**VILLAGE OF MICHIANA**

**MICHIANA COUNCIL MEETING**

**Friday, March 12, 2021**

The meeting was held by Virtual “Zoom”. Council President Mike Mintz called the electronic (virtual) Zoom Councill Meeting to order at 1:00 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.

**ROLL CALL:** Kathleen Hogan Morrison – in attendance from Michiana, MI

Mike Mintz – in attendance from Sarasota, FL

Phil Bonello – absent

Joann Fisher – in attendance from Michiana, MI

Linda Stein – in attendance from Michiana, MI

**ADDITIONS TO AGENDA –** Karen/Tracy Park Fundraising

**Approval of Council Meeting Minutes from February 11, 2021** – Kathleen Hogan Morrison moved to approve minutes from the February 11, 2021 council meeting; Joann Fisher seconded; motion passed.

**REPORTS**

**1. Building Inspector Report –** Bill said due to computer problems he does not have an updated report today but it is very similar to last month, and he will have updated data for the meeting in April. Bill received a quote of $34,000 for new stairs at Stop 41.5, which will be all the AZAK materials just like the other stops. The stairs will be five feet wide per the EGLE requirement, and will go from the street level to the sand. Mike Mintz asked for clarification on the platform/landing at the top of the stairs. Bill explained that at the top of the stairs at street level there will be a five-foot-wide platform that extends 8-10 feet from where the stairs will descend. At the midpoint there will be another landing eight foot long, and then more stairs will descend to the sand. There will be handrails on each side of the stairs. Mike asked if the small set of steps that descends to the lower beach will be replaced with this plan. Bill said no, those existing steps will remain for now until the council moves forward with the lower platform phase which will include replacing those steps. Kathleen Hogan Morrison explained that the Village has funds in the budget and received $12,000 from the Pokagon Fund for the project. She said the council had an idea at that time what the cost of materials was for the stairs and the platform, but since then the cost of materials has vastly increased. The current plan is to install the steps for this season, and install the lower platform hopefully next year. Bill said the current steps that start at the street level will remain in place while the new stairs are built, so beach access will be uninterrupted. He said the old fence on the lake side will be removed for now and felt the Martino’s would work with him on a re-design to tie into the new trash bin containers. The council approved to move forward on the new stair case at Stop 41 ½. Mike Mintz made a motion to amend the General budget for $34,000 for the new staircase; Linda Stein seconded; motion passed. Anne took a roll call; all council members voted yes.

Bill said he and Rick Reitz would like to lift the deck boards on the lower deck at Stop 42 to investigate what is causing the problem there. They want to remove the handrails, save the parts in good condition, and try to restore Stop 42. They want to reduce the stairs from the lower deck where the benches are down to five feet which will be cheaper and easier to maintain. This would be done with existing salvaged material. He said he would like Rusty’s input on keeping the metal steps for the lower stairs. Bill said the current condition is not safe so would like to do this quickly. He said the upper deck will remain intact because it is stable. They will temporarily move the benches from the lower deck to the upper deck and close the top deck on the lake side. After they repair the lower deck, it will go back to exactly how it is now.

**2. Treasurer’s Report – Cheryl Cook** – Anne Heywood stated the total funds balance is $2,362,301.37. She said Cheryl Cook completed the comparison reports requested by Phil Bonello. Cheryl will follow up with him to see if it is the information he was seeking.

**3. Tree Inspector’s Report – Kris Wulff** - not in attendance.

**4. Fire Chief Report/Michiana Shores Volunteer Department – Chief Gary Bendix** – not in attendance. Report is on file.

**5. Police Commission Report –** Rusty said there have been a couple incidents of mail theft from mailboxes. He wanted to make residents aware that if you put mail out in the evening and raise the flag on your mailbox it is possible someone may take the mail at night. He advised putting mail out in the morning.

**6. Police Report –** Officer George Knoll is sitting in for Chief Layman. George said there were 35 calls last month: 14 calls for service in Grand Beach, 18 calls for Michiana, 2 assists in New Buffalo Township and 1 in New Buffalo City. There was one theft of a package from someone’s front doorstep and they have a suspect vehicle on video. Long Beach has also had a couple incidents in the last two weeks. George advised that if residents order something to be delivered, it is advised to either be home or have someone pick up your package until the police are able to resolve the problem.

**7. Beach Commissioner’s Report –** Russell said he would like to reinstate beach fires starting Memorial Day weekend and would like approval for four steel fire pits to be placed between Stops 41.5 and 42. He said this will make it easier to monitor and hold permit holders accountable for cleanup. He said there is a lot of washed-up wood debris at the bluff between Stops 41.5 and 42 and he will cut it up to provide firewood for the fire pits.

He said the Village is working at Stop 37 to clean up the stairs to determine whether to extend the existing stairs or install a metal stairway down to the beach. He said there is a good beach at Stop 38 and would like to see stairs there, perhaps where they used to take the tractor down. He said the only issue with Stop 38 is the concrete structures in the water and asked the council to consider how they might mitigate any potential liability. Russell said Stop 39 has a drop off at the bluff that is too severe to install even the longest metal staircase. He said there are no beaches at Stops 40 and 41. Mike Mintz would like to wait until April to decide which beaches could be accessed.

**8. Public Works/Water Authority Report –** Rick Reitz said he and Josh have been working in the park and thanked Russell Bruesch for helping to remove the dangerous equipment. Rick went to Kalamazoo for the Storm Water meeting. He got two bids to remove four trees in the park. The cheapest bid was $7,150, and the next was $10,000. Joann Fisher said The Tree Mann examined the condition of the four trees and said they were questionable; two trees are in the playground, one is near the pavilion, and one is on Cherokee. She said the trees are dangerous and should be removed. Joann said they would have to amend the budget to approve the $7,150 to remove the trees. Rick said the $7,150 bid was submitted by ANA/Norman out of Benton Harbor. He said they will grind the stumps and trim dead wood from two other trees. Anne Heywood took a roll call to approve the bid by ANA for $7,150 to remove four trees in the park. All council members voted yes. Linda Stein asked that there be an end date of April 30 for the completion of the tree removal and trimming. Anne Heywood took a roll call to amend the general budget for $7,150. All council members voted yes.

**9. Water Board Report** – Rick Reitz said he has been taking inventory of the items he received for the chlorine project. He is still waiting for a valve/meter. He said he has two more reports to do by the month’s end and will soon start to move supplies over to the pump house. He will be using Peerless for the electric work at the pump house.

**10. Clerk’s Report** – Anne Heywood stated the check register for March in the amount of $37,874.61. Linda Stein made a motion to approve the check register as submitted in the amount of $37,874.61; Mike Mintz seconded; motion approved.

**Old Business**

**1. Park Update –** Karen Shoshanna said she and Laurie Fisher are interested in doing a fundraiser for Michiana. She said the original concept was for a farmer’s market, but now they are considering a vendor or restaurant every Saturday in the park parking lot. Residents could pre-order during the week and there would be a 20% upcharge to the resident on each order that would go toward the park. Laurie Fisher said they could call it “A Taste of Michiana” and it would cater to residents and pickle ball players. Laurie said there could be prepared pre-ordered meals and also grab-and-go type food items for residents to walk up and purchase. Karen mentioned there could be a link on the Village web-site for pre-ordered meals. Linda Stein said Manny’s from Chicago did a local carry out in the area last year. Karen and Lauri agreed they will contact Berrien County Health Department and local restaurants and report back at the next council meeting.

Joann Fisher said the Village party is tentatively planned for Saturday, August 14. She said they will keep residents informed and it will also be on the village website as to whether the party will occur depending on Covid restrictions.

The Park plan will be dictated by how much money is raised. Joann Fisher thanked everyone for their input and said if anyone else had any comments or questions, please contact Anne at the office. She said fundraising is currently in progress and donations are coming in. Residents can donate by sponsoring customized bricks, chairs or benches. She said as of this morning they have collected $21,000 for the park. She said their goal is to have equipment up for Day Camp that is planning to occur this summer. Josh and Rusty have removed all the old unsafe playground equipment. Joann said Josh will remove the damaged chain link fence that ran from the basketball court to Greenwood. The fence will be replaced with a split rail fence which will be paid for part of park funds and general funds that are already in the budget for the park. The pickle ball people are buying backless benches for players waiting for their game. Joann said they are planning to do a “walk in the park” on Sunday, March 28 and invited residents to stop by to see the park plan. There will be Michiana apparel, notepads, stationery and hats for sale to support the park.

**2. Update on Stop 43 Easement Agreements** – Mike Mintz said the Village is waiting for signed agreements to be returned to the village.

**PUBLIC COMMENTS**

Kathy Roberts, first vice president of the Michiana Women’s Club said they amended the contract due to date changes and Covid and submitted it to Anne. She said they are in the process of writing their plan but need clarification on the restrictions mentioned by Chief Layman. Anne Heywood said they need to adhere to the restrictions put forth by the Michigan Governor and Chief Layman gave that information to Tina Weaver Camp President. Anne said the Governor will probably change the order on March 31. Chief Layman recommended that the Michiana Women’s Club craft the plan using the guidelines for Day Camps put forth by the CDC and bring the plan to the April meeting.

Nancy Thill said that in Arizona, they had food trucks for four weeks and were very successful. She offered to find out the model and share it with Karen and Laurie. Nancy inquired if the village of Michiana has a 501c3 for fundraising so donations would be tax deductible. Anne Heywood explained that since Michiana is a government it falls under a different classification. The village is able to write letters to donors with the dollar amount of the donation for tax deduction purposes and then donors would have to file necessary paperwork with their accountants.

Megan Schmollinger asked if there will be any updates from the village attorney, Sara Seneca, who is working on lawsuit with the Township regarding the assessment. Mike Mintz responded that the Village will put out emails to residents when there are updates.

Maureen Shekleton, asked if there have been any updates on the engineering assessment that had been performed on Stop 43 and how it would be fixed, and also how the easements affect the future of having a beach stop there. Mike Mintz said there is a signed agreement with the contractor to do a revetment at Stop 43 to help avoid further erosion. He said that Stop 43 would not be opening this year.

Pam Schutt suggested Karen and Laurie contact Michigan City about the food trucks Michigan City was using at its beaches.

Mike Mintz said office village news will come out via Anne’s email and on the village website. He said the Village does not post any official village notices on Next Door or Michiana People.

Joann Fisher made a motion to end the meeting; Mike Mintz seconded; motion passed.

Respectfully submitted

Anne Heywood/Clerk