

January 23, 2017

The Common Council met with Mayor William McKean for a regular meeting on Monday, January 23, 2017 at 7:30 p.m. in the Council Chambers at City Hall according to the posted notice. Councilmen Gregg Sprunger, Curtis Wurster, Ron Dull, and Philip Provost were present, along with Attorney Dave Baumgartner and Clerk-Treasurer Gwen Maller. Councilman Mark Wynn was absent.

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

**Comments by Citizens:** Wilmer Sprunger, formerly of 217 Center Street and now a resident at Swiss Village, came before council to share some thoughts he has about our community. Wilmer said that having lived at his home for more than 40 years, he had a few thoughts as an “elder statesman.”

He first thanked the council for serving. He recounted that several years ago, a wood burning stove overheated in his wood working shop when a neighbor stoked the fire too much. He thanked our fire department for putting the fire out in a timely fashion with little water, smoke damage.

Secondly, Wilmer wanted the city to be aware of the what he feels is inconsistent quality of Berne’s drinking water. Wilmer stated that while Berne has safe drinking water, sometimes the water has a heavier chemical taste. He stated that he hears this complaint from others as well. He asked that the city consider purchasing the necessary equipment, no matter the cost, that would assure that our drinking water always tastes good.

Thirdly, he asked our elected officials to build a more citizen friendly billing system. Wilmer recounted that in September, he was late paying his water bill at his 217 Center Street address and he was charged a late fee. Wilmer feels that because he has an excellent record of paying his utility bill, the late fee should have been waived, but the young lady in the office informed him that no exceptions on late bills can be made. Wilmer asked that our elected officials consider a policy that will waive a late fee if people normally pay well.

Wilmer shared several copies of a book by Randy Alcorn entitled The Grace and Truth Paradox that he would like our elected officials to read. Wilmer then thanked the council for their time and consideration of his concerns and requests.

### **Public Hearing**

The regular council meeting was recessed for a public hearing to hear public comment on the request from Blue Skies Development, LLC, on a fiscal plan, voluntary annexation petition, and Ordinance 687 on Black Bear Meadows Section II. This hearing was duly advertised in the newspaper.

Attorney Dave Baumgartner stated that Blue Skies Development has requested voluntary annexation to the City of Berne for 11.168 acres, of the Black Bear Meadows-Section II addition. All city services will be provided immediately, such as

police and fire protection, street maintenance and sanitation service. All capital improvements such as streets, street lighting, sewer and water facilities have already been installed by the developer and have been approved and accepted by the City and the annexation will have no negative financial impact to the city for services provided.

There being no questions or comments raised from the public, the regular council meeting was reconvened.

### **Minutes**

On a motion by Ron Dull and a second by Gregg Sprunger, the minutes of the January 9, 2017 meeting were unanimously approved.

### **Claims**

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

### **Blue Skies Development**

Dave Baumgartner presented the Fiscal Plan for the 11.168 acres, more or less known as Black Bear Meadow-Section II in Wabash Township, Adams County, Indiana. Gregg Sprunger made a motion to adopt the fiscal plan as presented. Ron Dull made the second and the motion was unanimously passed.

Ordinance #687 was presented for Council approval. This Ordinance Annexes Black Bear Meadows, Section II to the City of Berne, Indiana. This ordinance was introduced at the January 9, 2017 meeting. Gregg Sprunger made a motion to adopt Ordinance #687 by short title and approve the petition for annexation. Phil Provost made the second and the motion was unanimously passed.

### **Board of Public Works and Safety Report**

The Mayor reported that the monthly Board of Public Works and Safety meeting was held on Wednesday, January 18<sup>th</sup>. Black Bear Meadows Addition II petition for annexation was unanimously approved by the Board of Works.

Mayor McKean reported that a citizen requested that their street, Columbia Drive, be repaved. Pictures that were provided by the citizen showed that the street needed maintenance. Street Superintendent Gary Nussbaum will look at it and determine if it can be repaved this year.

The Board also heard citizen complaints about the littering of free newspapers to homes that do not want them or are unoccupied. Dave Baumgartner stated that he and the Mayor will be having a meeting with the Bluffton News Banner to see what can be done. There is a fine line between rights under the Freedom of the Press and the rights of private property owners.

### **Mayor Comments**

Mayor McKean informed the Council that several of our employees were going to attend a safety seminar on Tuesday morning sponsored by IPEP, who is our workman's comp. insurance provider.

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

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William F. McKean, Mayor

ATTEST:

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Gwen Maller, Clerk-Treasurer