**VILLAGE OF MICHIANA**

 **MICHIANA COUNCIL MEETING**

**Friday, August 14, 2020**

The meeting was held by Virtual “go to meeting”. Mike Mintz, Linda Stein, Phil Bonello, Joann Fisher and Kathleen Hogan Morrison were present on the call, as well as Police Chief Ryan Layman, Water & Street Superintendent Rick Reitz, Clerk Anne Heywood, and 33 or more Village residents dialed in to listen and participate.

**Addition to Agenda – N/A**

**Approval of Regular Council Meeting Minutes from July 10, 2020 –** Kathleen Hogan Morrisonmade a motion to approve the July 10, 2020 minutes; motion seconded by Phil Bonello.

Approval of the Special Meeting Minutes from August 5 will be ready for approval at the September meeting.

**REPORTS**

1. **Building Inspector Report –** Bill Lambert indicated he had 17 building permits. He said the Martino project has the roof work going on and is still waiting on windows. The Kolavo project has the inside work almost completed. Some of the permit items for roof work will be off the next report. Bill noted he has a few new permits in the works.

**2. Treasurer’s Report –** Cheryl Cook (Absent) Anne Heywood read the report for July. Heywood stated that there was $2,045,743.02 for total funds. The Pokagon Fund has $26,252.00 this amount is what is left after the $24,000 was used for the pickle ball and tennis court grant. Anne thanked Mike Mintz for going with Cheryl to close all the accounts at Chemical Bank and open the new accounts at Horizon. Phil Bonello would like Cheryl to compare our balance from where we were last year at this time.

**3. Tree Inspector Report –** Kris Wulff (Absent) Rick Reitz reported that Kris had the Tree Mann look at a few trees in the Village that needed branches removed or trees. Kris only had a quote for one tree and Rick had a quote for both trees from another tree service. Rick would like to wait until he had the other quote from the Tree Mann for the second tree. Linda Stein wanted to know the location of trees discussed. Rick stated that the 4174 Pocantico property had dead branches hanging over road and 3868 Ponchartrain property had rotten in the middle with branches hanging in the power lines. Linda asked if the dead stump in the park could be removed. Rick said that he and Josh took it down that morning before the meeting.

 **4. Fire Chief Report –** Chief Gary Bendix (Absent) report on file – Linda Stein asked what a Pole Fire DB meant. Chief Layman said it meant electrical fire.

**5. Police Commission –** Russell Bruesch had nothing new to report.

**6. Police Report –** Chief Layman had 62 calls reported for July. He reported 38 citations had been given. Chief Layman wanted the families to educate themselves about rip currents. He stated in the past week there had been

3 drownings in Southwest Michigan in nearby communities. Chief Layman reported one of the bodies washed up at Stop 42. Chief Layman thanked all the departments who responded for their help. He reported that the Village had cars broken into and reminded everyone to lock their cars. Chief Layman said if you see anything suspicious please call the police. Kathleen Hogan Morrison asked the subject matter of the citations. Chief Layman said they were for parking, and underage persons driving golf carts in the Village.

**7. Beach Commissioner** – Russell Bruesch said lake levels were still rising, and the Village could experience more erosion problems. The beaches he noticed have been very clean for the amount of people using them. He thanked everyone for cleaning up after themselves.

Janis a Village resident, had noticed that there were fire remnants at Stop 42. Rusty said there is a fire pit there, but it is on private property, not on Village property. Janis thought beach fires were not allowed until after Labor Day. Chief Layman said his department would keep a better watch over in the area.

**8. Public Works/Water Authority Report –** Superintendent Rick Reitz said Grand Beach road was paved; it turned out fine; and he was satisfied with the company, ABC Asphalt. The village received the quote from RL Roofing to do the work on Pump House and it was submitted to the insurance company. The roof will be covered at 100% the cost for new roof, which is $30,600. Rick was asked to find out about the warranty. Water usage was up about 2 million gallons more than usual since we have residents living out here for the summer.

**9. Water Board Report** – Rick Reitz said Wightman should have the Water Study Report finished sometime next week. Rick said once he has the report, he would like Mike Mintz to go over the report with him. Linda Stein wants to make sure that the report contained findings about the water quality on Creek, Choctaw and Comanche.

 **10. Clerk Report –** Anne Heywood asked for a motion to approve the check register for $185,446.96. Linda Stein made a motion to approve the check register for July in the amount of $185,446.96 as submitted; Mike Mintz, seconded the motion; motion passed. Anne Heywood mentioned $2,500 had been collected in parking citations this summer.

**OLD BUSINESS:**

1. **Heywood Working on Plans for Replacing Playground Equipment in the Park**. Anne Heywood will be setting up a meeting next week by phone. Anne asked Jurate Landwehr if she would look into possible grants that might be available.
2. **Permit and Bond for Heavy Equipment** – Mike Mintz said we have a few issues with the permit, stating it would be hard to monitor weight limit of these trucks coming in. Rick could help with the route, having the trucks come in on the roads that have cement under the asphalt which could handle the heavier trucks. Rick will work with Ryan to create a route for the trucks. Mike Mintz is going to have Sara Sencia Village Attorney look into using a percent of the building permit fee and move into our Major Fund for repairs of roads. Kathleen Hogan Morrison wanted Mike Mintz to explain the Village already has a right away permit in effect. Mike then said the Village is using the new permit and it requires companies to show the route the trucks will be using in the Village. This is a start and will help monitor the streets by the heavy trucks. Kathleen said she wanted the residents to know that work on this project has been underway.
3. **Recap from Special Meeting regarding Martino’s Seawall** – Mike Mintz read the council's response that he had posted on the relevant comment section of the EGLE web site. Kathleen Hogan Morrison said the Village now must wait on EGLE decision. Mike Mintz said that he had made the public statement for the council, but there is no enforcement value. The State makes the final decisions.

**NEW BUSINESS:**

1. **Adopting COVID-19 Preparedness and Response Plan for the Employees –** Chief Layman explained that per the Executive Order 2020-77 the Council needs to adopt this policy. The policy states that each employee will have to take a survey on line every morning, at the end of survey the employee will be told whether to report to work or to go home based upon the employee's answers to the survey questions. If an employee does not pass, he must stay home for 2 weeks. Anne Heywood wanted to know if the plan states the employee is paid while off. Chief Layman said yes and it is written in section 5 Employee Paid Leave Rights. Kathleen Hogan Morrison made a motion to adopt the policy 2020-77; Linda Stein seconded the motion; a roll call vote was taken 5 ayes – 0 nays; motion passed.

1. **Quote for Removal of trees –** Discussed under Tree report and will be tabled until next meeting.

**Edgewater Resources recommendations for Stop 38, 39, & 43 shoreline protection –** Mike Mintz said he had not heard back from Edgewater Resources for its recommendations or opinion. He explained the Village contracted with Edgewater to get its opinion or recommendation about Stops 38 & 39 shoreline erosion. That erosion is getting close to Village gas and water lines. Residents north of Stop 43 (McKenna) and those south of Stop 43 (Ginther) are planning revetments. McKenna will be using stone and Ginther will use sandbags. Mike Mintz explained that owners do not need a permit if using sandbags for emergency purpose, but the Ginther’s applied to he State in case they needed to do stone later. The Village was looking into the possibility to having Ginthers tie into side of Stop 43 to protect it from wave damage. Mike mentioned that the Village has a metal seawall with 45-degree angle located on the south side. The village could benefit from tying in with the Ginthers, but Village will wait for Edgewater recommendations. In addition, the property next to the Ginthers (Forsyth) is planning to use sandbags at the same time as the Ginthers do.

Kathleen said if Mike could explain why he believed the revetment would help the residents of Michiana if the Village has Stop 43 tied in with the additional revetment. Mike said having a continuous seawall would benefit the Village because any time you have a seawall you benefit from having a continuous seawall to protect from wave action. If not protected, the wave action will cause more damage to the uncovered areas. Mike Mintz said the named residents are paying close attention, trying to keep a smooth continuous seawall so there are no weak areas.

Mike explained that at the March meeting the Council had allowed the Ginthers to do a return from the water’s edge back into the land parallel to East Court right of way and being 10 feet away from the Village stop and right of way. This was to protect the side of the Ginter property so there would be no wash back. Mike said the Village sees an opportunity to protect the Village property and have a continuous seawall. This will help the Village to maintain some control over the adjacent property.

 Linda asked Rick if he was going to meet with the Army Corps of Engineers. Rick said the Army Corp of Engineers has two offices in Michigan and talked with the South Haven office, which advised him that personnel are traveling less with the COVID issue. The group in South Haven wants to come to the area and inspect the work they did in the 1980’s. Bill Lambert commended Mike Mintz on all the work he is doing with Stop 43. Bill felt Mike was right on target working with the Ginther’s. Mike Kinasz, a Village resident, said he **t**hought the Village should contact Ezra Scott, a government representative, regarding the erosion along Lake Shore Drive. Mike Mintz agreed and said he would look into it.

**PUBLIC COMMENTS:**

Janis mentioned seeing large cement piles in the water by the Gerber property. Mike Mintz said they would be removed per Ben Zimont from EGLE. Rusty Bruesch said that Donkersloot was already down there today removing the cement.

Jurate Landwehr thought the Village should contact Beverly Shores, Indiana since the town had Lake Shore Drive erosion problems and might have some information, they could provide to us. Mike Mintz stated he had already reached out to them and was waiting for call back.

Lynn & Joel Altschul would like Stop 42 to be included in the beach study. Mike Mintz wanted to know what the concerns were since that stop had beach access.

Mike adjourned the meeting at 2:10pm (EST)

Respectfully submitted,

Anne Heywood

**Next Meeting Friday, September 11 at 1:00 p.m. (EST) again by a “go to meeting” phone in session. See the Village Web site for instructions to join the meeting. Michianavillage.org**