

August 10, 2020

The August 10, 2020 council meeting was held at the South Adams Senior Center, 825 Hendricks Street, Berne Indiana. Those present at the senior center were Mayor Gregg Sprunger, Council members Ron Dull, John Wanner and Kelly Amstutz along with Clerk Treasurer Gwen Maller and City Attorney Dave Baumgartner. Council member Rod Mason affirmed being present by using GoToMeeting according to Executive Orders 20-04 and 20-08 by Governor Eric Holcomb in response to the COVID-19 pandemic. An agenda was posted at the front door at the Senior Center and a link to the agenda was available on the City of Berne website homepage with information on how to access the meeting using GoToMeeting.

Others present at the senior center Clint Anderson of the Berne Witness. Work Force manager Kurt Dailey and Rob Weaver, WPGW/WZBD radio stations joined the meeting using GoToMeeting.

Council President Curtis Wurster opened the meeting with the pledge of allegiance. Mayor Gregg Sprunger gave the invocation and verified a quorum.

Approval of Minutes

On a motion by Ron Dull and a second by Kelly Amstutz, the council unanimously approved the minutes of July 27, 2020 by the following roll call vote:

Kelly Amstutz	Aye	John Wanner	Aye
Ron Dull	Aye	Curtis Wurster	Aye
Rod Mason	Aye		

Claims

Curtis Wurster made a motion to approve the manual claims for July along with the regular claims. Ron Dull made the second and the motion was unanimously approved by the following roll call vote:

Kelly Amstutz	Aye	John Wanner	Aye
Ron Dull	Aye	Curtis Wurster	Aye
Rod Mason	Aye		

Final Consideration of Ordinance No. 727

An Ordinance of the Common Council of the City of Berne, Indiana Amending and Restating a Portion of Chapter 53 of the Berne City Code Including Provisions Regarding the Deposit Made by Customers of the Water Waterworks System of the City of Berne.

In presenting the ordinance to the council, Mayor Sprunger stated Ordinance No. 727 was introduced at the last meeting for the purpose of including indemnification language between the landlord and the city whereby the landlord would voluntarily agree that the landlord be held responsible for any unpaid utility bill left by their tenant in lieu of a deposit.

City Attorney Dave Baumgartner further reported that after the council approved introducing Ord. 727 at their July 27th meeting , the council then approved by a 4-1 vote to reduce the deposit from \$250 as previously approved in Ord. 726 Section 53.02 to \$200.

Ron Dull made a motion to adopt Ordinance 727 as presented, with Rod Mason making the second. The motion was approved on the following roll call vote of 4 yeas 1 nay:

Kelly Amstutz	Aye	John Wanner	Nay
Ron Dull	Aye	Curtis Wurster	Aye
Rod Mason	Aye		

Introduction of Ordinance No. 728- An Ordinance Fixing Salaries, Compensation and Benefit Programs for 2021 of All Appointed Officers and Employees of The City of Berne and Establishing Clothing Allowances for the Police Department, Police Reserves and Fire Department.

In introducing Ord. No. 728, Mayor Sprunger stated that in the council meeting on July 27th he recommended that the salaries in the ordinances for employees and elected officials reflect the 1.95% salary increase for all full time employees plus a \$500 flat rate. Mayor Sprunger stated that in doing the percent and a flat dollar amount, it helps to balance out the highest and lowest salaries.

Rod Mason asked if the \$500 is treated like a onetime bonus or onetime payment. Gwen explained that the \$500 is figured into the salaries and is added to the base pay. Mayor Sprunger stated that with the 1.95% salary increase and the \$500.00 averages out to 2.9% per employee and takes effect January 1, 2021.

John Wanner asked if the budget will support the increases as proposed. Mayor Sprunger stated that in reviewing the budget with Gwen, there is room in the budget this year, but COVID-19 might impact salaries next year.

Rod Mason made a motion to introduce Ordinance No. 728: An Ordinance Fixing Salaries, Compensation and Benefit Programs for 2021 of All Appointed Officers and Employees of The City of Berne and Establishing Clothing Allowances for the Police Department, Police Reserves and Fire Department as presented. Kelly Amstutz made the second.

Mayor asked if there was any further discussion on Ord. No. 728.

John Wanner asked if some positions are paid out of several different departments. Gwen explained that the administrative assistance salaries, as well as the mayor, city attorney, clerk-treasurer, and utility clerk are paid out of different departments including Storm Water, Sewage, Water, Street budgets.

John Wanner asked about health insurance and if there was an option for family coverage. Gwen explained that there is not a family plan offered to our employees. Gwen stated that she has looked into the option of family coverage with the State of Indiana sponsored plan, and they could not come close to matching the premiums we currently pay.

Gwen reported to the council that family coverage would only benefit 3 employees but would adversely affect premiums and the deductible of all of our employees. Gwen also said that in speaking with many of our employees, they did not want to see a change in our plan. Employees pay \$1.00 per year and have a \$2,750 deductible. Gwen added that the city annually gives each employee \$500 in an HSA and \$1,500 in a medical reimbursement plan to help employees pay for extra medical expenses or their own family health plan.

Ron stated that City of Decatur and the county offers a family insurance plan, the City of Berne does not. Ron noted that late last year the council brought up having a family plan for employees, but the discussion did not go any further. Gwen noted that the county is self-insured.

John asked that by not being able to offer the option of family health insurance, it might hinder the City of Berne's ability to attract good employees. In answering John's concerns, Gwen stated the city has almost no turnover with the exception of people retiring. . The workforce has had one employee over the years leave for a different job, and that employee did not need a family health insurance plan. Potential employees know that family insurance is not offered, and Gwen said we have never had any problems hiring good employees.

Ron stated that the city, at some point and time will have to decide if they want to take on the cost of providing family health insurance, adding that it is no different than the city deciding to buy a new fire truck, or a new slide at the park, or doing a storm water project.

John asked what additional costs that the city pays in benefits for employees besides their base salaries. Gwen stated that most employees take their work vehicles home, so they can respond to emergencies like water leaks in a timely manner. Those employees do pay a fringe benefit tax as required by law. The city pays state mandated PERF benefits in both the Civil Perf and the 1977 Fund, vacation days, leave days (as stated in the employee handbook); employees are given the option of taking comp time or being paid overtime for any hours above their 40 hour work week. The city provides a life insurance policy of \$50,000 and a critical care policy for as long as the person is employed by the City of Berne. The city also provides an option for employees to purchase additional individual coverage and life insurance which is pre-taxed. Kelly Amstutz added that the employees only pay \$1.00 for their insurance annually, and that should help offset having no family health plan option.

With a motion by Rod and a second by Kelly on the floor to introduce Ord. No. 728, Mayor Sprunger asked if there was any additional discussion.

With no more comments, Curtis Wurster called for the question. On the following roll call vote, the council unanimously approved the Introduction of Ordinance No. 728- An Ordinance Fixing Salaries, Compensation and Benefit Programs for 2021 of All Appointed Officers and Employees of The City of Berne and Establishing Clothing Allowances for the Police Department, Police Reserves and Fire Department by the following roll call vote:

Kelly Amstutz Aye John Wanner Aye

Ron Dull Aye Curtis Wurster Aye
Rod Mason Aye

Introduction of Ordinance No. 729 -An Ordinance Fixing Salaries and Benefit Programs for 2021 of all Elected Officials of The City of Berne.

In bringing Ordinance 729 to the floor, Mayor Sprunger reported that the increase for full time elected officials' salaries is based on the same 1.95% pay increase plus a \$500 flat increase.

Ron asked if the employee salary ordinance can be streamlined in the future. Gwen said she is making a note in the 2022 folder and will not be problem to change it.

Ron asked if there was any follow up to John's question at the last meeting to increasing the mayor's salary in the future to what other communities our size have in place. Gwen said that in a recent survey by AIM, those communities that responded with a similar population. the mayor's salary was not very big, which lead her to believe that the mayor's position for those who responded was considered a part time job.

John stated that he finds it odd that our Administrative Assistants make more money than our mayor. John said that we should value our top elected official, who is the champion of the city, whether full time or not, and the mayor currently is paid less than a secretary.

When asked by John if the city has job descriptions for our employees and if the employees are evaluated, Mayor Sprunger reported that there are job descriptions on file, but there have not been evaluations for several years. John expressed his desire to have department heads evaluate those working in their department and base salary increases on how well an employee does their job instead of just giving an across the board increase.

Rod stated that since a motion was made and approved to introduce Ordinance No. 728, he would recommend that the council move on to discussion and consideration of Ord. No. 729 for elected officials. Ron Dull added that as a council member, he would welcome more discussion of the issues presented tonight before work starts next April on the 2022 budget.

When asked by Curtis as to how the council would proceed to increase the salary of the mayor's position, Dave advised that the council could make a motion to increase the mayor's salary by a certain dollar amount prior to the budget process for 2022. Dave recommended that this be given more thought and discussion before any action is taken. Gwen also advised that it might be best when recommending a future increase in the mayor's salary that it be done incrementally over several years.

Mayor Sprunger stated that it is rather awkward to have this discussion about his salary and that he wanted to the serve community knowing what the salary was. He said that for him, it is not about his salary.

There was further discussion on the pay structure levels for the Clerk-Treasurer position. John stated that he is fine leaving Ord. 729 like it is for this year but would

like to see changes in the Clerk-Treasurer levels of base salary before the next budget session for 2022. Gwen stated that she will make a note of the request and it will be in her 2022 budget folder. Both Mayor Sprunger and Gwen said they will review the amount and the description of each level for the Clerk-Treasurer's position when preparing the documents next year. Dave suggested changing a 4 year Business degree to include an accounting degree.

Rod Mason stated, that in going through the salary ordinances for the first time, he has a better understanding of the procedures and that it is the mayor's responsibility to bring the salary proposals to the council. Rod suggested that both salary ordinances for employees and elected officials move forward as presented this year with the understanding that over the next year, the council will have time to properly evaluate the ordinances for fairness and equitability for time and salaries.

With no further discussion, Ron Dull made a motion to introduce Ordinance- 729 An Ordinance Fixing Salaries and Benefit Programs for 2021 of all Elected Officials of The City of Berne. Curtis made the second and the motion was unanimously approved by the following roll call vote.

Kelly Amstutz	Aye	John Wanner	Aye
Ron Dull	Aye	Curtis Wurster	Aye
Rod Mason	Aye		

BZA 2020-5 Hearing Update

Dave advised the council that Bear Brothers Real Estate LLC, which is Justin Haines and Alex Subler, came before the BZA prior to the council meeting to request a special use variance for the former Palmer House site which they own. They have gutted the building and are ready to start putting everything in place to open a new restaurant. In dealing with their state application, they also have to address the need for ADA compliant access. The BZA approved their request to build an ADA ramp on the west of their building directly on to Fulton Street. This is also with the intention of changing the main entrance from Main to the Fulton Street double doors that were used to enter the old dining room area. They needed the BZA approval for a use variance so they can use Fulton Street access and they also asked that they be allowed to have outdoor seating on Fulton Street. With the approval by a unanimous vote of 5-0, they can now move ahead with the state permitting process. The ADA ramp will still allow pedestrian access to the sidewalk. In order to proceed with the outdoor seating and the ADA ramp, they will still need to come to the Council to address the need to eliminate several parking spaces on the east side of Fulton Street, and to the Board of Public Works and Safety to start the process of being allowed permission to go out into the street to accommodate an outdoor seating area. The BZA could only approve their variance request, but it is not in their authority to approve actual implementation that pertains to a city street or a public sidewalk.

Budget Background Information

Gwen provided the council with information on the budget process, historical information and how the budget will move forward.

Attorney Comments None

Clerk Comments: None

Mayor Comments

The sewer separation project continues to move along. There is a new connection at Jackson Street. The project in the alley from Oregon to Short streets is moving slowly. Brackney is encountering a lot of tree roots and multiple underground utilities. They are being very deliberate in their progress because the work is tedious.

Community shred day is Saturday September 26th from 9-noon in the parking lot at city hall.

Council Comments

Rod apologized for not being able to attend this meeting in person tonight. He stated that he had planned to join everyone, but with the pending storms, he felt it best that he be closer to Swiss Village so he could respond quicker if storms developed.

Curtis encouraged all of the council, but especially the new council members to review more closely the historical budget information that Gwen shared tonight which shows how close the amount is that Gwen prepares for the projected tax levy and what the actual tax levy to get the maximum dollar amount. Curtis said that this shows what a great job Gwen does for our city.

With nothing further to discuss and on a motion by Ron and a second by Cutis adjournment followed.

Gregg A. Sprunger, Mayor

ATTEST:

Gwen Maller, Clerk-Treasurer