

Village of Michiana Council Meeting Minutes

December 12, 2025

The meeting was held in person and virtually via Team.

Roll Call

Council members: Tim McCarthy, Brian Cassidy, Mike Botelho, and Mike Mumper were present. Also, present were Police Chief Ryan Layman, Water & Street Superintendent Rick Reitz, Treasurer Tracey McCay Building Inspector Bill Lambert and Clerk Anne Heywood. Tim McCarthy excused Nancy Thill. There were 14 residents and 8 participated via Team.

Additions/Deletions – Addition - Second reading of STR Ordinance

Public Comment on Agenda Items Only- N/A

Minutes

Mike Botelho made a motion to approve the November 14, 2025 Council Meeting Minutes, Nancy Thill seconded the motion; approved unanimously.

Reports:

Building Inspector – Bill Lambert

- Bill reported 47 permits issued to date.

Fire Departments

Michiana Shores Fire – Fire Chief Gary Bendix - absent

- Report on file.
- No calls for the month of November, the first time this has occurred.

New Buffalo Township Fire – Chief Jamie Flick

- Chief also noted “no-call” for the month of November.
- Personnel Recognition -Assistant Chief Mike Bliss – 20 years of service.
- Firefighter/Andrew Flick and Tim Gould – with 5 years of service.
- Chief emphasized the significance of 20-year service milestones in a volunteer department.
- Chief gave warning that winter conditions increase roadway hazards.
- Drivers are asked to slow down and give emergency crews space.
- Chief extended holiday greetings to everyone.

Police Department – Chief Layman

- 38 calls were handled in November.
- One warrant arrest and one traffic accident.
- Chief stated that both Villages agreed on the promotion of Officer Brewster (Creo) to Sergeant. Officer Brewster will also have the role of training officer for the department.

Moved up new business on the agenda new officer

- The Chief introduced Tyler Skopec. Tyler will be a new officer for the department and will start his training at the Academy at the end of March.
- Chief Layman expressed confidence that Tyler will be an excellent addition and proposed hiring Tyler immediately, working approximately 30 hours/week, and training with officer Brewster until he starts at the Academy. Tyler will then become a full-time officer on our force after completing the Academy. The Council agreed to classify him as a seasonal employee while in training.
- Tim McCarthy made a motion to accept the new contractual agreement for Tyler; all Council members voted aye; motion passed unanimously.

Moved up new business on the agenda STR

Short-Term Rental Ordinance – First Reading Ordinance 2025-02 (Amendment of STR) Tim McCarthy read the changes that were added to the Ordinance.

- 1. Background & Process** -Tim explained all council members have worked with the village attorney and submitted their input after they attended the Short-Term Rental Workshop Meeting. The purpose was to establish a stronger STR Ordinance.
- 2. Key Changes & Highlights** - Maximum Cap of 40 Rentals. Every STR must reapply each year. Participants in the prior year program have right of first refusal for 2026.
- 3. Renewal Window** - January 1 thru March 15 each year. Applicants must pay their renewal fee before March 15. If a current STR owner does not reapply by March 15, their slot opens up to those residents on a waiting list.
- 4. Waiting List System** – Interested owners may join a waiting list for a \$100 nonrefundable fee. Placement on the list based on chronological order and openings cannot be confirmed until after March 15.
- 5. Terminology Update** - “Dwelling Unit” changed to “Dwelling.” To clarify that Michiana is composed of single-family dwellings, not multi-unit properties an addressed how multiple structures on a single lot are treated.
- 6. Enforcement** -Stronger enforcement measures have been added for any owner who does not follow the rules. Police and the Building Commissioner will have clear, ordinance-defined authority to issue citations.
- 7. Garbage & Recycling Requirements** – Owners of an STR must have all garbage and recycling bins pulled back from the street within 24 hours. Bins cannot be left at the street; they must be pulled back at least 10 feet, outside the Villages easement. Property owners must provide additional bins when occupancy warrants it (e.g., two trash + two recycling).
- 8. Noise Restrictions** - No amplified sound from 10 PM to 10 AM. Violations will be citation-eligible offenses.
- 9. Citation Structure** -Fines have been significantly increased, especially for second and third offenses. The Ordinance is deliberately detailed so citations can stand in court.
- 10. Marijuana & Fireworks** -No marijuana use (inside or outside) is permitted at STR properties. Nor is the use of fireworks allowed on the property or anywhere else within the Village.

11. Occupancy Reductions - Old rule allowed 2 occupants per bedroom + 2 additional occupants per floor, which permitted very high total occupancy. The new ordinance reduces allowable occupancy. Occupancy restrictions now tied more tightly to: Number of legal bedrooms and Health Department (Marion County) maximum septic capacity limits.

12. Parking and Guest Limitations -Minimum number of required parking spaces determined by allowable occupancy. If a property cannot support adequate parking, the occupancy would have to be reduced. Guests permitted only during certain hours. Vehicles parked on lawns or easements = citation and owner fine.

13. Revocation & Reapplication - If a permit is revoked, the property must wait one full year before reapplying.

14. Definition of Bedroom & Safety Requirements – The home must have appropriate access/entry. A closet is not required, but an egress window/door is mandatory. The Health Department rules also limit occupancy.

15. Rental Length Requirements -Minimum rental period: 6 nights / 7 days. Rental “Stacking” prohibited which means you cannot rent to one guest Friday-Saturday, another Sunday-Tuesday. Police will check mid-week occupancy to enforce the rule. This model follows Grand Beach’s enforcement approach. Rental season for the 7-day minimum: May 1 – September 30. Outside those dates, owners may revert to a 2-night minimum, unless council decides to expand the 7-day rule in the future. Long term rentals which are over 28 days do not apply to the STR ordinance.

Attorney Sara Senica and the Council noted the Ordinance is structured with future flexibility. Tim McCarthy made a motion to approve the first reading of the STR Amended Ordinance 2025-02, motion was seconded by Mike Mumper; approved unanimously.

Public Works Report – Rick Reitz

- Leaf collection will pause due to weather.
- If conditions do not allow for additional leaf pickup, the service will resume in the Spring.

Water Board Report – Mike Mumper

- Grants have been secured.
- Engineer is completing work and will submit to the EPA, then to the state.

Park Board Report – Mike Mumper

- Lights on the pavilion were changed.
- Nets at the courts were lowered for winter.

Tree Board Report – Nancy Thill

- Tree City USA annual report submitted; under state review.

Planning Commission – Mike Botelho

- Master Plan was delivered to the council last month.
- Council needs additional time to review the large document.
- Several members and the Village Attorney have begun working through the document.

Treasurer's Report – Tracey McCay

- Tim McCarthy made a motion to approve the Treasurer's Report as presented: Mike Mumper seconded the motion passed unanimously.
- Tracey gave update on the CDs. She mentioned the water department CD recently rolled over at 3.0% for 9 months and since September 2023, the village has earned \$65,661 interest on the CDs.
- The Pickleball Tournament donation was submitted to the Village and the Council stated the funds will be used in the Spring to repair the courts.

Clerk Report – Anne Heywood

- Request for approval of the check registry totaling \$40,738.03. Nancy Thill made a motion to approve the check register as submitted; Tim McCarthy seconded the motion; approved unanimously.
- Quarterly newsletter will go out before Christmas, containing updates on village activities.
- Anne thanked Tracey for stepping up and handling office matters effectively during her absence.

Old Business

Update: EGLE & Concrete Pillars at Beach (41½) - EGLE, submitted a second letter ordering removal of the unlawful concrete structure. Property owners responsible for the installation were present at the meeting. It was stated that the violation constitutes, breach of State Law (EGLE) & breach of Local Village Ordinance. Village also sent notices indicating they expect compliance. If the owner does not remove the structure, the Village could hire a contractor to remove the concrete. This cost will be charged back to the property owner, through there tax bill if necessary. The Village Attorney Sara Senica expressed preference for them to voluntary compliance and offered to speak with the owner after the meeting to resolve. The Clerk presented the homeowner the Attorney's letter they stated they never received along with a village citation.

Update: Safety Building – Police Department

- Committee members: Ryan, Mike, Ron, and the Council President McCarthy held a Public Meeting at Grand Beach hall the morning of the Council meeting.
- TJ provided an update on the meeting, he emphasized that nothing is finalized yet, but the committee is moving the project to the next step—gathering cost estimates, identifying funding options, and determining ownership structure. All financial decisions will require full council approval from both villages.
- The committee plans to pursue a federal grant, and representatives have expressed optimism, though no funding is guaranteed. If the grant is not awarded the Villages would need to acquire a bond which would operate similar to the current water bond that the Village received in 2017. Tim McCarthy stated that our goal for Michiana is to avoid raising property tax millages, and that a joint bond is a possible funding mechanism. The timing aligns well, as the current water project bond is scheduled to expire in March 2027.
- The committee is requesting that they be granted authority to make non-financial decisions to keep the project moving and prevent delays—for example, choosing between a construction manager and a general contractor. A construction manager was noted as providing cost savings and eliminating markup on materials due to the village's tax-exempt status.
- Tim McCarthy made a motion to allow the committee to make non-financial decisions; Mike Botelho seconded the motion: after much discussion the motion passed.
- Committee members emphasized the ongoing limitations of the current police facilities. Due to lack of proper infrastructure and secure space, the village cannot qualify for certain state-required systems and law enforcement tools. This leads to operational delays and safety concerns, such as extended wait times to obtain critical information during traffic stops.

Tim McCarthy reminded everyone these police meetings are open to the public and encouraged everyone to attend. The meetings are posted on the websites of Michiana and Grand Beach. They will be scheduling another meeting mid-January.

Update of Master Plan Review- Discussed under Planning Reports.

New Business

Ordinance – Short Timer Rental 2nd Reading - Tim McCarthy made a motion to approve the 2nd reading of the STR Ordinance; motion was seconded by Mike Botelho; approved unanimously. Tim made a motion to lift the maximum on rentals as of January 1st, 2026; Mike Botelho seconded the motion; approved unanimously.

Stewardship Contract for Butterfly Garden/Native Garden

- Nancy reviewed the updated proposal from Pizzo & Associates for the 2026 stewardship contract. The adjustment from past years is that Pizzo no longer bills on a time-and-materials basis; instead, the annual cost is capped at \$5,000, divided into eight payments of \$625 from April through November.
- The contract now clearly includes the 2.78-acre butterfly garden as well as the additional native plant border near the zip line (“the trapezoid”), which had previously been overlooked.
- New plugs were installed per the 2025 agreement, and with favorable winter scarification, stronger plant emergence is expected next season.
- Several members expressed concern about ongoing annual costs and noted that while the garden is too far along to abandon, the village cannot indefinitely spend \$5,000 per year. Consensus was that 2026 should be considered a transition year toward more village-managed or community-supported stewardship.
- Pizzo indicated willingness to train village staff and volunteers, which the council agreed should be incorporated into the 2026 plan.

Tim McCarthy made a motion to approve the 2026 stewardship contract with Pizzo & Associates, with the understanding that the village will simultaneously work toward developing internal/community stewardship and will reevaluate the project at the end of 2026. After discussion Tim called the motion to a vote. Motion carried.

Audit 2024/2025 Completed

The annual audit has been successfully completed. Highlights from the auditor’s remarks include:

- The village received a clean audit opinion, indicating full compliance with laws and regulatory standards. The general fund remains very strong, with reserves exceeding Government Finance Officers Association (GFOA) best practices.
- Fund balances provide the village with significant financial flexibility and stability.
- All special revenue funds are properly restricted and remain stable.

TJ congratulated staff and thanked Tracy and Anne for their work, noting the village has once again passed with a clean audit opinion.

New Officer -Introduced under Police Report.

Public Comment

1. A resident asked whether the final short-term rental amendment had included consideration for a lottery or fair allocation system, rather than first-come, first-served, given concerns about property value impacts.
2. Caroline Rogers addressed the council, reiterating concerns previously raised about communication regarding the EGLE violation and concrete pylons. She stated that she had not received the letter referenced at earlier meetings and felt that communication from the village particularly regarding the involvement of legal counsel and statements referencing misdemeanors—had been inadequate and distressing. Tim McCarthy responded that communication had occurred earlier before this matter had gotten to where we are today and clarified that he would not debate the matter during the meeting. He expressed that the matter could be resolved soon.
3. Pamela Schutt, 4045 Creek Drive commented on the short-term rental work and thanked the council for their efforts. She then raised concerns about ongoing erosion and fallen trees along the creek. She suggested that some funding should be directed toward creek restoration.
4. Renee Okonek asked when the final STR amendment would be available. It was stated it would be posted on the website.
5. Toni Norris asked whether applications were already being collected for January 1st. The council confirmed that the moratorium remains in place until January 1, and no early applications will be accepted.
6. Kathleen Hogan Morrision requested clarification regarding the proposed Public Safety Building, including funding amounts, possible millage increases, and whether the Village intended to survey or poll residents.

Council explained:

- The Village previously received over 200 letters of support as part of a prior grant application.
- The project began before the current master plan review.
- The Village is working jointly with Grand Beach, who already approved a property tax millage increase.
- All decisions will occur transparently at public meetings.
- Council is mindful of the Village's limited tax base and financial priorities.

7. A resident recommended that minimum stay requirements be structured around weekends—e.g., ensuring that the minimum stay includes a Saturday—to prevent two separate weekend stays. They also noted that off-season data should be monitored to determine whether adjustments are needed.
8. A resident asked about enforcement for unregistered rental properties. It was stated that penalties for renting outside of the Villages STR program are included in the ordinance, starting at \$500 and increasing substantially for subsequent violations.
9. Deanna Turim asked whether the Village would ever consider a safe, organized deer cull. Council acknowledged ongoing concerns and noted it could be discussed at a future meeting.
10. Kim Peters asked how the new short-term rental rules apply to property owners who have already entered into rental contracts for the upcoming year, and whether enforcement would affect bookings already made before the new ordinance takes effect.
11. A resident asked whether restrictions such as garbage, parking, and other rules apply equally to residents who do not rent. Council explained resident rules already exist separately in Village code. Short-term rental rules differ because renters are temporary guests and may generate higher service demands.

12. A resident from Lakeshore Drive stated that they operate two rentals and that most bookings are made far in advance by long-time returning guests. Their 2026 calendar is already fully booked through an online rental platform. The platform penalizes cancellations at 50%, creating significant potential financial loss. Existing bookings do not always meet the new minimum-stay requirement. They requested that already-executed 2026 contracts be grandfathered to avoid economic hardship.

Council acknowledged the concern and stated the issue will be reviewed internally with staff and the attorney. Additional clarifications were provided:

- Rental permits for 2026 have not yet been issued to anyone; the program renews each calendar year.
- Entering into rental contracts for a year in which a permit has not yet been granted means contracts were made ahead of official authorization, as occurs in many municipalities with annual rental programs.
- The Village does not intend to punish compliant long-time rental operators.
- The council will evaluate how to address pre-existing contracts while still implementing the updated ordinance.
- Council emphasized that moving forward, property owners must ensure that future bookings align with permit requirements once the ordinance is active.

The Village Attorney reiterated that while the Village will seek a fair resolution for 2026 bookings, no one has a legal right to rent next year until they have obtained a valid 2026 permit under the updated ordinance.

Mike Mumper gave update on the Wreaths Across America Event – The event was held at Pine Grove Cemetery in New Buffalo. They sold all 668 wreaths which were then placed on the veteran's grave sites. The American Legion proved the color guard for opening ceremony. Mike wanted to thank the organizers and community for their generosity.

Meeting adjourned at 3:30pm

Respectfully submitted

Anne Heywood/Clerk