

October 24, 2011

The Common Council met with Mayor John Minch for a regular meeting on Monday, October 24, 2011 at 7:30 p.m. in the Council Chambers at City Hall. Councilmen Gregg Sprunger, Curtis Wurster, Mike Poulson, Ron Dull, were present along with Attorney Bob Biberstein and Clerk-Treasurer Gwen Maller. Councilman Mark Wynn came later.

Ron Dull opened the meeting with the pledge of allegiance and Rev. James Langham gave the invocation.

On a motion by Ron Dull and a second by Curtis Wurster the minutes of the October 11, 2011 meeting were approved on a vote of 4 yeas and 0 nays.

On a motion by Gregg Sprunger and a second by Mike Poulson, the claims were approved for payment on a vote of 4 yeas and 0 nays.

James Beitler, Jr. came before Council to request permission to have Harrison Street between Main and Water blocked off on Thursday night between 6:00 – 8:00 p.m. They are having a “Treats at the Tower” event for kids and they thought it would be safer if Harrison Street was closed. Gregg Sprunger made a motion to close Harrison Street between Main and Water between 5:30 p.m. and 8:30 p.m. on Thursday October 27th. Ron Dull made the second and the motion was unanimously passed.

Sheree Barkley came before the Board of Works to request permission to put a 60 x 120 ft. tent over the City parking lot for Swiss Days. It would be large enough to cover the stage and provide protection from the weather. In order to put up the tent, holes would have to be drilled 36 inches deep in the pavement for the poles and guy wires. The holes would be capped with asphalt after the event. Mayor Minch stated that since the stage collapse at the Indiana State Fair this past summer, he has received notices concerning potential safety and liability issues for tents and stages. Sheree informed the Board of Works that in addition to the normal inspection by the Fire Marshal, she will meet with the agent that carries the Swiss Days liability insurance to make sure that everything is in compliance for all safety concerns. The Board of Works made a motion to recommend to Council that they give permission to have a tent over the City parking lot for Swiss Days. Gregg Sprunger made a motion to give approval to the Swiss Days Committee to put a tent over the City parking lot. Curt Wurster made the second and the motion was unanimously passed.

Clerk-Treasurer Gwen Maller presented an Ordinance for the final adoption of the 2012 budget. Mike Poulson made a motion to approve the 2012 budget ordinance. Ron Dull made the second and the motion was unanimously passed.

Curt Wurster gave a report from the Board of Works meeting. Along with the request for the tent that was previously discussed, the Board heard conference reports from Jay Sprunger, John Crider, Brad Yoder, Shannon Smitley and Kurt Wurster; the new water tower is now completed; the Poplar street drainage project is put on hold until January 2012 due to the Common Construction law; and Police and Fire activity reports were reviewed.

Attorney Comments

Bob Biberstein submitted a contract amendment for compliance with Indiana Code I.C. 22-5-1.7 for Council approval. This amendment provides for contracts to add the provision of compliance with the E-Verify program that the state legislation recently passed. The contractor shall enroll in and verify the work eligibility status of all newly hired employees through the E-Verify program. They shall not knowingly employ or contract with an unauthorized alien or retain an employee or sub-contractor that is an unauthorized alien. This amendment also requires all contractors to submit an executed certificate affirming the above stated requirements. Mark Wynn made a motion to take Council action to bring the City into compliance with I.C. Code 22-5-17. Gregg Sprunger made the second and the motion was unanimously passed. Gwen Maller was directed to send out the amendments and certificate of compliance to all vendors who provide services (not goods) to the City of Berne.

Council Comments

Ron Dull reported that the Lehman Park Fall festival was a success and they raised around \$3,300.00. He expressed appreciation for all who participated. Last Wednesday, the South Adams seniors had a service day and they helped out at the park and at City Hall.

The regular council meeting was recessed.

A public hearing was held according to I.C. 5-3-1-2 for an additional appropriation in the General Fund. Gwen Maller is requesting a \$15,000 additional appropriation to the General Fund Police Department. This would consist of \$10,000 in personal services, \$3,900 in other services & charges and \$1,100 in capital outlays. No one from the general public raise any questions.

The regular council meeting was reconvened.

Curt Wurster made a motion to approve the \$15,000 additional appropriation. Mike Poulson made the second and the motion was unanimously passed.

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

John F. Minch, Mayor

ATTEST:

Gwen Maller, Clerk-Treasurer