS DAY OF MARCH 5, 2019)

RESOLUTION 2019-05

Council President Weddell introduced Resolution 2019-05 entitled "INTERLOCAL AGREEMENT FOR ANIMAL CONTROL SERVICES."

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

COUNCIL COMMENTS ON RESOLUTION 2019-05

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

PUBLIC COMMENTS ON RESOLUTION 2019-05

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

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

(RESOLUTION #2019-05 DULY PASSED AND ADOPTED THIS MARCH 5, 2019)

RESOLUTION 2019-06

Council President Weddell introduced Resolution 2019-06 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 Orgill.

Mayor Stutsman comments on the Resolution starting at 1 hour, 06 minutes and 21 seconds of the audio recording.

COUNCIL COMMENTS ON RESOLUTION 2019-06

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

PUBLIC COMMENTS ON RESOLUTION 2019-06

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

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

(RESOLUTION #2019-06 DULY PASSED AND ADOPTED ON THIS MARCH 5, 2019)

COMMUNITY RELATIONS COMMISSION APPOINTMENTS

Council President Weddell opens appointments starting at 1 hour, 07 minutes and 03 seconds of the audio recording.

Council comments start at 1 hour, 10 minutes and 40 seconds of the audio recording.

Councilwoman King nominates Sreekala Rajagopalan. Nomination was seconded by Councilwoman Gautsche.

Councilman Orgill nominates Greg Korte. Nomination was seconded by Councilman McKee.

Councilwoman Gautsche makes a motion to close nominations. Motion was seconded by Councilman Nisley.

Council President Weddell calls the roll. Roll Call was as follows:

Rajagopalan – Gautsche, King, Scharf, Weddell

Korte – McKee, Nisley, Orgill

By a 4-3 vote, Sreekala Rajagopalan was selected for the Community Relations Commission.

SHADE TREE BOARD APPOINTMENTS

Council President Weddell comments on terms of the Shade Tree Board starting at 1 hour, 18 minutes and 50 seconds of the audio recording.

One full term 2019-2021 and the other terms ends December 2019.

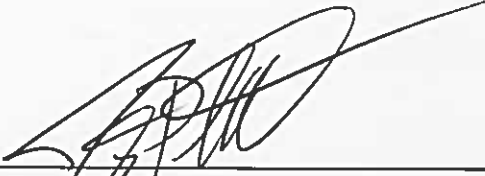
Councilwoman King makes a motion to have Angie Troyer fill the short term that will end December 2019. Motion seconded by Councilman Nisley.

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

Councilman Nisley comments on the Police Training Facility starting at 1 hour, 20 minutes and 40 seconds of the audio recording.

Councilman Nisley makes a motion to adjourn. Councilwoman King seconded the motion. Meeting adjourned at 8:18pm.

APPROVED: _____


Mayor, Jeremy P. Stutsman
Goshen, Indiana

ATTEST: _____


Angie McKee
City Clerk-Treasurer