

June 13, 2011

The Common Council met with Mayor John Minch for a regular meeting on Monday, June 13, 2011 at 7:30 p.m. in the Council Chambers at City Hall. All councilmen were present along with Attorney Bob Biberstein and Clerk-Treasurer Gwen Maller.

Shannon Smitley opened the meeting with the pledge of allegiance and Becky Sprunger gave the invocation.

On a motion by Gregg Sprunger and a second by Ron Dull, the minutes of the May 23, 2011 meeting were unanimously approved.

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

Mr. James Compton, United Way Director, submitted a request to use the City's parking lot beside the Chamber of Commerce to park a bus to collect items to assist area food banks. The bus will be there from 8:00 a.m. to 6:00 p.m. on Tuesday, June 21<sup>st</sup>. Ron Dull made a motion to approve the United Way's request to use the City's Main Street parking lot on June 21<sup>st</sup>. Curt Wurster made the second and the motion was unanimously passed.

The 2012 Salt bids were opened and reviewed at a Board of Works meeting that was held at 7:00 p.m. as advertised. The bids were as follows:

	Water Softening Salt	Road Salt
Morton International	103.89	73.33
North American Salt		76.29
Cargill	108.13	73.65

The Board of Works recommends to Council to accept the low bid from Morton International for Water Softening Salt and Road Salt. Mike Poulson made a motion to accept the low bids from Morton International for water softening salt at \$103.89 per ton and for road salt at \$73.33 per ton. Gregg Sprunger made the second and the motion was unanimously passed.

Attorney Biberstein presented Ordinance #615 and read it by short title. This ordinance adopts a contract for custodial services to the Lehman Park Pavilion. Ron Dull made a motion to pass Ordinance #615. Mark Wynn made the second and the motion was unanimously passed.

#### **Attorney Comments**

Bob asked if the council had any questions on the unsafe building ordinance that he passed out for review at the last meeting. Mike Poulson asked how a fund would be set up and where would the money come from to purchase the properties that needed cleaned up. Mayor Minch reported that after talking with Mr. Bill Milligan from Portland, the money could initially come from the Council fund. He stated that once the property was cleaned up, the City would recoup their money when it sold. Portland has had very good results following this ordinance with 15 out of 16 properties resolved. No official action was taken.

#### **Councilmen Comments**

Mayor Minch stated that the pool is in good shape. The \$1 Wednesdays swim day seem to be working well as there were a lot of people at the pool last Wednesday.

Ron Dull reported that there will be a fund raiser on June 18, 2011. It is being organized by the MUMs group and it is a run/walk/stroll. Several people have already registered to participate and almost \$4,000.00 has already been raised for park equipment.

The next park clean up day will be June 25, 2011.

Mike Poulson asked about the weeds around the clock tower. Jim Beitler reported that the final grade should be done this week and then it will be landscaped, so the weeds will be gone.

Mark Wynn asked when discussion would be held concerning the request made a few weeks ago by the South Adams Seniors for financial help for operating expenses. Mayor Minch stated that it will be discussed at budget time.

Mark also asked who owns the Senior Center as the roof is really bad and needs to be replaced. Mayor Minch stated that the City owns the building and the seniors lease it for \$1 per year. Gwen Maller stated that money could come from the rainy day fund for the roof repairs. It would need to be appropriated first before it could be used.

The regular council meeting was recessed for a public hearing at 8:00 p.m. that was advertised according to IC 5-3-1-2.

Mr. Jim Beitler, Attorney and Mr. Chris Frauhiger, Smith Brothers were present to answer any questions concerning their request for a tax abatement for a new 26,400 square foot building addition and new manufacturing equipment. No one from the general public raised any objections.

Mayor Minch closed the public hearing and the regular meeting was reconvened.

A confirming resolution and certificate of resolution was presented for approval. Mike Poulson made a motion to approve the confirming resolution. Gregg Sprunger made the second and the motion was unanimously passed. The resolution is as follows:

**CONFIRMING RESOLUTION AND CERTIFICATE OF RESOLUTION OF THE  
COMMON COUNCIL OF THE CITY OF BERNE, INDIANA**

The undersigned, the duly elected, qualified and acting Clerk-Treasurer of the City of Berne hereby certifies that the following is a true and complete copy of the Resolution #2011-5-23 unanimously adopted by the Common Council of the City of Berne in accordance with law on the 23rd day of May, 2011, after public hearing pursuant to notice published in the Berne Tri-Weekly News, a newspaper of general circulation published in Berne, Adams County, Indiana on May 27, 2011, and further that said Resolution #2011-5-23 has not been rescinded, repealed or in any way amended, and is still in full force and effect:

WHEREAS, the Common Council adopted a Resolution on the 23rd day of May, 2011, preliminarily establishing the area described in Exhibit "A", attached hereto, as an Economic Revitalization Area pursuant to I.C. 6-1.1-12.1-2, and

WHEREAS, the Clerk-Treasurer published a Notice of the adoption and substance of said Resolution and a public hearing on the waivers of the requirements of I.C. 6-1.1-12.1-3 pursuant to I.C. 6-1.1-12.1-11.3 in accordance with I.C. 5-3-1 and setting June 13, 2011, at 8:00 o'clock P.M. at the Common Council Chambers, Berne City Hall, 158 Franklin Street, Berne, IN 46711, for a hearing on remonstrances and objections of said Resolution, and

WHEREAS, a public hearing on remonstrances and objections was held at 8:00 o'clock P.M., on June 13, 2011 in accordance with such published notice.

BE IT RESOLVED: The Resolution adopted by the Common Council on May 23, 2011, establishing the area described as Exhibit "A", attached hereto, as an Economic Revitalization Area and granting a tax deduction for Redevelopment of Property pursuant to I.C. 6-1.1-12.1-3 and for New Manufacturing Equipment pursuant to I.C. 6-1.1-12.1-4.5 is hereby confirmed as adopted.

BE IT FURTHER RESOLVED, that the Common Council hereby waives the following requirements of I.C. 6-1.1-12.1-3 pursuant to I.C. 6-1.1-12.1-11.3:

1. The failure to provide the completed statement of benefits form to the designating body before the hearing required by I.C. 6-1.1-12.1-2.5;
2. The failure to submit the completed statement of benefits form to the designating body before the installation of the new manufacturing equipment for which the person desires to claim a deduction;

3. The failure to designate an area as an Economic Revitalization Area before the installation of the new manufacturing equipment;

4. The failure to make the required findings of fact before designating an area as an economic revitalization area.

DULY PASSED, ADOPTED AND RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BERNE, STATE OF INDIANA, THIS 13TH DAY OF JUNE, 2011.

COMMON COUNCIL OF THE CITY OF BERNE

Ronald N. Dull  
D. Michael Poulson  
Gregg A. Sprunger  
Curtis L. Wurster  
Mark D. Wynn

John F. Minch, Mayor and Presiding Officer

ATTEST:

Gwen Maller, Clerk-Treasurer

Mayor Minch informed the Council that he is proposing a \$600 raise across the board to all full-time employees including the Clerk-Treasurer for 2012. He is also proposing a \$200 raise for the part time meter reader. He is not recommending any raises for the Mayor, or Council.

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

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John F. Minch, Mayor

ATTEST:

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Gwendolyn J. Maller, Clerk-Treasurer