**VILLAGE OF MICHIANA**

**COUNCIL MEETING MINUTES**

**Friday, July 9, 2021**

The meeting was held by Virtual “Zoom”. Council President Mike Mintz called the electronic (virtual) Zoom Council Meeting to order at 2:00 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

Police Chief Ryan Layman, Water & Street Superintendent Rick Reitz, Clerk Anne Heywood, and Village residents dialed in and some were present in person.

**ROLL CALL:** Mike Mintz – present at Village Hall

Kathleen Hogan Morrison – present at Village Hall

Phil Bonello – present at Village Hall

Linda Stein – present at Village Hall

Joann Fisher – absent (motion approved to excuse absence)

**ADDITIONS TO AGENDA** - Anne Heywood stated there are no additions or deletions to agenda.

**Approval of Council Meeting Minutes from June 11, 2021** - Mike Mintz said approval for the June 11, 2021 council meeting is delayed until the August council meeting.

**REPORTS:**

**1. Building Inspector Report – Bill Lambert.** Bill Lambert was not present. Anne Heywood said Bill said there are no current issues and to direct any questions to him.

**2. Tree Inspector’s Report – Kris Wulff**. Kris Wulff said many permits for tree removal have been issued due to new construction and renovations. He said they have also been replanting, which takes about a year to allow for construction completion and weather delays. Kris said some oak trees are dying off. He believes a possible reason is that people are using “Roundup” around driveways and yards which may be affecting some oaks. He advised everyone not to use round up type products when rain is expected, as the run off affects the oak trees. Kris said this is the time for fallen trees and branches due to heavy weight. He strongly advises residents to hire an arborist yearly to assess trees.

**3.** **Fire Chief Report/Michiana Shores Volunteer Fire Department – Chief Gary Bendix** – Chief Bendix said 166.33 hours were spent last month: 33 hours were spent on five meetings, training, etc. There were 11 calls for the month: 8 for medical, 2 for fire and 1 for fire alarm. Michiana had 1 fire and 4 medical calls. He said the new fire engine was in the 4th of July parade. The pancake breakfast is scheduled for October 10.

**4. Police Report – Chief Ryan Layman** – Chief Layman said there were 53 complaints last month. He said the July 4th weekend was pretty quiet. He said there were officers stationed at Stops 38 and 41.5 at sunset to turn people away. He said the fireworks stopped at 11:45pm. There was a dune grass fire in Grand Beach which he assumed was due to fireworks but had no proof. He said the Police Department rented a speed trailer on Memorial Day and July 4th, and that a Grand Beach resident and Michiana resident split the cost to buy one for the Police Department. Chief Layman thanked them for their donation which was about $5,000.00. He said he will put the speed trailer in certain spots for a week at a time to do traffic counts. Chief Layman said he is working on getting more things on the village website to more easily facilitate procedures such as fire permits. This will allow residents to apply for fire permits during times when the village office is closed, as well as eliminate the $100 deposit since he will have all the required contact information. He said he would print a hard copy for review at the next council meeting. Phil Bonello asked about a report regarding an animal at large. Chief Layman said there was a report about a rogue deer that was following people in the roadway. He said he spoke with the Department of Natural Resources and was told it was most likely a mother protecting her young.

**5. Police Commission Report – Russell Bruesch** – Russell thanked Rick Reitz for installing the water shower at Stop 41.5. He said there were only a couple of complaints about fireworks. Russell said he checked Stop 37 for any evidence of landslides of moving sand. He said he had received an email from a resident saying some kids were tunneling on the dune, but Russell said his inspection showed no evidence of disruption. Mike Mintz mentioned that the fountains and showers were a gift from Russell in memory of his wife, Beverly. Mike said the 4th of July was very busy but all ran smoothly.

**6. Public Works/Water Authority Report – Rick Reitz** – Rick stated he installed the shower at Stop 41.5. He said a tree fell at Michiana and Creek, one on Pocantico, a branch on Briarwood, and a big tree on East Court. He said the two drywells installed were on Lake Shore Dr, and is waiting to hear back from Woodruff about coming to inspecting the dip. He said he has been patching pot holes.

**7. Water Board Report – Rick Reitz** – Rick said he read the meters and has a few more bottles to collect for lead and copper testing. He said he has been working “in the pump house” and the electrical contractor will begin when he is finished with his part there.

**8. Treasurer’s Report – Cheryl Cook** – Anne Heywood stated the total funds balance is $2,545,935.23. The Pokagon Fund has a balance of $23,460.00.

**9. Clerk’s Report – Anne Heywood** – Anne Heywood stated the check register for is $116,049.44. Phil Bonello made a motion to approve the check register in the amount of $116,049.44; Mike Mintz seconded; motion approved. Anne said she sent out emails regarding the Village Party and the Garage Sale. She said she has received 40 RSVP responses for the August party to date, and so far nine homes are participating in the village garage sale. Anne said to call her if anyone is interested in participating.

**Old Business**

**1. Park Update –** Anne Heywood asked residents to keep sending donations. She said Healy Landscaping will be here next week to set more bricks. She said the wood has been purchased for the bocce ball court for which construction will start next week. Anne said the paint for the pavilion has been selected and they hope the pavilion will be completed by the end of July (donated by Mr. Buford). Anne thanked all those who made donations to the new park, approximately $268,000 to date.

**2. Weed/Grass Ordinance** – Mike Mintz said the council will delay any discussion on this ordinance until August council meeting. He said the reason the council has to establish an ordinance is so that the village can have the right to charge residents to mow their lawn if it has been neglected. Village attorney Sara Seneca said poisonous and highly allergenic species, as well as certain others will be included on the list. Mike said the council will consider any written suggestions.

**NEW BUSINESS: N/A**

**PUBLIC COMMENTS:**

Resident Joel Denenberg said on Sunday, July 4, around 4:00pm, a man on the beach had his black dog on a red 50 foot leash and then shortened the leash to the extent that the dog’s feet were off the ground and was forcing the dog into the water. He said this was very disturbing to witness. Joel said he did not know if the man was a resident or a guest. He asked if there is a leash length limit, as he didn’t think a 50 foot leash would allow a dog owner to be in control of a dog. Phil Bonello reminded everyone that the leash law is a Michigan state law, not a village rule. Kathleen Hogan Morrison said the ordinance states the dog must be under the owner’s control at all times. Kathleen and Mike Mintz strongly urged residents to call the police to report something they believe is not in accordance with village ordinances.

Tripti Kasal asked if there are any updates on Stop 43. Mike Mintz said the revetment work at Stop 43 should be completed this season. He said the village won’t start on the village portion until all other revetments are complete, so probably next year. He said the concrete and rebar has been pulled out of the water and repurposed under the revetment. Mike said the old structure will be removed, new footings for the stairway will be installed, and then the stop will be improved. He said people should be able to access that area from Stop 42, depending on the lake level. Mike said it is the obligation of the village council to make the beaches available to residents.

Resident Tyler Wilson, 4110 Ponchartrain, said there has been a lot of rain water runoff onto his property and into his basement, which may or may not be related to new building projects, new driveways and tree removal in the area. Rick Reitz said there is a dry well on Tahoma between Ponchartrain and Lake Shore Drive, and Russell Bruesch has a small one as well. Tyler said after 15 minutes of rain the rain runs to the back of his house. Rick Reitz said he will take a look at it. Kathleen Hogan Morrison asked if the problem began after the new construction or before. Tyler said he has not lived in his home long enough to know. Mike Mintz said the village tries to budget each year for dry wells for run off and said the village will look into it.

Resident Mike Kinasz asked when they can get steps at Stop 39 for beach access. Mike Mintz said Stop 39 has been the worst stop due to the heavily eroded bluff. He said the village needs to determine the best way to install access without making the bluff worse. He hopes the village can do something there next year. Kathleen Hogan Morrison reiterated that the council will be working on a solution to beach access at Stop 39 between now and March. She said it is the council’s fiduciary duty to consider the residents’ safety. Mike said if the village does not have sufficient funds for the improvement, some residents near Stop 39 are interested in making donations.

Next council meeting is August 13 at 1:00pm EST, in person and by ZOOM.

Mike Mintz adjourned the meeting at 2:57pm EST.

Respectfully submitted

Anne Heywood/Clerk