

**MINUTES OF A REGULAR MEETING OF THE
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA
SEPTEMBER 18, 2019**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday, September 18, 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 5:30 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
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.

JCAC. Jasper Community Arts Commission member Michael Jones attended the meeting on behalf of the Board.

Welcome. Mayor Vonderheide welcomed Ben Kizior who is a member of the Mayor's Youth Council to the meeting.

Approval of the Minutes.

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

1. August 21, 2019 regular common council meeting

A motion was made by Council member John Schroeder and seconded by Council member Nancy Eckerle 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 September 16, 2019. A copy of the Utility Service Board minutes is supplied to each council member.

PUBLIC HEARING-ADDITIONAL APPROPRIATIONS

Mayor Vonderheide opened the public hearing concerning the additional appropriations for the year 2019 that are listed in Ordinance No. 2019-23. A notice to taxpayers about the public hearing appeared in the Herald on August 31, 2019.

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 David Hurst to close the public hearing. The motion carried 7-0 and the public hearing was closed.

Ordinance No. 2019-23 was then presented.

ORDINANCE NO. 2019-23 AN ORDINANCE APPROPRIATING ADDITIONAL MONEY FOR THE CITY OF JASPER, INDIANA, FOR THE REMAINDER OF THE YEAR ENDING DECEMBER 31, 2019

This ordinance adds and reduces appropriations for the year 2019 that were presented during the August 2019 budget work sessions.

A motion was made by Council member Nancy Eckerle and seconded by Council member Philip Mundy 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 John Schroeder 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 Kevin Manley and seconded by Council member Earl Schmitt to pass and adopt Ordinance No. 2019-23. Motion carried 7-0.

PUBLIC HEARING-APPROPRIATIONS FOR 2020 BUDGET

Mayor Vonderheide opened the public hearing concerning the proposed budget for the year 2020. The Form 3 notice to taxpayers was uploaded into Gateway on September 4, 2019.

A copy of the Notice to Taxpayers, Form 3, was given to the council members prior to the meeting. Clerk-Treasurer Juanita Boehm said the total appropriations for the 2020 budget is \$23,038,230 with about \$8.3 million being raised from property taxes.

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

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

Ordinance No. 2019-24 was then presented for first reading.

ORDINANCE NO. 2019-24 AN ORDINANCE APPROPRIATING MONEY FOR THE CITY OF JASPER, INDIANA, FOR THE YEAR 2020

This ordinance contains the appropriations for the 2020 budget.

A motion was made by Council member Earl Schmitt and seconded by Council member David Hurst to read the ordinance by title only on first reading. Motion carried 7-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member John Schroeder and seconded by Council member Kevin Manley to approve the ordinance on first reading. Motion carried 7-0.

Final adoption of the Ordinance will be considered at the October 23, 2019 meeting.

ORDINANCE NO. 2019-25 AN ORDINANCE LEVYING TAXES AND FIXING THE RATE OF TAXATION FOR THE CITY OF JASPER, INDIANA, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020

This ordinance contains the advertised property tax rate of 1.1099 for the 2020 budget. [the advertised rate for 2019 budget was 1.0722. The actual rate is .8589]

A motion was made by Council member John Bell and seconded by Council member David Hurst to read the ordinance by title only on first reading. 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 Philip Mundy to approve the ordinance on first reading. Motion carried 7-0.

Final adoption of the Ordinance will be considered at the October 23, 2019 meeting.

ORDINANCE NO. 2019-26 AN ORDINANCE PERMITTING AND REGULATING MOBILE FOOD VENDORS IN THE CITY OF JASPER, INDIANA

This ordinance creates Chapter 3.26 Mobile Food Vendors.

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 John Schroeder 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. 2019-26.

A draft of the Mobile Food Vendor ordinance was discussed at several council meetings. A redlined copy of the ordinance indicating language changes to the ordinance was presented to the council members prior to this meeting.

Under discussion, Council member Philip Mundy asked about the location restrictions for special events at Schroeder Complex. City Attorney Renee Kabrick said the ordinance says “No Mobile Food Vendor shall operate within 100 feet of a Special Event, unless granted approval by the coordinator of the Special Event or the Board.” Under permitted locations and times, the ordinance says, “William Schroeder Soccer Complex parking lot (405 W 2nd Street), excluding Sundays during April, May, August, and September.”

Kabrick noted that on Page 10, Exhibit 3 Permitted Locations Map, Sundays during the month of October should also be excluded at Schroeder Complex.

Thereafter, Council member Nancy Eckerle revised the motion to pass and adopt Ordinance No. 2019-26 to say, to pass and adopt Ordinance No. 2019-26 with the amendment to Page 10, Exhibit 3 Permitted Locations Map, to say “William Schroeder Soccer Complex parking lot (405 W 2nd Street), excluding Sundays during April, May, August, September, **and October.**” Council member David Hurst seconded the revised motion. Mayor Vonderheide then called for the vote. Motion carried 7-0.

ORDINANCE NO. 2019-27 AN ORDINANCE AMENDING A PRIOR ORDINANCE RELATING TO THE RIVER CENTRE PROJECT BY RE-ALLOCATING PROJECTS UNDER THE THREE APPROVED ECONOMIC DEVELOPMENT REVENUE BONDS

This ordinance amends Bond Ordinance No. 2019-19 to re-allocate the River Centre projects.

A motion was made by Council member Kevin Manley 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 David Hurst and seconded by Council member John Schroeder 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 Kevin Manley to pass and adopt Ordinance No. 2019-27. Motion carried 7-0.

Under discussion, City Attorney Renee Kabrick explained that the Bonds for the River Centre projects were issued on September 5, 2019. The Projects will remain the same, but it is necessary to re-allocate the Projects among the different series of Bonds.

SCHEDULE A SPECIAL MEETING

For the \$1.5 million Series B Bond, the City had appropriated \$1.2 million from the Rainy Day Fund, \$200,000 from the LOIT Special Distribution Fund, and \$100,000 from the Riverboat Fund. Because the Projects are being re-allocated among the different series of Bonds, the council needs to schedule a special meeting to hold a public hearing and consider an additional appropriation ordinance regarding this matter.

The council members agreed to set the special meeting for Monday, September 30, 2019 at 8:00 a.m.

ORDINANCE NO. 2019-28 AN ORDINANCE CREATING A UTILITY SERVICE BOARD TO OPERATE THE MUNICIPAL UTILITIES (Amending Ordinance No. 430 and all amendments thereto)

This ordinance eliminates political party affiliation requirements for members of the utility service board. [IC 8-1.5-3-3(f) was amended effective July 1, 2019]

A motion was made by Council member John Bell and seconded by Council member Nancy Eckerle 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 Philip Mundy 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 David Hurst and seconded by Council member Earl Schmitt to pass and adopt Ordinance No. 2019-28. Motion carried 7-0.

ORDINANCE NO. 2019-29 AN ORDINANCE TO ESTABLISH A DEPARTMENT OF STORM WATER MANAGEMENT FOR THE CITY OF JASPER, INDIANA (Amending Ordinance No. 2003-14)

This ordinance eliminates political party affiliation requirements for directors of the storm water management board. [IC 8-1.5-5-4(c) was amended effective July 1, 2019].

A motion was made by Council member Earl Schmitt 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 John Bell and seconded by Council member David Hurst 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 Kevin Manley and seconded by Council member Earl Schmitt to pass and adopt Ordinance No. 2019-29. Motion carried 7-0.

Comments. Before adjourning, Council member Nancy Eckerle distributed a copy of a news article about the garbage disposers requirement in Jasper.

An update of the status of the pool fence and/or pool cover requirement was given.

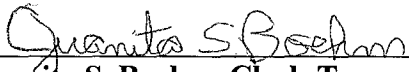
Council member Earl Schmitt commented about a person in his council district who was informed that after a utility locate was done by the City, the City discovered a private gas line is located under this person's garage. The garage was built by a previous property owner. Since the current property owner has to deal with this issue, Schmitt hopes things are in place to prevent this from happening to someone in the future. City Attorney Renee Kabrick said the burden is on the property owner to know where the easements are located.

Adjournment. There being no further business to come before the board, a motion was made by Council member Earl Schmitt and seconded by Council member John Bell to adjourn the meeting. The motion carried 7-0 and the meeting adjourned at 6:29 p.m.

The minutes were hereby approved _____ with without corrections or clarification this 23rd day of October, 2019.



Mayor Dean Vonderheide, Presiding Officer

Attest: 

Juanita S. Boehm, Clerk-Treasurer