

**MINUTES OF A REGULAR MEETING OF THE  
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA  
JANUARY 18, 2023**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday January 18, 2023, 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 Kiersten Knies called the roll.

|                                | <u>In Person</u> | <u>Video</u> | <u>Absent</u> |
|--------------------------------|------------------|--------------|---------------|
| Mayor Dean Vonderheide         | X                |              |               |
| Council members:               |                  |              |               |
| John Schroeder                 | X                |              |               |
| Chad Lueken                    | X                |              |               |
| David Hurst                    | X                |              |               |
| Paul Lorey                     | X                |              |               |
| Kevin Manley                   | X                |              |               |
| Nancy Eckerle                  | X                |              |               |
| Philip Mundy                   | X                |              |               |
| City Attorney Renee Kabrick    | X                |              |               |
| Clerk-Treasurer Kiersten Knies | X                |              |               |

Knies 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 at the beginning of the meeting which is a majority; therefore, there was a quorum for the meeting.

**Moment of Personal Reflection.** Mayor Vonderheide asked that all present take a moment for personal reflection.

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

**Approval of the Minutes.** The minutes from Regular Council Meeting December 21, 2022, were distributed to and examined by the Council. A motion was made by Council member Kevin Manley and seconded by Council member Paul Lorey to approve the minutes from December 21, 2022, without corrections. Motion carried 7-0.

**PRESENTATION TO THE COUNCIL**

Mayor Vonderheide presented the Pfaffenweiler Clock to the Council. During the 35<sup>th</sup> Anniversary trip to Pfaffenweiler this summer Dieter Hahn, former Burgermeister of Pfaffenweiler, presented this beautiful clock to the City of Jasper. Under Dieter's direction, Micro Haberlin created the partnership clock that displays Jasper and Pfaffenweiler time as well as our new partnership logo. The clock will be displayed on the wall as you enter Jasper City Hall.

**CONFLICT OF INTEREST DISCLOSURE STATEMENTS**

A Conflict of Interest Disclosure Statement submitted by Paul Lorey was presented to the council for acceptance. Lorey is a member of the Common Council and employed by Hopf Equipment who at times may sale or service the City's mowing and industrial equipment.

A Conflict of Interest Disclosure Statement submitted by Jerald Schitter was presented to the council for acceptance. Schitter is the City's electric manager and serves as a member of the Board of Commissioners of the Indiana Municipal Power Agency that sets the rates for the power that the City of Jasper purchases each month.

A motion was made by John Schroeder and seconded by Chad Lueken to accept the Conflict of Interest Disclosure Statements from Jerald Schitter and Paul Lorey. Motion carried 6-0, with Council member John Schroeder abstaining.

### **ENCUMBERED APPROPRIATIONS**

A list of encumbered appropriations from the 2022 budget that will be transferred to the 2023 budget was presented to the council prior to the meeting. The council was asked to accept the list of encumbrances totaling \$8,023,951.00.

A motion was made by Nancy Eckerle and seconded by Kevin Manley to accept the list of encumbrances for year 2022 into year 2023 into the record. Motion carried 7-0. Certification of Encumbrances attached.

### **PRSEDENT PRO TEMPORE FOR 2023**

Mayor Vonderheide advised pursuant to IC 35-4-6-8(b) the legislative body must choose from its members a president pro tempore to preside whenever he is absent.

A nomination was made by Dave Hurst and seconded by Phil Mundy to elect Kevin Manley as president pro tempore in the event of the mayor's absence. Nomination carried 6-0, with Council member Kevin Manley abstaining.

### **HELP GRANT UPDATE**

Council reviewed a list of proposed projects for each of the 4 Hoosier Enduring Legacy Pathways: Advancing e-Connectivity; Promotion Community Wellness; Enhancing Quality of Place; and Strengthening Local Economies. Council was asked to provide feedback and input to Rilyn Bawel, Help Grant Community Coordinator, prior to the prioritization meeting set for February 2, 2023.

### **LEGAL DEPARTMENT PRESENTATION**

City Attorney Renee Kabrick gave an update to the Council on the Legal Department over the past year. Jane Chambers has been a fabulous asset to the department. She makes it possible for the Legal Department to represent all the departments, boards, and utilities. The Legal Department serves in a supportive role for the City. They are involved in all the projects that go on and advise all departments on a day-to-day basis. In 2022 the Legal Department drafted 48 Ordinances and 30 Resolutions, including an Animal Control Ordinance and a review of the UDO. This year they also assisted Engineering in the redistricting of the Council Districts and went through the process of closing on General Obligation Bonds.

The Legal Department further assists the various departments in their projects by drafting bid documents and quote packages, noticing advertisements, and helping make everything run smoothly. In 2022, the City began work on 40 small projects and 12 large projects over \$50,000.00, including the Courthouse Square, Buffalo Trace Driving Range, Main Street Phase II, Arts Center Remodel, Outdoor Swimming Pool and Community Wellness Center.

The Legal Department also represents the boards and attends all board meetings. The BZA and Planning commission often have issues arise that are controversial or near and dear to the hearts of the property owners to which the Legal Department takes the time to meet with the developers or property owners and gets them together with staff, engineering, planning, street, or any other department and works towards an agreeable solution.

The Legal Department reviewed and assisted with negotiations in 16 Performing Arts Contracts in 2022, as well as contract negotiations with various City partners such as the Farmers Market, the Chamber, Dubois Strong, Heart of Jasper and ROJAC for the betterment of our community. The Legal Department also worked on land acquisitions and land sales for projects. For example, acquiring property for the water pit for the back up water supply and the potential sale of Camp Carnes and the Power Plant.

The Legal Department assisted in the implementation of GoGov, the City's new code enforcement software. It is currently up and running and should help the department run more efficiently.

Finally, the Legal Department at times refers to outside council for various needs such as the Opioid Litigation which resulted in a settlement where the City will receive just shy of \$160,000.00 over the course of the next 16 years. They also work with outside council on bonding, large litigation, employment issues and any other specialized issues that arise that require a larger staff.

### **PERSONNEL/SAFETY/LOSS CONTROL DEPARTMENT PRESENTATION**

Personnel/Safety/Loss Control Director Cale Knies gave an overview of the climate in the Department to the Council over the last year. He indicated that 2022 was somewhat normal but also challenging. He referred to the year as the 'the great retirement'. He stated that the city was approximately 64 or 65 years of age, with 12 retirements last year and with 3 current openings and 4 more to come over the next couple of months, again, mostly due to retirement. He noted that 35% of the City's staff was at 0-5 years of services so while we are losing a ton of information, skills, and experience to retirement we are also seeing skills and experience grow.

Knies pointed out that in interviews it used to be standard for an applicant to tell the city why they should be hired and now the applicant wants to know why they should work for the city. To which, he pointed out that the city has several good recruiting tools. The Council approved longevity pay, which aides in not only attaining quality employees but also keeping them. He also pointed out that the city received the Next Level Jobs grants to assist in hiring, education, and training of qualified certified water operators. Also, the city implemented a volunteer program to help new employees with education and behind the wheel training to obtain their CDL.

He also advised that the employee health benefits have not gone up in price or changed in deductible since Mayor Vonderheide came on board, which can be attributed to little changes the city makes here and there to save money as well as employee participation. The Health and Wellness Program has assisted in this tremendously. Weight checks, blood pressure checks, and the many activities for people trying to be healthy has had a positive impact on that as well.

He notes that while the city has Compensation, Retirement, and Health Benefits, that we must remain proactive in what we can offer. Other agencies and cities and towns are looking to us to see how they can be complete and therefore we must keep looking for new ways.

Knies also indicated that the City has a very strong safety culture. 3 inspectors from the Department of Labor did an inspection and indicated that how we do things is the correct way. His department also works closely with the Legal Department to reduce claims.

#### **ORDINANCE NO. 2022-14**

#### **AN ORDINANCE OF REGULATING THE MAINTENANCE AND CONTROL OF ANIMALS WITHIN THE CITY OF JASPER, INDIANA AND PROVIDING PENALTIES FOR VIOLATIONS OF SUCH REGULATIONS**

A motion was made by John Schroeder and seconded by Nancy Eckerle to read the resolution by title only. Motion carried 7-0.

City Attorney Renee Kabrick so read Ordinance No. 2022-14 by title only.

Thereafter a motion was made by Paul Lorey and seconded by Kevin Manley to approve the ordinance on first reading.

After further discussion, an amended motion was made by Paul Lorey and seconded by Kevin Manley to approve the ordinance on the first reading with the removal of the last 8 words in Section X 'except in the case of a service dog.' Motion carried 7-0.

This ordinance will be made available for second reading on February 22, 2023.

#### **ORDINANCE NO. 2022-42**

#### **AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE FOR THE CITY OF JASPER, INDIANA**

#### **(AMENDS PREVIOUSLY ADOPTED UNIFIED DEVELOPMENT ORDINANCE)**

A motion was made by Nancy Eckerle and seconded by Phil Mundy to read the ordinance by title only on second reading. Motion carried 7-0.

City Attorney Renee Kabrick so read Ordinance No. 2022-42 by title only on second reading.

After no further discussion, a motion was made by Paul Lorey and seconded by Dave Hurst to approve the ordinance on the second reading. Motion carried 7-0.

This ordinance will be made available for third and final reading on February 22, 2023.

#### **ORDINANCE NO. 2023-1**

#### **AN ORDINANCE ESTABLISHING FEES FOR ACTIVITIES OF THE JASPER DEPARTMENT OF PARKS AND RECREATION (AMENDS JASPER MUNICIPAL CODE §§1.15.010)**

A motion was made by Kevin Manley and seconded by John Schroeder to consider the ordinance for one reading only. Motion carried 7-0.

A motion was made by Chad Lueken and seconded by Dave Hurst to read the ordinance by title only. Motion carried 7-0.

City Attorney Renee Kabrick so read Ordinance No. 2023-1 by title only.

Thereafter, a motion was made by Kevin Manley and seconded by Nancy Eckerle to pass and adopt Ordinance No. 2023-1. Further discussion was held. Motion carried 7-0.

#### **ORDINANCE NO. 2023-2**

#### **AN ORDINANCE TO TRANSFER APPROPRIATIONS FOR THE CITY OF JASPER, INDIANA, FOR THE REMAINDER OF THE FISCAL YEAR ENDING DECEMBER 31, 2023.**

A motion was made by Paul Lorey and seconded by Kevin Manley to consider the ordinance for one reading only. Motion carried 7-0.

A motion was made by Nancy Eckerle and seconded by Paul Lorey to have the ordinance read by title only. Motion carried 7-0.

City Attorney Renee Kabrick so read Ordinance No. 2023-2 by title only.

Thereafter, a motion was made by Nancy Eckerle and seconded by Paul Lorey to approve pass and adopt Ordinance No. 2023-2. Further discussion was held. Motion carried 7-0.

## **UPDATES TO COUCNIL**

### **Little Spruce Nature School.**

City Staff, the Mayor, representative of the Common Council and a representative of the park Board met to discuss the disposition of the Camp Carnes property. Based on this discussion and information that was received from market analysis of the property and the timber, a proposal was forwarded to representatives of Little Spruce Nature School. The Legal Department is waiting for a response.

### **Power Plant Property**

The Jasper Redevelopment Commission is assisting with the redevelopment of this property. The RDC approved a contract with ATLAS Technical consultants, LLC to conduct a Phase I and II and geotechnical analysis of the property. The reports have been received and submitted to IDEM. A conversation with the case manager seemed favorable and it seems that any remediation will not be terribly expensive or invasive. The Legal Department is waiting for a formal letter back from IDEM.

### **Boards and Commissions Appointment Process**

The team is meeting on January 19, 2023. The team will report back to the Council at the February meeting.

**Adjournment.** There being no further business to come before the board, a motion was made by Council member Kevin Manley and seconded by Council member John Schroeder to adjourn the meeting. The motion carried 7-0 and the meeting adjourned at 6:45 p.m.

The minutes were hereby approved \_\_\_\_ with    without corrections or clarification this 22<sup>nd</sup> day of February 2023.

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

Attest:   
\_\_\_\_\_  
**Kiersten Knies, Clerk-Treasurer**

**Certification of Encumbrances**

**Encumbered**

**Year 2022**

| Fund                                     | Dept.                  | Acct. #        | Title                  | Amount              |
|--|------------------------|----------------|------------------------|---------------------|
| General                                  | Arts                   | 0101.0174.4200 | Buildings & Structures | 60,000.00           |
| General                                  | City Hall              | 0101.0164.2500 | Repair Charges         | 46,500.00           |
| General                                  | Clerk Treasurer        | 0101.0042.4400 | Equipment              | 5,390.00            |
| General                                  | Legal                  | 0101.0277.4400 | Equipment              | 1,859.00            |
| General                                  | Police                 | 0101.0370.2500 | Repair Charges         | 64,375.00           |
| General                                  | Police                 | 0101.0370.4400 | Equipment              | 69,038.00           |
| General                                  | Public Works           | 0101.0500.3600 | Garage & Motor Repairs | 4,495.00            |
| General                                  | Public Works           | 0101.0500.4400 | Equipment              | 193,801.00          |
| General                                  | Sanitation & Recycling | 0101.0505.4400 | Equipment              | 231,718.00          |
| General                                  | Refuse                 | 0101.0506.3100 | Contractual Services   | 29,600.00           |
| General                                  | Streets & Alleys       | 0101.0524.4120 | Materials              | 200,000.00          |
|  |                        |                |                        | <u>906,776.00</u>   |
| Park & Recreation                        | Buffalo Tr Golf Course | 1301.0803.4120 | Materials              | 42,589.00           |
| Park & Recreation                        | Buffalo Tr Golf Course | 1301.0803.4400 | Equipment              | 40,633.00           |
| Park & Recreation                        | Buffalo Tr Golf Course | 1301.0803.4110 | Land Improvements      | 748,315.00          |
| Park & Recreation                        | General                | 1301.0802.4110 | Land-Improvements      | 28,246.00           |
| Park & Recreation                        | Mill                   | 1301.0809.2500 | Repair Charges         | 20,000.00           |
| Park & Recreation                        | Train                  | 1301.0808.3600 | Garage & Motor Repairs |                     |
|  |                        |                |                        | <u>879,783.00</u>   |
| EDIT                                     |                        | 2411.0500.4230 | Downtown Project       | 630,801.00          |
| EDIT                                     |                        | 2411.0500.3100 | Contractual Services   | 1,407.00            |
| EDIT                                     |                        | 2411.0500.4200 | Connecting Walkway     | 296,360.00          |
| EDIT                                     |                        | 2411.0500.4110 | Sidewalk Improvement   | 160,520.00          |
|  |                        |                |                        | <u>1,089,088.00</u> |
| Motor Vehicle Highway Fund               |                        | 0708.0708.4122 | Materials-Rock & Salt  | 44,130.00           |
|  |                        |                |                        | <u>44,130.00</u>    |
| Stormwater Fund                          |                        | 0091.0504.4180 | Storm Sewer Projects   | 402,873.00          |
|  |                        |                |                        | <u>402,873.00</u>   |
| Cumulative Capital Improvement Fund      |                        | 2379.2379.2500 | Repair Charges         | 140,000.00          |
|  |                        |                |                        | <u>140,000.00</u>   |
| Police Continuing Ed Fund                |                        | 0029.0370.2600 | General Supplies       | 2,000.00            |
|  |                        |                |                        | <u>2,000.00</u>     |
| LOIT Special distribution Fund           |                        | 0257.0257.3100 | Contractual Services   | 154,258.00          |
|  |                        |                |                        | <u>154,258.00</u>   |
| Fire Pension Fund                        |                        | 0341.0363.1325 | Retirement Plan Cont.  | 39,000.00           |
|  |                        |                |                        | <u>39,000.00</u>    |
| ARPA- State & Local Fiscal Recovery Fund |                        | 2401.2401.4230 | Downtown Project       | 984,865.00          |
| ARPA- State & Local Fiscal Recovery Fund |                        | 2401.2401.3100 | Contractual Services   | 1,065,014.00        |
| ARPA- State & Local Fiscal Recovery Fund |                        | 2401.2401.4120 | Holy Family Project    | 615,000.00          |
|  |                        |                |                        | <u>2,664,879.00</u> |
| Cumulative Capital Development Fund      |                        | 2391.2391.4120 | Downtown Project       | 867,600.00          |
|  |                        |                |                        | <u>867,600.00</u>   |
| Downtown Construction & Maintenance Fund |                        | 0058.0058.4230 | Downtown Project       | 750,000.00          |
|  |                        |                |                        | <u>750,000.00</u>   |
| Park Nonreverting Operating Fund         |                        | 1309.1309.4400 | Equipment              | 22,304.00           |
|  |                        |                |                        | <u>22,304.00</u>    |
| Park Nonreverting Capital Fund           |                        | 1310.1310.4400 | Equipment              | 61,260.00           |
|  |                        |                |                        | <u>61,260.00</u>    |

8,023,951.00



Kiersten Knies  
 Clerk-Treasurer  
 1/18/2023