

VILLAGE OF MICHIANA COUNCIL MEETING
Friday, June 9, 2023 at 1:00 p.m. EST

The meeting was held in person and virtually via Zoom.

ATTENDEES

Council members: Tim McCarthy, Brian Cassidy, Mike Botelho and Nancy Thill. Michael Tolentino was excused. Also, present were Police Chief Ryan Layman, Water & Street Superintendent Rick Reitz, Village Clerk Anne Heywood, 9 residents present, and 6 participated via Zoom.

Additions/Deletions – New: Resolution from Berrien County Trails, Ordinance for Cross Connections, Closed Session

Public Comment on Agenda Items Only – Kathleen asked if any there were any changes made on the budget. TJ(Tim) replied no. Joann Fisher had a list of questions. The Council responded that the reason the Council allowed residents to have access to the draft budget was to look it over and provide any questions on the budget to the Village Admin. Joann then asked if there was any new information about the lawsuit with New Buffalo Township. Sara Sencia the Village attorney answered by stating we are still in a holding pattern waiting for the Court Appeal to set a date. Sara thought it could be sometime in September or October to hear the case.

Consent

Mike Botelho made a motion to approve the following; Council Meeting May 14, 2023, Check Register/Treasurer report; Nancy Thill seconded the motion; Motion passed.

REPORTS:

1. Building Inspector – Building Inspector Bill Lambert talked about some of the projects going on in the Village. Bill then turned it over to Chad to talk about Stop 40. Chad said they have been working with contractors for creating an alternative access to the beach at Stop 40. The new access point will be located approximately 50 feet south of the Stop 40 beach shelter. Chad said the only one that turned in a quote for the project was John Yanz, who just completed Stop 37. John said he had time available to start the Stop 40 access project and hoed to have the work completed before the July 4th weekend. Brian Cassidy stated that the work John Yanz did at Stop 37 was done very well and completed by Memorial Day as promised. Brian made a motion to accept the quote from John Yanz but would like to wait 5 days to see if another contractor submits a bid. Mike Botelho seconded the motion; there was discussion stating if we wait, we could lose the contractor we have who is ready to get started. The Council felt they should move forward with these steps so they could be ready by the 4th; Brian Cassidy with- drew his first motion. Brian made a new motion to approve John Yanz proposal for \$23,650 to install a new set of stairs south of Stop 40 in hopes that it would be completed by the 4th of July. TJ (Tim) explained why the actual Stop 40 could not be opened at this time; Mike Botelho seconded the motion; all were in favor motion passed. TJ (Tim) McCarthy made a motion to amend the General Funds budget \$23,650; Brian Cassidy seconded the motion; all were in favor; motion passed.
2. Michiana Shores Volunteer Fire Depart. – Chief Gary Bendix (absent)

3. Police/Commission Report – Chief Ryan Layman reminded the residents about Saturday, June 24 there will be a CPR class followed by the 2nd annual “Coffee with a Cop”, held at the Village Hall from 12:00 p.m. until 2:00 p.m. (EST).
4. Beach Commissioner - Brian Cassidy brought everyone up to speed on the beach stops. Stop 37 is completed the fence and bike rack have been painted, Stop 38 and 39 were looking good. Stop 40 - hope to have nearby access open with new stairs ready for the 4th of July since this beach looks good. Stop 41 will remain closed. Stop 41.5 the beach has been cleaned up from all the drift wood that had fallen or drifted in from the lake. Stop 42 is opened and Stop 43 will remain a sunset beach. Brian said they were looking at putting in a 3ft wall with stairs at Stop 43 to help hold back the sand. This would help keep that area clean and protected around the drywell drain from filling up with sand when it rains. Brian thanked Rick and Josh for all their hard work.
5. DPW/Water Report – Rick Reitz submitted his report for May listing all the projects that were taken care of in the Village. Cleaned brush along the fence in the park, cut grass around the Village, painted and stained the deck, picked up kayaks off the beach with no stickers, put life rings at the beach stops, painted swing set, painted, bike racks, set the benches in their permitted spots, moved the park tables to their locations. Worked with inmates cleaning debris off beaches. Did water testing, checked on all the Miss Digs, installed a drywell on Avalon and East Court, worked with Peerless on new alarms system at pump house, did water turn on, worked on EGLE reporting forms. TJ (Tim) explained during the weekend the water pump pressure started to drop which set off our new water alarm at the pump house. The system alerted Rick who immediately came in and notice the main filling value went out. Rick had to manually run the valve every couple of hours until the value could be fixed. This meant that Josh and Rick worked through the night at the pump house to manually run the valve. Peerless came the next day to replace the value and installed 2 breakers in the Scada system. TJ thanked Rick and Josh for keeping the Village up and running with water during this busy holiday weekend and missing out on the holiday with their own families.
6. Tree Commission Nancy Thill reported she was still reading the 95-page report that was given to her on the tree survey report. Nancy notified Pizzo regarding the poison hemlock in the park has returned. Nancy also informed Pizzo that one of the trees they planted in the park has died. They told Nancy they will honor their contract and replace the tree.
7. Planning Commission –Michael Tolentino absent
8. Clerk Anne Heywood gave a few reminders of things happening in the Village: South of Disorder “Jimmy Buffett Vibes” playing in the park on Saturday, June 17th from 5:30 until 8:30 EST. Wood Stock and Grill food truck will be set up, please bring cash if interested in purchasing food. Thanked Lisa Zirpolo, Cori Burland, Diane O’Brien and Sarah McDonald for putting this together. Day camp starts June 19th you can find all the information on the Village web-page Michianavillage.org. AED Class will take place the morning of June 24th

if you are interested you can register by going to the Village web-page michianavillage.org followed by Coffee with a Cop at the Village Hall.

Garbage Service with Lake Shore ends on Monday, June 26 they will come and pick up old cans during the week. Republic will start bringing in their new Blue totes the week of June 19th. Please be patient, there will be numbers on the flyer and on the web-page if you would like to pay for extra cans.

OLD BUSINESS

- 1. Master Plan** – Council felt it was too soon to move forward when they haven't had time to read through the existing Master Plan themselves. Mike Botelho made a motion to table the Master Plan until future notice; Nancy Thill seconded the motion; a roll call vote was taken; 4 ayes and 0 nays; motion passed.
- 2. Update on the Village Hall Renovation** – TJ would like to have this committee Holly Duran, Chris Boothe and Justin Lucas move forward and work with the Council. This means when they are ready to take steps like putting things on the Village web page, future fundraising, bids or ideas from Kono the designer for doors and windows on colors this would first go to the council for approval. TJ (Tim) made a motion making Holly, Justin and Chris the official Village Hall committee to work with council; Mike Botelho seconded the motion; discussion; Motion passed. Holly Duran then gave a brief summary why the Village Hall needed a facelift, what they would like to see updated and how they see the project moving forward. The Village Hall is the centerpiece of our community and it is currently underutilized and requires updating. The committee would like to preserve the legacy and heritage of this historic and nostalgic building is of utmost importance. This will help promote more village gatherings. We have an influx of new residents (90 in the past 2 years alone) it offers an opportunity for them to connect with each other. The renovation will enhance the potential for event rental income. Ultimately, our goal is to restore and renew our iconic Village Hall, making it a welcoming destination for all villagers throughout the year. The facelift expenses encompass flooring, windows, doors, electrical fixtures, electrical work, audio video systems, gas line installation, HVAC, plumbing, appliances, framing, countertops, fireplace equipment, demolition and garbage removal, carpentry, furniture and general contracting fees. The estimated total cost of the project is \$250,000. Ways to contribute to this project will include fundraising and donations from our residents. Would love to have soft launch during one of the Villages events showing the villagers the view of the project renderings and to gather feedback and provide information. Would like to use the Village Website to showcase this project as it takes off. Holly mentioned that the Village has already budgeted \$40,000 to start getting bids for the windows and doors. The Council was looking forward to working with this group. TJ (Tim) volunteered to join the committee as the Councils representative.
- 3. Update on Water Grant Project** – Nancy Thill attended a meet and greet for Congressman Walberg. Nancy was able to speak with Mr. Walberg and thanked him for considering our project on Creek. Nancy Thill invited Congressman Walberg to our Village as a guest speaker for our Arbor Day Celebration.

4. **Flock Camera for the Village** – Ryan would like to purchase a flock camera that takes pictures of license plates entering the Village. They have purchased one in Grand Beach. Ryan had video to show how the camera worked. Ryan said it only captures the back of the car and plate. This would help when trying to track vehicles. If something were to happen they could pull the tape to locate the car plate which keeps track of the time the vehicle leaves or enters the Village. Mike asked Ryan if these are used for public safety. Ryan said yes and would like to place it at Michiana Drive and El Portal where there is a lot of traffic in and out of the Village. The subscription a year is \$3,350 which includes the camera. Ryan said if at the end of the subscription we can just give everything back if they feel it's not useful. Brian Cassidy made a motion to purchase one flock camera for \$3,350, Nancy Thill seconded the motion; there was discussion; motion passed.

NEW BUSINESS

1. **Approval of the 2023/2034 Budget** TJ (Tim) asked for motion to approve the budget. Nancy Thill made a motion to approve the 2023/2024 Budget; Mike Botelho seconded the motion; a roll call vote was taken; 4 ayes 0 nays.
2. **MDOT Grant for Street Paving** this grant was opening up again the Village was going to see if we had any other streets in desperate repair. Since we didn't get the last grant, we applied for, the Village has already moved forward with road paving on the streets we had asked for help with.
3. **Investment Policy** – TJ(Tim) stated on the policy everyone was presented there are few items the council felt needed to be changed or added. TJ said at this time this will be tabled until further notice so that amendments could be made.
4. **Resolution 2023-002** – Mike Botelho explained the Berrien County Trails was looking for our support. They wanted Michiana to commit to the promotion and continued development of the "Berrien County Trails Master Plan" and in concept to work with neighboring communities to plan, design, build and maintain a system of trails that will connect our communities, people and special regional points of interest for years to come. Mike made motion to approve the Resolution; Nancy seconded the motion; all were in favor; motion passed.
5. **Cross Connection Ordinance** – TJ (Tim) made a motion to adopt the ordinance for Cross Connection 2023-01; Nancy Thill seconded the motion; a roll call vote was taken; 4 ayes and 0 nays; motion passed. This Ordinance will be posted on the web page. Hydro Corp who the Village hired will be doing the inspections on the homes in Michiana.
6. **Closed Session** – Moved to the last order of business.

Public Comments: Holly Duran understood the reason for the Flock camera, but thought it invaded people's privacy. Residents asked if the speed bumps could be painted so that they were more noticeable for cyclist. Pam Schutt had several comments including providing more dog signs with times for the beach, trees that have vines on them killing trees, beach stops are sandy, the creek by her house needs to be looked and cleaned up. Kathleen Hogan Morrison again asked about the treasurer position. The Council stated when the

position is filled, they would let the residents now. Maureen Shekleton wanted to know why the master plan was tabled. TJ (Tim) explained again that the council was not ready to move forward at this time and it was tabled until further notice.

Sara Senica then asked that the Council be excused to go into close session to discuss written material exempt from public disclosure under Section 8 (h) of the Open Meetings Act. TJ moved to go into closed session; Nancy seconded;

Council returned TJ (Tim) made a motion to adjourn the meeting and asked for a second; Nancy seconded the motion; the meeting adjourned at 3:00 p.m. (Est)

Respectfully submitted,

Anne Heywood-Clerk