

**MINUTES OF THE REGULAR MEETING OF THE
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA
JUNE 20, 2012**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday, June 20, 2012, in the Council Chambers of City Hall located at 610 Main Street, Jasper, Indiana.

Call to Order. Presiding Officer Mayor Terry Seitz called the meeting to order at 7:00 p.m.

Roll Call.

Clerk-Treasurer Juanita S. Boehm called the roll.

Mayor Terry Seitz	Present
Council members:	
Gregory Schnarr	Present
David Prechtel	Present
Thomas Schmidt	Present
Earl Schmitt	Present
Kevin Manley	Present
Randall Buchta	Present
Raymond Howard	Present
City Attorney William Shaneyfelt	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Boehm announced that in order to have a quorum for the meeting, a majority of the council members must be in attendance. All seven of the council members were in attendance; therefore, there was a quorum for the meeting.

Approval of the Minutes.

1. Mayor Seitz asked for approval of the minutes from the May 23, 2012 council meeting.

A **motion** was made by Council member David Prechtel and seconded by Council member Kevin Manley to accept the minutes as presented. Motion carried 7-0.

2. Mayor Seitz asked for approval of the May 23, 2012, executive session memorandum.

A **motion** was made by Council member Thomas Schmidt and seconded by Council member Raymond Howard to approve the memorandum as presented. Motion carried 7-0.

Utility Service Board. General Manager of Utilities Gerald ‘Bud’ Hauersperger gave a report of the regular monthly Utility Service Board meeting held on June 18, 2012. Copies of the minutes are supplied to each council member.

City Attorney Appointment. Mayor Seitz said he plans to appoint Renee Kabrick as the city attorney beginning July 2, 2012 and asked the council to confirm that appointment.

A **motion** was made by Council member Thomas Schmidt and seconded by Council member Kevin Manley to accept the appointment of Renee Kabrick as city attorney. Motion carried 7-0.

Mayor Seitz thanked Shaneyfelt and Bohnenkemper for their exemplary services.

Attorney Budget Discussion. Mayor Seitz said to maintain continuity of the law department from in-house counsel at the conclusion of 2011 to outside counsel from January 1 – June 30, 2012 and then returning to in-house counsel effective July 1, there may be the need for an additional appropriation. The potential for such appropriation in 2012 will depend on current budget expenditures. An additional \$ 8,000 from the utilities and \$8,000 from the civil city may be needed. The additional amount will cover:

- Compensation for Shaneyfelt & Bohnenkemper through June 30, 2012 based on their not-to-exceed contract
- Compensation for Renee Kabrick through the end of the 2012 calendar year
- Compensation for Renee Kabrick as Assistant Attorney prior to assuming full-time duty
 - Not to exceed three, 8-hour days, or 24 hours, based on the hourly wage determined from her starting salary
- Banked hours for the potential use of Contractual Services for Renee to use after July 1.
 - The city attorney will determine the need for Contractual Services once she is on the job.

There was some discussion about the need for the assistant city attorney position. Mayor Seitz said it will only be for three days or less. He feels this transition period of time is necessary and the incoming attorney should be compensated.

Ordinance No. 2012-16 that adds the assistant city attorney position and rate of pay was then presented.

Ordinance No. 2012-16 AN ORDINANCE AMENDING ORDINANCE NO. 2011-20 ENTITLED AN ORDINANCE AFFIXING SALARIES AND WAGES FOR THE ELECTED OFFICIALS AND THE CIVL CITY EMPLOYEES OF THE CITY OF JASPER, INDIANA FOR THE YEAR 2012

This ordinance adds the part time assistant city attorney position and range of compensation and changes the city attorney compensation in the salary ordinance.

A motion was made by Council member David Prechtel and seconded by Council member Randall Buchta to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Gregory Schnarr and seconded by Council member Earl Schmitt to have the ordinance read by title only. Motion carried 7-0. City Attorney William Shaneyfelt so read the ordinance. Thereafter, a motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to pass and adopt Ordinance No. 2012-16 with amendment not to exceed 24 hours. Motion carried 7-0.

Mayor Seitz said the council needs to approve the use of Shaneyfelt and Bohnenkemper contractual services if needed after July 1, 2012 at the rate of \$120 per hour. The Utility Service Board agreed to pay half of the cost for any joint matters, and pay 100% of matters related to the utilities.

Council member Gregory Schnarr asked if there is a limit on the number of hours the city can contract with Shaneyfelt and Bohnenkemper. Shaneyfelt said there is a limited amount of funds appropriated; therefore they cannot exceed that dollar amount.

A motion was made by Council member Gregory Schnarr and seconded by Council member Thomas Schmidt to utilize the services of Shaneyfelt and Bohnenkemper on a contractual basis at \$120 per hour at the request of the city attorney and approval of the Mayor. Motion carried 7-0.

Resolution No. 2012-4 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF JASPER ACCEPTING SETTLEMENT OF ATRAZINE LITIGATION

This resolution authorizes counsel to take necessary action regarding settlement of atrazine litigation.

A motion was made by Council member Kevin Manley and seconded by Council member Gregory Schnarr to consider the resolution for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member David Prechtel to have the resolution read by title only. Motion carried 7-0. City Attorney William Shaneyfelt so read the resolution. Thereafter, a motion was made by Council member Gregory Schnarr and seconded by Council member Earl Schmitt to pass and adopt Resolution No. 2012-4. Motion carried 7-0.

Ordinance No. 2012-15 AN ORDINANCE AMENDING ORDINANCE NO. 2011-21 ENTITLED AN ORDINANCE AFFIXING SALARIES AND WAGES FOR THE UTILITY EMPLOYEES OF THE CITY OF JASPER, INDIANA FOR THE YEAR 2012

This ordinance adds the meter technician position and range of compensation in the Utility Business Office section of the salary ordinance.

A motion was made by Council member Raymond Howard and seconded by Council member David Prechtel to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member David Prechtel and seconded by Council member Gregory Schnarr to have the ordinance read by title only. Motion carried 7-0. City Attorney William Shaneyfelt so read the ordinance. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Thomas Schmidt to pass and adopt Ordinance No. 2012-15. Motion carried 7-0.

Ordinance No. 2012-17 AN ORDINANCE ADOPTING POLICIES RELATING TO NEPOTISM AND CONTRACTING WITH A UNIT BY A RELATIVE

This ordinance adopts a nepotism policy and a contracting with a unit by a relative policy.

A motion was made by Council member Gregory Schnarr and seconded by Council member David Prechtel to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Earl Schmitt to have the ordinance read by title only. Motion carried 7-0. City Attorney William Shaneyfelt so read the ordinance. Thereafter, a motion was made by Council member Raymond Howard and seconded by Council Member Thomas Schmidt to pass and adopt Ordinance No. 2012-17. Motion carried 7-0.

Under discussion City Attorney Shaneyfelt said according to a new State law a nepotism policy needs to be adopted by July 1. This law also requires contractors to make full disclosure regarding nepotism.

Reminder. Mayor Seitz reminded everyone that there is a concert at the Arts Center on June 23, 2012. Outside activities begin at 5:30 p.m. and the indoor concert begins at 7:30 p.m.

Adjournment. There being no further business to come before the board, a motion was made by Council member Thomas Schmidt and seconded by Council member Randall Buchta to adjourn the meeting. The motion carried 7-0 and the meeting adjourned at 7:53 p.m.

The minutes were hereby approved _____ with X without corrections or clarification this 18th day of July, 2012.

**Mayor Terry Seitz
Presiding Officer**

Attest:

Juanita S. Boehm, Clerk-Treasurer

