**Village of Michiana**

**Council Minutes**

**Friday, April 9, 2021**

The meeting was held by Virtual “Zoom”. Council President Mike Mintz called the electronic (virtual) Zoom Council Meeting to order at 1:00 p.m. EST.

Mike Mintz read the following information regarding the remote meeting:

This meeting is being held remotely due to the COVID-19 pandemic enrolled under Senate Bill 1246, Public Act 254 of 2020 amending the Open Meetings Act. All Council members should identify themselves prior to speaking so that everyone is aware of who is speaking. The President of the Council will read all of the agenda items as we go along for those that can‘t see the agenda.

There will be two times when the public can speak.

* The first time will be during “comments on agenda items”.
* The second time is during “public comments - general” where you can speak about any concerns.
* All audience members will be muted until it is time for them to speak.
* Please identify yourself before speaking.

**ROLL CALL – IN ATTENDANCE**

Phil Bonello – Attending remotely from Albuquerque, New Mexico

Linda Stein – Attending remotely from Michiana, Michigan

Kathleen Hogan Morrison – Attending remotely from Michiana, Michigan

Joann Fisher - Attending remotely from Michiana, Michigan

Mike Mintz - Attending remotely from Michiana, Michigan

Approval Special Meeting minutes for March 4th, 2021

Approval Special Meeting minutes for March 26, 2021

Minutes for Council Meeting on March 12th were not ready, will be approved at May meeting

**Reports:**

**Building Inspector Report**: Bill Lambert reported 15 permits, including a new home on Lake Shore Dr (Steve Dorf). Bill said contractor Brian Kissal who is working on the Martino residence said things were moving forward and hopes to have the area by 41 ½ cleaned out. Bill talked with contractor Tom Mullen who will be doing the work at 41 ½ and stated that they will begin work next week. Mike asked if there was further word about the sports court at 30 Mohawk. Bill said according to ordinance this court is 6” below grade and is considered landscape. If this project was 6” above grade it would be called a structure. They are within the 30% of total usage. They will be adding a 6-foot fence with the decorative side facing the neighbors at the west and south sides. There will have a 6” foot fence with landscaping around the sports court.

**Treasurer Report** – Cheryl was not present – Anne reported there was a total of all funds $2,334,002.39

**Tree Inspector Report -** Kris Wulff said there is nothing major going on in the Village. Kris said since the weather is getting warmer residents should not trim their oak trees now, but should wait until late September.

**Fire Chief** **Report** - Gary Bendix read his report and mentioned that Marge Wozniak, the Secretary/Treasurer of the Michiana Shores Volunteer Fire Department, received her 50-year card of service with the Indiana Volunteer Fire Association.

**Police Commissioner Report** - Rusty reported that Courtney, the Grand Beach Officer, has put in her two week notice and will be going to New Buffalo’s Police Department. She will stay on as a part time officer when needed. Rusty said they have a potential officer who has been riding around on different shifts with the full-time officers. Rusty said it will be up to Council of Grand Beach and Ryan to make the final hiring decision. Rusty wanted to jump ahead of the agenda and state his feelings as a resident about dogs being on the beach without leashes. He said he has lived here for 40 years and it has never been a problem. He said there are several municipalities in Berrien County that allow dogs off leash in restricted beach areas. He proposed designating an area on the beach at Stop 43 where dogs can be off leash for one hour each morning.

**Police Report -** Ryan Layman said they had 31 calls in March. Ryan mentioned that he did send out an alert regarding men going door to door posing as the gas company. While one of the men are talking with you the other goes around the back to enter the home looking for valuables. Ryan said this is scam and if it looks suspicious call 911. Ryan said they there have been 2 drug over doses in the Village. He reminded the residents there is drop box for the disposal of prescription drugs in a locked container at the Village.

**Beach Commissioner** **Report** Rusty said we will have at least 4 beaches open this season: Stop 37, one between Stops 37 1/2 and 38, Stop 41 ½ and Stop 42. Rusty brought up fire pits again since nothing was decided at the last meeting. He would like to purchase 3 or 4 fire pits to place along the beach at Stop 41 ½ - 42. He will anchor them down into the sand and would cut up the tree limbs that are lying along the beach and residents could use this for their fires. Rusty will be moving the kayak rack away from the stairs and turning it 90 degrees. Rusty said the council was thinking of having lottery for the kayak rack since we only have 24 spots. Mike wanted to go back and get clarification if new beach at Stop 38 would be near the concrete breakers in the water. Mike said the insurance company and attorney advised that we will have to place 3 or 4 signs stating something to the effect of “swim at your own risk”. The Village council will get the correct language from the Village Attorney. Linda stated there will be a box in the office where residents can call or email or stop by the office to have their name entered for the kayak/paddle board lottery. There is only one entry per home. Anne will send out an email blast to the residents. Chief Layman will pull 24 names on Monday, May 17 with Anne and one council member present.

**Public Works** **Report** - Rick received a bid for $400 to make 16 more parking spots down at the other end of the building by the creek. He has finished installing the new water tap for new fountain that will go at Stop 41 ½. Joann reminded all residents that Rick and Josh are done picking up leaves for the season. They will no longer be picking up sticks, branches or brush or grass clippings. The Village has implemented a new program with Lake Shore, the Village’s garbage service, to pick up all yard waste every Thursday which started April 1 and runs through October 31. All sticks and brush must be bundled with twine and no longer than 3’ so one person can pick it up and throw in the truck. Residents can purchase the extra can from Lakeshore or can buy their own (must be marked “Yard waste”), or buy brown recycled paper bags. There is a limit of 5 bags at the curb per week. The Village will continue to have fall leaf pick up starting in November. If you have a lawn service, they must haul the yard waste away. Rick said he needed a verbal ok from the council for the purchase of the truck bed for the new truck he would like to purchase in the new budget. Rick said he would be trading in the 2012 white truck getting $12,500 and the yellow pickup truck getting 7,000. He is looking to finance $51,000 doing a 4-year lease. The interest rate at Ford was 5.25% and Horizon bank was 3.125%. The purpose of the new truck is the wear and tear of hauling the leaf vac across the highway where they take the leaves to dump. Kathleen made a motion to purchase the new truck not to exceed $51,000 at the interest rate of 3.125% over 4 years; Phil seconded the motion. All council members voted yes; motion passed. Linda would like to the see the paper work with the information on the truck.

**Water Report -** Rick said under new there is an amendment to the Storm water policy that needs to be approved. There were some minor changes in the policy like misspelled words, changing DEQ to EGLE authorizing to the work Allow. Mike made a motion to approve the first reading of title only the Amended Storm water Management policy Chapter 300; Phil seconded the motion. A roll call vote was taken; all council members voted yes; motion passed. Mike told the residents they can read the policy it was on the Village website, and at the May meeting there will be public comment and the 2nd reading to adopt. Rick has ordered all the material for pump house new chloride project has been working on it between his other duties. Rick would like to have this project done by June 1st. Rick said an inspector is coming to inspect the storm water drains on April 29.

**Clerks Report –** Anne asked for the check register approval for March for $17,708.80; Kathleen made motion to approve the check register as submitted for $17,708.80; Joann seconded the motion.

**Old Business**

1. **Update on Park** – Mike Mintz wanted to thank Joann for all the work she has put into this project with all the phone calls and meeting with people. He wanted her to know that the council appreciates everything she was doing. Joann said that all the unsafe equipment has been removed. She mentioned that Michiana resident Mr. Buford donated $85,000 for a new pavilion, and resident Roberta Beranker donated $15,000 for the bocci ball court. Joann is still calling and reaching out to residents for donations trying to get the new playground installed for the camp. Joann said the village had to take down 4 unhealthy trees in the park and is looking to see if 4 people would donate $2,000 a piece for trees in the park for Earth Day. Six residents have already made donations for benches at $5,000 apiece. There have been donations for $2,500 Adirondack chairs, and $500 and $1,000 for customized bricks to construct a path. To date, a total of $138,000 in donations has been collected. Joann asked for approval of purchasing 6 benches from the Park Fund for a total $5,000. Kathleen made a motion to approve the purchase of the benches; Mike seconded the motion. A roll call vote was taken, all council members voted yes, motion passed. Joann talked about the walk in the park that was held on March 28. She said it was a good gathering and about 30 people attended. Joann will be hosting another walk in the park on Saturday, April 17th at 10:30 am eastern time till noon. Pam Schutt said to count her in to help again. Joann said thank you!
2. **Stop 43** – Mike stated that 3 out of the 4 easement letters have been signed and are in the office for the revetment project at stop 43 and were moving forward. Mike will contact Triple D to see when they can start the project.

**New Business**

1. **Dogs** - Kathleen reminded residents that dogs must be on a leash when on public property or the beach. Leashed dogs are welcomed at the beach during the times posted at the beach stops. The Village has an Ordinance about dogs from 1994 that is on the Village website and can be found under our Codified Codes Article X Nuisances Chapter 235-45. Kathleen said there is also a Michigan State Law that has been in place since 1919. She said this is NOT a new law and the Village cannot override State law. Mike mentioned that the spirit of the Village has changed from 40 years ago, but the policy has not changed. Many homes have been sold in the past year and about 30 homes are rentals, which means there are many new visitors every week coming into the Village. Mike said they are looking at village owned property for a potential place for a dog park.
2. **Camp Contract** - Kathy Roberts gave the new contract to the council to review. Kathleen would like to have a meeting with them to go over some of the changes in the agreement. This was tabled until the May meeting.
3. **Approving the Storm water Management Policy** - (discussed under water report)
4. **Beach Fires** – Tabled
5. **Stickers for Kayak Rack** - Discussed under Beach Commissioner Report

**Public Comment**

Phil said he would like to update the ordinance regarding lighting in the village.

There was much discussion regarding fire pits: if there should be a fee, where they would be located and if there are any potential safety issues.

A resident asked if Stop 39 had any recommendations from Edgewater, the engineering company who did the study for the stop. Mike said at this point everything is stable and they are focusing on saving Stop 43.

Meeting adjourned at 3:15

Respectfully submitted

Anne Heywood