

**MINUTES OF A REGULAR MEETING OF THE  
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA  
MARCH 20, 2019**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday, March 20, 2019, in the Council Chambers of City Hall located at 610 Main Street, Jasper, Indiana.

**Call to Order.** Presiding Officer Mayor Dean Vonderheide called the meeting to order at 7:00 p.m.

**Roll Call.**

Clerk-Treasurer Juanita Boehm called the roll.

Mayor Dean Vonderheide	Present
Council members:	
John Schroeder	Present
John Bell	Present
David Hurst	Present
Earl Schmitt	Present
Kevin Manley	Present
Nancy Eckerle	Present
Philip Mundy	Present
City Attorney Renee Kabrick	Present [arrived at 7:25 p.m.]
Clerk-Treasurer Juanita Boehm	Present

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 which is a majority; therefore, there was a quorum for the meeting.

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

**Approval of the Minutes.**

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

1. February 20, 2019 regular common council meeting

A motion was made by Council member Nancy Eckerle and seconded by Council member Earl Schmitt to approve the minutes as presented. Motion carried 7-0.

**UTILITY SERVICE BOARD REPORT**

General Manager of Utilities Gerald 'Bud' Hauersperger gave a report on the regular monthly Utility Service Board meeting held on March 18, 2019. A copy of the Utility Service Board minutes is supplied to each council member.

**PUBLIC HEARING-REVISE WATER UTILITY RATES**

Mayor Vonderheide opened the public hearing concerning Ordinance No. 2019-6 that revises the water utility rates and charges.

A notice of the revised rates appeared in the Herald on March 2, 2019. The notice was also mailed to the water utility customers located outside the city limits.

Mayor Vonderheide asked for comments from the public. No public comments were received.

Thereafter, a motion was made by Council member Earl Schmitt and seconded by Council member John Schroeder to close the public hearing. The motion carried 7-0 and the public hearing was closed.

Ordinance No. 2019-6 was then presented for second and final readings.

**ORDINANCE NO. 2019-6 AN ORDINANCE FIXING A SCHEDULE OF  
REVISED RATES AND CHARGES FOR THE SALE OF WATER BY THE  
JASPER MUNICIPAL WATER UTILITY  
(REPEALING ORDINANCE NO. 2015-14)**

This ordinance revises the water utility rates and charges.  
First reading was held February 20, 2019. Rates will become effective with billings that occur after May 1, 2019.

A motion was made by Council member Nancy Eckerle and seconded by Council member Philip Mundy to read the ordinance by title only on second reading. Motion carried 7-0. Council member John Schroeder so read the ordinance. Thereafter, a motion was made by Council member Kevin Manley and seconded by Council member David Hurst to approve the ordinance on second reading. Motion carried 7-0.

A motion was made by Council member Earl Schmitt and seconded by Council member John Bell to read the ordinance by title only on third and final reading. Motion carried 7-0. Council member John Schroeder so read the ordinance. Thereafter, a motion was made by Council member Kevin Manley and seconded by Council member David Hurst to pass and adopt Ordinance No. 2019-6 on third and final reading. Motion carried 7-0.

**Review tax abatement compliance forms [CF-1]-Indiana Furniture Industries.**

Copies of the Compliance with Statement of Benefits Form for real property and for personal property for 2019 pay 2020 from Indiana Furniture Industries Inc were previously distributed to the council members for their review. Along with the CF-1 forms was a project summary report.

Bernie Kreilein, Bret Ackerman, and Max Verkamp were present representing Indiana Furniture Industries Inc.

Mr. Kreilein then reviewed the new items that were added to the project summary report since the report was presented in 2018. He also noted that as of today, IFI has 292 employees.

Thereafter, a motion was made by Council member Nancy Eckerle and seconded by Council member Kevin Manley to find that Indiana Furniture Industries Inc is in substantial compliance with its statement of benefits for personal property and for real property [CF-1/PP and CF-1/real property]. Motion carried 7-0.

**PUBLIC HEARING-ADDITIONAL APPROPRIATIONS**

Mayor Vonderheide opened the public hearing concerning the additional appropriations for the street department's rock bucket purchase [\$13,000] and the balance of grinding costs [\$6000]. A notice of the public hearing appeared in the Herald on March 9, 2019.

Clerk-Treasurer Juanita Boehm explained that the street commissioner is requesting an additional \$19,000 for the Refuse Department but he is also reducing the Public Works Department budget by \$19,000.

Mayor Vonderheide asked for comments from the public. No public comments were received.

Thereafter, a motion was made by Council member Earl Schmitt and seconded by Council member Nancy Eckerle to close the public hearing. The motion carried 7-0 and the public hearing was closed.

Ordinance No. 2019-7 was then presented.

**ORDINANCE NO. 2019-7 AN ORDINANCE APPROPRIATING ADDITIONAL MONEY FOR THE CITY OF JASPER, INDIANA, FOR THE REMAINDER OF THE FISCAL YEAR ENDING DECEMBER 31, 2019**

This ordinance appropriates money for the purchase of a rock bucket [\$13,000] for the street department and the balance of grinding costs [\$6,000] for a pile at the resource recovery site.

A motion was made by Council member Nancy Eckerle and seconded by Council member Earl Schmitt to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member John Bell and seconded by Council member David Hurst to read the ordinance by title only. Motion carried 7-0. Council member John Schroeder so read the ordinance. Thereafter, a motion was made by Council member Kevin Manley and seconded by Council member David Hurst to pass and adopt Ordinance No. 2019-7. Motion carried 7-0.

#### **BOARD MEMBER APPOINTMENT**

Mayor Vonderheide said John Bell resigned as a member of the Redevelopment Commission effective March 5, 2019. The council needs to appoint a member to the Redevelopment Commission for the remainder of year 2019 to replace Mr. Bell.

A motion was made by Council member Kevin Manley and seconded by Council member Earl Schmitt to appoint Philip Mundy to the Redevelopment Commission to replace John Bell. Motion carried 6-0. Council member Philip Mundy abstained from voting.

#### **ORDINANCE NO. 2019-9 AN ORDINANCE CONCERNING CONSTRUCTION SITE STORM WATER RUNOFF CONTROL [Amending Ord. 2004-44]**

This ordinance amends the storm water runoff control ordinance for changes dictated by IDEM.

City Attorney Renee Kabrick reviewed the changes that were made. She also noted that Construction Site Runoff Control language pertaining to new development and redevelopment has been added.

A motion was made by Council member Kevin Manley and seconded by Council member David Hurst to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Nancy Eckerle and seconded by Council member Earl Schmitt 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 Nancy Eckerle and seconded by Council member David Hurst to pass and adopt Ordinance No. 2019-9. Motion carried 7-0.

#### **AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE/ ORDINANCE NO. 2019-8**

The Plan Commission gave a favorable recommendation regarding the proposal to amend the text of the Unified Development Ordinance No. 2016-30 regarding Signage.

City Attorney Renee Kabrick said, on an annual basis, the Plan Commission considers changes to the Unified Development Ordinance based on issues that have come before the Plan Commission and the Board of Zoning Appeals. During 2018, "Signs" were repeatedly at issue. The Board of Zoning Appeals was repeatedly called upon to consider petitions for variances related to use of electronic variable messaging signs (EVMS). In addition, the City received numerous complaints regarding the use of mobile signs. The review process has been ongoing since the fall of 2018. The Plan Commission has seen numerous language changes and it has received much public input.

There was much discussion and concerns from the council members about the negative impact on small businesses regarding the proposed language about vehicles used as signs. Kabrick said currently when vehicles are being parked to be used as signs, it is difficult to enforce, therefore, the language needs to be more

objective instead of subjective. Director of Community Development and Planning Darla Blazey gave examples of complaints the City received particularly when box trucks and trailers are used as signs. There was also discussion about the exemptions that are listed.

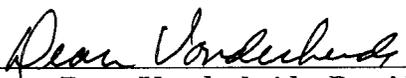
Several council members felt the City was taking a step in the right direction and should proceed with the signage amendments but note if any issues need to be addressed in the future. Several council members felt the signage amendments makes it difficult for small business owners.

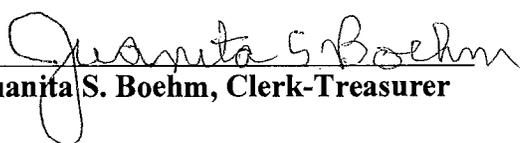
After discussion, Mayor Vonderheide said the council needs to consider the amendments to the Unified Development Ordinance regarding Signage by making a motion to [1]accept, [2]reject, or [3]amend Ordinance No. 2019-8.

Thereafter, a motion was made by Council member John Bell and seconded by Council member John Schroeder to accept Ordinance No. 2019-8 as presented. Motion carried 4-3 with Council members John Schroeder, John Bell, Kevin Manley, and Nancy Eckerle voting aye while Council members David Hurst, Earl Schmitt, and Philip Mundy voted nay.

**Adjournment.** There being no further business to come before the board, a motion was made by Council member John Bell and seconded by Council member Earl Schmitt to adjourn the meeting. The motion carried 7-0 and the meeting adjourned at 8:20 p.m.

The minutes were hereby approved \_\_\_\_\_ with  without corrections or clarification this 17<sup>th</sup> day of April, 2019.

  
\_\_\_\_\_  
Mayor Dean Vonderheide, Presiding Officer

Attest:   
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Juanita S. Boehm, Clerk-Treasurer