



## **Minutes of the Goshen Common Council Regular Meeting of April 20, 2021**

6:00 p.m. Council Chambers, Police & Court Building, 111 East Jefferson Street, Goshen, Indiana

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

Present: Megan Eichorn (District 4), Julia King (At-Large), Jim McKee (District 1),  
Doug Nisley (District 2), Matt Schrock (District 3),  
Council President Brett Weddell (At-Large), Youth Advisor Hazany Palomino (Non-voting)

Absent: Gilberto Pérez, Jr. (District 5)

**King/Eichorn moved to approve the minutes of March 16 and March 30, 2021. PASSED 6-0**

King asked why Elected Official Reports had moved to end of meeting. Scharf said he had made that change; later in meeting explained that this segment tended long, and with residents and paid staff/consultants attending it was both a courtesy and fiscal suggestion.

**Nisley/McKee moved to approve the agenda as presented. PASSED 6-0**

### Privilege of the Floor

Jason Barahona noted that former Councilor Ed Alhersmeyer resigned three years ago; asked about status of sensitivity training that Mayor has mentioned. Mayor replied that new Community Relations Director AJ Delgadillo is working on sensitivity training presently.

### Public Hearing

Mayor opened Public Hearing for the Community Development Block Grant Program Year 2021 Annual Action Plan.

Community Development Specialist Meaghan Bylsma presented the packet memo.

Clerk-Treasurer Adam Scharf noted, and Bylsma confirmed, that Goshen is doing comparatively well to other Indiana communities in putting CDBG funds to their intended uses.

### **PUBLIC COMMENT**

Jason Barahona noted benefits of CDBG program, especially for youth.



Mayor closed Public Hearing for the Community Development Block Grant Program Year 2021 Annual Action Plan.

Resolution 2021-12 Interlocal Agreement with the County of Elkhart for the Consolidated County Court Site

**Weddell/McKee moved for passage of Resolution 2021-12.**

A letter from Elkhart County Commission President Susie Weirick was presented to Council. (*Attached as Exhibit A*)

City Attorney Bodie Stegelmann summarized the interlocal agreement.

Mayor addressed the large changes in cost estimates since the beginning of the project discussion.

Weddell asked about difference in cost to include/exclude roundabout. Director of Public Works Dustin Sailor explained scope evolution, emphasizing the likely need to replace more than 150 feet to the west of Reliance / Peddlers Village intersection, which is what current cost estimates include. Stated rough estimate of cost difference with roundabout was \$1M.

Weddell reviewed two final site possibilities. Said Redevelopment staff indicated there is capacity within TIF to pay for this project.

Mayor thanked partners and said this project is headed in right direction.

Discussion on exact city limit line locations.

King expressed frustration with November 2020 county council meeting. Felt that many people's concerns were ignored. Weddell noted multiple years of county planning. Mayor noted that public awareness of process was much shorter, did follow public meeting requirements.

**PUBLIC COMMENT**

Glenn Null, Goshen, said he did not feel the project cost split was fair between City and County. Concerns about tax dollars staying local. Mayor responded that JPR is a local firm; City would pay larger share if this were a normal development.

**COUNCIL DISCUSSION**

Brief additional discussion.

**Voice Vote to pass Resolution 2021-12: PASSED 6-0**

Resolution 2021-13 Approve Disposal of Real Estate at 2601 Woodland Drive by Goshen Redevelopment Commission



**Weddell/Nisley moved for passage of Resolution 2021-13.**

City Attorney Bodie Stegelmann introduced the resolution. Noted complexities with partial sales sometimes makes full purchase and resale better option. Followed process, appraisals, received proposals above appraised value.

Weddell said home and landscaping are beautiful. Noted some particulars of the agreement, including \$275,000 purchase price.

Nisley asked where money would go. Mayor said Redevelopment Non-reverting Fund. Stegelmann said he thinks that is covered by statute.

**Voice Vote to pass Resolution 2021-13: PASSED 6-0**

Ordinance 5077 Amending Ordinance 3828 Governing Public Purchasing

**Weddell/King moved for passage of Ordinance 5077 on second and final reading.**

Mayor commented on complexity of manufacturing. Supported anticipated amendment from King; said he and Legal Department would email council every time Board of Works took this particular action.

**King/Weddell moved (with friendly amendment based on suggestion from legal counsel) to amend Ordinance 5077 to add a Section 4:**

"The Board of Public Works and Safety shall, at least annually, provide in writing to the Common Council, a list of exceptions granted to Ordinance 3828, including the date the Board of Public Works and Safety granted the exception."

Scharf offered to add councilors to Board of Works agenda email distribution list.

**Roll call vote to amend Ordinance 5077 as above. PASSED 5-1 as:**

Eichorn:	Yes
King:	Yes
McKee:	Yes
Nisley:	No
Schrock:	Yes
Weddell:	Yes

Nisley stated he does not think it urgent to remove responsibility from Council; feels like "government" trying to fix something that is not broken. Mayor replied that he and staff are trying to create efficiencies.

Scharf noted that Ordinance 3828 delegates purchasing writ-large to Board of Works; this is just a tiny piece.

Additional discussion regarding nature of modern manufacturing. Reviewed 50% of value standard, borrowed from federal statute. Mayor noted US/foreign ownership consideration.



Nisley asked about local purchasing. Said county contracts do. Mayor said he encouraged Park 33 developers to buy materials local, though they did not.

Stegelmann said statutes generally require lowest responsive and responsible bidder.

Scharf noted departments exercise discretion in small purchases; encouraged review of local purchasing policy.

**Roll call vote to pass Ordinance 5077 on second and final reading. PASSED 5-1 as:**

Eichorn:	Yes
King:	Yes
McKee:	Yes
Nisley:	No
Schrock:	Yes
Weddell:	Yes

Ordinance 5078 Amend Ordinance 3011 by Rezoning Real Estate Hereinafter Described, and Commonly Known as 1905 Reliance Road, from Residential R-1 District to Commercial B-3 District

**Weddell/Nisley moved for passage of Ordinance 5078 on first reading.**

City Planner Rhonda Yoder presented the packet memo.

King said she liked the bike connectivity. Noted lots of parking and concrete. Mayor commented the larger challenge is making it so courts don't need so many parking spaces.

**Voice vote to pass Ordinance 5078 on first reading. PASSED 6-0**

**Weddell/Nisley moved for passage of Ordinance 5078 on second and final reading.**

**Voice vote to pass Ordinance 5078 on second and final reading. PASSED 6-0**

Elected Official Reports

Mayor: Tax rates for city and county went down. Comments of youth advisor appointments, elections. Bicycle registration program comments (*Memo attached as Exhibit B*), including that fees generally waived for special events anyway, and suggests eliminating fee. Vehicle purchasing timing; delays due to microchip shortage. Presented scenario for ordering vehicles now with 2022 budget assurance. Further discussion. Finally, discussed upcoming executive order regarding COVID-19. Would like to avoid shutting down buildings and public meetings again.

Clerk-Treasurer: Reasons for placing Elected Official Reports at end of agenda. Upcoming additional appropriations.

McKee: Suggested courthouse as good place for city court.

Nisley: Thanks to staff for impressive, educational sewer plant tour along with McKee, Schrock.

Eichorn: CRC meeting highlights, River District Committee continuing with public presentation soon.



King: Council liaison program is good to switch around for exposure. Parks Dept. appreciation by way of walk along Millrace, seeing wide variety of activities.

Weddell: Thanked Sailor and Corwin for Traffic Commission preparation, answers. Shared about recent county courthouse tour, learning about flag flying half-staff. Reminded listeners that assessments increasing, school referendum contribute to property tax increases.

Youth Advisor Palomino: Outreach to councilors regarding potential climate crisis resolution. Introduced Youth Council members, who offered comments.

**King/Eichorn moved to adjourn. PASSED 6-0**

*Meeting Adjourned 7:29 p.m.*

*Exhibit A* (1 pg): Letter from Elkhart County Commissioner Susie Weirick supporting the interlocal agreement (Res. 2021-12) and rezoning for Courts Project (Ordinance 5078)

*Exhibit B* (3 pgs): Ordinance 4599: Bicycle Registration Program and fee collection history

APPROVED:

A handwritten signature in black ink, appearing to read "Jeremy F. Stutsman", written over a horizontal line.

Jeremy F. Stutsman, Mayor of Goshen

ATTEST:

A handwritten signature in black ink, appearing to read "Adam C. Scharf", written over a horizontal line.

Adam C. Scharf, Goshen City Clerk-Treasurer



**Commissioners**  
Suzie Weirick, President  
Frank Lucchese, Vice President  
Brad Rogers, Member

117 S. Second Street  
Goshen, Indiana 46526  
(574) 534-3541  
[ccommissioners@elkhartcounty.com](mailto:ccommissioners@elkhartcounty.com)

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Mayor, Council

Please accept my apologies for not being in attendance this evening. I have an out of town wake to attend.

The Commissioners and Elkhart County would kindly request you approve the inter-local and the re-zoning for the property on Reliance Rd. that we call the "Courts Project".

There have been many months of work between our staff and the collaboration will continue. Mayor, thank you for being a champion for this project and making it a wonderful relationship early on.

As you may or may not know, the County considered many options for this new 170,000 sq foot plus building before settling on this location within Goshen city limits. We had two locations that were most central to others that could accommodate the campus needs. Goshen's policies of collaboration, road maintenance, utility availability and fantastic staff, made this site optimal.

All in all, the County will initially invest approximately \$80M for the development of this site with future development planned. We are committed to serve the Elkhart County community and will continue to be good neighbors and great stewards as with this inter-local we have already committed \$500K to the road project when Goshen normally carries the burden alone. I would also anticipate you will see an amendment to this agreement as with all things in today's economy, costs are escalating. Therefore, I would anticipate Elkhart County continue to work with Goshen to make this project as successful as possible for all.

I ask you to please vote yes for the relationship between Elkhart County and Goshen municipalities to move forward with the inter-local agreement and award a rezoning of the property so we can accomplish this together.

Sincerely,

Suzie Weirick  
President, Elkhart County Commissioners

ORDINANCE 4599

BICYCLE REGISTRATION PROGRAM

WHEREAS to facilitate the identification, recovery and return of bicycles found in the city to the rightful owner, the City of Goshen offers a Bicycle Registration Program; and

WHEREAS participation in the Bicycle Registration Program is voluntary for citizens of Goshen and the surrounding area.

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

Section 1. Bicycle Registration Program.

A. A bicycle owner may register their bicycle with the City of Goshen by completing a registration form and paying the following bicycle registration fee:

Bicycle Registration Fee effective through August 31, 2010:

Resident Bicycle Registration Fee .....	\$2
Non-Resident Bicycle Registration Fee .....	\$4

Bicycle Registration Fee effective September 1, 2010:

Resident Bicycle Registration Fee .....	\$5
Non-Resident Bicycle Registration Fee .....	\$10

B. For the purposes of this ordinance, a "Resident" shall mean a person who resides in the corporate boundaries of the City of Goshen. A "Non-Resident" shall mean a person who does not reside in the corporate boundaries of the City of Goshen.

C. The bicycle registration shall be valid for a period of five (5) years.

D. The City will issue the bicycle owner a registration sticker to be affixed on the owner's bicycle and a card with the registration number for the bicycle. The identifying bicycle information is filed with the record of registration maintained by the City of Goshen Police Department.

E. It shall be the responsibility of the bicycle owner to report a change of the owner's address or phone number to the City of Goshen Police Department. It shall also be the responsibility of the bicycle owner to report the sale or transfer of a bicycle to the City of Goshen Police Department at the time of the sale or transfer. The bicycle registration is not transferrable, and it shall be the responsibility of the new owner to register the bicycle by completing a registration form and paying the bicycle registration fee if the new owner chooses to do so.

F. The Goshen Board of Public Works and Safety will designate the locations and/or events in which bicycle registration will take place at least on an annual basis.

G. The Goshen Board of Public Works and Safety may authorize waiving the payment of the bicycle registration fee for an event sponsored by the Goshen Police Department, Goshen Fire Department, or Goshen Parks and Recreation Department.

H. All fees collected pursuant to the Bicycle Registration Program shall be deposited into the general fund.

**Section 2. Other Ordinances.**

A. All ordinances and parts of ordinances inconsistent or in conflict with the terms of this ordinance are repealed to the extent of the inconsistency or conflict.

B. This ordinance specifically repeals Ordinance 4590.

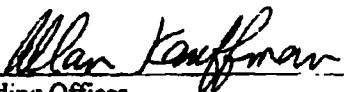
C. This ordinance specifically repeals the following sections of Title 4, Article 7, Chapter 1 of the Goshen City Code:

- (1) 4.7.1.1
- (2) 4.7.1.2
- (3) 4.7.1.3
- (4) 4.7.1.4
- (5) 4.7.1.5
- (6) 4.7.1.6
- (7) 4.7.1.8
- (8) 4.7.1.9

**Section 3. Effective Date.**

This ordinance shall be in full force and effect from and after its passage, approval and adoption according to the laws of the State of Indiana.

PASSED by the Common Council of the City of Goshen on August 3, 2010.

  
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Presiding Officer

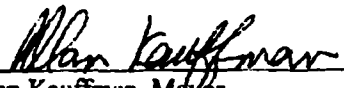
Attest:

  
\_\_\_\_\_  
Tina M. Bontrager, Clerk-Treasurer

PRESENTED to the Mayor of the City of Goshen on August 4, 2010 at 10 (a.m.) p.m.

  
\_\_\_\_\_  
Tina M. Bontrager, Clerk-Treasurer

APPROVED and ADOPTED by the Mayor of the City of Goshen on August 4, 2010.

  
\_\_\_\_\_  
Allan Kauffman, Mayor



**Stutsman, Jeremy**

**From:** Marks, Shannon  
**Sent:** Tuesday, April 20, 2021 11:53 AM  
**To:** Stutsman, Jeremy  
**Subject:** Bicycle Registration  
**Attachments:** Ord. 4599 - Bicycle Registration Program.pdf

Attached is a copy of Ord. 4599 for the bicycle registration program. I also copied below the print-out of the fees collected the past few years that Jeffery provided to me. As we discussed, the city can still register bicycles and not charge a fee. If that's what is decided, then I'll prepare an ordinance to repeal Code section 4.7.1.1 at the next meeting.

Account  Fiscal Year  Account Name

General Balance Budget Budget Adjustments History Detail

Grid  Graph

Year	Beginning Balance	Activity	Ending Balance	Original Budget	Adjustments	Ending
2005	0.00	0.00	0.00	0.00	0.00	
2006	0.00	132.00CR	132.00CR	200.00CR	0.00	
2007	0.00	66.00CR	66.00CR	200.00CR	0.00	
2008	0.00	108.00CR	108.00CR	200.00CR	0.00	
2009	0.00	90.00CR	90.00CR	0.00	0.00	
2010	0.00	266.00CR	266.00CR	100.00CR	0.00	
2011	0.00	191.00CR	191.00CR	0.00	0.00	
2012	0.00	255.00CR	255.00CR	200.00CR	0.00	
2013	0.00	250.00CR	250.00CR	200.00CR	0.00	
2014	0.00	40.00CR	40.00CR	200.00CR	0.00	
2015	0.00	335.00CR	335.00CR	200.00CR	0.00	
2016	0.00	160.00CR	160.00CR	40.00CR	0.00	
2017	0.00	355.00CR	355.00CR	40.00CR	0.00	
2018	0.00	255.00CR	255.00CR	200.00CR	0.00	
2019	0.00	85.00CR	85.00CR	200.00CR	0.00	
2020	0.00	15.00CR	15.00CR	200.00CR	0.00	

Shannon Marks | Legal Compliance Administrator  
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