

Board of Public Works and Safety
Monday, March 12, 2012
Berne City Hall 4:00 pm
Minutes

Present; board members Mayor Bill McKean and Ron Dull, City Attorney Jim Beitler, Clerk Treasurer Gwen Maller and Becky Sprunger. City employees present; Chief Tim Taylor, Officer Earl Hugh, Kurt Dailey, Shannon Smitley and Gary Nussbaum along with Councilman Gregg Sprunger. Unable to attend, board member Curtis Wurster.

Mayor McKean called the meeting to order and verified a quorum.

Approval of Minutes On a motion by Ron and a second by Mayor McKean, the minutes of February 13, 2012 were unanimously approved as written.

Hearing on Unsafe Building – Shannon Smitley, City of Berne Director of Building and Planning, updated the board on an unsafe building at 506 N. Jefferson Street owned by Alan and Pamela Curtis. Shannon stated that there was a fire at the residence on December 14, 2010. The Berne Volunteer Fire Department deemed the structure a total loss. The property owners made no effort to clean-up the property. On January 14, 2011, Terry Smith, Adams County Sanitarian condemned the structure after conducting an inspection. On February 10, 2012 Shannon sent the Curtis's certified letters citing the Unsafe Building Ordinance #603, which instructed the property owners to clean up the property within 30 days of receipt of the letters, or the city would demolish the structure, clean up the property and then place a lien on the property. Subsequently, the property owners chose to sell the condemned property to Larry and Cindy Sprunger and the Warranty Deed was recorded at the Adams County Recorder's office on March 6, 2012.

The Sprunger's were unable to be at tonight's meeting, but they submitted a letter that outlined the timeline they are committing to for complete removal of the house and all debris by April 30, 2012. The letter also informed the board that the stand alone garage has been purchased by another party and with the board's permission to use city right-of-way where needed, will be moved to a nearby property. Shannon said it is his recommendation to the board that they accept the timeline in the letter from Larry and Cindy Sprunger and to approve the use of city right of way so the garage can be moved.

Ron Dull made the motion that given the assessment of the Berne Fire Department, County Health Department and Shannon Smitley on the condition of the property at 506 N. Jefferson, the Board of Public Works and Safety recommends that the Common Council approve the conditions and timeline as set forth in the letter from the Sprunger' for cleaning up the property and the relocation of the garage using city right of ways if needed. Mayor McKean made the second. 2-0

Open Quotes for Effluent Pumps Mayor McKean reported that at the February 13th meeting, the Board of Works recommended to council the purchase of 2 effluent pumps for the Waste Water Treatment Plant based on a quote from Peerless Midwest. These pumps will replace the pumps that are 22 years old with one out of commission and the other working but at decreased capacity and with the risk of going down. The Council approved the quote from Peerless. Gwen Maller, City Clerk Treasurer spoke with the State Board of Accounts who are currently doing their annual audit of the city to make sure that even though this is an emergency measure, the city acted correctly. It was the recommendation of the State Board of Accounts that even though the need for the pumps can be justified as an emergency, the city should have two sealed quotes to assure that state requirements have been met. Wright Repair and Peerless Midwest were invited by written request to submit sealed quotes and they are as follows:

Peerless Midwest \$ 30,988.00 and Wright Repairs for \$ 44,158.00. Both quotes include materials and installation.

Mayor McKean made a motion to recommend to council that Peerless Midwest be awarded the WWTP effluent project as the lowest quote of \$ 30,988.00. Ron made the second. 2-0

Request for Police Vehicle Chief Tim Taylor and Officer Earl Hough approached the board with a request that the board allow the Police Department to receive quotes on a 2013 Ford Utility Vehicle with the "Ready for Road" package. The Police Department also has researched

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a Dodge Durango, which appears to be more costly. Chief Taylor reported that base prices for a 2013 Ford Utility vehicle with the “Ready for the Road” package range from \$28,785 to \$36,000. The police department plans to use as much of the auxiliary equipment on the Chevy Impala as possible and they anticipate the final cost to be about \$ 30,000 fully fitted.

Chief Taylor reported that he has a rotation plan in place. The new vehicle would replace the 2005 Chevrolet Impala that now has 122,000 miles with the rest of the fleet as follows:

<u>Make</u>	<u>Year</u>	<u>Est. annual mileage</u>	<u>Year to be replaced</u>
Dodge	2008	18,000	2014
Dodge	2010	22,000	2015
Dodge	2010	19,000	2016
Dodge	2010	10,000	2020
*Ford Utility	2013	18,000	2019

City Attorney Beitler recommended that the police department seek 3 quotes.

On a motion by Ron Dull and a second by Mayor McKean, the board unanimously approved recommending to the Common Council that the Berne Police be allowed to seek 3 quotes on a utility vehicle as described in this meeting with delivery to be no earlier than 2013. 2-0

ADA Transition Plan Information Attorney Beitler reported that the city needs to start the process of becoming ADA compliant which means that streets, sidewalks public buildings as well as meetings are handicap accessible. Jim explained that this is an unfunded federal mandate and the city could risk losing federal grants as well as the potential for legal actions. Jim reported that he met with city employees Shannon Smitley, Kurt Daley, Gary Nussbaum and Becky Sprunger to further discuss the process. Among the many benchmarks that need to be met is the naming of a Compliance Coordinator, which will be done by resolution as soon as possible. The city must have a transitional plan in place as well since we are over 50 employees counting full and part time, elected officials and volunteers. Jim said he will contact Decatur City Attorney Tim Baker, who has started the process for them.

Council Comments Ron asked if the Brown street property is the next one on the Unsafe Buildings list. Shannon said the process on that has started.

Ron asked about the street lights on Parkway Street and if they are working properly since the time change. Shannon noted that they are photo sensitive and they were on this morning.

Board Comments-none

Adjournment On a motion by Mayor McKean and a second by Ron the meeting was adjourned.

Next Scheduled Meeting, Monday, April 23, 2012 6:30 PM