

## **Village of Michiana Council Meeting**

**November 9, 2023 at 1:00p.m. EST**

The meeting was held in person and virtually via Zoom.

### **Roll Call**

Council members: Tim McCarthy, Brian Cassidy, Nancy Thill, Mike Mumper and Mike Botelho. Also, present were Police Chief Ryan Layman, Water & Street Superintendent Rick Reitz, Building Inspector Bill Lambert, and Village Clerk Anne Heywood, 9 residents present, and 10 participated via Zoom. Village Treasurer Tracey McCay was excused.

### **First Order of Business was the Election of Council President**

Mike Botelho nominated Tim McCarthy as Council President; Nancy Thill seconded the motion; Tim accepted; a roll call vote was taken; motion passed. Tim McCarthy made nominated Brian Cassidy as his Pro Tem; Mike Mumper seconded the motion; Brian accepted; a roll call vote was taken; motion passed.

### **Village Appointments for 2024**

Tim McCarthy made a motion to approve the following Village Appointments for 2024;

Clerk - Anne Heywood  
Treasurer – Tracey McCay  
DPW Superintendent - Rick Reitz  
Police Chief - Ryan Layman  
Building Inspector - Bill Lambert  
Village Attorney - Sara Senica  
Code Enforcement Official – Ryan Layman (Rentals)

Nancy Thill seconded the motion; a roll call vote was taken; motion passed.

### **Additions/Deletions**

Tim McCarthy moved the Tree Ordinance to the December meeting, added Planning Commission under old business, and moved the Pickleball Update to the beginning of business.

### **Public Comment on Agenda Items Only - N/A**

### **Consent**

Mike Botelho made a motion to approve the Council Minutes from October 13<sup>th</sup> 2023, Special Meeting October 27, 2023 and the Clerk Register/Treasurer Report; Nancy Thill seconded the motion; Brian Cassidy had one correction to change first name under consent to read Brian Cassidy not Tim Cassidy; motion was approved by all.

### **Pickleball Update**

Karen Harty reported that had a great turnout for this year's tournament and the weather was awesome. They had a few new ideas, that caused expenditures to be higher than last year. They decided to eliminate the Friday night event next year. Karen asked the council if they could hold another Pickleball Tournament next year the weekend after Labor Day, September 6<sup>th</sup> -8<sup>th</sup>. Mike Botelho made a motion to approve the September 6<sup>th</sup> -8<sup>th</sup> for the Pickleball Tournament; Mike Mumper seconded the motion; motion passed. Karen asked if some the money raised could be used by the Village to purchase 2 more benches for

inside the court area. They would have a plaque made in memory of one the players who suffered a cardiac arrest during a game and later passed away. Tim McCarthy made a motion to approve \$1,433.61 to purchase 2 benches like the ones already on the courts; Mike Mumper seconded the motion; motion was approved by all. The remaining surplus from the event \$1,060.85 will be placed in the pickleball fund.

## **REPORTS**

**Building Inspector Report** - Bill Lambert gave his report.

**Fire Chief Report** – Chief Bendix was absent - Tim McCarthy read the report.

**Police Report** - Police Chief Ryan Layman reported 32 calls. The Chief said his Tahoe was in the shop and should be completed sometime in January and the new squad car was required. Ryan introduced Heather Crook who will be attending the police academy in January and will replace Officer George Knoll who is retiring in July. Heather has been working part-time and participating in duty rounds with our officers.

**Beach Report** - Brian Cassidy reported the beaches have been winterized for the season. Stairs at 38, 39 and 42 were removed and 37 and 41.5 still have beach access.

**Public Works Report** - Rick Reitz reported they started November 1<sup>st</sup> picking up leaves. weather permitting, they will pick-up leaves until December 4th. Garbage cans will be removed at the beach stops after Thanksgiving.

**Water Report** – Tim McCarthy no updates at this time on water.

**Tree Report** - Nancy Thill worked on the amended tree ordinance with Sara Senica the Village Attorney. Nancy would like the Council to review the amended Ordinance so it will be ready to be approve at the December meeting. Nancy talked about some highlights of things she has been working on; AEP Utility Line Trim coming to the Village in February, the Tree Inventory report is being completed. Nancy is submitting a grant for the FY24 Urban and Community Forestry Program and is also in the process of completing an application for the Tree City USA. The Village received a letter from Congressman Walberg's Office thanking the village for inviting one of his staff to participate in our first Arbor Day. Nancy received 10 White Pine saplings because she renewed her Arbor Day Foundation membership. Nancy donated 8 of the saplings to the Village.

**Clerk Report** - Anne Heywood still has Michiana swag available if anyone is interested.

## **Old Business**

1. **Adopting of Resolution 2023-002 Investment Policy** - Mike Botelho thanked Lori Nelson for starting this policy and Tracey McCay the Village Treasurer, for finalizing the policy. Mike Botelho made a motion to approve Resolution 2023-002 Investment Policy; Nancy Thill seconded the motion; a roll call vote was taken; motion passed.
2. **Update on Lawsuit** – Sara Senica, the Village Attorney, talked briefly about the lawsuit between New Buffalo Township and Michiana regarding the double assessment for fire and police protection. All paperwork has been filed with the courts and we are currently waiting for a court date.

3. **Planning Commission** – Tim McCarthy made a motion to appoint Mike Botelho to fill the council seat on the Planning Commission; Nancy Thill seconded the motion; Mike accepted the position; motion approved by all.

### **New Business**

1. **Control Burn** – Beth from Pizzo did a presentation on how they do a control burn. Pizzo is licensed and insured company and has been hired by Scott Moller a Village resident. Pizzo stated that the homeowner Mr. Moller has been added as an additional insured. Sara Senica, the Village Attorney stated the Village should also be named as an additional insured on the policy. Sara suggested the Village put together a formal Control Burn policy. Tim McCarthy asked Beth from Pizzo to notify either Rick Reitz or Bill Lambert and the Fire Department to be put on notice the day the burn would take place.
2. **Pickleball Tournament Update** – moved up to the beginning of agenda
3. **Correspondence Policy** – Tim McCarthy said no correspondence will be added to any minutes. They will be retained as editorials comments as they are the opinions of our residents and not actual approved ordinance, policies, procedures, or other actions that maybe taken by the Village or the Council.
4. **FEMA** – Sara Senica, Village Attorney, explained the FEMA Ordinance we have in place is being asked to be updated by the Federal Government regarding flood insurance guidelines. They have already taken our Ordinance and made the necessary changes for us. Sara will have it ready for the December meeting for consideration and approval by the Council.

### **Correspondence – N/A**

**Webpage** -Tim McCarthy told the residents there will be a survey on the website regarding feedback on the plan renovations to our Village Hall. Anne will send out an email blast to the residents for voluntary participation in the survey.

**Public Comment** – There was a comment regarding the refuse service being billed to the homeowners. It was explained by Tim that the cost of services has gone up 20% to 30% in the past year. A resident stated the Village directory was old from 2019. Anne informed her the last updated one was done in 2022. Another resident thanked the council for putting a survey on the website for input on the renovation for the Village Hall.

Tim made a motion to adjourn at 2:27 p.m., Nancy seconded the motion.

Respectful submitted,

Anne Heywood/Clerk