

VILLAGE OF BERRIEN SPRINGS REGULAR COUNCIL MEETING

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

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

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

Absent: Trustees Sandy Swartz and Kristin von Maur.

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

All stood for the Pledge of Allegiance.

AGENDA APPROVAL:

***Moved** by Sheila Snyder seconded by Lonna Johnson to approve the corrected agenda.

Ayes, 4; Nays, 0. Motion carried.

APPROVAL OF PREVIOUS MINUTES:

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

***Moved** by Jack Davis seconded by Sheila Snyder to approve the minutes of the Regular Council Meeting held March 07, 2022, as presented. Ayes, 4; Nays, 0. Motion carried.

CORRESPONDENCE:

* Notice was received that a Pre-Hearing will be held Wednesday, March 23, 2022, at 9:00 a.m. by Video/Teleconferencing regarding Indiana Michigan Power Company's request for approval of its integrated resource plan pursuant to MCL 460.6t, avoided costs and for other relief.

Audience Comments:

*Zach Fedoruk of 124 St. Joseph Ave. questioned the number of council members present being enough to pass motions. It was replied that four council members represent a majority of the council.

COMMITTEE REPORTS

FINANCE AND PERSONNEL – Chair President Barry Gravitt

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

*The Finance & Personnel Committee, Village Clerk and "Village Clerk in Training" are scheduled to interview Accounting Clerk Applicants March 30th beginning at 4:00 p.m.

*President Barry Gravitt announced he talked to Oronoko Charter Township Supervisor Mike Hildebrand, and the Village President is to be the Village representative on the Police Board. President Gravitt will represent the Village on the Police Board, and Lonna Johnson will be a Village representative on the Fire Board with Trustee Jack Davis.

Pay the bills.

***Moved** by Jack Davis seconded by Lonna Johnson to pay the bills in the amount of \$63,642.59. Ayes, 4; Nays, 0. Motion carried.

Approve the USDA RD Water & Sewer Infrastructure Improvements Bond Interest due.

***Moved** by Lonna Johnson seconded by Sheila Snyder to approve the USDA RD Water & Sewer Infrastructure Improvements Bond Interest due in the total amount of \$22,646.25. Ayes, 4; Nays, 0. Motion carried.

Approve Invoice from County of Berrien Community Development for Administration Fees for the Berrien County Water & Sewer No. 29 Bond.

***Moved** by Jack Davis seconded by Sheila Snyder to approve Invoice #57615362 from County of Berrien Community Development in the amount of \$500.00 for Administration Fees for the Berrien County Water & Sewer No. 29 Bond. Ayes, 4; Nays, 0. Motion carried.

The Finance & Personnel Committee interviewed Council Applicants March 17, 2022.

The Committee will have a second round of interviews with select applicants.

Approve the Job Description for position of Community Coordinator.

***Moved** by Sheila Snyder seconded by Lonna Johnson to approve the Job Description for the position of Community Coordinator as presented. Ayes, 4; Nays, 0. Motion carried.

The committee recommends the council approve sending Clerk Sheri Kesterke and Clerk in Training Rachael Kuzda to the Michigan Association of Municipal Clerks Summer Conference June 21-24, 2022.

***Moved** by Sheila Snyder seconded by Jack Davis to approve sending Clerk Sheri Kesterke and Clerk in Training Rachael Kuzda to the Michigan Association of Municipal Clerks Summer Conference June 21-24, 2022. Ayes, 4; Nays, 0. Motion carried.

Approve hiring applicant Reneta Mais for the position of part time Shamrock Park employee.

***Moved** by Lonna Johnson seconded by Jack Davis to approve hiring applicant Reneta Mais for the position of part time Shamrock Park employee, pending she passes the pre-employment physical, at a pay of \$12.00 hour. Ayes, 4; Nays, 0. Motion carried.

Approve reimbursing the Code Enforcement Officer for cell phone expense of \$15.50 per month.

***Moved** by Jack Davis seconded by Sheila Snyder to approve reimbursing the Code Enforcement Officer for cell phone expense of \$15.50 per month (1/2 of the full time employees \$31.00 per month that are required to use their personal cell phone during normal work communications). Ayes, 3; Nays, 1 (Lonna Johnson). It was determined the motion did not pass due to a majority of the council must approve a motion. The majority of the full council of seven is four.

Approve the Resolution “Michigan Emergency Management Act” naming Public Works Superintendent Dave Kunde as the primary emergency liaison for the Village.

***Moved** by Lonna Johnson seconded by Jack Davis to approve the Resolution, “Michigan Emergency Management Act”, naming Public Works Superintendent Dave Kunde as the primary emergency liaison for the Village. Ayes, 4; Nays, 0. Motion carried.

Approve the request from Fire Chief Doug Myers to approve the Village’s share for the cost of fireworks for 2022.

***Moved** by Jack Davis seconded by Lonna Johnson to approve the request from Fire Chief Doug Myers to approve the Village’s share for the cost of fireworks for 2022 to be \$4,200.00, providing Oronoko Charter Township and Berrien Township also approve their shares. Ayes, 4; Nay, 0. Motion carried.

PUBLIC PROPERTIES AND ORDINANCE – Chair: Kristin von Maur

***Committee member Sheila Snyder gave a synopsis of the regular committee meeting held Wednesday, March 16, 2022, at 5:30 p.m.**

Approve adding a 5K through Andrews University as an additional event for the Pickle Festival.

***Moved** by Jack Davis, seconded by Lonna Johnson to approve adding a 5K through Andrews University as an additional event for the Pickle Festival, to be held Sunday, June 19, 2022. Ayes, 4; Nays, 0. Motion carried.

The Village of Berrien Springs Land Use Plan is dated September of 2017 and was developed by Williams & Works. The Michigan Planning Enabling Act (Act 33 of 2008) requires a Land Use Plan to be reviewed every 5 years.

***Moved** by Lonna Johnson, seconded by Sheila Snyder to extend the current Village of Berrien Springs Land Use Plan for an additional five years; 2023-2027. Ayes, 4; Nays, 0. Motion carried.

Approve the Grove Pavilion request to also erect a small tent for a Wedding Rehearsal Dinner on June 04, 2022, from 7:00 p.m. – closing 11:00 p.m.

***Moved** by Lonna Johnson seconded by Jack Davis to approve the Grove Pavilion reservation request to also erect a small tent for a Wedding Rehearsal Dinner on June 04, 2022, from 7:00 p.m. – closing 11:00 p.m., with the acknowledgment that the police department will do drive throughs. Ayes, 4; Nays, 0. Motion carried.

FIRE – Trustees Jack Davis and Lonna Johnson: Village Representatives

***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.**

*A special Fire Board Workshop has been scheduled for March 29th at 7:00 p.m. to discuss the capital improvement projects for the fire department for the next 5-10 years. To be held at the Township Hall.

PUBLIC UTILITIES – Chair Sandy Swartz

*Committee member Barry Gravitt gave a synopsis of the regular committee meeting held Wednesday, March 16, 2022, at 5:30 p.m.

Approve the agreement with Michigan AgriBusiness Solutions for three years per the Materials Management Agreement (WWTP Sludge hauling).

***Moved** by Lonna Johnson seconded by Jack Davis to approve the agreement with Michigan AgriBusiness Solutions for three years per the Materials Management Agreement (WWTP Sludge hauling). Ayes, 4; Nays, 0. Motion carried.

Approve the purchase of 75 gallons of white street paint for parking lines from Sherwin-Williams.

***Moved** by Lonna Johnson seconded by Sheila Snyder to approve the purchase of 75 gallons of white street paint for parking lines from Sherwin-Williams in the amount of \$2,421.75. Ayes, 4; Nays, 0. Motion carried.

Approve the purchase of 4,500 pounds of sealing rubber from Great Lakes Coatings.

***Moved** by Lonna Johnson seconded by Jack Davis to approve the purchase of 4,500 pounds of sealing rubber from Great Lakes Coatings @ \$0.65 per pound for a total price of \$2,880.00. Ayes, 4; Nays, 0. Motion carried.

SHAMROCK PARK COMMITTEE – Sandy Swartz, Chair

*Committee member Jack Davis gave a synopsis of the regular committee meeting held Wednesday, March 16, 2022, at 6:30 p.m.

*The February Revenue/Expense Report was received by the council.

Approve the quote from Michael's Lock Service for Shamrock Park.

***Moved** by Lonna Johnson seconded by Sheila Snyder to approve the quote from Michael's Lock Service for 3 locksets, cylinders, trip charge, installation and master keying in the amount of \$797.00 for Shamrock Park. Ayes, 4; Nays, 0. Motion carried.

Approve the electrical proposal from Beaudoin Electrical Construction for Shamrock Park.

***Moved** by Lonna Johnson seconded by Sheila Snyder to approve the electrical proposal from Beaudoin Electrical Construction for Shamrock Park misc. electrical needs as stated on quote not to exceed \$3,500.00. Ayes, 4; Nays, 0. Motion carried.

Approve the quote from Moose Lake Aggregates for #9 Slag delivered to Shamrock Park.

***Moved** by Lonna Johnson seconded by Jack Davis to approve the quote from Moose Lake Aggregates for #9 Slag delivered to Shamrock Park @ \$33.35 per ton for estimated 48 tons for a total not to exceed \$1,800.00, plus fuel surcharge. Ayes, 4; Nays, 0. Motion carried.

LIBRARY BOARD – Sandy Swartz

Nothing to report at this time.

MEDIC 1 – Clerk Sheri Kesterke

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

RECREATION BOARD – Jack Davis

*The GBSRD Board Meeting was scheduled for Wednesday, March 16th, at 6:00 p.m. which was during the Village's Committee Meetings.

POLICE COMMITTEE – Village President Barry Gravitt - Village Representative

*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

*The next Committee Meeting is scheduled for March 28, 2022, at 6:00 p.m. at the Courthouse Square.

SOCIAL MEDIA COMMITTEE: Chair Kelly Ewalt/Sheila Snyder

*Committee member Sheila Snyder gave a synopsis of the regular committee meeting held Wednesday, March 16, 2022, at 5:00 p.m.

ONGOING BUSINESS

1. Reminder: Volunteer for the Shamrock Spring Spruce-Up – April 3, 2022, from 11:00 a.m. – 2:00 p.m.
2. Reminder: April Committee Meetings were rescheduled to be held April 06, 2022.
3. Reminder: Council Workshop is scheduled for Wednesday, April 13, 2022, at 5:30 p.m.

NEW BUSINESS

1. President Gravitt informed the council that he spoke to Oronoko Charter Township Supervisor Mike Hildebrand regarding the Township’s effort to obtain approval from MDOT to plant trees along the M-139 corridor to make improvements. The Township has asked Williams & Works to help obtain MDOT’s permission for this project. Supervisor Hildebrand feels this would also be a great benefit to the Village and would like the Village Council to consider splitting the \$4,700.00 charge. For information only at this time.

Audience Comments:

Zach Fedoruk of 124 St. Joseph Avenue had a question about the concern of alcohol at the wedding rehearsal at the Grove Park. He was assured no alcohol is allowed at the park and the rules are given to those who reserve a pavilion.

Jason Ramtahal of 113 E. Madison asked if when rekeying locks at Shamrock Park if this included the cabin locks. He would not be comfortable if a master key to everything at Shamrock Park included the cabins if he rented one. He was assured the cabins were not included in the master lock. He then stated he felt more trash cans were needed downtown. The Public Works Superintendent will be asked to look into this. Mr. Ramtahal then informed the council that the Pathfinders would like to plant flowers in Memorial Park. Mr. Ramtahal then asked who was the Ordinance Enforcement Officer’s Supervisor? President Gravitt stated that Shane reports to him. Discussion was held including whether the enforcement officer has carbon copies of his tickets, and why a resident received an invoice months after the cleanup occurred. Mr. Ramtahal was informed that Shane has nothing to do with the invoices, the Accounting Clerk was on maternity leave for most of the summer, returning to do the audit and then got COVID. She is catching up, and therefore invoices were sent out later than normal.

ADJOURNMENT

***Moved** by Sheila Snyder seconded by Lonna Johnson to adjourn at 6:57 p.m. Ayes, 4; Nays, 0. Motion carried.

Sheri Kesterke MiPMC/MMC
Village Clerk

Barry Gravitt
Village President