

July 11, 2011

The Common Council met with Mayor John Minch for a regular meeting on Monday, July 11, 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.

Mayor Minch opened the meeting with the pledge of allegiance and Councilman Curt Wurster gave the invocation.

On a motion by Mark Wynn and a second by Ron Dull, the minutes of the June 27, 2011 meeting were unanimously approved.

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

Sister City Committee president, Dave Burson, updated the Council on their activities. Members of the committee consist of Becky Sprunger, Daryl Martin, Floyd Liechty, Debby Neuenschwander, and Mike Poulson along with Keaton Becher serving as an advisor. Dave stated that they began meeting on March 11, 2010 and have established and approved bylaws for the committee. Their objectives are to: educate children about Switzerland, establish a sister city town, encourage tourism, and this year host guests over Swiss Days. The guests include Mayor Christian Kopp and Town Clerk Niklaus Meister of Trachselwald, and Mr. and Mrs. Hans Moser from North Carolina.

Mayor Minch submitted for Council approval a construction contract with LICA, LLC for the sanitary sewer collection project under the DR2 grant. The bid price of the project is \$789,627.71. Ron Dull made a motion to approve the contract and have Mayor Minch sign it. Mark Wynn made the second and the motion was unanimously passed.

Gregg Sprunger made a motion to have Mayor Minch sign the notice to proceed for the sanitary sewer collection improvement project. Mike Poulson made the second and the motion was unanimously passed.

Gwen Maller requested that the Council approve a 3.5% increase for the township fire protection contracts for 2012. Mike Poulson made a motion to approve the 3.5% increase for 2012 for the six townships that contract with the City of Berne. Curt Wurster made the second and the motion was unanimously passed.

Discussion was held concerning American Legal Publishing adding our City code to their website so that everyone could access it. They would provide a link from our website to theirs. The cost of this service would be \$375.00. Gwen stated that if it was online, then we may not have to get the C.D.s or all the hard copies that we do now. However, Ray Bollhauer representative for American Legal stated that the cost is to update the code, not the printing of it. If we get fewer copies it may save one to two hundred dollars per year. Gregg Sprunger made a motion to table the decision until more information could be obtained. Ron Dull made the second and the motion was unanimously passed.

Attorney Biberstein read by short title Ordinance # 619 for its first reading. This ordinance fixes the salaries, compensation and benefit programs for 2012 of all appointed officers and employees of the City of Berne and establishes clothing allowances for the police department, police reserves and fire department. Curt Wurster made a motion to approve the first reading of Ordinance #619. Mike Poulson made the second and the motion was unanimously passed.

Attorney Biberstein read by short title Ordinance #620 for its first reading. This ordinance fixes salaries and benefit programs for 2012 of all elected officials of the City. Gregg Sprunger made a motion to approve the first reading of Ordinance #620. Mark Wynn made the second and the motion was unanimously passed.

Attorney Biberstein presented and read Ordinance # 621 by short title. This ordinance enacts and adopts a supplement to the Code of ordinances for the City of Berne, Indiana, and declaring an emergency. Ron Dull made a motion to approve the first reading of Ordinance #621 by short title. Gregg Sprunger made the second and the motion was unanimously passed. Mike Poulson made a motion to waive the second reading of Ordinance #621. Curt Wurster made the second and the motion was unanimously passed. Attorney Biberstein read by short title Ordinance #621 for its third and final reading. Curt Wurster made a motion to pass Ordinance #621. Ron Dull made the second and the motion was unanimously passed.

Attorney Biberstein stated that a scribbner's error occurred in Ordinance #615 which adopts a contract for custodial services to the Lehman Park Pavilion. In paragraph #7 line two, the word "not" should not be there. The Custodians actually are responsible for cleaning the restroom in the pavilion. The contract with the custodians has been corrected. Ron Dull made a motion to delete the word "not" out of paragraph #7, line #2. Mark Wynn made the second and the motion was unanimously passed.

Discussion was held concerning the unsafe building ordinance. Bob stated that the ordinance could be passed, but implementation of the ordinance takes time. No official action was taken.

Bob Biberstein stated that Shannon Smitley would like the Council to look at creating a garage sale ordinance. Gregg Sprunger would like Bob Biberstein to research the options that would apply to such an ordinance and to report back at the next meeting.

Councilmen Comments:

Ron Dull stated that there will be a park board meeting on July 13th. He also stated that the Minor/Little leagues season is coming to an end this weekend.

Ron reported that the MUMS walk-a-thon fund raiser for park equipment was a success. They raised around \$5,000.00.

Clerk-Treasurer Comments

Gwen Maller reported that there is a water customer that had a water softener running and didn't know it. Their average bill is in the 5000-8000 gallon range, but with the leak it was 32,000 gallons the first month and

66,000 gallons the second month. In the first week of this month they had already used 12,000 gallons. She can adjust their bill for the first month, but is asking council's permission to adjust it for the second and third month. Mike Poulson made a motion to adjust their bill for more than one month. Mark Wynn 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 Ron Dull and seconded by Gregg Sprunger, adjournment followed.

John F. Minch, Mayor

ATTEST:

Gwen Maller, Clerk-Treasurer