

**MINUTES OF A REGULAR MEETING OF THE
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA
APRIL 23, 2014**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday, April 23, 2014, 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 Renee Kabrick	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 council members were in attendance; therefore, there was a quorum for the meeting.

Pledge of Allegiance. Mayor Seitz invited all those present to join him in reciting the Pledge of Allegiance.

Forest Park students. Josh Voegerl, one of twelve seniors from Forest Park High School who attended the meeting, said they were attending the meeting for their economics class.

Rezone/Ordinance No. 2014-5. Ken Brosmer with KAKB LLC presented a drawing of the 27.45 acres of land located between County Road 490W and Brookstone Estates IV they want to rezone. The area is known as Brookstone Estates V and is in the platting process.

City Attorney Renee Kabrick said the Plan Commission gave a favorable recommendation to rezone the property from A-1 to R-R. She also said she just learned this evening that there is a strip of land between Brookstone Estates IV and V that is not included in the rezoning proposal. Brosmer said this strip of land is approximately 8 acres and is not included in the proposed plat for Brookstone Estates V. The adjacent landowners in Brookstone Estates IV have

agreed to purchase this strip of land. Kabrick recommended changing the legal description in the proposed rezoning ordinance to add this strip of land otherwise Brookstone Estates IV is zoned R-R and if passed, Brookstone Estates V will be R-R and the strip of land between the two subdivisions would be A-1.

Mayor Seitz said the council needs to consider the proposal from Keusch Kids, LLC and KAKB, LLC to rezone 27.45 acres of land located between County Road 490W and Brookstone Estates IV from A-1 agriculture to R-R rural residential.

A notice of intent to consider this proposal was faxed to the news media and posted at city hall.

Thereafter, a motion was made by Council member Kevin Manley and seconded by Council member David Prechtel to accept the proposal to rezone the property and adopt Ordinance No. 2014-5 with the change that was requested to the legal description to include the adjacent property of approximately 8.2 acres. Motion carried 7-0.

Approval of the Minutes.

The following minutes were distributed to and examined by the Council:

1. March 19, 2014 regular common council meeting

A motion was made by Council member Thomas Schmidt and seconded by Council member Gregory Schnarr to approve the minutes as presented. Motion carried 7-0.

Utility Service Board. General Manager of Utilities Gerald ‘Bud’ Hauersperger gave a report on the regular monthly Utility Service Board meeting held on April 21, 2014. A copy of the Utility Service Board minutes is supplied to each council member.

Review tax abatement compliance form [CF-1/PP]-Kimball Hospitality Inc.

Copies of the Compliance with Statement of Benefits Form for personal property for 2014 pay 2015 from Kimball Hospitality Inc were previously submitted to the council members for their review.

Kimball Hospitality representatives Ken Kemker, Melissa Allison, Tony Ferguson, and Susan Altmeyer were present. On Kimball Hospitality’s statement of benefits form [SB-1/PP], by January 31, 2013 they were to install an estimated \$1,654,000 in manufacturing equipment and add 20 new employees. On the 3/1/14 compliance form [CF-1/PP], it shows \$1,473,227 in manufacturing equipment was installed and 12 employees added. Ferguson said since then a \$67,000 air compressor has been added. Kemker said another six employees have been added since March 1, 2014. He believes they met the requirements.

The council asked Kimball to put something in writing regarding the information they reported was added since the March 1, 2014 cutoff date for the CF-1 form that shows they are in compliance.

A motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to find that Kimball Hospitality Inc is in substantial compliance with its statement of benefits for personal property [CF-1/PP]. Motion carried 7-0.

Review tax abatement compliance form [CF-1/PP]-Kimball Furniture Group Inc. Copies of the Compliance with Statement of Benefits Form for personal property for 2014 pay 2015 from Kimball Furniture Group Inc were previously submitted to the council members for their review.

Several Kimball Furniture Group representatives were present. On Kimball Furniture's statement of benefits form [SB-1/PP], by January 31, 2013 they were to add 30 new employees. On the 3/1/14 compliance form [CF-1/PP], it shows 18 employees were added, 7 of which were added the previous year.

A Kimball representative said there was a downturn in the other sectors and they had displaced some workers. Currently six of the openings have not been filled.

A motion was made by Council member Earl Schmitt and seconded by Council member Thomas Schmidt to find that Kimball Furniture Group Inc is in substantial compliance with its statement of benefits for personal property [CF-1/PP]. Motion carried 7-0.

Review tax abatement compliance form [CF-1/PP]-Stens LLC. Copies of the Compliance with Statement of Benefits Form for personal property for 2014 pay 2015 from Stens LLC were previously submitted to the council members for their review.

Wayne Reinweister, VP of Operations for Stens, was present. On Stens' statement of benefits form [SB-1/PP], by December 31, 2013 they were to add 98 new employees and \$3,656,000 in salaries. On the 3/1/14 compliance form [CF-1/PP], it shows 79 employees and \$875,062 in salaries were added. Thirty of the 98 employees were added in the previous year.

Council member Gregory Schnarr said if one divides the \$875,062 in new salaries by the 79 new employees that averages to \$11,077 per employee. Even if some of those employees were hired later in 2013, thirty employees were already hired the previous year; therefore, the \$875,062 in wages for 79 employees appears to be low and is not near the estimated \$3,656,000 in additional wages for 98 new employees that was on the application. The council agreed that it appears the employees and salaries section of the Form CF-1/PP was not filled out properly because the salaries for the current number of employees [255] is the same as the salaries for the retained number of employees [176].

A motion was made by Council member Gregory Schnarr and seconded by Council member Kevin Manley to table the consideration of Stens' Compliance with Statement of Benefits Form for personal property. Motion carried 7-0.

Clerk-Treasurer Boehm will contact Stens' Finance Manager Rachel Reckelhoff and explain the information that is needed on the employees and salaries section of the CF-1/PP form so the council can decide whether or not Stens is in substantial compliance with their tax abatement application.

Tax abatement application-Cash Waggner. Eric Schue with Bingham, Greenebaum and Doll, said he was representing Cash Waggner Associates. Nathan Waggner was also present. Schue had a power point presentation concerning the tax abatement application submitted by Cash Waggner Associates for real and personal property. Schue said they purchased the old JOFCO building at 402 E. 13th Street. The project renovation will be \$250,000, there will be \$45,000 in additional equipment, and they will add five new jobs.

The building in its entirety totals approximately 300,000 sq. ft. The office portion is situated in approximately 70,000 sq. ft. Cash Waggner proposes to rehabilitate the office space in phases. The initial project seeks to rehab approximately 10,000 sq. ft. of office space.

RESOLUTION NO. 2014-5 RESOLUTION OF THE COMMON COUNCIL DESIGNATING A PORTION OF THE CITY OF JASPER, INDIANA, AS AN ECONOMIC REVITALIZATION AREA

This resolution declares an economic revitalization area regarding the Cash Waggner tax abatement application.

A motion was made by Council member David Prechtel and seconded by Council member Thomas Schmidt 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 Gregory Schnarr to read the resolution by title only. Motion carried 7-0. The city attorney so read the resolution. Thereafter, a motion was made by Council member Kevin Manley and seconded by Council member Earl Schmitt to pass and adopt Resolution No. 2014-5. Motion carried 7-0.

ORDINANCE NO. 2014-6 AN ORDINANCE AMENDING ORDINANCE NO. 1999-35 ENTITLED AN ORDINANCE AUTHORIZING PAYMENT OF SPECIFIED EXPENSES PRIOR TO ALLOWANCE OF THE CLAIM BY BOARDS OF THE CITY

This ordinance allows the payment of credit card charges needing to be paid to comply with the company's billing cycle to avoid paying penalty and interest.

A motion was made by Council member Kevin Manley and seconded by Council member Thomas Schmidt 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 Raymond Howard to read the ordinance by title only. Motion carried 7-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member Earl Schmitt and seconded by Council

member Randall Buchta to pass and adopt Ordinance No. 2014-6. Motion carried 7-0.

Other business. The council members wanted to know the status of several projects.

[1] the status of selling the Lechner property, 30th Street Park, and the Truman Road property

Kabrick said previously the Park Board recommended to the Jasper Common Council to hold off selling three parcels of land listed below until they know what the plans are for the Parklands (former Jasper Country Club) property:

St Charles/Truman Rd Area (10.99 acres); 30th St Park (13.25 acres); Lechner Property – Precious Blood Area (18.58 acres).

The Park Board also recommended that the Council keep the Mill Street Park (Bockelman Property).

There was some discussion about moving forward and selling the Lechner property, 30th Street Park, and the Truman Road property and see where the Rainy Day Fund reimbursement stands after selling these three parcels and after selling part of the Parklands property to the school before the City considers selling the Bockelman property. Mayor Seitz said at an earlier meeting a business owner said he would be interested in the Bockelman property and if he purchased the land it would go back on the tax rolls.

The council requested that the sale of property be reopened. Kabrick said a public hearing before the Board of Public Works and Safety would need to be scheduled regarding the property sale. That board would have the hearing and then would consider the matter and then make a recommendation to the Council.

[2] the status of selling land to the school

Kabrick said the following documents: Nordhoff Letter – forwarding documents; an Agreement for the Purchase and Sale of Land; and an Interlocal Joint Use Agreement were provided to the council and the RDC (including school board member Bernie Vogler) on Friday, April 18, 2014. They have been forwarded to the school's attorney. The next school board meeting will be held on April 28, 2014.

[3] the status of the Jasper Cabinet property

Kabrick said there is pretty significant interest in this property by multiple people but the information cannot be revealed at this time.

[4] any plans for the Parklands property

There is one more meeting left with CityVisions before a Plan is presented.

It has been suggested by the Park Board and the RDC that the Parklands should be opened for public use as early as possible. In the past several months the park department has been investigating issues related to opening of the Parklands.

There is a follow up meeting with Cale Knies, Mike Oeding, Ken Buck, Mayor Seitz, and Renee Kabrick scheduled for May 1, 2014 to discuss where we are.

Council member comments. Council member Thomas Schmidt said he gets asked quite frequently when US 231 through Jasper will get paved. The State paved part of it but after the 2013-14 winter season the highway is really bad. It is the worst road in Jasper that needs paving and people do not understand that it is the State's responsibility to maintain US231, not the City of Jasper's responsibility. Schmidt wondered why INDOT cannot get the paving done from Huntingburg to Jasper.

Mayor Seitz said INDOT never intended to do the entire area. Paving US231 from Huntingburg to Jasper was not in the original contract. INDOT did fix four areas.

Council member Kevin Manley suggested a formal letter from the council members to INDOT be prepared requesting major work done to US231 through Jasper. The city attorney will prepare such a letter and the council members will be contacted when it is ready for them to sign.

Council member Kevin Manley then made a formal request that the council members receive the paperwork that will be considered at a council meeting no later than Monday when the meeting is on Wednesday. He said he wants to have time so he can read the ordinances and other documents so he can make a proper decision on a matter that is presented.

City Attorney Renee Kabrick said she agrees and takes full responsibility. Her goal has been to have all documents prepared by the end of the day on the Friday before a council meeting but she got behind this month.

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 Earl Schmitt to adjourn the meeting. The motion carried 7-0 and the meeting adjourned at 8:44 p.m.

The minutes were hereby approved _____ with X without corrections or clarification this 21st day of May, 2014.

Mayor Terry Seitz
Presiding Officer

Attest: _____
Juanita S. Boehm, Clerk-Treasurer