

**REGULAR MEETING OF THE COMMON COUNCIL
(APRIL 17, 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 April 17, 2007 at 7:00 P.M. Presiding Officer was Mayor Kauffman with members of the Council present as follows:

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

ABSENT: COUNCILMAN LANTZ

PRIVILEGE OF FLOOR

Glenn Null, 319 Dewey Ave, stated he had previously informed the Council of NIPSCO failing to pick up the debris after trimming trees in the area of Linway Lake. Mr. Null further stated as a resident he cannot force NIPSCO to clean up the debris but requested that the City ask NIPSCO to clean up the debris.

Mr. Null stated he had also previously requested that the City survey the Linway Lake and find the property lines as it is important to the residents that fish the lake. Mr. Null stated he has never been told of the property lines and again requested the City survey the lake.

Mr. Null questioned if the three minute rule was going to be enforced tonight regarding the amount of time a person can address the Council on an issue and if the rule was going to be announced in advance.

Mayor Kauffman stated he would decide on the rule when the time arises.

Mr. Null questioned if the individuals that address the Council could answer questions from citizens present at the meeting.

Mayor Kauffman stated everyone that speaks at a Council Meeting on any issue is addressing the Council and if a resident has a question on the issue, it should be directed toward the Council.

John Huber, 19862 Bluff Drive stated that he had seen NIPSCO in the Linway Lake area this morning cleaning up debris.

John Hurley 906 S. 15th St, stated "God bless Goshen and the wonderful job of the Council."

CHANGES TO AGENDA

Council President Thomas moved to amend the Agenda to move items 4 & 5 to number 2 & 3 on the Agenda and further to add the Council appointee to the Redevelopment Commission as number 11 and to discuss the review process of the Community Relations Commission as number 12. Motion seconded by Councilman Grimes and motion passed unanimously.

APPROVAL OF MINUTES

Council President Thomas moved to accept the Minutes of the Council meeting of April 3, 2007 as presented. Motion seconded by Councilwoman Gautsche.

Councilman Grimes moved to amend the minutes as follows:

- Page 5, paragraph 5 should be state Councilman Grimes rather than Councilman Bloss: and
- Page 5, paragraph 6 should include the initials LEED in front of the words certification process.

Motion seconded by Councilwoman Gautsche and motion passed unanimously.

DOWNTOWN GOSHEN, INC. PRESENTATIONS

Eric Kanagy, Downtown Goshen Inc. President, stated Downtown Goshen, Inc. is a newly formed organization that grew out of the merger of Face of the City and The Downtown Action Team as the two organizations were duplicating several actions and too little was accomplished. Mr. Kanagy stated the group meets once a month and is continuing the Downtown Façade Program that funds grant money to downtown businesses toward improving the outside of the buildings. Mr. Kanagy further stated the group is starting a First Fridays program and setting a vision for the next 20 years.

Gina Liechty, 412 E. Purl St, stated she is currently in charge of the First Fridays program and Goshen has arts and entertainment venues, restaurants and retail stores that could stay open late on the first Friday of each month. Ms. Liechty further stated the Downtown Goshen, Inc. group will coordinate planned events to collaborate marketing efforts to bring entertainment to Goshen. Ms Liechty informed the Council the program will begin in June 2007 and will continue monthly throughout the year. Ms. Liechty stated the organization has received a commitment from some merchants and others have shown an interest to participate.

Council President Thomas questioned if the retail stores have shown an interest.

Ms. Liechty stated the organization is encouraging the retail stores to participate and they have shown some interest although they are hesitant due to past experience.

Councilman Bloss questioned if the organization is shooting for a certain age group of the patrons of the program

Ms. Liechty stated there are enough cultural differences in the area to interest all different age groups.

Mayor Kauffman stated it is encouraging to have youthful interest in the downtown.

**PUBLIC HEARING FOR THE ANNEXATION OF REAL ESTATE INTO THE CITY
OF GOSHEN, INDIANA IDENTIFIED AS THE LMA-HUF DEVELOPMENT
ANNEXATION AREA**

Mayor Kauffman opened the Public Hearing and explained the area to be annexed is the approximately 5 acres of industrial land on the south side of the City.

Mayor Kauffman closed the Public Hearing as no person wished to speak.

RESOLUTION NUMBER 2007-18

Council President Thomas introduced Resolution Number 2007-18 entitled “ADOPTING THE FISCAL PLAN FOR THE LMA-HUF DEVELOPMENT ANNEXATION AREA.”

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.

Councilwoman Gautsche moved to amend the Resolution on page 4, paragraph 7 to read as follows:

The building size shall not exceed 70,000 square feet on the subject real estate. The architectural design of the building shall be consistent with Exhibit A as presented to the Goshen Plan Commission on March 20, 2007.

Councilman Grimes questioned if the building shown previously to the Council at the April 3rd meeting in Exhibit A of Ordinance 4424 was an approved building design by the developer.

The motion failed for lack of a second.

Council President Thomas stated his son-in-law is a minority owner in Nappanee Windows and although the Legal Department assured him that his vote would not be a conflict of interest, he is choosing not to vote on the Resolution or Ordinance 4424 to avoid any appearance of impropriety.

By 5-0-1(ABSTAIN – THOMAS) vote of the Council, Resolution Number 2007-18 was passed.

The Council roll call vote was as follows:

AYES: BLOSS: GAUTSCHE: GRIMES: PURO: SCOTT

NAYS: NONE

ABSTAIN: THOMAS

ORDINANCE NUMBER 4424

Council President Thomas introduced Ordinance Number 4424 entitled “ANNEXATION OF REAL ESTATE INTO THE CITY OF GOSHEN, INDIANA IDENTIFIED AS THE LMA-HUF DEVELOPMENT ANNEXATION AREA.”

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.

Fred Ramser, 19824 Peach Ridge, representing LMA-HUF Development clarified to Council President Thomas that he could have voted during Resolution Number 2007-18 as LMA-HUF is not related to Nappanee Window.

Council President Thomas stated he understood.

Mr. Ramser clarified to Councilwoman Gautsche that the building previously shown in Exhibit A of the Ordinance was an example that was presented to the Council but not to the Plan Commission. Mr. Ramser further stated he understands what Councilwoman Gautsche is looking for as far as the building type.

By a 5-0-1 (ABSTAIN –THOMAS) vote of the Council the motion passed.

The Council roll call vote was as follows:

AYES: BLOSS: GAUTSCHE: GRIMES: PURO: SCOTT:

NAYS: NONE

ABSTAIN: THOMAS

ORDINANCE NUMBER 4417

Council President Thomas introduced Ordinance Number 4417 entitled “PROHIBITING SMOKING.”

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 Councilwoman Gautsche.

Jennifer Scott 16119 Crimson, stated she wants to represent youth in the City and inform the Council that it is hard to enjoy your meal at a restaurant that allows smoking especially if you have allergies.

Glenn Null, 319 Dewey Ave, questioned how the City is going to enforce the Ordinance and will violations be reported by a call to the 911 center. Mr. Null questioned section 1, sub-section 1.02, letter I in the Ordinance on page 2 as to if he would be in violation if he smoked a cigar in the park while fishing.

City Attorney Larry Barkes stated the Ordinance prohibits smoking in any enclosed building or facility in the City Parks.

Mr. Null questioned section 1, sub-section 1.03, letter L in the Ordinance on page 3 relating to vehicles as to if the owner of a business driving a company vehicle would be in violation if smoking in the vehicle within the City limits.

Mr. Null further stated he has concerns with the Council telling hotels and motels how to run their business in relation to the restrictions in the Ordinance regarding the number of smoking rooms the hotel or motel is allowed to have and the restriction that the status of rooms as smoking or non-smoking may not be changed, except to add additional nonsmoking rooms.

Angie Scott 16119 Crimson stated her daughter has asthma and it is very noticeable when someone has smoked in a restaurant or hotel room.

Emilee Cline 1425 Greencroft Drive stated smokers have more rights than non-smokers and smokers are only interested in protecting themselves. Ms. Cline further stated she enjoys playing Bingo and since the halls allow smoking she leaves smelling like smoke on her clothes. She told of an instance where she had tried to take a candle to Bingo and was told the candle was a fire hazard. Ms. Cline also stated she sees cigarette butts along the streets and again stated smokers have more rights.

John Huber 19862 Bluff Drive stated he supports the Ordinance and hopes the medical community members at the meeting will again stand up and speak in favor of the Ordinance.

Carol Westbrook, 19982 Bluff Dr, stated she moved here from Massachusetts which is a non-smoking state and has found it is almost impossible to be able to go into an establishment that serves alcohol that does not allow smoking. Ms. Westbrook stated therefore she feels a lot of “closet drinkers” would visit more of the establishments if smoking was not allowed.

Dr. Doug Swartzendruber, 58811 River Forest Dr, stated he spoke of compelling evidence that cigarette smoke and second hand smoke cause cancer, emphysema and more at the March 6 meeting of the Council. Dr. Swartzendruber further stated he moved here from Maryland which also is non-smoking state and always enjoyed bowling with his family. Dr. Swartzendruber stated he cannot continue that activity in Goshen due to the second hand smoke.

Dennis McCarthy of Syracuse and owner of Double D’s Hometown Bar & Grill, stated he is requesting the Council exempt businesses where the customers have to be 21 years of age or older.

Freeda Huser, owner of County Seat Café, questioned how the Council could exempt certain businesses and determine where second hand smoke is bad in some places and not in others.

Jim Hoover, 23332 Surrey Lane and owner of Maple City Bowl, stated he attended the state bowling tournament in Indianapolis recently and they allowed smoking in the bar. Mr. Hoover stated he is asking for the Council to exempt bars from the Ordinance and further he would love to clean up his bowling center from the smoke outside of the bar area.

Scott Baker, owner of Best Western, stated that most people have visited a bar and know that it can be a boisterous, festive and loud environment and further if smokers can’t smoke in bars will they stand by the street and bring the noise and festivities outside the bar or will they congregate in neighborhoods rather than bars impacting the quietness of the neighborhoods. Mr. Baker encouraged the Council to include bars in the exemptions to the Ordinance.

Dave Daughtery, Goshen Chamber of Commerce President, stated the Chamber supports a smoking ban and will continue to work with other local chambers. Mr. Daughtery further stated supporters of the Ordinance should write to their State Legislators. Mr. Daughtery also stated the Chamber supports the exemption of bars and private clubs from the ban.

Mr. Daughtery continued stating a survey was conducted by the Chamber at a Wake Up Goshen event with the following outcome:

- 40% showed support for a full ban;
- 38% showed support if the exemptions were added;
- 3% showed opposition to any ban: and

- 19% showed neither support nor opposition to the ban.

Mr. Daughtery stated the Chamber does not influence the outcome of the survey.

Mark Potuck, 810 S. 7th St, implored the Council to pass the Ordinance and pave the way for other municipalities. Mr. Potuck stated counties and states rarely take the initiative on an issue without a groundswell at the local level.

Dr. Don Minter, 1716 Coventry Dr, commended Mayor Kauffman and the Council for allowing adequate time for discussion on the ban. Dr. Minter stated the exemptions being considered are reasonable and further delaying the effective date is also reasonable to allow other municipalities to join in the ban. Dr. Minter also stated the survey of the Chamber is great.

Ron Troyer, 1105 Princeton and Elkhart City Councilman, stated it is a tough topic to look at and as a community leader listening to the concerns of the residents and business owners tonight proves the issue needs to be addressed. Mr. Troyer further stated Elkhart could use the Goshen City Council as a mentor and as Elkhart Officials pursues this issue they could learn from Goshen.

Richard Whittinger, 1004 S. Main St encouraged the Council to pass the Ordinance and stated his father was an OBGYN Specialist that smoked and slowly died of emphysema. Mr. Whittinger further stated he cannot tolerate second hand smoke and hates to walk through a doorway of smokers at a business.

Joe Dervin, 1701 Woodward Place, stated he is an ex-smoker and supports the exemptions as the Council is barking up the wrong tree protecting the adults that want to smoke. Mr. Dervin further stated he favors the State to step up and support a ban. Mr. Dervin further stated he would like to see an amendment that would not allow adults to smoke around their children such as smoking with children in vehicles.

Michael Bailey, 1625 Windsong, Elkhart, requested the Council pass a comprehensive Ordinance that does not include the exemptions as the exemptions create second class citizens. Mr. Bailey further stated the Council has heard of many States, Cities and Counties that have passed similar Ordinances without losses to businesses in the communities.

Councilman Dave Puro stated the following:

- He is concerned with the government regulating another aspect in people's lives;
- Where do the regulations end; for example obesity is a health issue also and is the government going to regulate what people eat;
- He listened to the speakers and their passions including some advocates wanting the Ordinance to be as restrictive as possible;
- He understands the business positions also and believes the Ordinance could be amended and Goshen could still have an Ordinance to be proud of and the bar owners would not have to suffer a monetary loss.

Councilman Dave Puro moved to amend the Ordinance to add a Letter G to Section 2 entitled Exemptions which allows a bar meeting certain qualifications to be exempt. Motion seconded by Councilman Grimes.

Councilman Bloss stated if the Ordinance is amended it should include all eating establishments.

Councilman Grimes stated the following:

- A Restaurant could apply for a two-way license to be exempt which would be a business decision for the owners of establishments that require the patrons to be 18 years of age or older.
- The amendment is a good compromise and will keep residents unified as a community;
- The resistance to the Ordinance in the community needs to be addressed;
- The Ordinance protects children and it will be clear with signage at to which establishments allow smoking;
- Noise potentially coming out in the street is a big concern;

- Passage of the Ordinance without the exemptions may encourage neighbors to throw house parties bringing the noise to neighborhoods; and
- If adult parents that smoke are not allowed to smoke in the bars they may decide to stay home which would subject the children to the second hand smoke that otherwise they would not have at the home during that time.

Councilman Scott questioned how much an air handling system cost that is required in the Ordinance for some businesses.

Mr. Jim Hoover stated the bowling alley recently purchased seven of these systems and the cost is around \$2,700 to \$3,000 each.

Scott Welsh stated he is in favor of the amendment and further he works part-time checking ID's at a local bar and stated when he polled customers one evening he found about 70% of the customers smoked and approximately ½ of those when asked stated they would go to another bar that allowed smoking if they could not smoke there.

Emilee Cline stated she is opposed to the amendment and further it is all about the money. Ms. Cline also stated customers may go away for awhile but they will be back.

Shawn Hurley, 906 S. 15th St, stated he favors the amendment for the aesthetics of the downtown. Further it would be a big concern without the exemption as patron standing outside of bars on Main Street is not the image wanted by most.

Angie Scott stated she likes the amendment as she does not feel the ban has to be 'all or nothing'. Ms. Scott further stated she would like to see the bar owners work on the situation at their businesses.

Greg Swisher stated he does not believe that any smoker wishes the habit on others. Mr. Swisher further stated the amendment is forgetting about the employees in the bar.

Marcia Prenguber, 414 E. Purl St, stated she is concerned about the young adults being influenced as studies have shown that young adult smokers quit after the community goes smoke free.

Richard Whittinger stated he can understand the amendment and further wishes smokers would show respect to others by allowing a little more space in doorways when smoking.

Jasmine Cervantes, 1015 S. 7th St, questioned if the amendment passes tonight and the State passes a law; would theirs override the City Ordinance.

Mayor Kauffman stated if the State's was more restrictive, then it would override the City Ordinance. As of now what the State is considering also exempts bars.

Councilwoman Gautsche stated she is in support of a comprehensive ban as the role of the Council is for the safety and welfare of the citizens. Councilwoman Gautsche also stated from the discussions held at March meetings she feels the exemptions are necessary in order for the Council to vote to pass the Ordinance therefore she is willing to vote in favor of the amendment.

Councilman Scott stated he is willing to compromise and vote for the amendment as the owner of the bar will still have a choice if they want to make the business non-smoking.

By a 5-1 (NAY-BLOSS) vote of the Council the amendment passed.

Councilman Grimes stated he is in favor of adding a requirement in the Ordinance stating all of the exempt businesses will have to obtain a permit to allow smoking. The revenue from the permit will help with the cost of enforcement and it will be clear to the City which businesses can allow smoking.

Councilman Grimes moved to amend the Ordinance to add sub-section 2.02 to Section 2 entitled Smoking Permit. Motion seconded by Council President Thomas.

Councilman Grimes stated the \$100.00 fee in the sub-section will help pay for the Building Department's time in ensuring businesses are in compliance with the Ordinance by having the permit.

Councilman Bloss stated the permit requirement places a burden on the Building Department.

Glenn Null questioned if the permit requirement would be enforced or will it be possible to waive the requirement.

Mayor Kauffman stated the Council would have the ability to waive the requirement.

Michael Bailey questioned what happens if the business falls under the exemption but doesn't meet all of the requirements.

Mayor Kauffman stated they could not allow smoking until they complied with the Ordinance. Mayor Kauffman further stated it will be up to the restaurant chains and bars as to if they want to close off the area.

Jeff Schrock, 207 Greene Rd, stated the VFW post at this time does not have any signs but could easily post signs stating smoking is allowed. Mr. Schrock requested the Council require signage in the Ordinance but not the permit.

Larry Gautsche, 601 S. 7th St, stated he is in favor of the amendment as the main concern is that the bar is closed off and the fee is needed for credibility for the inspections of the businesses.

By a 5-1 (NAY-BLOSS) vote of the Council the amendment passed.

Councilman Grimes moved to amend the Ordinance by adding sub-section 2.03 in Section 2 entitled Required Signage. Motion seconded by Council President Thomas.

Glenn Null stated the sub-section does not state exactly what the sign is to say or the size of the signs and feels the signage section needs more guidelines.

Denny Yoder stated the City should provide the sign when the \$100.00 is paid for the permit as then the signs could look like what the City wants in the businesses.

By a 6-0 vote of the Council the amendment passed.

Council President Thomas stated the Council now needs to consider an effective date for the Ordinance. Council President Thomas further stated his preference would be to give more time for other local communities and the county to conduct a process similar to what has transpired in Goshen with the proposed ban.

Council President Thomas moved to amend the Ordinance with an effective date of April 17, 2008. Motion seconded by Councilman Puro.

Scott Welsh, 1442 Hampton Circle, suggested the Council not extend the date for a year but rather 3 to 4 months.

John Huber implored the Council not to support longer than 3 months before the Ordinance would be in effect.

Richard Peddler, 22995 Larkspur Ct, Elkhart, requested the Council not extend out the date hoping for the county and state but to set an example by not extending it out more than 90 days.

Richard Whittinger stated other municipalities will not take Goshen seriously if it is extended out farther than 90 days.

Denny Yoder stated establishments that are going to have to construct a separate room would not be able to comply within 90 days. Mr. Yoder stated a minimum of six months should be given as there are definite rules of compliance in the Ordinance.

David Daughtery agreed some establishments will need at least six months for compliance.

Rhonda Griffin, 309 Colorado Dr, requested the Council not support the amendment.

Carol Westbrook stated the extension is needed for only a minority of the businesses under the exemption and wondered if those certain establishments could receive an extension.

Glenn Null stated he would be in favor of a compromise of eight months rather than a year.

Councilman Grimes stated he feels it is prudent in fairness to give time to businesses especially the restaurant chains that have additional steps in the process.

Councilman Scott stated the Building Department could work with the establishments if they are making the attempt to comply and would favor a September 1, 2007 effective date.

Councilwoman Gautsche stated she agrees the Building Department could be willing to work with certain establishments and further one year is too long to extend the effective date.

Councilman Scott moved to amend the amendment with a date of September 1, 2007. Motion seconded by Councilwoman Gautsche.

By a 4-2 (NAYS-BLOSS: GRIMES) of the Council, the amendment to the amendment passed.

Councilman Bloss stated the following:

- He feels the Police Department will have a difficult time enforcing areas of the Ordinance;
- There are so many exemptions in the Ordinance, it does not have a lot of teeth;
- He feels the Elkhart County Health Department should be behind the ban 100%;
- As a community we have made so much progress in making many places non-smoking;
- He has a hard time as a Councilman to say residents can do this but cant do that: and
- The issue should be pushed to the hilt to the County Commissioners.

Councilwoman Gautsche stated the City informed the County Commissioners and possibly the State with a clear message in Resolution 2007-11 from the March 6 meeting.

The Council roll call vote was as follows:

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

NAYS: BLOSS

(ORDINANCE 4417 DULY PASSED AND ADOPTED AS AMENDED THIS 17TH DAY OF APRIL 2007.)

RESOLUTION NUMBER 2007-21

Council President Thomas introduced Resolution Number 2007-21 entitled "APPROVING THE AGREEMENT WITH GOSHEN LITTLE LEAGUE, INC CONCERNING THE WATER CONNECTION FEE AND SEWER CONNECTION FEE."

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.

Tim Doyle, President of the Goshen Little League, requested the Council waive the water and sewer tap fees for a total of \$1500.00. Mr. Doyle stated the following:

- Due to the growth in the Little League they built restrooms at the park;
- The Little League has enjoyed a good relationship with the City by sharing the parking lots and diamonds at the park;
- The Little League Organization is ran 100% by volunteers;
- The tap fees costs are significant to the League;

- They offer sponsorships for the kids who cannot afford to join and this amount of money would allow 37 ½ kids to participate that otherwise would not have been able to;
- If the League was ran by the City Park Department staff would have to be paid: and
- Mr. Doyle further extended an invitation to everyone to visit the park.

Glenn Null stated he has concerns with the Council waiving the fees as the fees are in place for a reason. Mr. Null stated he appreciates the Little League is here but the Council passed the Ordinance for the tap fees therefore they should not waive the fees for anyone. Mr. Null further stated the fees are not City money but Utility money which is usage based not tax based.

By 6-0 vote of the Council, Resolution Number 2007-21 was passed.

The Council roll call vote was as follows:

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

NAYS: NONE

PUBLIC HEARING ON ORDINANCE NUMBER 4425

Mayor Kauffman opened the Public Hearing on Ordinance Number 4425 entitled Additional Appropriation Ordinance. Mayor Kauffman explained the Ordinance as follows:

- Parking Lot Fund - \$56,000 to re-appropriated funds that were appropriated in 2006 but not encumbered to 2007 for the purchase of a parking lot in 2007 by the Economic Improvement District: and
- Cemetery Capital Improvement Fund - \$5,000 approved by the Board of Cemetery Trustees for extension of the boulevard at Violet Cemetery.

Mayor Kauffman closed the Public Hearing as no person wished to speak.

ORDINANCE NUMBER 4425

Council President Thomas introduced Ordinance Number 4425 entitled “ADDITIONAL APPROPRIATION ORDINANCE.”

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.

By a 6-0 vote of the Council the motion passed.

Mayor Kauffman asked for unanimous Council consent to consider the Ordinance for passage during one meeting. As there were no objections, the Mayor declared that the Ordinance would be heard on second reading.

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: PURO: SCOTT: THOMAS

NAYS: NONE

(ORDINANCE 4425 DULY PASSED AND ADOPTED THIS 17TH DAY OF APRIL 2007.)

RESOLUTION NUMBER 2007-19

Council President Thomas introduced Resolution Number 2007-19 entitled “A RESOLUTION OF THE GOSHEN CITY COUNCIL TO CONTRIBUTE ECONOMIC DEVELOPMENT INCOME TAX FUNDS TO CHAMBER OF COMMERCE.”

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 Councilwoman Gautsche.

Mayor Kauffman stated the Resolution is requested for approval by him after receiving a request from the Chamber for additional funding to help support a new staff position, for which the majority of time will be spent on downtown issues. The Resolution approves contribution amounts of \$20,000 in 2007 and \$30,000 in 2008 to the Goshen Chamber of Commerce from the City of Goshen. Mayor Kauffman presented the Council with a report showing a 2007 unobligated balance in the Edit Fund of \$278,532.

David Daugherty, Goshen Chamber of Commerce President, stated the following:

- In 2005 the Chamber assisted in funding the Hyett Palma study which the new Chamber position and the merger of Face of the City and The Downtown Action Team are all suggested points in the study;
- The study stressed the need for a staff person by the City or Chamber;
- Part of the responsibilities will be to lay out a strategic plan and coordinate efforts of the downtown groups;
- The Chamber is willing to take on approximately \$75,000 additional personnel costs for the position to assist in making the downtown thrive and be successful;
- Goshen has unique items such as the downtown, The Bag Factory, The Farmer's Market and Linway Plaza;
- The Chamber has increased dues and created new investment areas of diamond and platinum to help fund the position and to help grow the local business environment: and
- The applicant will need to demonstrate their ability to benefit the community by continuing the partnerships created.

Councilman Bloss stated he is apprehensive about the additional contribution and questioned if the Council would receive a report in a year showing improvements accomplished and a plan for the following years.

Mr. Daugherty stated the Resolution is an extra push by Chamber to create the position and confirmed the Chamber will give the Council a report showing the benefits to the community.

Councilman Grimes confirmed he did request a report from the Mayor showing the EDIT funds were available as he is concerned with providing the funding. Councilman Grimes stated he agrees the Hyett Palma study does recommend a position funded by a cooperation of the City and private partnerships.

Councilwoman Gautsche stated her appreciation for the Chamber's leadership and further the contribution by the City does show public and private cooperation.

Jack Sheets, 300 W. Lincoln, stated he is a Goshen Chamber of Commerce Board Member and fully supports the contribution as it is a great example of a quality endeavor.

By 6-0 vote of the Council, Resolution Number 2007-19 was passed.

The Council roll call vote was as follows:

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

NAYS: NONE

RESOLUTION NUMBER 2007-20

Council President Thomas introduced Resolution Number 2007-20 entitled "A RESOLUTION OF THE GOSHEN CITY COUNCIL TO CONTRIBUTE EDIT FUNDS TO U.S. 31 COALITION."

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.

Mayor Kauffman stated the City has given \$5,000 to the coalition for several years. Mayor Kauffman further stated Elkhart County reduced its contribution last year and the Mayor assumed with the Major Moves funding, the upgrading of U.S. 31 was a done deal. The coalition has asked for support from the City in 2007. Mayor Kauffman further stated he

believes improving U.S. 31 will benefit the economy therefore he is asking the Council to approve a reduced contribution amount in 2007.

David Daughtery urged the Council to pass the Resolution as it is important for municipalities to show support for the project.

By 6-0 vote of the Council, Resolution Number 2007-20 was passed.

The Council roll call vote was as follows:

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

NAYS: NONE

COUNCIL APPOINTMENT TO REDEVELOPMENT COMMISSION

Council President Thomas stated Mr. Wes Culver has resigned from the Redevelopment Commission. Council President Thomas further stated the real estate background of Mr. Culver's was beneficial to the commission. Council President also stated Mr. Culver recommended Mr. Steve Oyer who also has real estate experience for the position.

Council President Thomas moved to appoint Mr. Oyer to the position of Redevelopment Commission Member. Motion seconded by Councilman Bloss.

Councilman Grimes who also is a commission member stated he favors the appointment as he confirms Mr. Culver's real estate experience has been valuable to the commission.

By a 6-0 vote of the Council, Mr. Oyer was appointed to the position of Redevelopment Commission Member.

REVIEW PROCESS OF COMMUNITY RELATIONS COMMISSION

Council President Thomas reminded the Council that three years ago the Council passed an Ordinance for funding the Community Relations Commission. In the Ordinance it was stated the Council will evaluate the commission before funding additional activity. Council President Thomas asked if three members could form a sub-committee to evaluate the commission and bring a recommendation back to the Council by September 1, 2007. Council President Thomas suggested one member of the sub-committee be a Council Member that voted against the formation of the Community Relations Commission, one member be Council Member that voted for the formation and the following be a Council Member that did not vote. Council President Thomas stated Councilman Puro has already agreed to sit on the sub-committee.

After discussion, it was decided Councilman Bloss, Councilwoman Gautsche and Councilman Puro would form the committee.

Council President Thomas moved to adjourn. Motion seconded by Councilman Scott and the meeting adjourned at 9:45 P.M.