

VILLAGE OF BERRIEN SPRINGS REGULAR COUNCIL MEETING

Minutes of the Village of Berrien Springs Regular Council Meeting held on Monday, October 16, 2023. President Pro-Tem Jack Davys called the council meeting to order at 6:00 p.m.

Present: President Pro-Tem Jack Davis, Trustees: Zach Fedoruk, Lonna Johnson, Sheila Snyder, Kristin von Maur, Mark Vandever, Village Clerk Rachael Kuzda, and Attorney DeFrancesco.

Absent: President Barry Gravitt.

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

All stood for the Pledge of Allegiance.

AGENDA APPROVAL:

***Moved** by Zach Fedoruk seconded by Shelia Snyder to approve the agenda with additions under New Business: 1) Approve Ordinance “An Ordinance to Add Chapter 13 to Village of Berrien Springs Code of Ordinances”, 2) Approve Resolution “Sale of 611 N. Mechanic Street, Berrien Springs, MI 49103”. Ayes, 6; Nays, 0. Motion carried.

APPROVAL OF PREVIOUS MINUTES:

Approve the minutes of the Council Workshop held on September 19, 2023.

***Moved** by Mark Vandever seconded by Kristin von Maur to approve the minutes of the Council Workshop held on September 19, 2023, as presented. Ayes, 6; Nays, 0. Motion carried.

Approve the minutes of the Regular Council Meeting held on October 02, 2023.

***Moved** by Sheila Snyder seconded by Zach Fedoruk to approve the minutes of the Regular Council Meeting held on October 02, 2023, as presented. Ayes, 6; Nays, 0. Motion carried.

CORRESPONDENCE:

None.

Audience Comments:

Rochelle Reppart of 421 W. Ferry addressed the council for an update on her variance request. The Village is working on setting up the Zoning Board of Appeals to address the variance.

Daniel Bacchiocchi addressed the council regarding what is being done at 651 North Mechanic and answered questions from the Council.

Aidyn Ramtahal thanked the Council for approving the basketball court in Memorial Park.

COMMITTEE REPORTS

FINANCE AND PERSONNEL – President Barry Gravitt, Chair

*Committee Member Kristin von Maur gave a synopsis of the Finance & Personnel Committee Meeting held on Wednesday, October 11, 2023, at 6:30 p.m.

*Council received the Quarterly Investment Report, July – September 2023.

Pay the bills.

***Moved** by Lonna Johnson seconded by Mark Vandever to pay the bills in the amount of \$34,769.89. Ayes, 6; Nays, 0. Motion carried.

Approve Berrien County Water/Sewage Improvements No. 29 Invoice for interest due in the amount of \$15,738.00.

***Moved** by Zach Fedoruk seconded by Lonna Johnson to approve Berrien County Water/Sewage Improvements No. 29 Invoice for interest due in the amount of \$15,738.00. Ayes, 6; Nays, 0. Motion carried.

Approve paying Treasurer Barbara Clem for the collection of the 2023 Village Property Taxes.

***Moved** by Zach Fedoruk seconded by Kristin von Maur to approve paying Treasurer Barbara Clem for the collection of the 2023 Village Property Taxes. Ayes, 6; Nays, 0. Motion carried.

Approve request from Clerk Rachael Kuzda to attend the MAMC Master’s Academy on November 28, 2023, to November 30, 2023, in the amount of \$1,210.00.

***Moved** by Zach Fedoruk seconded by Mark Vandever to approve the request from Clerk Rachael Kuzda to attend the MAMC Master’s Academy on November 28, 2023, to November 30, 2023, in the amount of \$1,210.00. Ayes, 6; Nays, 0. Motion carried.

Approve the Annual Holiday Compensation for employees based on \$20.00 per year worked.

***Moved** by Zach Fedoruk seconded by Kristin von Maur to approve the Annual Holiday Compensation for employees based on \$20.00 per year worked. Ayes, 6; Nays, 0. Motion carried.

PUBLIC PROPERTIES AND ORDINANCE – Kristin von Maur, Chair

*Chair Kristin von Maur gave a synopsis of the Special Public Properties and Ordinance Committee Meeting held on Tuesday, October 10, 2023, at 1:00 p.m.

*Chair Kristin von Maur gave a synopsis of the Public Properties and Ordinance Committee Meeting held on Wednesday, October 11, 2023, at 5:30 p.m.

Remove the small bent Redbud tree behind the bench at the corner of M-139 and Madison St. (flagpole corner.)

*Discussion held. Tree to be removed.

Plant street trees at Memorial Park along W. Madison St. between the gravel parallel parking and sidewalk. Memorial Park landscaping/tree budget to be used.

*Discussion held. Council supports planting trees along this area, amounts to follow for approval.

Approve using tree budget for street trees yet this fall or to double the budget for street trees next year.

*Discussion held. Council wants to increase next fiscal year's budget for street trees if none are planted this year.

Approve the draft “An Ordinance To Amend Chapter 10 Entitled “Animals”, Section 10-2”.

***Moved** by Sheila Snyder seconded by Zach Fedoruk to approve the draft “An Ordinance To Amend Chapter 10 Entitled “Animals”, Section 10-2”. Roll call vote: Mark Vandevere/Aye; Zach Fedoruk/Aye; Kristin von Maur/Aye; Lonna Johnson/Aye; Sheila Snyder/Aye; and President Pro-Tem Jack Davis/Aye. Absent: President Barry Gravitt. Motion carried.

FIRE –Village President Pro-Tem Jack Davis and Trustee Lonna Johnson are the Village Representatives.

*The next Fire Board Meeting is scheduled for Wednesday, November 15, 2023, at 5:00 p.m.

PUBLIC UTILITIES – Chair Lonna Johnson

*Chair Lonna Johnson gave a synopsis of the Public Utilities Committee Meeting held today, Monday, October 16, 2023, at 5:00 p.m. before the Council Meeting.

Approve quote from SMR Communications for a refurbished Kenwood UHF Repeater and Antenna Project for a total cost not to exceed \$4,000.00.

***Moved** by Mark Vandevere seconded by Kristin von Maur to approve quote from SMR Communications for a refurbished Kenwood UHF Repeater and Antenna Project for a total cost not to exceed \$4,000.00. Ayes, 6; Nays, 0. Motion carried.

Approve quote from Wolverine Power Systems to repair WWTP fuel lift pump in the amount of \$2,644.17.

***Moved** by Mark Vandevere seconded by Zach Fedoruk to approve quote from Wolverine Power Systems to repair WWTP fuel lift pump in the amount of \$2,644.17. Ayes, 6; Nays, 0. Motion carried.

Approve the purchase of 11.25 tons of Aluminum Sulfate from Haviland Products Company in the amount of \$630.00 per ton, for a total cost of \$7,087.50.

***Moved** by Kristin von Maur seconded by Sheila Snyder to approve the purchase of 11.25 tons of Aluminum Sulfate from Haviland Products Company in the amount of \$630.00 per ton, for a total cost of \$7,087.50. Ayes, 6; Nays, 0. Motion carried.

Approve the purchase of 5 drums of Polymer from Neo Solutions, Inc. in the amount of \$4,230.00.

***Moved** by Kristin von Maur seconded by Zach Fedoruk to approve the purchase of 5 drums of Polymer from Neo Solutions, Inc. in the amount of \$4,230.00. Ayes, 6; Nays, 0. Motion carried.

Approve repairing the WWTP NEMA Frame Motor at a cost of \$5,298.99 from Enyart Electric and replace the wiring for a cost of \$1,260.00 from Beaudoin Electric Construction.

***Moved** by Zach Fedoruk seconded by Mark Vandevere to approve repairing the WWTP NEMA Frame Motor at a cost of \$5,298.99 from Enyart Electric and replace the wiring for a cost of \$1,260.00 from Beaudoin Electric Construction. Ayes, 6; Nays, 0. Motion carried.

Approve the quote from Peerless Midwest Inc. for Well #7 Rehabilitation for an estimated cost of \$24,000.00.

*Moved by Kristin von Maur seconded by Sheila Snyder to approve the quote from Peerless Midwest Inc. for Well #7 Rehabilitation for an estimated cost of \$24,000.00. Ayes, 6; Nays, 0. Motion carried.

Approve quote from Wachs Utility Products for a replacement hose assembly for the Valve Turner in the amount of \$1,200.00.

*Moved by Mark Vandevere seconded by Zach Fedoruk to approve quote from Wachs Utility Products for a replacement hose assembly for the Valve Turner in an amount not to exceed \$1,200.00. Ayes, 6; Nays, 0. Motion carried.

SHAMROCK PARK COMMITTEE – Chair Jack Davis

*Chair Jack Davis gave a synopsis of the Shamrock Park Committee Meeting held on Wednesday, October 11, 2023, at 4:00 p.m.

*Council received the Revenue/Expense Report for August 2023.

Approve quote from Budget Tree for parkwide tree trimming in the amount of \$3,600.00.

*Moved by Zach Fedoruk seconded by Kristin von Maur to approve quote from Budget Tree for parkwide tree trimming in the amount of \$3,600.00. Ayes, 6; Nays, 0. Motion carried.

Approve quote from Gary Rose for dishwashing station remodel for an estimated total cost of \$3,000.00.

*Moved by Lonna Johnson seconded by Zach Fedoruk to approve quote from Gary Rose for dishwashing station remodel for an estimated total cost of \$3,000.00. Ayes, 6; Nays, 0. Motion carried.

LIBRARY BOARD – Lonna Johnson

*Minutes will be in the next Council Packets.

MEDIC 1 – Clerk Rachael Kuzda

*The next Medic 1 Board Meeting is scheduled for Thursday, October 26, 2023.

RECREATION BOARD – Jack Davis

*Nothing new to report.

POLICE COMMITTEE – Village President Barry Gravitt is the Village Representative

*The final Police Board Meeting for 2023 is scheduled for Thursday, October 26, 2023, at 3:30 p.m.

HISTORIC DISTRICT COMMITTEE: Chair Sheila Snyder

*Nothing new to report.

COMMUNITY COORDINATOR/SOCIAL MEDIA COMMITTEE: Chair Sheila Snyder

*Chair Sheila Snyder gave a synopsis of the Community Coordinator/Social Media Committee Meeting held on Wednesday, October 11, 2023, at 5:00 p.m.

AD HOC COMMITTEE: FERAL/STRAY CATS: Chair Sheila Snyder

*Nothing new to report.

ONGOING BUSINESS: None.

NEW BUSINESS:

Approve First Baptist Church's request to close off Madison Street between Cass and Kimmel from 5:00 p.m. to 8:00 p.m. on October 31st, 2023, for their annual Trunk-or-Treat event.

*Moved by Lonna Johnson seconded by Zach Fedoruk to approve First Baptist Church's request to close off Madison Street between Cass and Kimmel from 5:00 p.m. to 8:00 p.m. on October 31st, 2023, for their annual Trunk-or-Treat event. Ayes, 6; Nays, 0. Motion carried.

Approve Ordinance "An Ordinance to Add Chapter 13 to Village of Berrien Springs Code of Ordinances".

*Moved by Zach Fedoruk seconded by Mark Vandevere to approve Ordinance "An Ordinance to Add Chapter 13 to Village of Berrien Springs Code of Ordinances". Roll call vote: Mark Vandevere/Aye; Kristin von Maur/Aye; Lonna Johnson/Aye; Sheila Snyder/Aye; Zach Fedoruk/Aye; and President Pro-Tem Jack Davis/Aye. Absent: President Barry Gravitt. Motion carried.

Approve Resolution “Sale of 611 N. Mechanic Street, Berrien Springs, MI 49103”.

***Moved** by Mark Vandevere seconded by Kristin von Maur to approve Resolution “Sale of 611 N. Mechanic Street, Berrien Springs, MI 49103”. Roll call vote: Lonna Johnson/Aye; Sheila Snyder/Aye; Mark Vandevere/Aye; Kristin von Maur/Aye; Zach Fedoruk/Nay; and President Pro-Tem Jack Davis/Aye. Absent: President Barry Gravitt. Motion carried.

AUDIENCE COMMENTS:

None.

ADJOURNMENT:

***Moved** by Kristin von Maur seconded by Mark Vandevere to adjourn at 7:14 p.m. Ayes, 6; Nays, 0. Motion carried.

Rachael Kuzda, MiPMC
Village Clerk

Jack Davis
President Pro-Tem