

November 9, 2020

The November 9, 2020 council meeting was held at the South Adams Senior Center, 825 Hendricks Street, Berne Indiana. Those present at the Senior Center; Council President Curtis Wurster; Council members Ron Dull, John Wanner, and Kelly Amstutz along with Clerk Treasurer Gwen Maller and City Attorney Dave Baumgartner. An agenda was posted at the front door of the Senior Center and at the Berne City Building. Mayor Sprunger and Council member Rod Mason were unable to attend.

Others present at the Senior Center, Clint Anderson with the Berne Witness and Rob Weaver WPGW.

Ron Dull opened the meeting with the pledge of allegiance, and Curtis Wurster gave the invocation. As President of Council, Curtis Wurster verified a quorum and led the meeting.

Approval of Minutes

Ron Dull asked that minutes of October 26, 2020 be corrected from “Mayor Sprunger asked the council to approve a committee consisting of Gwen Maller, Dave Baumgartner, Kurt Dailey, Shannon Smitley and Council President Curtis Wurster along with himself to review the RFP proposals” to “Mayor Sprunger asked the council to authorize him to appoint a committee consisting of Gwen Maller, Dave Baumgartner, Kurt Dailey, Shannon Smitley and Council President Curtis Wurster along with himself to review the RFP proposals.”

Ron Dull made a motion to approve the minutes of October 26, 2020 with the correction as noted. On a second by John Wanner, the motion was unanimously approved on a vote of 4-0.

Claims

Before a motion was made to approve the claims, Kelly Amstutz asked for clarification of the line item of COVID Sensors for Restrooms and if the cost will be covered in the CARES Act. Clerk-Treasurer Gwen Maller said that the CARES Act will be discussed in further detail when presenting Ordinance No. 734, but it is her understanding that all public restrooms owned by the city, including the restrooms at the Senior Center, the Police Department and the city building have been changed out to light sensor triggered lights to help eliminate high touch areas.

On a motion by Ron Dull and a second by Kelly Amstutz, the motion to approve the claims was unanimously approved on a vote of 4-0.

Consideration of Ordinance No. 734: An Ordinance of the Common Council of the City of Berne, Indiana Amending Ordinance No. 731 Regarding the Cares Fund for the City of Berne.

In presenting Ordinance No. 734 for council consideration, Gwen stated that through various memos and changes in reporting requirements, Ord. No.731 needs to be amended to allow the money the city will receive of \$ 134,933 to be accounted for in State Board of Accounts approved funds 150-175 and not in fund 264 which was established in Ord. No. 731. Gwen further reported that as the CARES Act has unfolded, the list of allowable expenses has expanded from PPE’s to include items like no touch light sensors that Kelly asked about, no touch water fountains, no touch flush toilets and also the purchase of Police/Fire radios for public safety. Gwen stated that the city has tried to be proactive in purchasing those allowable items, along with masks, gloves and PPE’s with the CARES act money. Gwen also advised the council that initially, salaries for the police department as it pertains to COVID-19 were not allowed in the CARES Act. Since that time, and after attending two days of virtual seminars, the salaries for the Police Department from March 15th -June 30th are eligible CARES expenses. Gwen said she submitted that a

claim last week for police salaries which will use the City's entire allotment of the \$134,933. However, for State Board of Accounts purposes, the council needs to approve Ord. No 734 to establish the fund for COVID-19 approved expenses. Gwen also reported that there will need to be council consideration of additional appropriations at the next meeting for her to be able to do all of the corrections and entries needed to satisfy the reporting requirements to the State Board of Accounts.

After additional discussion, Ron Dull made a motion to introduce Ordinance 734: An Ordinance of the Common Council of the City of Berne, Indiana Amending Ordinance No. 731 Regarding the Cares Fund for the City of Berne. On a second by John Wanner, the motion to introduce Ord. No. 734 was unanimous approved on a vote of 4-0.

When asked by Council President Wurster if the council wishes to waive the rules and regulations to pass Ord. 734 on the night it is introduced, Ron Dull said that unless passage is time sensitive, he would like to have final consideration of the ordinance on the November 23, 2020 council agenda. No further action was taken and Ord. No 734 will be on the next agenda.

BZA Hearings Update

Council President Wurster reported on the four hearings held prior to the council meeting tonight. Brian and Denise Habegger requested and received approval to build a small addition to their garage that was within five feet of the property line; John and Angie Richert requested and received approval to build a garage on the west side of their property and within 6 feet of the property line; Jamison and Shenna Ringger were requesting that they be allowed to have up to 3 steers and 2 horses on their 27 acre property, the hearing was tabled until more information can be provided; Smith Brothers of Berne were requesting approval to install a parking lot where a house now stands along Jefferson Street. The hearing was tabled until more information can be provided.

Attorney Comments

Dave Baumgartner reported to the council that the information in their packet about Linn Grove and residents along County Road 700S was for information purposes only at this point. Dave further explained that he has been working with Adams County Regional Sewer District attorney Mark Burry on a master agreement between the city and ACRSD for citizens of Linn Grove and residents along County Road 700S who are within 300 feet of the new sewer line and who will have to hook up to the new line, which will bring that flow to the City of Berne Waste Water Treatment plant. Dave reported that it will be similar to what Decatur has in place for accepting sewage from those small communities and citizens to their east who had to hook into a new sewer line that brings their sewage to the Decatur WWTP. The draft agreement is for a tap fee of \$ 230 and a monthly sewer bill which will be paid to the City of Berne by the Linn Grove and County Road 700 S users. Gwen noted that we accept Monroe's sewage, but we have a capacity agreement with the Town of Monroe. In responding to that issue and to Ron Dull's question, Dave reported that unlike Monroe, Linn Grove does not have a town government, and also there are rates and reviews built into the agreement that will protect the City of Berne. Those who must hook in will pay a tap fee and will receive a monthly utility bill based on the what the Board of Public Works and Safety, Berne City Council and the ACRSD agree on. Gwen asked that the agreement include review of the rates more like Monroe's agreement, which is annually instead of every five years. Dave stated that can be part of the negotiations with the ACRSD.

Clerk-Treasurer Comments

Gwen informed the council that Water Department Superintendent John Crider applied for a grant through IPEP for new confined space equipment which is lighter weight safety equipment when going into a hole to repair water leaks. The cost of the equipment is \$ 19,800 and they learned last Friday that the grant for \$ 15,000 was approved through IPEP. The equipment has been ordered and the money for the grant should be received in January.

Gwen presented the Council with the anti-nepotism certificates according to Ordinance No. 629, and that have to be signed and returned to the Mayor by December 31st. She asked that the council to either sign the certificates at tonight's meeting or review the certificates and bring back their signed copy at the next council meeting.

Mayor Comments-None

Council Comments-None

With nothing further to come before the council, and on a motion by Kelly and a second by John, adjournment followed.

Gregg A. Sprunger, Mayor

ATTEST:

Gwen Maller, Clerk-Treasurer