

April 27, 2020

Pursuant to Executive Orders 20-04 and 20-08 by Governor Eric Holcomb in response to the COVID-19 pandemic, the April 27, 2020 council meeting was held by way of a conference call using GoToMeeting. Mayor Gregg Sprunger was present at city hall. Council members were noted as present by confirming verbally as follows: Curtis Wurster, Ron Dull, Rod Mason, Kelly Amstutz and John Wanner. Also present by using GoToMeeting was Clerk-Treasurer Gwen Maller and City Attorney Dave Baumgartner.

Others attending by remote, from FCC-Adams Sandra Affolder Administrations Manager, Matt Lingo, Vice President and Cara Conley, Recruitment and Engagement Manager. From E.P Graphics, Tyler Kitt, Chief Operating Officer. Present from Poseidon/Mafco, Joyce Smith, Director of Accounting. Others present using GoToMeeting, Rob Weaver, WPGW, Clint Anderson of the Berne Witness and City of Berne Work Force Manager Kurt Dailey. An agenda was posted at the front door and a link to the agenda was available on the City of Berne website homepage.

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

Approval of Minutes

On a motion by Kelly Amstutz and a second by Rod Mason, the minutes of April 13, 2020 council meeting were unanimously approved by a Roll Call vote as follows:

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

Claims

On a motion by Ron Dull and a second by John Wanner, the claims were unanimously approved for payment as submitted by the following Roll Call vote:

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

Clerk-Treasurer Gwen Maller presented the council with an additional claim for a manual payment to Fleming Excavating for work done on the Village Way project. The pay application is for \$ 46,464.83 of which \$34,848.62 will be paid by the grant and the city match is \$ 11,616.21. John Wanner made a motion to approve the special claim to Fleming Excavating for \$ 46,464.83. Rod Mason made the second. The motion was unanimously approved by the following Roll Call vote:

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

Annual CF-1 Filings

FCC- Adams Sandra Affolder, Matt Lingo and Cara Conley with FCC-Adams were present to answer any questions about their applications. Clerk Treasurer Gwen Maller reviewed FCC-Adams ten applications with the council. Gwen also reported that she found a few clerical errors in FCC-Adams 2019-1 CF-1 filings and she has been working with their accountant to correct them. Gwen also informed the council that she has been in contact with the Adams County Assessor and the Auditor and they are aware of the changes and have no issue with them. Gwen recommended that the Council consider FCC-Adams applications to be in substantial compliance.

Council member Ron Dull reviewed the history of FCC-Adams CF-1 filings since locating in Berne.

With no additional questions or comments, Rod Mason made a motion to find FCC-Adams CF-1 filings to be in substantial compliance. Ron Dull made the second and the motion was unanimously approved with a Roll Call Vote as follows:

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

Mayor Sprunger thanked Sandra, Matt and Cara for attending the meeting via GoToMeeting and wished FCC-Adams well in this difficult environment and in restarting their production once able. Sandra Affolder thanked the community and the city for all of their support, especially in this challenging time.

EP Graphics

In reviewing EP Graphics three CF-1 applications, Tyler Kitt reported that since the first filing in 2012, which was for 60 employees and two million dollars, the filing for 2019 is for 130 employees and seven million dollars. Tyler also stated that with the technology involved when purchasing equipment, they have been able to increase the compensation to individuals, which also benefits the community as well. Tyler did state that there is one negative on one application that, even though payroll was up 1.3 million dollars over the estimate, their estimate for new employees was five and they only added 1 new employee.

In concluding, Tyler stated that he feels EP Graphics is in a good place, and he thanked the city for their support, for not only EP Graphics, but for all of the industries in Berne. Gwen advised the council that she reviewed their applications and would recommend that council find EP Graphics in substantial compliance.

Colton Bickel, Adams County Economic Development Director added his support of all three applicants filing, and that they have been great to work with.

Before the council vote was taken, Rod Mason asked City Attorney Dave Baumgartner if he could act on the applications since one of the owners of EP Graphics chairs the board for his organization. Attorney Baumgartner advised that it would not be a conflict of interest.

With no additional questions, Ron Dull made a motion to find EP Graphics in substantial compliance for their annual CF-1 application and Kelly Amstutz made the second. The motion was unanimously approved by a Roll Call vote as follows:

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

Mayor Sprunger thanked Tyler Kitt and EP Graphics for all they do in our community and wished EP Graphics well especially during this pandemic.

Poseidon/Mafco

Joyce Smith with Poseidon was present to answer any questions. Gwen Maller reviewed all five of Poseidon/Mafco applications and other than a question on the 2018 filing, which she will look in to, they exceeded most of their estimates. Gwen recommended finding Poseidon/Mafco in substantial compliance.

Joyce Smith reported that Poseidon is still buying and adding equipment to the 2018 abatement, citing that they just purchased \$150,000 for welding machines and they are buying more new equipment. Joyce stated that Poseidon started with 55 employees and have now added 42 more employees. Last year they paid \$94,553 in state tax and \$32,779 in county taxes and that is a testament that adding employees is good for the state and the community. Joyce also noted that they continue to expand their operations in Berne. She thanked the city and community for their support.

With no additional questions, Curtis Wurster made a motion to find Poseidon/Mafco in substantial compliance for their annual CF-1 applications and John Wanner made the second. The motion was unanimously approved by a Roll Call vote as follows:

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

Mayor Sprunger thanked Joyce and Poseidon/Mafco for coming to Berne in 2014 and for all they do for the community. Mayor Sprunger wished them well with the expansion project and the hiring of new employees.

Attorney Comments

None

Clerk-Treasurer Comments

None

Mayor Comments

Mayor Sprunger thanked the city workforce for their compliance with the COVID-19 guidelines established at the last council meeting. Mayor Sprunger noted that the regular trash pickup schedule is being run as normal, water leaks are being repaired as needed and everyone is doing a great job.

The new format for the water bills is ready and will be mailed out this week and those customers still receiving their bills in the mail should have the new format May 1st.

Brackney Construction started work again on the Water Street project last week. They are making great progress with few problems.

Fleming Excavation has started the work on the Village Way project.

Mayor Sprunger reminded everyone who has not filled out the 2020 U.S. Census to please do so whether by mail, phone or online. To date, Berne is reporting 62.87% of our population has completed census per the U.S. Census website. Funding for the school, library and city funding depends on an accurate and complete count.

The Mayor reported that with the start of mowing season, he is asking that grass clippings not blown on to the street, doing so is a violation of a city ordinance and grass clippings in the street can clog city storm drains.

Mayor Sprunger encouraged those needing to buy graduation gifts to consider buying Swiss Bucks from the Berne Chamber, which will keep money in Berne and could help jumpstart those businesses that have had to shut down over COVID-19 restrictions.

The Mayor thanked all of those working in health care and essential business, especially those at Swiss Village, Chalet Village, Adams Memorial Hospital and Woodcrest. Mayor thanked Rod Mason for the ongoing efforts at Swiss Village to keep residents and employees safe during this time.

Council Comments

Rod Mason thanked Mayor Sprunger for his words of encouragement and he is thankful to report that Swiss Village and all health care related entities in the county are virus free at this time. Rod also thanked the citizens of Berne and the surrounding communities for their efforts to comply with all current guidelines.

Ron Dull commented on of the CF- 1 applications and the Tax Phase In process and what it entails.

Kelly Amstutz asked the Mayor how the employee work schedule is going because of the COVID-19 guidelines. Mayor advised the council that when needed, we have

had an employee stay at home but be on call, however, with the Water Street project starting back up, Branden Alberson is onsite leaving just Terry Kongar at the WWTP. Employees have started to mow city properties, which allows them to work alone and not be sharing the same workspace.

There being no other business to come before the Council and upon a motion duly made to adjourn by Rod Mason and seconded Ron Dull, adjournment followed.

Gregg A. Sprunger, Mayor

ATTEST:

Gwen Maller, Clerk-Treasurer