

October 28, 2019

The Common Council met with Mayor William McKean for a regular meeting on Monday, October 28, 2019 at 7:30 p.m. in the Council Chambers at City Hall according to the posted notice. Councilmen Gregg Sprunger, Curtis Wurster, Ron Dull, Mark Wynn and Philip Provost were present, along with City Attorney Dave Baumgartner and Clerk-Treasurer Gwen Maller.

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

Minutes

On a motion by Ron Dull and a second by Gregg Sprunger, the minutes of the October 15, 2019 meeting were unanimously approved.

Claims

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

South Adams Rails to Trails Update

Mr. Randy Lehman, South Adams Rails to Trails representative, came before Council to give them an update on the trails project, noting that it had been several years since he has met with the council. Randy informed the council that SA Rails to Trails is applying for a grant in the second round of the "Next Level Trail" DNR Recreational Trails Program. If they receive the grant, the trail from 850 S to Lehman Park could be completed. Randy stated that if SA Rails to Trails doesn't get the grant, he will apply again in round three.

Randy informed the Council that SA Rails to Trails has a memorandum of understanding with the Adams County Parks Department about trail maintenance including mowing the grass, cleaning off fallen trees or limbs and removing snow. Randy asked if the City of Berne would like to maintain the Berne segment of the trail that will be within the City limits or would city rather have Adams County Parks do the maintenance? He stated that there are some in the DNR who are involved with the Next Level Trail Grant process that have expressed concerns about a trail going thru the City and the County maintaining it. Discussion was held as to exactly where the City limits begin and what the City really wants to do. The long-term intent is that once the trail is finished, SA Rails to Trails will dissolve and ownership of the trail will go to the county. Gregg Sprunger made a motion to table the decision until they could find out a little more information. Ron Dull made the second and the motion was unanimously passed.

Another item that Randy wanted to discuss is how does the City want to handle the land where the trail is going? Randy said the options were gifting, selling, or granting a 25 or 50-year easement. Geneva gave a 25-year easement. Most of the grants require that the land be appraised.

Randy also gave an update about the pedestrian bridge project. He stated that the existing trail stops on the south side of where the railroad bridge crossing the Wabash River once stood between Berne and Geneva along U.S. 27. The plan is to take 2 circa 1897 railroad bridges to span the river. One is already there and the Bunge Bridge from Decatur, which is in pieces, is at Limberlost Construction. Primco out of Fort Wayne has been awarded the contract to assemble, repair, paint and install the bridges over the river. Work will begin next month with completion anticipated by June 30, 2021.

In a related matter, Randy updated the council that the work on the road bridge on U.S. 27 South is supposed to be completed by November 18, 2019. He said that they are working very hard on it, because if the company doing the work is not finished by that date there will be heavy fines imposed.

2020 Budget Adoption

Clerk-Treasurer Gwen Maller presented Ordinance # 721, which sets out the final adoption of the 2020 budget. The ordinance provides for the total sum of \$3,150,200.00 (net of property tax caps) for all Department of Local Government Finance (DLGF) reviewed funds and \$ 144,500 for home-ruled funds which consist of the LOIT Public Safety fund and the Law Enforcement Continuing Ed Fund. Mark Wynn made a motion to introduce Ordinance #721 establishing the 2020 budget for the City of Berne. Ron Dull made the second and the motion was unanimously passed. Curtis Wurster made a motion to waive the rules and regulations to pass an ordinance on the night that it was introduced. Mark Wynn made the second and the motion was unanimously passed. Gregg Sprunger made a motion to adopt Ordinance #721 on its final reading. Ron Dull made the second and the motion was unanimously passed.

Ordinance #720 Amending Section 95.5.4 of the Berne City Code

Attorney Dave Baumgartner presented Ordinance #720 for Council consideration. Dave explained that this ordinance amends section 95.5.4 of the Berne City Code dealing with unsafe buildings. He stated that the ordinance should be amended to add and define an "Enforcement Authority" as set forth in Indiana Code 36-7-9-1 through 36-7-9-28. Ron Dull made a motion to introduce Ordinance #720 by short title. Gregg Sprunger made the second and the motion was unanimously passed. Curtis Wurster made a motion to waive the rules and regulations to pass an ordinance on the night that it was introduced. Mark Wynn made the second and the motion was unanimously passed. Gregg Sprunger made a motion to adopt Ordinance #720 on its final reading. Ron Dull made the second and the motion was unanimously passed.

Mayor Comments

Mayor McKean reported that they had trouble with the leaf machine, but a representative from Brown Equipment came down and fixed it and they were up and running again today. The problem was a wire that was shorting out.

Councilmen Comments

Ron Dull asked if Trick or Treat night and Treats at the Tower were on the same night. Gwen Maller stated that both events will be held on Tuesday night.

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

William F. McKean, Mayor

ATTEST:

Gwen Maller, Clerk-Treasurer