**VILLAGE OF MICHIANA**

**COUNCIL MEETING MINUTES**

**Friday, December 10, 2021 at 1:00 pm Eastern Standard Time**

The meeting was held in person and by virtual Zoom meeting. President Mike Mintz opened the meeting; Kathleen Hogan Morrison, Linda Stein, Joann Fisher were present, Phil Bonello joined by zoom; also, present Police Chief Ryan Layman, Water & Street Superintendent Rick Reitz. Clerk Anne Heywood, 15 Village residents dialed in to listen and 8 were present.

**ADDITIONS/DELETIONS TO AGENDA – Council Meetings are continuing being held by Zoom or in person**

Mike Mintz moved the Auditor first on the agenda due to another appointment. Brian introduced himself from Kruggel and Lawton the Village audit was for 2020/2021. Brian said he met previously with Mike Mintz and Kathleen Hogan Morrison to go more thoroughly through the audit. Brian said he would just touch bases on a few highlights in the audit and thanked Anne for working with them gathering all the information they needed. Brian said the General fund had a $320,000 increase, some of this was from the contribution for the park project. Brian stated in total all governmental funds including the general fund increased by about $355,000. Water fund had a modest increase of about $77,000. Phil Bonello asked if you remove money brought in from the park would it be fair to say the General fund had an increase of about $120,000, Brian said yes. Brian stated as part of audit they will be filing all the reports with State before the end of the year. Kathleen, asked if Brian would agree with the statement that the Village is in good shape financially. Brian explained the metric they use to measure the health village fund balance is between 6 – 12 months. This year’s calculation for the General the Village is 23 months which is very healthy for our Village**.**

**Approval of Council Meeting Minutes for November 12, 2021 –** Linda Steinmade a motion to approve the minutes; Phil Bonello seconded the motion; motion passed.

**Approval of Special Meeting Minutes from November 18th, 2021** – Kathleen Hogan Morrison made a motion to approve the minutes; Joann Fisher second the motion; motion passed.

**REPORTS:**

**1. Building Inspector Report –** Bill Lambert reported that he issued the Certificate of Occupancy for Martino home. Bill stated at the new home on Choctaw framing has started. As of today, Bill reported 59 permits have been issued so far this year.

**2. Tree Inspector Report –** Kris Wulff said he has issued 8 permits to date and 2 new ones at Pokagon and the other on Ponchartrain. Kris then resigned as the tree inspector after 18 years of service. Kathleen thanked Kris for all his years of service.

**3. Fire Chief Report – Michiana Shores Volunteer Fire Department –** Fire Chief Garry Bendix read his report and mentioned that they had a call from a homeowner that was stuck in their elevator as the doors didn’t open. Chief Bendix said when he arrived Chief Layman had already had the elevator doors open so the homeowner could get out. Chief Bendix said with larger homes being built they have noticed a some are installing elevators. Chief Bendix is going to make sure that his men get training in this type of situation. Joann Fisher asked who inspects the elevators, Bill Lambert said this approved by the State.

**4. Police/Commission Report –** Chief Ryan Layman reported 34 complaints for November. Chief Layman wanted to make residents aware of fraud that was happening involving cell phones. A resident recently reported money stolen out his bank account, the hacker stole his sim card ID number which was still in the phone somehow the number was taken and they reassigned it to another cell phone. Then the hacker creates a new password and was able to access the gentlemans bank account. Chief Layman said the carrier was T-Mobile. The gentleman noticed his phone stopped working but didn’t think anything of it for a few days then realized that someone accessed his bank account. Chief Layman said if you notice your phone should stop working get ahold of your provider right away. Chief Layman said these sim cards hold all your information. Chief Layman said this is still being investigated.

**5. Beach Commissioner –** Russel Bruesch said the beaches were in good shape and water levels were going down. Rusty stated there is a lot of debris at Stop 41.5 and we need to have some type of bon fire to burn some of logs and need a chain saw to cut up larger trees. Mike said maybe Chief Bendix department could help with the burn in early Spring. Tabled until the March meeting to revisit the beach.

**6. Public Works/Water Authority Report –** Superintendent Rick Reitz was absent – Josh reported they have been getting the park area dug up for the new equipment to be installed. Josh said they will be going through the Village one more time next week picking up the remainder of the leaves. If you rake after the leaf truck goes by, you will have to call a lawn service to haul your leaves away. Reminder the Village is not picking up piles of sticks or brush and the yard waste program is over with until April 1st. So, you have any piles you need to get rid of please call lawn service to have them removed do not leave them at the edge of the road.

**7. Water Board Report**  Rick is almost completed with the chlorination project he is waiting on

special saddles that had to be special ordered. Once these parts arrive Peerless will come in do the electrical part of the project. Chief Bendix informed Josh that the ISO will be coming to

do their audit on the overall of the Village water system it’s a lot of paperwork. Chief Bendix

 stated this audit is usually done every 3 years. This audit plays a big part of the rating for the fire

department. Chief Bendix would like to keep his 4 rating. Kathleen said they will post

the notice of the upcoming water meeting on the web page which will be Tuesday, January 18th

2022 at 10:00 am (EST) at the Village Hall or you may attend on Zoom.

**8. Clerk/Treasurer Report –** Anne Heywoodasked for approval of the register in the amount of $176,695.68. Linda Stein made a motion to approve the register as submitted; Joann Fisher seconded the motion; all approved. Anne reported that the balance for all accounts is $3,120,131.83 and $28,590 balance for the Pokagon fund. Anne asked for council approval to move the Beach/Pickle Ball Fund from the old Chemical Bank which is now the Huntington Bank over to Horizon Bank since Chemical Bank was bought the new bank requires that $10,000 must remain in the account otherwise, they charge a $15 service fee a month. Kathleen Hogan Morrison made a motion to close the account at Huntington Bank and move the $8,387 over to Horizon Bank. Anne and Cheryl would also like to move $250,000 from the Water Checking at Horizon Bank to TCU in New Buffalo this would be just a savings account. The purpose for the funds to safe and insured per the FDIC standards. Phil Bonello made a motion to transfer $250,000 from the Water Checking at Horizon Bank and open a new Savings account at TCU with the $250,000; Mike Mintz second the motion; a roll call vote was taken; motion passes. Anne read the office hours during the holidays.

**OLD BUSINESS:**

1. **Park Update –** Joann Fisher sent out 250 donating letters to people who haven’t contributed to the park. Joann thanked Nancy Thill and Lyn Altschul for writing the letter. Thank you to Grace Tsiang and Kathleen Hogan Morrison who helped stuff envelopes. We have collected about $4,000 from the letters so far that went out. Joann thanked Rick and Josh for getting the grounds ready for the equipment they just have a little more to do. Joann explained the task to install the park equipment ended up being more then we could handle, so we ended up calling the playground company Penchura for help. Jurate asked what they charged us for installing the equipment, Joann said they wanted $25,000 but, Anne told them that wouldn’t work she was able to work with the company and got the cost down to $14,500. They will be here next week to install phase one of the playground which consists of a large swing set, the toddler swing, the small playhouse with slides, crawl through tree stump, a zipline, and acorn spinners. Next, we would like to put in the foot path, new basketball poles and back boards, trees and grass. In order to do the larger play equipment, we will need about $150,000. Bill Lambert is going to work with Donkersloot to help us with the bridge. We are waiting for Flood Plan Commissioner to give us a written okay. When they came out to see the project, they had just given a verbal okay. Joann said if you are looking for small bouncing animal’s, Rusty is housing the animals for the winter! Rusty has offered to repaint them so they can be reinstalled in the Spring. Joann said we are still waiting for AEP to come and tell us what we need to run electric in the park over by the new pavilion for future events. We are looking to hold a March madness on Saturday, March 19th any money raised that day will go for new basketball back boards and poles. Joann would like to have park dedication on Memorial Day weekend. Joann will be contacting the day camp to talk about the contract. The sunset benches from the grant that Kathleen worked on have arrived. Josh will be putting them together and hopefully installing them on Lake Shore Drive weather permitting.

1. **Stop 39 Update** – Kathleen explained that after everything was ready to move forward with the contractor EGLE informed the Village they were not allowing anymore emergency filings that all paperwork to allow access the lake from the street and removal of concrete off the beach needed to be filed and approved before work could start. Zach stated this process for permits could take months. Kathleen and the council felt this work needed to be done before winter. Kathleen worked with the contractor Northshore and altered the plan. The new plan is that Northshore will haul in their own sand and fill the trap bags from Lake Shore Drive. This means they will not need to remove the concrete at the bottom of the shore and will not need to put in a temporary road excess. After presenting and working with Zach from EGLE no permit was need and EGLE approved. Kathleen said Northshore would be starting on Monday and would be finished by Wednesday. The cost for the project is $39,000 with maybe additional $1,000 if they back fill when they are done. The second part of this Phase is in the Spring there will have to be more backfill added along with plantings like dune grass to restore and hold the dune. Kathleen said at this time if any residents would like to contribute towards this part of the project it could cost between $25,000 - $40,000 to please reach out to Kathleen or Anne at call the office.

**NEW BUSINESS:**

1. **Brain Hake Audit Report for 2020/2021 – Moved to top of the agenda**
2. **Kayak Racks Stickers cost for 2022 –** Joann stated at the last meeting the kayak committee gave their recommendations to the council which the council thanked them for their input. The council decided per the Kayak committee to keep the old rack one more year to generate funds for future new kayak racks as beaches got bigger. The council also liked the new style of the proposed kayak rack so one or two will be ordered for the new season will wait till Spring to check the beaches. The committee did recommend the stickers should be raised from $10 to at least $100**.** The Council decided that they wanted to raise the prices to $150 or $250 there was discussion between the council. Phil Bonello made a motion to raise the sticker fee to $250; Kathleen Hogan Morrison seconded the motion; a roll call vote was taken 3 ayes and 2 nays. Motion passes for $250. Anne will send out an email blast to notify the residents of the cost and will take names if they would like to be in the lottery for a spot on the kayak racks. Names will be drawn at the May meeting.
3. **Yard Waste Program –** Joann mentioned this was our first year using this program starting April thru October and the residents really like the program. Joann thought in all this was a great service, it kept the park clean from having brush piled in it and freeing up Josh so that other projects in the village could be attended to. Lake Shore rate will be $3.15 per home this is an increase of .65 which will be locked for 2 years until the end of Lake Shores garbage contract. Phil Bonello made a motion with Yard Waste Program starting again on April 7th ,2022 with Thursday pick up and paid for by the Village; Linda Stein seconded the motion; a roll call vote was taken; motion passes.
4. **January and February Council Meeting will be cancelled –** Phil Bonello made a motion to cancel January and February Council meetings and will resume in March since there was not much going on in the Village; Linda Stein seconded the motion; all approved; motion passes. Kathleen Hogan Morrison said if anything of importance should come up a Special Meeting will be called.
5. **Water Increases Kathleen Hogan Morrison again talked about the different increases - Water Rate** be increased from $4.00 per 1000 gallon to $4.10 per 1000 gallon. **Tap in Fee** from $2,200 to $2,800 and if the watermain is across the street the homeowner will pay for the waterline to be bored under the street. This is due to increase of materials. **Ready to** **Charge** this would not affect homeowners with ¾ inch meters the charge would stay the same $25.00 a month which is the $75.00 a quarter charge that is currently on the water bill. 1 inch meter $7.50 more making it $32.50 per month which is $97.50 per quarter, 1.5inch meter $25.00 more making it $50.00 per month $150.00 per quarter and 2-inch meter $40.00 more making it $65.00 per month at a rate of $195.00 a quarter. Kathleen Hogan Morrison than made a motion to approve the increases to go into effect as of January 1st 2022; Joann Fisher seconded the motion; a roll call vote was taken; all approved; motion passes.
6. **Amend Major and Local Budget for work at Stop 39 –** Mike Mintz made a motion to amend the budget as follows; $19,500 from Local & $19,500 from Major for the trap bagging at Stop 39 erosion to hold the dune in hope of saving Lake Shore drive.
7. **To OPT out of State of Michigan for insurance –** Phil Bonello made a motion to OPT out of State of Michigan Insurance program; Kathleen Hogan Morrison seconded the motion; all approved; motion passes.
8. **Marquette Greenway “Raise” Grant was approved for the bike path from Chicago to Michigan - Anne** stated she received a letter from Marquette Greenway “RAISE” was awarded 17 million from the grant they wrote. Chief Bendix said that the path would be on the north side of the tracks they have marked it with stakes. Garry said no one from the Marquette Greenway has notified the Fire Department since they own the property where the path is going. Chief Layman stated Grand Beach was meeting about today and would report back.
9. **Statis regarding Zoom Meetings for 2022 -** Linda Stein made a motion to continue the zoom meeting into 2022 at the cost of $100 a meeting; Joann Fisher seconded the motion; motionpassed.

**PUBLIC COMMENT /CORRESPONDENCE:**

Phil Bonello stated that he would be holding a meeting on Tuesday, December 14 at 10:00 a.m. (EST) to work on the Tree Ordinance. All the Zoom information will be posted on the web site.

Kathleen Hogan Morrison reminded everyone again that on Tuesday, January 18th 10:00 a.m. (EST) there will be a Water Meeting, all Zoom information will be posted on the web site.

A resident asked about Stop 43 if stairs or shelter will be going up. Mike Mintz said all the revetment work was completed and Triple D did a wonderful job at Stop 43. Triple D had graded the whole area and Mike had them install 4 steel piling for future stairs when the beach comes back. They have a few ideas but will wait until next year 2022 to look at all the beach stops.

Jurate Landwehr mentioned East Court and Ponchartrain where they are working on a home that was taken down, she has noticed some erosion taking place. Bill Lambert and Rick Reitz stated they were both aware of the situation and are watching it. Mike said that

Rick has also talked with contractors.

Mike Mintz adjourned the meeting at 2:30pm EST.

Respectfully submitted,

Anne Heywood/Clerk