**VILLAGE OF MICHIANA**

**COUNCIL MEETING MINUTES**

**Friday, November 12, 2021 at 1:00 pm Eastern Standard Time**

The meeting was held in person and by virtual Zoom meeting. Kathleen Hogan Morrison, President Pro Tem opened the meeting by stating she would be filling in as President while Mike Mintz is recovering from surgery. Kathleen Hogan Morrison made a motion to excuse Mike Mintz; Joann Fisher seconded the motion; motion passed. 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, 20 Village residents dialed in to listen and 8 were present.

Kathleen Hogan Morrison President Pro Tem explained that every November the Council President appoints the following Village positions. Then the Council elects a President and the Presidents appoints a Pro Tem. Since Mike Mintz is not present Kathleen said the election of President would be tabled.

As acting President for the Village Kathleen Hogan Morrison appointed the following positions:

Clerk – Anne Heywood

Treasurer – Cheryl Cook

DPW Superintendent – Rick Reitz

Tree Inspector – Kris Wulff

Police & Beach Commissioner – Rusty Bruesch

Police Chief – Ryan Layman

Building Inspector – Bill Lambert

Village Attorney – Sara Senica

Code Enforcement Official – Ryan Layman (Rentals)

**ADDITIONS/DELETIONS TO AGENDA –** 2 Amendments to the budget for Stop 41.5 and Stop 43

**Approval of Council Meeting Minutes for October 8, 2021 –**Kathleen Hogan Morrison made a motion to approve the minutes from October 8, 2021; Linda Stein seconded the motion; motion passed.

**Approval of Water Meeting Minutes from October 11th, 2021** – Joann Fisher made a motion to approve the minutes from water meeting; Linda Stein second the motion; motion passed.

**REPORTS:**

**1. Building Inspector Report –** Bill Lambert report on file – was not present

**2. Tree Inspector Report –** Kris Wulff – was not present

**3. Fire Chief Report – Michiana Shores Volunteer Fire Department –** Fire Chief Garry Bendix report on file – was not present

**4. Police/Commission Report –** Chief Ryan Layman reported 34 complaints. Chief Layman said he will be doing house checks to anyone interested you can go to the web site and there will be link for house checks just fill it out. Police Chief Ryan Layman shared that Michigan State legislation about rentals passed the Michigan State House October 27, 2021. It would require local municipalities to allow up to 30% of properties to be rentals.  It also has other concerns for rental properties.  The bill is in a committee now at the State Senate. No date when it will be addressed. Residents are urged to call Senator Kim Lasata at [517-373-6960](tel:+15173736960) to express their opinion. Kathleen urged everyone to contact Governor Gretchen Whitmer.  Please see this article for more information.  <https://www.detroitnews.com/story/news/local/michigan/2021/10/27/house-approves-controversial-short-term-rental-protections-overnight-session/8563910002/>

**5. Beach Commissioner –** Russel Bruesch said the stairs were removed at Stop 38 and Stop 42 the stairs were placed on the deck but left at the stop. Rusty said they is a lot of sandbars between Stop 41.5 and 42 that will help save the beaches. Rick said the structure was taken down at Stop 43 for safety reasons it was becoming more dangerous.

**6. Public Works/Water Authority Report –** Superintendent Rick Reitz said they worked with Rusty removing the stairs at Stop 38 and Stop 42. They have been working in the park leveling out the sand getting ready to layout the play equipment. They have started picking up leaves. Please make sure no sticks or rocks are in the piles.

**7. Water Board Report –** Kathleen said the water board has met sporadically. Kathleen said the board consist of herself and Mike Mintz and Rick Reitz. They have decided to start meeting quarterly moving forward. Rick said at the water meeting he discussed 3 items he would like to increase for the new year.

**A. Water Rate** be increased from $4.00 per 1000 gallon to $4.10 per 1000 gallon.

**B. 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 bored under the street. This is due to increase of materials.

**C**. **Ready to Serve Charge**. This would not effective homeowners with a ¾ inch meters the charge would stay the same $25.00 a month which is the $75.00 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.

1.5-inch meter $25.00 more making it $50.00 per month $150.00 per quarter.

2-inch meter $40.00 more making it $65.00 per month at a rate of $195.00 a quarter.

Rick stated his part was almost completed water chlorination project, he just needed to run a tap for the water line. Rick is hoping to have his part finished by the January 1st. Then Peerless needs to finish up with the electronic. Linda Stein asked about the water we get from Michigan City Rick stated their water has chlorine mixed with ammonia called chloramines. The new system is free chlorine. Kathleen mention there will be written communication to the residents from the State before going live. Rick said you will notice a difference in taste and smell but the more you use the water the order will dissipate. Rick would like to go live in early Spring when more people start returning to the Village and start turning on their sprinklers this will help spread out the flow of water. Kathleen mentioned that there use to be sporadic water meeting but moving forward they have decided to have quarterly meetings. The water board consists of Rick, Mike Mintz the Council President and Kathleen. Kathleen said they will post the notice of the meetings on the web page. The water meeting will Tuesday, January 18th 2022 at 10:00 am (EST).

**8. Clerk/Treasurer Report –** Anne Heywoodasked for approval of the register in the amount of $77,004.33. Phil Bonello 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 $3,138,547.49 and $28,590 balance for the Pokagon fund. Anne explained that all Village information and communication comes from the Village Clerk’s email. Please note that the Village Council or Clerk do not read or post on “Michiana People” Jurate Landwehr who oversees this page will sometimes copy and paste my Village information to “Michiana People. Please note if you reply to “Michiana People” and want a response back from the Village Office you will need to use the Village’s email address: [Michianaclerk@michianavillage.org](mailto:Michianaclerk@michianavillage.org)

**OLD BUSINESS:**

1. **Park Update –** Joann Fisher said it’s been a month already since the Oktoberfest which was a hit! Weather was perfect we sold 165 tickets and we made almost $4,800. Joann said there were many volunteers that help put this party together and thanked them and a special thank you to Roberta and Pam who over saw the event. Joann is sending out end of year donation letter that was written by Nancy Thill and Lynn Altschul. Basically, we are half way to our goal for phase 2 for the large park equipment. We need another $80,000. Phase 1 has been delivered and work will be starting in the park getting the equipment up. The money raised from the Oktoberfest paid for the excavating in the park. An oak tree had to come down was dangerous. Joann was checking to see since the bottom of the tree was in good conditions maybe having a local artist carve it. Joann said the 4 benches from the Deputy Sunset Beach Grant which was written by Kathleen have arrived. Jurate worked with Joann on placement of the benches along Lake Shore Drive. Kathy Roberts and Sheila Stein raising money in hopes of adding a musical element in the park in the memory of Marla Dorf a long time resident and was very involved in Women’s Club and Day Camp. If you anyone is interested, please reach out to these ladies. Phil Bonello wanted to give a thank you to Joann on the work she is doing for park. Phil asked about the bridge in park, Joann said Bill Lambert was working with Donkersloot on the placement of the bridge but wanted to wait for some more leaves to fall of the trees so they can have a more visible view of the area. Joann thanked Phil for his comments on her work and will keep Phil update on the bridge.
2. **Stop 39 Update** – Kathleen said as a council they will be able to make some type of discission about Stop 39 in the next few days since they have received 3 bids and waiting on a 4th bid. Kathleen explained so far, the bids have come in starting at $288,000 to $35,000 and explained this project will not be cheap. Kathleen mentioned that one of our residents thought there might be some Federal money to help with this project. Kathleen said she called Fred Upton’s office and was told there is no money for this project because we are not the only one dealing with this type of issue. Kathleen also called Senators Peters office but has not heard back. Kathleen said this project will be a decision of the Village Council as an emergency bases to protect Lake Shore Drive. Kathleen asked the residents to please for their safety to stay away from Stop 39 which has a very steep drop off. There are large pieces of concrete and debris at the bottom which you cannot see. Kathleen said that experts who have been down below have taken pictures so if anyone would like to see them, please contact her. Kathleen explained the following steps need to happen; stabilize the dune, which will help to protect Lake Shore Drive and to protect what beach we do have. The next part that will be addressed in the Spring, is back filling sand so that we can plant dune grass to help in force the dune. Kathleen named the companies that have presented bids; Wmsandbags aka Step to Last, from Grand Rapids, Superior Groundcover, Grand Rapids, SOS aka Save Our Shores from South Haven and Northshore Properties Solutions, out of Pentwater. These companies are using the sandbag approach and each company has a different method. Kathleen said this is the time if anyone is interested in donating to protect Stop 39, please send your money to the Village office earmarked for Stop 39.
3. **Update on Planning Meeting** – Phil Bonello said the committee was working full force and is making progress but explained this is not an easy task. This is an old tree ordinance and the group has had one work session and made it a third way through. Hoping to have something to the Council by March.

**NEW BUSINESS:**

1. **Kayak Rack info for 2022 –** Kathleen said she wanted to explain that months ago there was much talk about kayak’s so a committee was formed by a couple of residents, Anne Harris Kantor, Judy Diamond Faulk, and Cara Miller. Kathleen explained that Cara Miller will be reporting the committee’s idea and the council will then take them into consideration but nothing would be decidedat today’s meeting. Cara, recommending the sticker fee should be raised to $100 or $150. They felt the $10 was too cheap and this might weed out people who were just using the racks for storage. Rusty said most of the season 8 spots were left unused, these could have been used by residents who kayak more often. Cara thought the old rack at Stop 41.5 be kept this year even thou it is an eyesore, and dispose of it the following year, since it holds 46 kayaks. This would help generate money to pay for the new racks which cost about $1,000 plus shipping. The thought was to buy 2 racks this year placing one next to old rack at 41.5 and placing the other at Stop 42. The new racks only hold only 8 kayak or paddle boards. They thought as the beaches come back the village could place them at other stops. Cara submitted a picture of the kayak rack for the council to see (photo attached to minutes).They suggested putting a google link on the Village web page to see how many people would be interested in purchasing a sticker at the new price. Phil asked why we need new racks. Cara said the new ones were more aesthetic looking for the area. Phil would like to see the fee raised higher. Kathleen thanked Cara and her committee for the information and will take all this into consideration.
2. **Feed Back about Yard Waste Program –** Joann mentioned this was our first year using this program starting April thru October we had over 40 people respond back regarding the yard waste program and the residents really like the program. Joann said there were a few issues with some residents being missed but because the issue with company owner getting seriously hurt thought this might have played apart. A couple of residents were very disappointed with the service. The council 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. Kathleen said moving forward if we use Lake Shore again, we will make sure that they improve their service.

1. **Amendment of Budget for Stop 41.5 paving and Stop 43 pilings –** Kathleen Hogan Morrison asked for a motion to amend the Major Fund for $6,250 paving for Arndt at Stop 41.5 that was agreed on some time ago. Joann made a motion to amend the Major Fund $6,250 for paving, Phil Bonello seconded the motion; all were in favor; motion passed. Kathleen asked for a motion to amend the budget for Stop 43 for the placement of 4 steel pilings that were put in by Triple D. Joann Fisher made a motion to amend the Major Fund $7,896; Phil Bonello seconded the motion; all were in favor; motion passed. Jurate Landwehr asked why these piling we’re put in. Kathleen said it was her understanding this was not part of the original contract with Triple D and were placed to stable the rock for a stairway in the future.

**PUBLIC COMMENT /CORRESPONDENCE:**

Joel Denenberg wished Mike Mintz a speedy recovery – Joel said his neighbor received another notice from the tribal regarding the law suit and if the Village heard anything. Kathleen said we have no information to share at this moment. Joel asked Rick the chlorine will react to the with the old cast iron and rust on might turn black. Rick said the parts per million will not have any effect and Rick plans on doing heavy duty flushing so it won’t be an issue. Joel wanted to be in the loop when they do the switch. Joel asked if there was going to be leaf pick up extension. Rick said he was going to wait and see.

Kathleen asked Ryan to report on law regarding Zoom meetings. Ryan stated that the Govern has changed zoom meeting from being mandated, to back in person meetings starting the first of the new year. Kathleen said this will be talked about again at the December meeting but just wanted to alert people of change.

Kathleen Hogan Morrison adjourned the meeting at 2:20pm EST.

Respectfully submitted,

Anne Heywood/Clerk