



Minutes of the Goshen Common Council Regular Meeting of March 3, 2020

[7:00 p.m.]

Mayor Jeremy P. Stutsman called the meeting to order and led in the Pledge of Allegiance

Clerk called the roll:

Present: Megan Eichorn (Dist 4), Julia King (At-Large), Doug Nisley (Dist 2),
Gilberto Pérez, Jr. (Dist 5), Matt Schrock (Dist 3),
Council President Brett Weddell (At-Large),
Youth Advisor Zoe Eichorn (Non-voting)

Absent: Jim McKee (Dist 1)

King/Eichorn moved to pass minutes of January 7th as presented.

VOICE VOTE to approve the minutes of January 7th as presented: PASSED 6-0

Weddell/Nisley moved to amend the agenda to add Ordinance 4897: Goshen Common Council Rules of Order. Clerk-Treasurer Scharf indicated that Resolution 2020-07 and Ordinance 5033 also needed to be added. Weddell amended motion to add both.

ROLL CALL VOTE to approve the meeting agenda as amended: PASSED 5-1

AYES: Eichorn, Nisley, Pérez, Schrock, Weddell

NAYS: King

[7:04]

Privilege of the Floor

Skye Steury, Goshen, expressed his concern about the environment and that recycling has been discontinued. Asked that local recycling center be created.

Matt Whitford, President of Firefighters Local 1443, invited elected officials to a Fire Ops class and demonstration on May 2. Mayor commented that it is a good event and helps participants understand why firefighters need the equipment they need.



Paul Steury, Goshen, suggested incentives by the city for green industries. Said his son Skye wondered why we couldn't be creative and start local industry

Council President Weddell mentioned Polywood in Syracuse, which creates their products using milk jugs, as a local example.

Mayor mentioned that new Department of Environmental Resilience is developing plans and this idea is another than can be discussed. Looks forward to their plan for local government.

Nisley asked when an item is heard on first reading, when is second reading put on agenda and who decides. Mayor explained that normally second reading is on agenda for the next meeting after first reading, but last meeting was joint meeting with school board and we try not to have action items at that meeting.

Scharf explained that he had discussed some technicalities with Larry Barkes, and while this and adding tabled items to next agenda is typical, the council could take more care to specify dates.

Further discussion of when action items appear at joint school board meetings, and why second reading of Ordinance 5033 was not on agenda.

Youth Advisor Eichorn shared that youth caucus was planning to visit high school senior homerooms to encourage voter registration.

King noted the brown bag lunches hosted by Aaron Kingsley, Director of Environmental Resilience, had been well-attended, as have been Community Relations Commission facilitated community conversations about diversity, safety, etc.

Weddell noted that Redevelopment Commission was discussing a proposed \$3M loan from Major Moves for ice rink/pavilion.

Discussion about council planning retreat planned for March 20 at Reith Interpretive Center.

[7:19]

Resolution 2020-07: Interlocal Agreement with Elkhart County for Animal Control Services

Weddell/King moved for passage.

Mayor explained cost sharing arrangement amongst Elkhart County units of government, noting that Nappanee has an agreement with Kosciusko County. Stated that Goshen's share is about \$77,000 based on population.

VOICE VOTE to approve Resolution 2020-07: PASSED 6-0



[7:21]

Ordinance 5033 (2nd Reading): Threshold for Common Council Approval for the Sale of Real Property

Mayor introduced, noting that Legal and Redevelopment Departments have brought this forward and that the threshold has not been changed in many years.

City Attorney Bodie Stegelmann explained that this could help with scheduling of closings and would be a convenience for staff. There is no upper limit on threshold the council could set.

Weddell asked for confirmation that this would only be houses the City would be selling, not buying. Mayor confirmed.

King/Weddell moved to amend Ordinance 5033 to change threshold from \$150,000 to \$100,000.

Weddell asked whether Mayor or staff whether doubling current \$50,000 threshold would cause any issues. Stegelmann thought \$100,000 was a fair compromise. He reported that most historical sales were under \$100,000 and were often things like vacant or condemned houses, excess land from road projects, etc.

VOICE VOTE to amend Ordinance 5033 to change threshold from \$150,000 to \$100,000: PASSED 6-0

VOICE VOTE to approve Ordinance 5033 on 2nd reading as amended: PASSED 6-0

[7:25]

Council President Weddell asked to introduce Ordinance 4897: Goshen Common Council Rules of Order. Clerk-Treasurer Scharf expressed uncertainty about how to introduce given that Ordinance 4897 was not being introduced for passage. Weddell asked to introduce Amending Ordinance 4897.

Weddell/Nisley moved for passage.

Weddell joked that he would not be making any amendments to procedures for canceling meetings.

Weddell/Nisley moved to amend Ordinance 4897 Section 12 (E) to change from 72 hours to 100 hours.

Weddell explained that this was to allow councilors sufficient time to review and discuss items on the agenda, and hoped it would not be controversial.



Scharf suggested a change to 5:00 p.m. the Thursday at 5:00 p.m. prior to a council meeting.

Weddell/Nisley agreed to friendly amendment to motion, making it 5:00 p.m. the prior Thursday.

VOICE VOTE to amend Ordinance 4897 to change Section 10 (E) from “at least 72 hours” to “5:00 p.m. Thursday”: PASSED 6-0

Weddell stated his next amendment did not affect him but was for other councilors.

Weddell/Nisley moved to amend Ordinance 4897 by adding Section 10 (F): “Council packet shall be hand-delivered to any council representative upon request at least 100 hours before any regularly-scheduled council meeting.”

Weddell said he personally did not want a hard copy, but said there has been frustration among some members about not being able to get a hard copies, so he would like to make it available to them if they would like. Stated that they have historically been available, that Plan Commission packets are hand-delivered, etc.

Eichorn asked if it would be required to be hand-delivered. Mayor said that City has done this for anyone who wanted it in the past. We he first joined the council no one was using computers. King joked that maybe horses were involved at some point.

Mayor said that Clerk-Treasurer staff can be very busy at times, but perhaps he could find someone else in the city to do this.

Nisley said that Police Department used to have officers make deliveries of packets.

Scharf said this has been an exchange during the first weeks of the year, and asked for a bit of grace during the first months of a significant transition; said most have been quick to grant that grace. Noted that annual financial report was submitted just yesterday. Expressed confidence that office would settle into a regular and timely routine in short order. Committed to same 5:00 p.m. deadline for hard copy packets in interdepartmental mail (at City Hall, where councilors have mail slots).

Scharf reiterated message from earlier emails to councilors expressing that significant accommodations are already made given that this is the year 2020: packets are sent out via email, hard copies are printed upon request and put into interdepartmental mail at City Hall, and a technology stipend of \$500/year is provided each year to each councilor, which may be used for printer, paper and ink if they so choose. He said it was not a good use of public resources to have paid staff running courier routes around the city.

Weddell reiterated that this did not affect him, but that he thought other councilors had been frustrated that if a hard copy was not printed and delivered to them before the weekend they could not have one until Monday. Considering the new Thursday 5:00 p.m. time,



Weddell/Nisley withdrew motion to amend.

Discussion about removing Section 10 (D), which requires noon Wednesday submission from staff to Clerk-Treasurer for agenda items.

Mayor said he did not think this piece should have been added originally, and that council doesn't care about when items come to Clerk-Treasurer.

Scharf explained that removing would allow him not to blame other staff as current situation insinuates, and if it is late then it is on him.

Weddell/King moved to strike Section 10 (D) from Ordinance 4897.

Zach Bontrager, Goshen, introduced himself as son of 13-year Clerk-Treasurer Tina Bontrager. Suggested that council consider empowering Clerk-Treasurer's office to set deadline for staff submission. Mayor replied that intent was to get council away from determining internal administration and Clerk-Treasurer could set the deadline.

Glenn Null, Goshen, said he understood what Adam was saying and likes consistency. He would like to see a hard deadline.

Mayor replied that this is what we are trying to get away from. This week the items came in an email two hours after the deadline from a staff member who had been sick and was catching up. If we remove a hard deadline then Clerk-Treasurer can decide if two hours is a big deal or not.

King asked whether the council would need to empower Clerk-Treasurer to set deadlines. Mayor stated that City Clerk-Treasurers are tasked with creating agendas for common councils, so it falls there absolutely.

Perez said it was administrative, not council responsibility.

VOICE VOTE to amend Ordinance 4897 to remove Section 10 (D). PASSED 6-0

Weddell/Nisley moved to amend Ordinance 4897 to add that in the event that there are no agenda items, Clerk-Treasurer must abide by (the new) Section D by posting that there are no agenda items.

Discussion about intent and relationship to canceling meeting. Clarification reached that packet will be posted regardless of presence of action items.

VOICE VOTE to amend Ordinance 4897 to add that in the event that there are no agenda items, Clerk-Treasurer must abide by (the new) Section D by posting that there are no agenda items. PASSED 6-0



[7:46]

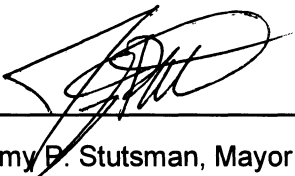
Other Comments

Weddell asked Scharf whether joint school board meeting was an official meeting. Scharf affirmed. Weddell asked whether a representative of Clerk-Treasurer's office was present. Scharf said yes. Weddell asked who. Scharf asked whether this is was in reference to state law requiring Clerk-Treasurer to attend council meetings. Weddell said yes, or a representative of the office. Scharf said he had discussed with Jo Lung prior to the meeting, and she had attended.

King/Eichorn moved to adjourn.

VOICE VOTE 6-0 to adjourn.

[7:48 p.m.] *Meeting Adjourned*

APPROVED: 

Jeremy P. Stutsman, Mayor of Goshen

ATTEST: 

Adam C. Scharf, Goshen City Clerk-Treasurer