

March 12, 2018

The Common Council met with Mayor William McKean for a regular meeting on Monday, March 12, 2018 at 7:30 p.m. in the Council Chambers at City Hall according to the posted notice. Councilmen Gregg Sprunger, Curtis Wurster, Ron Dull, Mark Wynn and Philip Provost were present, along with Attorney Dave Baumgartner and Clerk-Treasurer Gwen Maller.

Councilman Gregg Sprunger opened the meeting with the pledge of allegiance and Mayor McKean gave the invocation.

Minutes

On a motion by Gregg Sprunger and a second by Mark Wynn, the minutes of the February 26, 2018 meeting were unanimously approved.

Claims

On a motion by Ron Dull and a second by Phil Provost, the claims were unanimously approved for payment.

LTCP Update

Mr. Ben Adams, Commonwealth Engineering representative was present to review Berne's Long Term Control Plan (LTCP) which the Indiana Department of Environmental Management (IDEM) recently approved. Ben stated that IDEM's intention is that the LTCP be a living document. As the engineering firm for Berne, Commonwealth was required to update the LTCP with IDEM, which was the during the Waste Water treatment plant upgrades. Per Ben, IDEM allowed the LTCP to be submitted after the project was completed so more accurate monitoring information could be included. The last LTCP was approved in 2005. The revised LTCP consists of two phases. Phase I consists of combined sewer separation work along California, Water and Brown Streets. This would reduce wet weather flows to the Main Street Lift Station and CSO #4. The estimated cost of Phase I in \$4,740,000.

Phase II consists of wet weather storage and pumping flows up to and including the 10-year, 1-hour storm event. It included a 1.05 MG of storage and 10.00 MGD pumping that will be designed to comply with the level of control in IDEM's NPDES Water-016 CSO treatment facilities. Storage of wet weather flows will be drained in less than 48 hours and will be directed to the WWTP for full treatment. The estimated cost of Phase II is \$12,905,975.

Ben stated that hopefully the Phase I projects will eliminate enough water that the size of the storage tank could be greatly reduced. Wastewater Superintendent Kongar stated that he hopes enough water is taken out of the system in Phase 1 so a tank will not be needed. Questions were asked if the current rate structure could fund the phase I projects. Ben stated that Umbaugh would have to do a rate study to see what the rates needed to be. He also stated that the cost estimates were very conservative and could be substantially lower than estimated. The current bond issue will be retired in June of this year. Mark Wynn asked if the main sewer line deterioration issues east of town will be addressed. Ben asked that they will be. Terry Kongar stated that the line may be fixed by inserting a liner in it. It was asked if that was a true fix of the problem or just a band aid. Terry said that if they line the main, it will be a fix and it doesn't matter if the surrounding old pipe continues to disintegrate.

Parr Road Interlocal Government Agreement

Attorney Baumgartner submitted the proposed interlocal government agreement between the City and Adams County for the Parr Road/County Road 550 South project. Since both the County and the City own a portion of Parr Road/County Road 550 South, both entities agreed to combine their efforts in funding the reconstruction project. The City has been awarded the Community Crossing Grant of \$324,960 for 75% of the project. The County has agreed to pay the City \$66,592.68 for its share of the engineering and construction costs and also 40% of any change orders to the road construction portion of the project. As part of the agreement, the City of Berne will accept the transfer of the County's share of Parr Road into the City of Berne inventory of local roads and streets. Mark Wynn made a motion to accept the

Interlocal Government Agreement with Adams County for Parr Road/County Road 550 South. Ron Dull made the second and the motion was unanimously passed.

Ordinance #702 Code of Ethics

Ordinance #702 was presented for its final reading. This ordinance was introduced at the last council meeting and it was determined that an introductory paragraph needed to be removed. The ordinance that is submitted tonight for final approval does not have the paragraph included. This ordinance of the Common Council establishes the City of Berne Code of Ethics. Mark Wynn made a motion to adopt Ordinance #702 on its final reading by short title. Curtis Wurster made the second and the motion was unanimously passed.

Mayor McKean informed the Council that according to Ordinance 702, a Board of Ethics needs to be established. The Board shall consist of three members, of whom a majority shall not be officers or employees of the City of Berne, but at least one must be an elected official or employee. Mayor McKean stated that he has appointed Gregg Sprunger as the Council representative, and Pastor Jeff Gaskill and Mr. Jeff Rich to the Board. Ron Dull made a motion to approve the Mayor's appointments to the Board of Ethics. Phil Provost made the second and the motion was unanimously passed. The Board will meet as needed and without compensation.

Clerk-Treasurer Comments

Clerk-Treasurer Gwen Maller presented Resolution 2018-3-1 that transfers money from the Rainy Day fund to the newly created Local Road and Bridge Matching Grant Fund for the City local share of the Community Crossing Grant. The amount to be transferred is \$200,000.00. Curtis Wurster made a motion to approve Resolution 2018-3-1. Gregg Sprunger made the second and the motion was unanimously passed. The resolution is as follows:

**RESOLUTION 2018-3-1
A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF
BERNE, INDIANA
TRANSFERRING FUNDS FROM THE RAINY DAY FUND
TO
THE LOCAL ROAD & BRIDGE MATCHING GRANT FUND**

WHEREAS, the City of Berne Common Council established a Local Road and Bridge Matching Grant Fund to receive the City's matching funds for the Community Crossing Grant, or similar grants, as well as money received as a special local income tax distribution and money in the rainy-day fund that are to be designated as the local match for such grants;

WHEREAS, the City received the Community Crossing Grant of \$324,960 from the State of Indiana;

WHEREAS, the City had appropriated \$200,000 in the Rainy-Day fund for the local 25% match for the grant;

WHEREAS, the State Board of Accounts require that the local match be transferred to the Local Road and Bridge Matching Grant Fund

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BERNE:

That \$200,000 be transferred from the Rainy-Day Fund to the Local Road & Bridge Matching Grant Fund.

The City of Berne Common Council hereby directs the City Clerk-Treasurer to cause the books and records of the city of Berne Indiana to reflect the effects of this resolution.

Passed and Adopted by the Common Council of the City of Berne, Adams County, Indiana, on this 12th day of March 2018.

City of Berne Common Council
Gregg Sprunger
Curtis Wurster
Ron Dull

Mark Wynn
Phil Provost

William F. McKean, Mayor

Attest:
Gwendolyn J. Maller, Clerk-Treasurer

Mayor Comments

Mayor McKean thanked Wastewater Superintendent Terry Kongar, Stormwater Superintendent Shannon Smitley and Street Superintendent Gary Nussbaum for their input into the meeting concerning the LTCP.

Mayor McKean reported that the sign and the camera are now up at the City garage to monitor the dumpster site and that a training session was held on Thursday, March 8, 2018. He stated that there will have to be some fine tuning to the camera before we get the results we are desiring.

Councilman Comments

Council Ron Dull asked what the next steps are in relationship to the Phase I projects are that were proposed in the LTCP. Does the Stormwater Board need to revisit the utility rates? It was determined that the first step is probably a preliminary engineering report (PER) that include the Phase I projects as well as the issues with the main line on the East end of town.

Councilman Ron Dull reported that the Run for the Fallen has changed this year. Instead of it being a statewide run, it will be a national run. The run will come thru Berne on June 23, 2018 and have the same honor stops, but it will be different people. Nick Taylor will be honored at a stop on July 3rd northwest of Nashville Tennessee. Ron will report back with more information as it becomes available.

There being no other business to come before the Council and upon a motion duly made to adjourn by Phil Provost and seconded by Curtis Wurster, adjournment followed.

William F. McKean, Mayor

ATTEST:

Gwen Maller, Clerk-Treasurer