

REGULAR MEETING OF THE COMMON COUNCIL (JANUARY 2, 2007)
111 EAST JEFFERSON STREET, GOSHEN, INDIANA

The Common Council of the City of Goshen, Indiana, met in the Council Chambers for a regular session on January 2, 2007 at 7:00 P.M. Presiding Officer was Mayor Kauffman with members of the Council present as follows:

PRESENT: COUNCILMAN BLOSS, GRIMES, LANTZ, PURO, SCOTT, THOMAS
COUNCILWOMAN GAUTSCHE

ABSENT: NONE

PRIVILEGE OF FLOOR

Ned Kauffman, 1205 Berkey Ave, presented the Council with copies of letters written to the Goshen News in the 'letters to the editor' section regarding a landscaping ordinance, Ordinance Number 4403 which passed after amendments at the December 19th meeting of the Council. Mr. Kauffman requested the Council discuss the issues at their upcoming retreat and further stated he felt he failed to educate the Council on street trees and "heat sinks".

CHANGES TO AGENDA

Councilman Scott moved to add Resolution Numbers 2007-02 and 2007-03 to the Agenda. Motion seconded by Council President Thomas and motion passed unanimously.

APPROVAL OF MINUTES

Council President Thomas suggested the Council offer changes to the minutes and then request the minutes be presented with the changes to the Council at the February 6, 2007 meeting. The Council reviewed the minutes and offered several changes which are to be given to the Clerk-Treasurer after the meeting. Mayor Kauffman confirmed with the Council that the changes would be given to the Clerk-Treasurer.

ELECTION OF COUNCIL PRESIDENT

Councilman Lantz moved to nominate Everett Thomas as Council President for 2007. Motion seconded by Councilman Grimes.

Councilman Scott moved to close the nominations. Motion seconded by Councilman Puro.

By a 7-0 unanimous vote of the Council, Everett Thomas was elected as Council President for 2007.

2006 ECONOMIC IMPROVEMENT DISTRICT ANNUAL REPORT

EID President Scott Woldruff presented the 2006 annual report to the Council. The report shows a beginning cash balance of \$30,223.09, income of \$47,666.30, detailed expenditures of \$41,646.20 and an ending cash balance of \$36,243.19.

Councilman Bloss requested an explanation of the \$1,312.30 expenditure for window washing.

Mr. Woldruff explained the EID pays to have the windows of the vacant buildings cleaned.

Councilman Bloss questioned if the EID pays to have windows of occupied buildings cleaned if the owner does not clean them.

Mr. Woldruff confirmed the EID does pay to have any of the unclean windows washed of the businesses as part of the best interest of the downtown district.

Council President Thomas stated his appreciation for the great job the EID is doing in the district including the flowers and Christmas lights.

Mayor Kauffman requested Mr. Woldruff explain the income listed as Legion Building.

Mr. Woldruff explained the building was unsightly and the EID paid for the painting and cleanup of the building and then placed a lien against the property and the \$11,576.00 income is the reimbursement costs received when the property was sold.

Councilwoman Gautsche stated her appreciation for the EID's involvement in the downtown façade program listed in the report as a \$9,000.00 expenditure and questioned what the \$5825.00 in the report for professional fees was spent on.

Mr. Woldruff stated the EID gave \$5,000 towards the Hyett-Palma downtown study and the remaining was spent on various appraisals.

Council President Thomas moved to approve the 2006 annual report of the Economic Improvement District. Motion seconded by Councilwoman Gautsche and motion passed unanimously.

RESOLUTION NUMBER 2007-03

Council President Thomas introduced Resolution Number 2007-03 entitled "A RESOLUTION APPROVING THE 2007 BUDGET FOR THE GOSHEN DOWNTOWN ECONOMIC IMPROVEMENT DISTRICT."

Council President Thomas asked the Clerk-Treasurer to read the Resolution by title only and moved its passage by roll call vote. Motion seconded by Councilman Scott.

EID President Scott Woldruff presented the EID's budget for 2007 to the Council.

By 7-0 unanimous vote of the Council, Resolution Number 2007-03 was passed.

ORDINANCE NUMBER 4407

Council President Thomas introduced Ordinance Number 4407 entitled "APPROVING THE INVESTMENT OF FUNDS, AUTHORIZING THE INVESTMENT OF FUNDS IN CERTIFICATES OF DEPOSIT AND SELECTING DEPOSITORIES FOR THE CITY OF GOSHEN."

Council President Thomas asked the Clerk-Treasurer to read the Ordinance by title only for its first reading and moved its passage. Motion seconded by Councilman Grimes.

Councilwoman Gautsche stated she was aware of limited investment options but questioned the Clerk-Treasurer as to what criteria is used to determine the investments.

Clerk-Treasurer Tina Bontrager stated there are very limited options and further certificates of deposits or money market investing is the scope of what the City's money has been invested into depending on the available interest rates.

By a 7-0 unanimous vote of the Council the motion passed.

Council President Thomas asked the Clerk-Treasurer to read the Ordinance by title only for second and final reading and moved its passage by roll call vote. Motion seconded by Councilman Scott.

The Council roll call vote was as follows:

AYES: BLOSS: GAUTSCHE: GRIMES: LANTZ: PURO: SCOTT: THOMAS

NAYS: NONE

(ORDINANCE 4407 DULY PASSED AND ADOPTED THIS 2ND DAY OF JANUARY 2007.)

RESOLUTION NUMBER 2007-01

Council President Thomas introduced Resolution Number 2007-01 entitled "A RESOLUTION OF THE GOSHEN COMMON COUNCIL AUTHORIZING THE EXTENSION OF CITY WATER AND SEWER UTILITIES TO 23104 COUNTY ROAD 26, ELKHART, INDIANA, AND APPROVING AND AUTHORIZING THE EXTENSION OF A WATER AND SEWER AGREEMENT WITH MARK E. ELDRIDGE AND DELLANA E. ELDRIDGE."

Council President Thomas asked the Clerk-Treasurer to read the Resolution by title only and moved its passage by roll call vote. Motion seconded by Councilman Grimes.

Legal Compliance Administrator Shannon Marks stated the Resolution is to authorize the extension of City utilities to a property located outside of the City limits. Mrs. Marks further stated the infrastructure is currently in place as the developers of the Ashton

Pines apartment complex had previously paid for the costs to extend the utilities to the area.

Council President Thomas pointed out the Council needs to be vigilant with the extensions as he is aware Elkhart City had experienced some difficulties and questioned if the property would eventually be annexed into the City limits.

Mrs. Marks stated there are lots in between the properties the City has agreements with and currently there are no agreements with these property owners. Mrs. Marks further stated the agreement does include the property owner agreeing to waive and release any right to remonstrate against any future annexation.

Dave Singell, 23929 U.S. 33 E, stated the property currently has a failed system and questioned if the property owners needed to wait on approval of the Board of Works to begin to connect to the lateral as the agreement states in the miscellaneous provisions that it becomes effective after approval of both the Council and the Board of Public Works and Safety.

Mayor Kauffman stated if any work was started it would be at the property owner's risk, although there is a very slim chance that the Board of Public Works and Safety would not approve the agreement.

By 7-0 unanimous vote of the Council, Resolution Number 2007-01 was passed.

The Council roll call vote was as follows:

AYES: BLOSS: GAUTSCHE: GRIMES: LANTZ: PURO: SCOTT: THOMAS

NAYS: NONE

RESOLUTION NUMBER 2007-02

Council President Thomas introduced Resolution Number 2007-02 entitled "AN EMERGENCY RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS."

Council President Thomas asked the Clerk-Treasurer to read the Resolution by title only and moved its passage by roll call vote. Motion seconded by Councilman Gautsche.

Mayor Kauffman stated the Council approved \$100,000 of the 2007 Motor Vehicle Highway budget to purchase police equipment due to the MVH fund receiving \$200,000 of Major Moves monies. Mayor Kauffman stated the transfers are to move the \$100,000 from police equipment to police gas in the MVH budget and to move funds in the Police Department budget to personnel lines from their current gas line to fund the hiring of a new police officer.

By 7-0 unanimous vote of the Council, Resolution Number 2007-02 was passed.

The Council roll call vote was as follows:

AYES: BLOSS: GAUTSCHE: GRIMES: LANTZ: PURO: SCOTT: THOMAS

NAYS: NONE

COUNCIL 2007 APPOINTMENTS

Beautification and Trust Board

Council President Thomas moved to appoint Craig Yahne to the Beautification and Trust Board for a term of four years. Motion seconded by Councilman Grimes and motion passed unanimously.

Council President Thomas moved to appoint Rita Parsons to the Beautification and Trust Board for a term of four years. Motion seconded by Councilwoman Gautsche and motion passed unanimously.

Council President Thomas asked if there were any nominations to fill the vacant spot of former appointee Dick Gentry. The Council did not offer any nominations at this time.

Community Relations Commission

Council President Thomas questioned if there were any nominations to fill the vacant spot of former appointee Earlene Nofiziger.

Councilman Scott moved to nominate Glenn Null for the Community Relations Commission and stated he appreciates Mr. Null's interest and how well informed he is with City issues. Motion seconded by Councilman Bloss.

Councilman Grimes stated he had a conversation with Israel Garcia who is bilingual and moved to nominate Mr. Garcia for the Community Relations Commission. Motion seconded by Councilman Lantz.

Council President Thomas moved to close the nominations. Motion seconded by Councilman Bloss and motion passed unanimously.

Councilwoman Gautsche questioned if Mr. Null has changed his stand on his previous statements that the Council should not appropriate money in the budget for the Community Relations Commission.

Mr. Null stated he feels the money in the Community Relations Commission's budget is not being spent properly.

The Council roll vote on the nominations was as follows:

Mr. Null: SCOTT: BLOSS

Mr. Garcia: GAUTSCHE: GRIMES: LANTZ: PURO: THOMAS

By a 5-2 vote of the Council Mr. Israel Garcia was appointed to a three year term on the Community Relations Commission.

Council President Thomas moved to appoint Sreekala Rajagopalan to the Community Relations Commission for a term of three years. Motion seconded by Councilman Grimes and motion passed unanimously.

Redevelopment Commission

Council President Thomas moved to appoint Laura Coyne and Wes Culver to the Redevelopment Commission for a term of one year. Motion seconded by Councilwoman Gautsche and motion passed unanimously.

Mayor Kauffman stated his appointments to the Redevelopment Commission for 2007 as re-appointing current members Councilman Daniel Grimes, Tom Stark and Tom Stump.

Tree Board

Council President Thomas moved to appoint Ned Kauffman to the Tree board for a term of three years. Motion seconded by Councilwoman Gautsche and motion passed unanimously.

COUNCIL DISCUSSION

2007 Council Retreat

The Council discussed the upcoming retreat plans including shorter than in previous years reports from department heads to allow more time for Council discussion and a possible film on global warming presented by Mayor Kauffman after attending the National Conference of Mayors. The hours of the retreat for January 24 are planned as 12:00 to 5:00 p.m.

Announcement of Councilman Scott

Councilman Scott read the first eight verses of Chapter 3 of Ecclesiastes and announced that he will not be running for re-election in 2007. Councilman Scott stated he has been on the Council for 35 years this month as he started his first term at age 30. Councilman Scott further stated he intended to step down as he knows there are younger people who will do a good job on the Council. Councilman Scott also stated he has enjoyed his years of serving, has received an education and appreciates the friends he has made over the years.

Council President Thomas stated he has come to respect Councilman Scott and stated he has viewed Councilman Scott often vote for what is best for the City rather than for political gain. Council President Thomas also stated he has learned from Councilman Scott and has served as an inspiration and model for him.

Mayor Kauffman stated Councilman Scott will be missed.

Council President Thomas moved to adjourn. Motion seconded by Councilwoman Gautsche and the meeting adjourned at 8:30 P.M.

APPROVED: _____
Mayor, Allan Kauffman
Goshen, Indiana

ATTEST: _____
Tina M. Bontrager
City Clerk-Treasurer