**VILLAGE OF MICHIANA**

**COUNCIL MEETING MINUTES**

**Friday, April 15, 2022 at 1:00 pm Eastern Standard Time**

The meeting was held in person and by virtual Zoom meeting. President Joann Fisher, Kathleen Hogan Morrison, Linda Stein, Mike Mintz and Phil Bonello were present. Also, present Police Chief Ryan Layman, Water & Street Superintendent Rick Reitz. Clerk Anne Heywood, 28 Village residents dialed in to listen and 19 were present.

**ADDITIONS/DELETIONS TO AGENDA –** Guest Daryl Veldman from Edgewater Resource moved up to talk before the reports/ old business: move the pickleball tournament up to #1.

**Approval of Council Meeting Minutes for March 11, 2022 –** Will be approved at the May meeting.

Look for the draft minutes to be posted later this week.

Joann stated that her focus for the next 2 years will be the beaches. Joann said we have 8 beaches in the Village of Michiana and right now we have 4 opened. Joann said Fox Business featured an article saying New Buffalo was among the top 10 places to by a beach home. The article showed a photo of Stop 39 with its “closed beach” stop.

Joann introduced Daryl Veldman, a civil engineer from Edgewater Resource, who was invited to talk about beach access along Stops 39, 39.5 and 40. Daryl stated that his company has worked on many projects like ours. He suggested when the village is ready to make sure we talk to companies like Donkersloot or Dovan Moore from Triple D as these are companies that are familiar with this type of work and have worked in our area. Daryl said the challenge right now is getting quotes for the job and workers. He applauded the council for already getting quotes and getting on these company’s schedules. Kathleen Hogan Morrison asked if the village can backfill behind the sand bags, and part of the dune at Stop 39. Daryl Veldman said yes you can but, if you’re going to put the access back at Stop 39 it is well worth the investment to backfill behind the platform and stairs to make the dune stable and backfill about 10’ on each side of the staircase. Kathleen Hogan Morrison asked his opinion if there was a difference between a permanent Stop 39 or making a temporary access at Stop 39.5. Daryl stated the cost would be very similar at 39.5 because the area there would have to be cleared of brush, rock would need to be removed at the bottom, and an EGLE permit would be required. Kathleen asked if for the sake of aesthetics would one stop be better than the other. Daryl pointed out that the Village already has an entrance at Stop 39 so there was no reason to create temporary access. Council thanked Daryl for coming and his expertise.

**REPORTS:**

**1. Building Inspector Report –** Bill Lambert gave his report.

**2. Fire Chief Report – Michiana Shores Volunteer Fire Department –** Fire Chief Garry Bendix was absent. Mick Wulf from the Fire department was present and just reminded everyone about the pancake breakfast on May 1st.

**3. Police/Commission Report –** Chief Ryan Layman reported his officers qualified to state standards at the gun range. Chief Layman is planning a meet the cop day. He was looking at maybe over Memorial Day weekend the same weekend of the park dedication. Chief Layman is planning to also have a police garage sale that day with things they have collected like kayaks and other items that have never been claimed.

**4. Beach Commissioner –** Russel Bruesch reported the stairs are in at the Stop 38 and 42. Joann mentioned that 4 sunset benches have been placed along Lake Shore Drive. Two between Stop 39 and 40 and two at Stop 43 that have beautiful view for sunsets. The new kayak rack will be installed down at Stop 41.5. The new rack hold 8 kayaks and the cost was $1,200 with shipping. Anne said she has 28 names in for the lottery so far and there are about 48 spots including the old rack. Deadline for entering the lottery is May 6th names will be pulled on May 9th only if we more than 46 names. Names will be announced at the Council meeting on May 13th. Tripti Kasal said she loved the benches at Stop 43 and was wondering if there were any other plans for Stop 43 this year. Joann said not for this year but the council is working on some plans in the near future. Pam Schutt would like to know if we are having a beach clean-up day. Rusty said the only clean-up we have are the large stumps and logs at Stop 41.5. He said this requires man power. Rusty said we can leave a couple logs for people to sit on but the rest have to be cut up and burned.

**5. Public Works/Water Authority Report –** Superintendent Rick Reitz reported 8 new tires have been installed on the leaf vac. He was working on bids for street paving. He has one bid in the amount of $125,000 already from Arnt Asphalt which everyone has in their packets. Linda Stein asked about what funds would pay for the road work. Rick said the Local and Major but not looking at doing this project until summer and will talk with Cheryl regarding funds coming in. This estimate was to help project what would be needed for roads when doing the budget. This proposal will have to be redone if we wait. Phil Bonello asked what the revetment projects were that the Local and Major paid for. Rick explained the revetment work that was done at Stop 39 at Stop 43. Rick has 2 prices for cleaning two drains, one located at Dune Ridge and Hillside and the other at Stop 43. The quote from Breholder came in at $250 an hour and Woodruff was $360 an hour plus $60 to empty the tank. Mike Mintz made a motion to approve the cleaning of the drains this year and not to exceed $2,000; Phil Bonello seconded the motion; everyone was in favor; motion passed.

**6. Water Board Report**  Rick Reitz had 2 bids cleaning the water storage tank: one from MIDCO in the amount of $2,868 and the other from Liquid Engineering in the amount of $3.560. Rick said he had put this in the new budget but needed to have the contract signed so they could schedule us in for September. Mike Mintz made a motion to sign the contract with MIDCO to clean out the water tank so we can be put on their schedule, Linda Stein seconded the motion; all were in favor motion passed. Rick was still waiting for a part to finish the Chlorination project. Leaf pick-up starts next week, and Rick reminded everyone they would not be picking up sticks. If you have sticks in your pile of leave’s they will not be picked up. These sticks jam in the leaf vac. You must bundle your branches with twine or place them in brown recycle bags for the yard waste pick up on Thursday’s. The Council stated it is the homeowner’s responsibility if they use a lawn-service they need to remove their yard waste from the village.

**7. Clerk/Treasurer Report –** Anne Heywoodasked for approval of the register in the amount of $69,976 Joann Fisher made a motion to approve the register as submitted; Kathleen Hogan Morrison seconded the motion; all approved. Anne reported that the total balance for all accounts in March $2,621,316.43 and $33,085 in the Pokagon fund. Anne has directory available, and also said if you would like your name in the lottery for a kayak spot to call the office.

**OLD BUSINESS:**

**1. Camp Contract** – Joann said the Village was given the signed contract with the camp just waiting on their insurance. Camp will start this year on June 20th and go through August 5th. They will be using the pickleball courts on Tuesday and Thursday from 10-1pm EST. The courts will be open to the public on the other days they are not being used. Just a reminder that the road is closed in front of the Village Hall while camp is going on. If you are coming to play pickle ball during camp hours Monday, Wednesday or Friday remember there is parking along-side the park on Cherokee across of the split rail fence. The Michiana Day Camp is not run by the Village so if you need any information, please go the web site under Park there is a link for the camp with contact numbers.

**2. Pickle ball Tournament –** Joann stated after much discussion she would like to propose the following: allow the Women’s Club to hold a pickleball tournament on Saturday, July 30 & Sunday, July 31. This would be a social event open to the community. There will be no entry fees. They could sell merchandise and accept donations. Insurance will need to be provided for liability purposes. The Village will allow other tournaments but will need to be reviewed for approval by the council: Joann asked for motion, Phil Bonello made a motion to allow the tournament at no cost and no fundraising activities and only volunteer donations are allowed; there was discussion; Linda Stein seconded the motion; roll call vote was taken 5 ayes 0 nays; motion approved. Karen Bernstein Shoshana thanked the Council. Joann said her goal would be to see 2 pickleball tournaments a year. She hoped that the pickleball group would hold a tournament to raise money to help maintain the pickle ball courts. Joann stated that the Council has the right to change this policy as needed and will review each year.

**3**. **Stop 39 –** Kathleen presented the council with a proposal she had just received from Northshore Property Solution.Kathleen asked Northshore how the company would go about putting in stairs with the backfill and save some money. Kathleen explained the proposal Northshore would install backfill sand behind 30 foot of trap bags coming all the way up to the top of the dune. Northshore would fill in roughly 30’ L x 30’ W x 5’ deep to be able to support the piers. Northshore will partner with LandTech from Holland Michigan to install helical piers that will support the post for the stairs. The stairs would run about 45ft from the top to bottom. Kathleen noted that there would be a lot of steps but the company would put in landings among the stairs. The steps will be at about 36 degrees. 3’x4’ landing at the top, then 15-16 steps 8” rise 11” tread to a 3x4 landing in the middle then another 15-16 steps to the 4x8 landing over the trap bags, then 9-10 steps to the sand. The Northshore proposal came in under $47,000. Kathleen made a motion to hire Northshore Property to do the work at Stop 39. Kathleen said she would work on the contract with the village Attorney to make sure the project would be completed by Memorial Day and would put additional wording about penalties if work was not completed; Joann Fisher seconded the motion; then opened it up for discussion. Linda Stein said she was just reviewing the proposal for the first time, had questions like how wide are the stairs are and asked about handrails; Phil Bonello objected that the point was not beach access at Stop 39, but to provide beach access where there was the most beach. Phil Bonello thought spending $50,000 was a lot of to spend on Stop 39 when we could make access at 39.5 much faster and cheaper and provide more beach between 39.5 & 40. Kathleen said you can walk around the Purze property from Stop 39 over to 40. Phil Bonello asked Bill Lambert, the Building Inspector his thoughts, he had looked at Stop 39.5 and thought maybe around $10,000 to build but wasn’t sure about the anchoring of the stairs which could be very difficult to do. Bill said in order to build stairs you would need to clear the brush on the dune and remove boulders at the bottom that needed to be removed. Bill Lambert stated that it took 7 men to carry up the extra metal stairs from Stop 42. He said if they used those metal stairs that they could only be very temporary because they are not to code requirements. He thought the proposal on the table looked good. Mike Mintz said the lake is going down but was concerned the lake could go back up and the village should wait a couple of years to see what happens. Kathleen said the council had received letters from residents to open the beach at Stop 39. Phil Bonello said this is risky money to spend and felt the project was being rushed and too risky to use Village money. Phil Bonello said if you want to use private money, go ahead. Kathleen said why wouldn’t we use tax payer money in a beach community to enhance the Village access to the beaches. Many residents were in favor of opening Stop 39. Joann Fisher stated that she has walked all these stops with the contractors and engineers looking at 39, 39.5 and 40 and they all go back to stop 39. Kathleen has been working on this Stop for 10 months. Rusty, the Beach Commissioner, said the proposal was very reasonable considering that the prior proposal was for sand only at $66,000 and this new proposal has sand and stairs for under $50,000. Rusty said he is having a hard time finding a contractor to come out to give us a quote for 39.5. Kathleen again explained the procedure if the council would approve to move forward, she would then put together the contract with village Attorney. Roll call vote was taken, 2 ayes and 3 nays, the motion did not pass. Phil Bonello made a motion that Bill Lambert and Rusty Bruesch should measure Stop 39.5 and to measure for the linear feet for the cost to put in temporary stairs and come back to compare this with what they have in front of them for Stop 39; Linda Stein seconded the motion; roll call vote was taken 3 ayes and 2 nays, motion passed. Many residents were upset with some of the council members in their decision to wait on Stop 39. Kathleen Hogan Morrison wanted it stated that Mike Mintz, Linda Stein and Phil Bonello voted against this proposal and 2 of them will be up for election this November. Joann Fisher apologized that meeting went this way and will continue to work on getting Stop 39 opened.

**4**. **Update of Guidelines for Village Trees** - Phil Bonello talked about some of highlights of the new tree guidelines and list of native trees suggested when planting new trees. All this information is on the Village website. Phil Bonello said the tree guidelines requires there be a tree board which is made up of five residents and once council member which meet 4 times a year. The purpose of having a Tree Board will allows the Village to apply for funds from various groups. The Planning Commission suggested that Village website make a prominent spot to discuss “all things about trees” this spot would cover things such as: The Guidelines, Arbor Day activities, the importance and value that the Village trees contribute to the beauty and feel of the Village, a calendar of educational events promoting how to take care and when to trim trees. Joan Fisher, asked who on the council would be sitting on this board and if he had any residents that were interested on being on it.

5. **Update on Lawsuit with New Buffalo Township** – No report

6. **Park Update –** Joann Fisher reminded the village that on Sunday, May 29th Memorial Day weekend there will be dedication of the park and root beer floats will be served from 1:00 pm – 4:00 pm (EST) by the new pavilion. Another important date to save is Monday, June 6th the first annual Golf Outing to be held at the Pottawattomie Country Club. The committee, consisting of Ryan, Anne, Nancy Thill, Berta Beranek, Rick Turim, and Lisa Zirpolo have been working hard putting this together. The Marla Dorf musical garden has been ordered for the park. The tree carver will be coming April 18 to carve a few bears. The musical garden was purchased with money Kathy Roberts and Sheila Stein collected and from the Dorf family. Jann thanked the Lennon and Mackey families for their donation toward the new basketball backstop and to everyone that stopped by and gave donations at the Michiana March Madness. Jann thanked the community for all the donations and for working together to make the park what it is today.

**NEW BUSINESS:**

**1.** **Notice of special exception** – Joann asked Bill Lambert for his opinion on this notice for Holly & Richard Duran. Bill had no issues they own plenty of land and their plans wouldn’t have an effect on the Village. Joann asked the council if anyone had any concerns. There were none. No action was taken by the Council.

**2**. **Council Meeting is being changed from July 8th at 2pm (EST) to July 15 at 2pm (EST)**

**3**. **Resolution** **for Michigan Emergency Management Liaison** – Chief Ryan explained this resolution has to do with the Village needing to have a contact person in case of an emergency and needs to be filed with the County. The Council made Chief Layman the liaison for the Village to serve as the primary emergency management liaison for this municipality and will be delegate the responsibility to assign other municipal officials to emergency positions necessary to carry out the functions required by the county emergency management coordinator and the county emergency operations plan.

**PUBLIC COMMENT /CORRESPONDENCE:**

**Meeting adjourned at 3:09 pm (EST)**

Respectfully submitted,

Anne Heywood/Clerk