

July 9, 2012

The Common Council met for a regular meeting on Monday, July 9, 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. Mayor McKean and Councilman Curtis Wurster were absent. Council President Gregg Sprunger conducted the meeting in the absence of Mayor McKean.

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

On a motion by Ron Dull and a second by Mark Wynn, the minutes of the June 25, 2012 meeting were unanimously approved.

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

Ordinance # 630 – 2013 Salary Ordinance

Ordinance # 630 was presented to the Council for its final reading and approval. This ordinance fixes the salaries, compensation and benefit programs for 2013 of all appointed officers and employees of the City of Berne and establishes clothing allowances for the police department, police reserves and fire department. Phil Provost made a motion to approve Ordinance #630 on its final reading. Mark Wynn made the second and the motion was unanimously passed.

Ordinance # 631 – 2013 Elected Officials Salary Ordinance

Ordinance #631 was presented to the Council for its final reading and approval. This ordinance fixes the salaries, compensation and benefit programs for 2013 for all elected officials of the City of Berne. Ron Dull made a motion to approve Ordinance #631 on its final reading. Phil Provost stated “that according to the 27th amendment to the United States Constitution, the U.S. congress cannot set a pay raise for themselves until after the next election. I feel that it gives the people a little more say about the job that is being done and puts the people in charge. I would not be opposed to something like that.” He also stated that it is a “principled stand I’m willing to take. It’s a small step, but I think it’s symbolic. It’s saying we are committed to earning the people’s trust.” Ron Dull asked since he was opposed to the Council raise, why did he support the Mayor and Clerk-Treasurer’s raises as they are also elected officials. Phil responded “I support their raises since it is their full-time job.” Mark Wynn stated that “it has been three or four years since we’ve done anything to increase council salaries and this may be the last time I vote for a pay hike, but its time.” Mark Wynn made the second and the motion passed on a vote of 3 yeas and 1 nay vote cast by Phil Provost.

South Adams Senior Commercial Lease

Attorney Beitler presented a commercial lease of real estate between the City of Berne and the South Adams Seniors, Inc. for the building located at 825 Hendricks Street. The initial term of the lease will begin on 7/1/2012 and continue for a period of ten (10) years and six (6) months terminating on

December 31, 2023. It can be extended another three (3) years as long as a written notice be given to the City at least sixty (60) days before the expiration of the initial term. The rent will be \$1.00 per year payable to the Clerk-Treasurer. The City of Berne will be responsible for any taxes, liability insurance, mowing, and snow removal. The South Adams Seniors Inc. will be responsible for all utility bills. They are responsible for keeping the building in good condition. The City is responsible for maintenance of structural items i.e. foundation, exterior walls, roof, windows, gutters, and down spouts. The South Adams Seniors Inc. may make contributions as its funds warrant for structural improvements to the City during the term of the lease. Jim Beitler reported that the South Adams Seniors Board of Directors unanimously agreed to give a contribution to the City when the roof is bid out to help out as needed. Mayor McKean submitted a written statement concerning the lease. Gregg Sprunger read it as follows:

“As the Mayor of the City of Berne, I would like the record to reflect my support of the lease agreement between the City of Berne and the South Adams Seniors Inc, on our property at 825 Hendricks Street. With this agreement, there will be a fair amount of financial relief to the city, especially as it relates to the building’s roof. The South Adams Seniors have already undertaken several electrical upgrades at their expense and have expressed to me their commitment to refresh the interior and to keep the building in good order. Our seniors will still have a place to meet, the South Adams Seniors Inc, will still have the responsibility of booking all rentals of the building and the City is not confronted with 100% of the cost and upkeep of the facility.” Mayor Bill McKean.

Ron Dull made a motion to accept the commercial lease of real estate for 825 Hendricks Street between the City and the South Adams Seniors, Inc. Phil Provost made the second and the motion was unanimously passed.

Clerk-Treasurer Comments

Gwen Maller submitted a budget approval time line. This is for informational purposes only. She will be meeting with the DLGF on Friday, July 13, 2012.

Attorney Comments

Jim Beitler reported that he along with Kurt Dailey and Shannon Smitley met with Larry Macklin, Adams County Economic Director, concerning remediation of the building located on Fulton Street. They now have some direction concerning the building and will need to meet with County officials to continue the course of action.

Councilmen Comments

Ron Dull reported that there will be a park board meeting July 11, 2012 at 5:00 p.m. at the pavilion.

Mark Wynn reported that the front door to the pool house was broken in the wind storm on June 29th. It is boarded up and the new glass is already ordered.

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

William F. McKean, Mayor

ATTEST:

Gwen Maller, Clerk-Treasurer