

**Board of Public Works and Safety  
Berne City Building, 158 W Franklin Street  
Wednesday, August 16, 2017  
Minutes**

Mayor McKean-Present

Curtis Wurster-Present

Ron Dull- Present

The Board of Public Works and Safety met on Wednesday, August 16, 2017 at 8:00 am in council chambers along with City Attorney Dave Baumgartner and Secretary of Record Becky Sprunger. An agenda was posted at the door.

Others in attendance from the city; Clerk Treasurer Gwen Maller, Police Chief Tim Taylor; Jim Newbold, Shannon Smitley, Gary Nussbaum, Bard Yoder, Drew Dull and Kurt Dailey. Guest included a representative from Brown Equipment

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

**Approval of Minutes** On a motion by Ron Dull and a second by Curtis Wurster, the minutes from July 16, 2017 were unanimously approved as written.

**Open Bids for Street Sweeper:** One bid was received for a new street sweeper per the advertised notice. City Attorney Baumgartner opened the bid from Brown Equipment Co, Inc Fort Wayne Indiana. The bid amount for a Global M3 Street Sweeper is \$ 203,850.00 with a Trade In allowance of \$ 15,000 for the 2002 Johnston 3000. Total after trade in is \$ 188,850.00.

On a motion by Ron Dull and a second by Curtis Wurster, the board unanimously approved taking the bid submitted by Brown Equipment under advisement for review by the Street Department before going to the August 28<sup>th</sup> council meeting for council consideration.

**Request to Upgrade the Firing Range** Chief Taylor and Jim Newbold came before the Board to request additional safety precautions be taken at the firing range adjacent to the WWTP off County Rd 000. Chief Taylor explained that on July 17<sup>th</sup> of this year, the Sheriff's Department was called to the Maple Leaf Amish School at 5312 S 100 E because a bullet was found lodged in the classroom after it penetrated a window at the school. Chief said he has also contacted Mr. Sam Schwartz who reported finding the bullet. There was no one in the classroom at the time and no one had been in the building for several weeks.

Jim Newbold reported that he has looked at the bullet and determined it was not the type of bullet that the Berne Police Department uses. Chief noted that the range has always been open to city employees for practice shooting their personal firearms and that those employees might bring their friends with them.

Chief Taylor is asking for approval to purchase interconnecting cement blocks from Berne Ready

Mix at an estimated cost of \$ 5,475 delivered. Chief stated that he has contacted Tom Jones who has agreed to allow the city to use his excavating equipment to build the berm up at the back of the firing range before the blocks are installed. City employee Brad Yoder would do the shaping of the berm as part of his work day and that has been approved by Water Superintendent John Crider and Work Force manager Kurt Dailey. Tom would also help install the blocks and would supply the equipment at no charge. Chief said at the very least, he wants to reimburse Tom for the diesel fuel.

Chief stated that the Amish are very concerned about the incident and have called 911 on several occasions since, wanting to know what the status is before their school is back in session.

Chief reported that along with securing the area to stop bullets from leaving the firing range, he has had discussions with the Mayor on how to better control the use of the range. Included were ideas on how to restrict use and to have a Berne Police Officer present when the range is being used by civilian employees of the city. Ron said he would like to see the range shut down completely until safety measures are in place.

Gwen noted that she was with our insurance representative Matt Lehman this week during an evaluation of the upgrades at the WWTP, and in seeing the firing range, Matt asked how access and use is secured. This was before there was knowledge of the Amish school/bullet incident.

Mayor McKean asked Chief Taylor to inform the Amish School that the range will be closed until the protective measures have been taken as discussed.

Ron made a motion to shut down the firing range completely until the improvements as presented have been implemented and that Brad Yoder do the needed work and that Tom Jones be compensated for the diesel fuel. Curtis made the second and the motion was unanimously approved.

Curtis made a motion to have the Berne Police Department come back at the next Board of Works meeting with recommendations for a policy regulating the use of the firing range. Ron made the second and the motion was unanimously approved. Chief Taylor said he will meet with Matt Lehman with Bixler Insurance for his input on the measures that need to be taken.

**Purchase of Office Furniture** Mayor McKean said that Gwen has asked for approval to purchase a new desk for her office. Gwen reported that her work area needs upgraded as her desk is inefficient and one she inherited 23+ years ago. Gwen had asked 4 U Office Supply to quote a desk with a footprint similar to the desk she currently using. The quote is for less than \$ 4,300.00

On a motion by Curtis and a second by Ron, the board unanimously approved the purchase of the desk as presented.

**Stop Sign Request** Mayor McKean informed the board that a citizen had requested a stop sign at Schug and Van Buren essentially making the intersection a 4-way stop. After discussion which included the board, Attorney Baumgartner and Chief Taylor, it was decided that no further

action was needed since Van Buren is a dead end street just past the requested stop sign.

Ron asked for an update on the former Dunbar property. Mayor McKean reported that as much of the “junk” in the lot was removed, grass seed was sown yesterday along with lots of straw.

Mayor McKean thanked all of the city workforce for the great job they did at Swiss Days, including the setup, during and after the festival.

**2018 Swiss Village 5K Race** Michelle McIntire, Vice President of Marketing/Public Relations, and Briana Eicher, Wellness Pavilion Director, reviewed the route for the 2018 annual Swiss Village 5k Race. The date will be Saturday, April 14<sup>th</sup>. They have already received approval from the County for closing CR 500 S and are asking the city to close Emmental Drive and CR 150 to Clark Street before the 9:00 am start and until the last runner is past those streets. Michelle reported that the route has not changed from past races and the event continues to grow. On a motion by Ron Dull and a second by Curtis Wurster, the board unanimously approved closing Emmental Drive to CR 150 and Clark Street on April 14, 2018 as presented.

**Review of Ordinance 83** Chief Taylor asked that the board give consideration to a sticker citizens of Berne can purchase for a nominal fee for their front door that would inform door to door salespeople that the resident does not wish to be bothered. Ordinance 83 pertains to peddlers, hawkers and itinerant merchants and would need to be amended to allow for the stickers. A certificate of registration would still need to be obtained from the Clerk-Treasurer if approved by Berne’s Chief of Police. Those individuals that go door to door passing out religious tracts or those not selling goods are excluded from needing to register.

Ron asked if we knew of any other communities that have a program like this, and Chief said he did not. Ron said that this is good discussion, but should be discussed more in a council meeting.

**WWTP Request to Purchase a Trailer Mounted Sewer Jetter** Terry Kongar, Waste Water Treatment Plant Superintendent came before the board to request that he be allowed to get quotes on the open market for a trailer mounted sewer jetter. Terry said that the most immediate need for this equipment is getting the outlet pipes in the WWTP ponds cleaned out. Because the SAGR system is working so well at keeping the ponds clean, there is more algae that is getting in to the pipes. The regular vac truck is too big to take on the rim of the ponds. The trailer mounted jetter would also be useful in those catch basins that cannot be serviced by the truck, or that need to have a smaller vac hose than is on the vac truck. The trailer with the jetter can be pulled with the Gator tractor. Right now, Bluhm and Reber have to be called for those situations. Terry said that the entire unit would cost between \$12,000 and \$15,000 and he has talked to Gwen about the funding.

Dave advised the board that the Purchasing Policy allows the Board of Works to approve the purchase on the open market, or they could make a recommendation that the council approve the

purchase.

On a motion by Ron Dull and a second by Curtis Wurster, the board unanimously approved having Terry get quotes on the open market for a trailer mounted sewer jetter as presented for council consideration at their July 24<sup>th</sup> council meeting.

**Other** Kurt Dailey reported that the Swiss Days parade route has changed and the streets on Washington and Monroe will be shut down as part of the event. Fulton street at the corner of the Peace Lutheran church will also be blocked ½ of the block to the south ( behind the stage).

Mayor McKean reported that the dirt has been spread at the former Dunbar property and Tim Shoaf has been contacted to spread grass seed.

Mayor McKean reported that Mike Dubach has graded and is putting down the stone pad for limbs and branches at the compost site.

A question was asked about the new waste dumpster ordinance at the Jefferson Street garage. Mayor McKean said that he, Kurt and Becky will work on the sign that needs to be placed near the dumpsters. Mayor McKean also said that he does not want any more dumpsters on the south side of the garage lot.

With nothing further to discuss and on a motion by Ron Dull and a second by Curtis Wurster, the meeting was adjourned.