

March 26, 2012

The Common Council met with Mayor William McKean for a regular meeting on Monday, March 26, 2012 at 7:30 p.m. in the Council Chambers at City Hall according to the posted notice. Councilmen Gregg Sprunger, Ron Dull, Mark Wynn and Philip Provost were present along with Attorney James Beitler, Jr. and Clerk-Treasurer Gwen Maller. Curtis Wurster was absent from the meeting.

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

On a motion by Ron Dull and a second by Phil Provost, the minutes of the March 12, 2012 meeting were unanimously approved.

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

#### **Tornado Siren Update**

Adams County Emergency Management Director, John August, came before Council to inform them about the need to change the tornado sirens due to a Federal mandate that narrows the banding of the VHF radio frequency. The deadline for this mandate is 12/31/2012. The total cost of updating the three sirens is \$4,384.43. The County received a grant for 50% of the cost and they stated that they would pay two-thirds of the remaining balance. Cost to the City of Berne would be \$730.00. Gregg Sprunger made a motion to update the tornado siren receivers to meet the federal government standards with the City of Berne paying their share of \$730.00. Ron Dull made the second and the motion was unanimously approved.

#### **2013 Police vehicle Request**

Police Chief Tim Taylor submitted three quotes for a new vehicle as requested at the Board of Public Works meeting held on March 12, 2012. He also submitted a quote from Safety Systems for the light package that would be installed. He stated that the police would prefer the Ford Police Interceptor Utility 4x4 (Explorer) since it has all wheel drive, and also is the only SUV that is pursuit rated. This means that if something happened to the vehicle during a pursuit it would be covered under the warranty. The Durango and the Tahoe do not have that feature. He also submitted quotes for a Caprice and a Charger. The quotes for the Ford Interceptor Utility are as follows:

Moser Motor Sale, Inc.	\$25,980.00
Courtesy Motors, Inc.	26,233.00
Bloomington Ford (State Bid)	31,360.00

Ron Dull made a motion to accept the low quote from Moser Motor Sales. The Moser Motor quote had a clause that stated "bid is subject to pricing and conditions at the time of acceptance as qualified by Ford Motor Co at the time the unit is ordered." If the unit is ordered now it could arrive as early as September, so the police need to wait a few months to order the vehicle so that it arrives after January 1, 2013. Tim had a call in to the sales representative at Moser's to see how long the pricing would be good and what the actual order to delivery time would be. Ron Dull rescinded his previous motion and then made a motion to table the request of a police vehicle until the additional information is received. Gregg Sprunger made the second and the motion was unanimously passed.

#### **Ordinance #624-Stop Sign**

Ordinance 624 was presented and read by short title for its first reading. This ordinance regulates the traffic within the City of Berne by amending Chapter 73, schedule II and III of the City Code by adding a stop sign at the intersection of Dearborn Street and Rose Lane. Ron Dull made a motion to approve the first reading of Ordinance #624. Phil Provost made the second and the motion was unanimously passed. Mark Wynn made a motion to waive the rules and regulations on the second reading of Ordinance #624. Gregg Sprunger made the second and the motion was unanimously passed. Phil Provost made a motion to pass Ordinance #624 on its third reading. Ron Dull made the second and the motion was unanimously passed. The ordinance will be published one time before it goes into effect.

#### **Ordinance # 625 – Pavilion Custodian Contract**

The Lehman Park Custodial Contract and Ordinance #625 was tabled until the next meeting.

#### **Mayor Comments**

Mayor McKean gave an update on employee Jay Sprunger and others who went to Mali Africa for a work project. Because of a coup there last week, Jay and the others are unable to leave that country. Hopefully they will be able to fly out towards the end of the week.

The pumps and piping for the wastewater treatment plant that were approved at the last meeting have been ordered.

Next week the Mayor and Clerk-Treasurer will be meeting with Steve Carter of Umbaugh's to discuss updating the rate study for the water department.

Mayor McKean and Shannon Smitley will be meeting with Randy Sprunger, architect for Fanning Howey, to prepare specs to replace the roof at the Senior Center building. It was stated that there is money appropriated in the Rainy Day fund for this project, but the Council stated that it had not come to them yet for approval.

The South Adams Seniors would like to install a new electrical line at the Senior Center at their expense. This would eliminate blown breakers during events when there needs to be several roasters or other items plugged in. The Seniors would also like to install outdoor lighting.

Mayor McKean informed the Council that April is Autism Awareness month with April 2<sup>nd</sup> being designated World Autism Awareness Day. He signed a proclamation in honor of this event.

#### **Clerk-Treasurer Comments**

None

#### **Attorney Comments**

Attorney Beitler stated that he needs Council direction concerning establishing a purchasing policy. According to IC 5-22-8-2 small purchases under \$50,000 may be made as long as the governmental body has adopted a policy that sets out the rules for the purchases. No official action was taken.

Attorney Beitler stated that every ten (10) years an ordinance has to be passed to divide the City into council election districts. If the City passed a resolution before May 7, 1991 then IC 36-4-6-5 section M applies. This section states "that for a city having a population under 7,000 can continue an election process that permits each voter of the city to vote for one candidate at large and one candidate from each of its four council districts." The City of Berne did pass a resolution on May 6, 1991 and this has been the established practice. Other options would be to have everyone vote for the one at-large candidate and then each district vote for only their district candidate; or have two candidates at-large and have only three districts with each district voting for their district candidate. The optional methods take extensive research to make sure that it complies with the "one man one vote" rule. It would be every expensive because we would have to hire someone to do the research. Ron Dull asked if the election board could do it. Jim stated they could help, but would not be able to do it all. Since the ordinance has to be passed by the end of the year, Jim instructed the Council to review all the documents that he submitted and determine if it should stay the same, or make a change.

**Council Comments**

None

There being no other business to come before the Council and upon a motion duly made to adjourn by Ron Dull and seconded by Mark Wynn, adjournment followed.

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William F. McKean, Mayor

ATTEST:

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Gwen Maller, Clerk-Treasurer