

VILLAGE OF BERRIEN SPRINGS REGULAR COUNCIL MEETING

Minutes of the Village of Berrien Springs Regular Council Meeting held on Monday, February 21, 2022.

President Pro-Tem Barry Gravitt called the council meeting to order at 6:00 p.m.

Present: President Pro-Tem Barry Gravitt, Trustees: Jack Davis, Lonna Johnson, Sheila Snyder, Sandy Swartz, Kristin von Maur, Clerk Sheri Kesterke and Attorney DeFrancesco.

Absent: None

Also Present: *The Journal Era* and several audience members.

All stood for the Pledge of Allegiance.

AGENDA APPROVAL:

***Moved** by Kristin von Maur seconded by Sandy Swartz to approve the agenda as amended; adding to Finance & Personnel to approve the resignation of Village President Jesse Hibler. Ayes, 6; Nays, 0. Motion carried.

APPROVAL OF PREVIOUS MINUTES:

Approve the minutes of the Regular Council Meeting held February 07, 2022.

***Moved** by Sandy Swartz seconded by Kristin von Maur to approve the minutes of the Regular Council Meeting held February 07, 2022, as presented. Ayes, 6; Nays, 0. Motion carried.

CORRESPONDENCE: None.

Audience Comments: None.

COMMITTEE REPORTS

FINANCE AND PERSONNEL –

Notice was received that Village President Jesse Hibler has stepped down as of February 16, 2022.

***Moved** by Jack Davis seconded by Sandy Swartz to approve the resignation of Village President Jesse Hibler with regret. Ayes, 6; Nays, 0. Motion carried.

Appoint a Village President to serve until the November 08, 2022 election.

Discussion was held.

***Moved** by Lonna Johnson to appoint Jason Ramtahal as Village President. Motion died due to lack of a second.

***Moved** by Lonna Johnson to appoint Sheila Snyder as Village President. Motion died due to lack of a second.

*** Moved** by Sandy Swartz to appoint Jack Davis; in which Jack Davis then spoke and felt that since Barry Gravitt was interested and is President Pro-Tem, he should finish the term until the November Election.

***Moved** by Jack Davis seconded by Kristin von Maur to appoint President Pro-Tem Barry Gravitt as Village President to complete the term until the November 08, 2022 election. Roll call vote: Kristin von Maur/Aye; Sheila Snyder/Nay; Jack Davis/Aye; Sandy Swartz/Aye; Lonna Johnson/Nay. Abstained: Barry Gravitt. Motion carried.

***President Barry Gravitt gave a synopsis of the regular committee meeting held Wednesday, February 16, 2022, at 6:30 p.m.**

Pay the bills.

***Moved** by Sheila Snyder seconded by Lonna Johnson to pay the bills in the amount of \$83,821.64. Ayes, 6; Nays, 0. Motion carried.

Approve the invoice from the Michigan Finance Authority regarding Project Number 5168-01 (Wastewater Treatment Plant 2006).

***Moved** by Jack Davis seconded by Kristin von Maur to approve the invoice from the Michigan Finance Authority regarding Project Number 5168-01 (Wastewater Treatment Plant 2006) in the amount of \$325,000.00 Principal and \$43,443.57 Interest for a total amount due of \$368,443.57. Ayes, 6; Nays, 0. Motion carried.

Approve one compensation hour earned for each hour worked for Public Works Employees who come in to plow and handle winter storm issues when the non-essential workers are told to stay home.

*Moved by Sheila Snyder seconded by Sandy Swartz to approve one compensation hour earned for each hour worked for Public Works Employees who come in to plow and handle winter storm issues when the non-essential workers are told to stay home and the Village Hall is closed during regular scheduled workdays. Overtime hours beyond a regular workday will remain at time and one half. This will be set as policy for any and all future occurrences, pending confirmation from Plante & Moran that this is acceptable. Ayes, 6; Nays, 0. Motion carried. (Note: Auditor Britni McDole of Plante Moran stated she didn't see any issues from their perspective.)

Promote Rachael Kuzda to the position of Village Clerk upon Clerk Sheri Kesterke's retirement and to begin training for the position immediately.

*Moved by Jack Davis seconded by Lonna Johnson to promote Rachael Kuzda to the position of Village Clerk upon Clerk Sheri Kesterke's retirement and to begin training for the position immediately, as time allows, with a "Step One" increase in wage of \$1.62 per hour. "Step Two" wage increase to be determined closer to transition date with a 90-day probationary period beginning when Clerk Kesterke retires. Ayes, 6; Nays, 0. Motion carried.

Promote Michelle Smith to the additional title of Deputy Clerk in addition to her current job responsibilities upon Clerk Sheri Kesterke's retirement and to immediately begin the process of becoming a Notary.

*Moved by Jack Davis seconded by Kristin von Maur to promote Michelle Smith to the additional title of Deputy Clerk in addition to her current job responsibilities upon Clerk Sheri Kesterke's retirement and to immediately begin the process of becoming a Notary with a "Step One" addition in wages at .50 cents per hour at this time. "Step Two" increase to be determined closer to transition date, with a 90-day probationary period of the additional duties beginning when Clerk Kesterke retires. Ayes, 6; Nays, 0. Motion carried.

Approve to go forward with the internal posting for one week for the Accounting Clerk position. If there is no response, then go forward with external posting/advertising of the position.

*Moved by Sheila Snyder seconded by Lonna Johnson to approve to go forward with the internal posting for one week for the Accounting Clerk position. If there is no response, then go forward with external posting/advertising of the position with the preference that applicants have a minimum of an associate degree in accounting. Ayes, 6; Nays, 0. Motion carried.

Approve removing the word "Development" from the Community Development Coordinator title, to be a title of Community Coordinator.

*Moved by Kristin von Maur seconded by Lonna Johnson to approve removing the word "Development" from the Community Development Coordinator title, to be a title of Community Coordinator. Ayes, 6; Nays, 0. Motion carried.

Approve removing the previous Village President from the Village's Banking accounts and add the new Village President and Village Clerk in Training to the signature cards.

*Moved by Jack Davis seconded by Sandy Swartz to approve removing previous Village President Jesse Hibler from the Village's Banking accounts and add the new Village President, Barry Gravitt and appointed Village Clerk in Training, Rachael Kuzda, to the signature cards. Ayes, 6; Nays, 0. Motion carried.

Approve the recommendation from Public Works Superintendent Dave Kunde to change vendors from CINTAS for rugs and uniforms to Aramark.

*Moved by Jack Davis seconded by Kristin von Maur to approve the recommendation from Public Works Superintendent Dave Kunde to change vendors from CINTAS for rugs and uniforms to Aramark as per memo, including paying the approximately \$1,000.00 in uniform buyout to close the CINTAS account. Ayes, 6; Nays, 0. Motion carried.

Approve the proposal from Knuth Excavating, L.L.C. for structure demolition at 611 North Mechanic Street.

*Moved by Kristin von Maur seconded by Lonna Johnson to approve the proposal from Knuth Excavating, L.L.C. for structure demolition and lot clean up at 611 North Mechanic Street (Village owned) in the amount of \$21,000.00. Ayes, 6; Nays, 0. Motion carried.

The Quarterly Investment Report was received by the council.

PUBLIC PROPERTIES AND ORDINANCE –

*Kristin von Maur gave a synopsis of the regular committee meeting held Wednesday, February 16, 2022, at 5:30 p.m.

Consider the request to have a “Family Childcare Home” at 410 N. Harrison Street.

***Moved** by Lonna Johnson seconded by Sheila Snyder to approve, as a permitted use by Michigan Law, the request to have a “Family Childcare Home” at 410 N. Harrison Street, as long as the applicant resides there. The Zoning Permit Application has been received from Ryan Keough, Zoning Administrator, and reviewed by Attorney DeFrancesco, with the State of Michigan required to do the inspections and licensing. The owner, Monica Harris, volunteers to not place signage on the property. Ayes, 6; Nays, 0. Motion carried.

Request by Oronoko Charter Township for the Village to match the Township’s \$1,900.00 towards the Library’s sidewalk project. They plan to construct a sidewalk outside the emergency exit of the community room to meet the requirements for Elections.

***Moved** Kristin von Maur seconded by Sheila Snyder to approve the request by Oronoko Charter Township for the Village to match the Township’s \$1,900.00 towards the Library’s sidewalk project to construct a sidewalk outside the emergency exit of the community room to meet the requirements for Elections. Ayes, 6; Nays, 0. Motion carried.

Approve the request from the Student Council Advisor to hold the 2022 Homecoming Parade on October 14, 2022, beginning at 12:50 p.m.

***Moved** by Sheila Snyder seconded by Kristin von Maur to approve the request from the Student Council Advisor to hold the 2022 Homecoming Parade on October 14, 2022, beginning at 12:50 p.m. Ayes, 6; Nays, 0. Motion carried.

FIRE – Trustee Jack Davis: Village Representative

*Future Fire Board Meeting dates in 2022 are: March 23, May 25, July 27, September 28 and November 16, 2022, at 5:00 P.M.

PUBLIC UTILITIES – Chair Sandy Swartz

*Chair Sandy Swartz gave a synopsis of the regular committee meeting held Wednesday, February 16, 2022, at 5:30 p.m.

Approve the quote from R. W. LaPine Inc. for 2022 Preventive Maintenance on HVAC Equipment of the WWTP.

***Moved** by Jack Davis seconded by Sandy Swartz to approve Quote #S21-0362 from R. W. LaPine Inc. for 2022 Preventive Maintenance on HVAC Equipment at the WWTP in the amount of \$2,992.00. Ayes, 6; Nays, 0. Motion carried.

SHAMROCK PARK COMMITTEE – Sandy Swartz, Chair

*Sandy Swartz gave a synopsis of the regular committee meeting held Wednesday, February 16, 2022, at 6:30 p.m.

*The Monthly Revenue/Expense report was received for January 2022.

Approve Proposal #22-0001 from Chorba Asphalt Paving LLC to grade and pave with 1.5” base and 1.5” top for office parking area and the cabin drives at Shamrock Park.

***Moved** by Sandy Swartz seconded by Lonna Johnson to approve proposal #22-0001 from Chorba Asphalt Paving LLC to grade and pave with 1.5” base and 1.5” top for office parking area and the cabin drives at Shamrock Park in the amount not to exceed \$9,500.00. Ayes, 6; Nays, 0. Motion carried.

Approve proposal on Invoice #7 from Mosquito Joe of South Bend for barrier spray at Shamrock Park for each month of April, 2022 through August 31, 2022.

***Moved** by Sandy Swartz seconded by Sheila Snyder to approve the proposal on Invoice #7 from Mosquito Joe of South Bend for barrier spray at Shamrock Park for each month of April, 2022 through August 31, 2022 @ \$315.00 per month for a total of \$2,205.00. Ayes, 6; Nays, 0. Motion carried.

Approve the addendum to the Shamrock Park Late Fee Policy; “Timeframe for \$50.00 late fee to include electric surcharges.”

***Moved** by Lonna Johnson seconded by Kristin von Maur to approve the addendum to the Shamrock Park Late Fee Policy; “Timeframe for \$50.00 late fee to include electric surcharges, to begin April 1, 2022. Ayes, 6; Nays, 0. Motion carried.

LIBRARY BOARD – Sandy Swartz

Approve reappointing Lavonne Kroncke to an additional term as a Village Representative on the Library Board to begin April 1, 2022, through March 31, 2025.

***Moved** by Jack Davis seconded by Sheila Snyder to approve reappointing Lavonne Kroncke to an additional term as a Village Representative on the Library Board to begin April 1, 2022, through March 31, 2025. Ayes, 6; Nays, 0. Motion carried.

MEDIC 1 – Clerk Sheri Kesterke

The next Medic 1 Board Meeting is scheduled for February 24, 2022.

RECREATION BOARD – Jack Davis

*Information was received from the January 26, 2022, GBSRD Board Meeting. Included was the January 26, 2022 Agenda, the November 16, 2021 Minutes and the 2022 GBSRD Wish List.

POLICE COMMITTEE –

*Future Police Board Meetings are scheduled for: April 28, July 28 and October 27, 2022, at 3:30 p.m.

HISTORIC DISTRICT COMMITTEE: Chair Sheila Snyder

Historic District Committee Meetings have been scheduled for Monday, February 28, 2022 & Monday, March 28, 2022, from 6:00 – 7:30 p.m. at the Courthouse Square.

SOCIAL MEDIA COMMITTEE: Chair Kelly Ewalt/Update by Committee Members

*The regular committee meeting scheduled for Wednesday, February 16, 2022, at 5:00 p.m. was cancelled. Trustee Sheila Snyder reported she continues to work with Kelly Ewalt to train her on developing and running a new website, it is a slow process.

ONGOING BUSINESS – None.

NEW BUSINESS

Approve placing an ad to accept applications to fill the absent council seat.

***Moved** by Kristin von Maur seconded by Lonna Johnson to place an ad to accept applications to fill the vacant council seat. Ayes, 6; Nays, 0. Motion carried.

Audience Comments: None.

ADJOURNMENT

***Moved** by Sandy Swartz seconded by Kristin von Maur to adjourn at 7:15 p.m. Ayes, 6; Nays, 0. Motion carried.

Sheri Kesterke MiPMC/MMC
Village Clerk

Barry Gravitt
Village President