

November 23, 2020

The November 23, 2020 council meeting was held at the South Adams Senior Center, 825 Hendricks Street, Berne Indiana. Those present; Mayor Gregg Sprunger, Council members Ron Dull, John Wanner, Rod Mason and Kelly Amstutz along with Clerk Treasurer Gwen Maller and City Attorney Dave Baumgartner. An agenda was posted at the front door of the Senior Center and at the Berne City Building. Council member Curtis Wurster was unable to attend.

Others present at the Senior Center, Clint Anderson with the Berne Witness and Rob Weaver WPGW.

After opening with the pledge of allegiance and prayer, Mayor Sprunger verified a quorum.

### **Approval of Minutes**

Ron Dull made a motion to approve the minutes of November 9, 2020 as written. On a second by Kelly Amstutz, the motion was unanimously approved on a vote of 4-0.

### **Claims**

Rod Mason made a motion to approve the manual claims from October and the regular claims as presented. On a second by John Wanner, the motion was unanimously approved on a vote of 4-0.

### **Adams County Regional Sewer District**

City Attorney Dave Baumgartner began the discussion by advising the council that since their last meeting, when the council reviewed a draft of the ACRSD and City of Berne agreement, several changes to the terms of the agreement have been made. The route will still run from the community of Linn Grove and along County Road 700S and will bring sewage to a collection point in Berne at Hendricks and Jerome Streets, then to the City of Berne WWTP plant.

The agreement being considered tonight is more in keeping with the terms of the agreement that the city has with the Town of Monroe. Dave reported that in the first draft, the City of Berne was going to collect the charges for connections fees, which came to approximately \$ 22,000. In negotiating with the ACRSD, the fee owed the city will not be connection fees but will be based on a capacity charge. The agreed upon Gallons per Day (GPD) will be based on 39,000 gallons, which is above the average rate of 31,310 GPD. By dropping the connection fee that would have brought in approximately \$ 22,000, the ACRSD will pay the City of Berne \$148, 393 in capacity fees as figured by Baker and Tilly. In addition, the agreement was amended to change the treatment fee from \$1.00 per 1,000 metered gallons of sewage flow to \$1.122 per 1,000 metered gallons. The other change in the agreement was changing the 5-year time frame for reviewing the rates to reviewing any changes that need to be made annually, which is what is in the Town of Monroe/ City of Berne agreement.

Dave recommended to the Council that if they if they are in agreement, they approve the Sanitary Sewerage Treatment Agreement Between the City of Berne and The Adams County Regional Sewer District tonight. The Board of Public Works and Safety approved the same agreement at their November 18<sup>th</sup> regular meeting.

When asked by John Wanner if the city has to do any infrastructure upgrades to our collection system, he was advised that the city has plenty of capacity, including at our lift station to receive the expected added flow. John asked what the status would be should the city have to increase the capacity at WWTP at some point in the future. Gwen advised that in the agreement with Monroe, and now with the ACRSD, there is a surge charge that is calculated every year, and if either Monroe or the ACRSD are overcapacity as agreed, they would pay their surcharge fee. Also, Monroe paid 12 % of the cost of needed upgrades to our last expansion of the WWTP at cost of 1 million dollars. The same will also be true for the ACRSD, who will also have to pay a percentage of the cost if upgrades are required.

When asked by Rod who pays for connection fees and installation costs, he was advised the City of Berne is selling capacity, the ACRSD will pay for the installation of the new sewer line, and the property owners in Linn Grove and those within 300 feet of the new sewer line on County 700S will pay the cost of running a line from their property to the new sewer line.

After additional discussion, Ron Dull made a motion to approve the Sanitary Sewerage Treatment Agreement Between the City of Berne and The Adams County Regional Sewer District as presented. On a second by Rod Mason and by a show of hands, the motion was unanimously approved on a vote of 4-0.

**Final Consideration of Ordinance No. 734: An Ordinance of the Common Council of the City of Berne, Indiana Amending Ordinance No. 731 Regarding the Cares Fund for the City of Berne.**

Clerk-Treasurer Gwen Maller recapped the reasons as presented at the November 9, 2020 council meeting when Ord. No. 734 was introduced and which amends Ordinance 264 for the purpose of adding fund No. 150 so the money from the CARES Act can be accounted for as required by the State Board of Accounts.

Ron Dull made a motion to adopt Ordinance No. 734; An Ordinance of the Common Council of the City of Berne, Indiana Amending Ordinance No. 731 Regarding the Cares Fund for the City of Berne. On a second by Kelly Amstutz, the motion was unanimously approved on a vote of 4-0.

### **Consideration of Ordinance No. 735: Additional Appropriations regarding Ordinance No. 734.**

With the adoption of Ord. No. 734, Clerk-Treasurer Maller asked that the council consider Ord. No. 735, that will allow her to take the necessary housekeeping measures to account for the CARES Act money of \$134,933, which the city has already received, and which will satisfy the parameters set forth by the State Board of Accounts.

Rod Mason made a motion to introduce Ordinance No. 735: Additional Appropriations regarding Ordinance No. 734. On a second by Ron Dull, the motion was unanimously approved on a vote of 4-0.

Ron Dull made a motion to waive the rules and regulations in order to pass an ordinance on the night it is introduced. On a second by John Wanner, the motion was unanimously approved on a vote of 4-0.

Kelly Amstutz made a motion to adopt Ordinance No. 735; Additional Appropriations regarding Ordinance No. 734. On second by Rod Mason, the motion was unanimously approved on a vote of 4-0.

Following passage of Ord. No. 735, Gwen asked the council to approve a manual claim for \$ 134,933, which will allow her to make the necessary adjustment entries in Ord. No 735 to account for the money in the CARES fund.

Rod Mason made a motion to approve the request as presented. On a second by John Wanner, the motion was unanimously approved on a vote of 4-0.

### **Plan Commission Hearing Update**

Mayor Sprunger updated the council on the public hearing held prior to the council meeting tonight. The Plan Commission approved a Development Plan for O & R Precision Grinding for the construction of a 40,400 square foot steel and brick building on their property at the corner of Heritage Trail and Sprunger Street Extended.

### **Board of Public Works and Safety Update**

Mayor Sprunger recapped the November 18<sup>th</sup> monthly meeting of the Board of Public Works and Safety.

Two bids were received and read aloud for fuel and gasoline. Four bids were received read aloud for asphalt, stone and sidewalk repairs. The Board of Public Works and Safety took the bids under advisement so all of the paperwork and the bids could be reviewed by the different departments. The bids will be on the December 18, 2020 Board of Public Works and Safety agenda for final consideration.

The board also heard and approved a request by Terry Kongar, Superintendent of the WWTP, allowing him to get quotes on the open market for a new F 250 4X4 pick-up truck.

The board gave approval on a quote from Liberty Development for a stone base with a stone surface on an unimproved portion of Key Way Street, which is off of Liechty Street. Mayor Sprunger explained that when Key Fasteners located in Berne in 1989-1990, the city put in a portion of the platted street up to Key Fasteners property line with asphalt. Now, with additional industry along Key Way, there is a need to at least put a stone base and stone the street as platted, which will be to Poseidon's property line. Mayor Sprunger reported that there was also a quote for asphalt but was not considered at the Board of Works. Mayor Sprunger informed the council that the city would like to pave that portion of the street next spring/summer and would seek new quotes for the asphalt work at that time.

**Attorney Comments** None

**Clerk-Treasurer Comments**- None

**Mayor Comments**

Mayor Sprunger reported that Brackney is nearing completion of the Water Street storm water sewer separation project. The paving has been completed on Water, Franklin and a portion of Jefferson Street. Brackney is finishing up with punch list items and will also be back in the spring to complete restoration work including sewing grass.

The project at the sewage plant will be complete once a part is received in early December.

Mayor Sprunger, on behalf of the city, congratulated the South Adams Starfires football team in winning the Semi- State and wished them good luck this weekend at the State Final Championship game at Lucas Oil Stadium in Indianapolis.

**Council Comments-None**

With nothing further to come before the council, and on a motion by Rod and a second by Kelly, adjournment followed.

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Gregg A. Sprunger, Mayor

ATTEST:

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Gwen Maller, Clerk-Treasurer