



Common Council Meeting – Minutes

Date: March 16, 2020

Time: 7:00 pm

Council Members in Attendance: Todd Nunemaker, Amy Rosa, Brandie Yoder, Denny Miller

Also Present: Mayor: Phil Jenkins, **Clerk-Treasurer:** Jeff Knight and eleven guests (including Judge Osterday). Merrie Chapman from the press was in attendance.

- Call to Order: Mayor Jenkins called the meeting to order at 7:00 pm.
- Roll Call: All Council members were in attendance except Anna Huff.
- The minutes from the March 2nd, 2020 meeting were submitted by Mayor Jenkins. Councilwoman Rosa motioned they be accepted. Councilwoman Yoder seconded. There was no further discussion regarding the minutes. The minutes were approved unanimously by voice vote.
- Petitions and Comments by Citizens:
 - Mayor Jenkins recognized Judge Christine Osterday and yielded the floor for her to introduce herself as a candidate for 1st Superior Court Judge. She was appointed mid-term after the prior judge passed away. This will be her first election.
 - Public Hearing for Ordinance 1567 – LFM/Newmar Annexation: Mayor Jenkins opened the meeting. Clerk-Treasurer Knight provided proof of publication for the public hearing. There were four individuals who requested to speak: Crystal Welsh (representing Abonmarche) who resides at 1009 59th St., Goshen; Thomas Mast who resides at 27770 CR 48, Nappanee; Sandra Greene who resides at 29356 CR 52, Nappanee; and Larry Greene who also resides at 29356 CR 52, Nappanee.
 - Ms. Welsh gave a brief description of the project. If approved, they will move forward with a replat so the property can be rezoned. She noted her willingness to answer questions if there were any for her.
 - Mr. Thomas Mast spoke on behalf four member of his church. He commented on the narrowness of the road and requested that a designated buggy lane be created. He also noted the closeness of residential homes next to industrial property. It is his preference

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that the land remain agricultural. Mayor Jenkins commented that the City has been in contact with the County in order to address similar issues to what Mr. Mast raised.

- Mrs. Sandra Greene spoke on behalf of keeping the property quiet and peaceful. She didn't like the idea of turning the property into an industrial purposed property. She also did not like the idea of encroaching on what she would define as natural resources.
 - Mr. Larry Greene voiced two concerns. One was safety due to the traffic and speed. The second was the encroaching of the Berlin Court Ditch into what is primarily a residential area. Mayor Jenkins responded that the City's Master Plan was updated in 1998 with an additional update in 2000. The property being considered in this resolution was designated for future industrial development. This was approved by the committees that worked on the plan, the Council, and the Plan Commission. Mayor Jenkins asked Superintendent Lehman to display the map of the area and then discussed the areas designated for future growth and in what capacity. Attorney Hoffer also noted how thoroughly the plan had been vetted.
 - With no further discussion the Mayor Jenkins closed the public hearing.
- Reports from Committees, Boards and Commissions:
 - Clerk-Treasurer's Report – January 2020. The report was presented to the Council. Councilman Nunemaker motioned to accept the report. Councilman Miller seconded. The report was accepted unanimously by voice vote.
 - Unfinished Business:
 - Second Reading of Ordinance 1567 – LFM/Newmar Annexation: Councilwoman Yoder motioned to approve the second reading of Ordinance 1567. Councilman Nunemaker seconded. Councilman Nunemaker confirmed that the Council had record of the addresses of those who had addressed the Council and discussed briefly with Mr. Greene and Mr. Mast about others who may be impacted, or whom they represented. Mr. Mast also noted the congregation size of the church was approximately 30. Councilwoman Yoder inquired about a noise violation that Mr. Mast had mentioned. Mr. Mast responded that the noise violation was not in the area being discussed. Mayor Jenkins and Superintendent Lehman also discussed options to cut down on noise. Councilwoman Yoder inquired of Ms. Welch what the number of new jobs was estimated to be. Ms. Welch was not able to provide a number.



With no further questions or comments, the second reading was approved unanimously by voice vote. The Third Reading is scheduled for Tuesday, March 31st, at 7:00 pm.

- New Business:
 - Resolution 727-20 Fiscal Plan for LFM/Newmar Annexation: Councilman Nunemaker moved to approve the Fiscal Plan. Councilwoman Rosa seconded. Mayor Jenkins outlined the Fiscal Plan. The plan was approved unanimously by voice vote.
 - Preliminary Plat for Market Street Subdivision: Superintendent Lehman gave a brief presentation regarding the preliminary plat. Councilwoman Yoder motioned to approve the preliminary plat. Councilwoman Rosa seconded. Councilman Nunemaker inquired about the location and dimension of the parking lot. With no further questions the preliminary plat was approved unanimously by voice vote.
- A/P Vouchers:
 - City Accounts Payable Vouchers in the amount of \$436,897.40 were submitted for approval. Councilman Nunemaker made the motion to approve the vouchers and Councilman Miller seconded. The Council approved the City A/P vouchers unanimously by a voice vote.
 - Parks and Recreation Accounts Payable Voucher in the amount of \$1,507.50 was submitted for approval. This is a pass-through account that accepts online credit card payments. Those balances are then transferred from the Rec Desk account into the City's Parks and Rec account. Councilman Nunemaker motioned to approve the vouchers and Councilwoman Miller seconded. The Council approved the Parks and Rec A/P voucher unanimously by voice vote.
- Reports of City Officers: There were no questions for the department heads in attendance. Mayor Jenkins notified the Council that The Elder Haus is closed. He continued by discussing the impact that COVID-19 was having on the community and his conversations with the WaNee School Superintendent, Goshen Hospital, and other organizations. The City will take action to set up an Emergency Operations Center and treat this like a disaster. Mayor Jenkins provided the Council a Declaration from the Mayor of Lawrence, Indiana, asked permission to modify the language to pertain to Nappanee, adopt the declaration of emergency, and make it effective beginning on Wednesday. Councilwoman Yoder thought the measures were practical and necessary. Councilman Miller motioned to give permission to modify and adopt the declaration of emergency and supported



the extension in the future as necessary. Councilman Nunemaker seconded. Permission was granted unanimously by voice vote.

With no further business to be discussed, Councilwoman Yoder motioned to adjourn the meeting and Councilwoman Rosa seconded. The meeting was adjourned at 8:01 pm by unanimous voice vote.