

Board of Public Works and Safety
Berne City Building, 158 W Franklin Street
Wednesday August 19, 2020
Minutes

Mayor Sprunger-Present

Curtis Wurster-Present

Ron Dull- Present

All members of the Board of Public Works and Safety met at City Hall at 8:00 am on August 19, 2020 along with City Attorney Dave Baumgartner and Recording Secretary Becky Sprunger. Mayor Sprunger called the meeting to order and verified a quorum. An agenda was posted at the door and on the City of Berne website homepage.

Others present at the meeting, Clerk-Treasurer Gwen Maller; Work Force Manager Kurt Dailey; Building and Planning Director Shannon Smitley; Water Superintendent John Crider; Police Chief Tim Taylor and Clint Anderson, Berne Witness.

Approval of the Minutes: Ron Dull made a motion to approve the minutes of July 15, 2020 as written. Curtis Wurster made the second. Motion unanimously carried 3-0

Project Reports: Kurt Dailey reported that the Storm/Sanitary sewer project is wrapping up. Brackney still has to line pipes from Brown Street to the Main Street lift station, then east to the Oak Terrace Apartments. Brackney is patching the streets that have been impacted. One of the last big projects will be milling and paving Water Street. Kurt said Millstone will do the paving with a target date to finish by the end of September. Kurt reported that while in that area, a catch basin was installed at California and Main Streets, which was outside the scope of the project, but it was beneficial to do this while Brackney was there.

Mayor Sprunger reported that Ben Adams, Commonwealth Engineers, is going to get quotes on paving some of the streets impacted in the project area besides Water Street, which was included in the project.

Shannon Smitley, Storm Water Director, reported that some months back Tim Barkey, Adams County Highway Department, approached him and advised that the county is planning on repaving County Road 500. Barkey advised Shannon that the culvert at the Habegger ditch needed replacing, and he asked if the Storm Water Board would consider sharing the cost in replacing the culvert since it serves as the outlet to the city's Sprunger pond. Shannon stated he and Mayor Sprunger attended the County Commissioners meeting last week and it was agreed by all that the Storm Water Board will pay for half of the cost of the culvert repair, which is \$18,000. The Storm Water Board had given their approval of sharing the cost.

Ron Dull asked Shannon if the Village Way project is now complete. Shannon said that other than some punch list items, the project is complete. Gwen informed the board that the final check from the city has not been issued.

Former Palmer House Update: Dave Baumgartner updated the board on the former Palmer House property, owned by Bear Brothers Real Estate LLC, whose members are Justin Haines and Alex Subler. They asked and received approval from the BZA on August 10th to use the east side of the

sidewalk on Fulton Street for an ADA ramp and to also allow them to have outside seating. Dave advised the board that the BZA had the authority to grant the use variance, but to move forward, Bear Brothers will need to come to the council to request eliminating several parking spaces on the east side of Fulton Street for the ramp. The ADA ramp will still allow pedestrians use of the sidewalk. They will also need to come before the Board of Public Works and Safety to start the process of outdoor seating. Dave said he has been researching what the procedure should be because he could see others, especially in the downtown area making similar requests. Noting that Ft. Wayne has addressed this, particularly in the Landing downtown, he found that they have a leasing agreement with those requesting. Dave stated that the fee is \$75, which is probably a onetime fee. Dave said that he plans to bring a licensing document back to the Board of Works at their next meeting.

Curtis asked if Haines and Subler wish to serve alcohol in the outdoor area, will there need to be barriers. Dave advised that barriers would need to be installed according to state requirements whether they serve alcohol or not. Patrons will not be able to sit outside directly from the street but will have to go into the restaurant and enter the outdoor seating from the inside.

Gwen asked about the White Cottage and their current placement of picnic tables on the sidewalk. Dave confirmed that any existing outdoor seating will have to apply for the licensing agreement.

Unsafe Buildings: Dave updated the board that prior to the COVID-19 pandemic, the city had started the process of declaring several properties as unsafe. When Governor Holcomb placed a moratorium on evictions, the process came to a halt. With the moratorium being lifted as of August 14th, Dave said the process will start over from the beginning to make sure the city goes through all of the proper legal steps and to insure that any action taken by the city would hold up if we were taken to court. There will probably several more properties in poor repair that will be added to the list.

Board Comments None

With nothing further to come before the board Curtis made a motion to adjourn, Ron made the second, and adjournment followed.