**VILLAGE OF MICHIANA**

**COUNCIL MEETING MINUTES**

**Friday, September 10, 2021**

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

**ADDITIONS/DELETIONS TO AGENDA - None**

**Approval of Council Meeting Minutes for August 13th, 2021 –** Joann Fisher corrected an error on page two of the minutes, pointing out that the village purchased a new tractor attachment, not a new tractor. Kathleen Hogan Morrison moved to approve the minutes from the August 13, 2021 council meeting with the amendment made by Joann; Joann Fisher seconded the motion; motion passed.

**REPORTS:**

**1. Building Inspector Report –** Bill Lambert was not present. Anne Heywood said if anyone has any questions about any building issues in the village to take names and numbers and he will contact them.

**2. Tree Inspector Report –** Kris Wulff submitted two permits for tree removal to Anne Heywood. One was for new construction and one was to remove locusts on the dune. Kris said the stumps will stay in place and they will be working to address the invasive nature of these trees. He said he has met with a few residents regarding specific trees. Kris said he has been getting calls about oak trees that are going into an early fall and developing what he called a “soft oak flies”. This occurs with planted trees, not naturally growing trees. Kris said it is a cosmetic problem and it won’t kill the trees.

**3. Fire Chief Report – Michiana Shores Volunteer Fire Department –** Kris Wulff reported for Chief Bendix. Kris said there was one house fire in mid-August, and a few medical calls. He said the fire department joined three other fire departments in applying for the Assistance to Firefighters Federal Grant and were each awarded $100,000. Kris said they will use a portion of the new funds to purchase new self-contained breathing apparatus. The Pancake Breakfast will be held on October 10 from 7:00am-12:00pm CST; masks and Covid precautions are advised.

**4. Police/Commission Report –** Chief Layman said it was a very busy August with 95 complaints. He recognized Officer Jamie Flick for the life saving measures he employed on a 4 year old girl who is now home doing well. Chief Layman said 14 citations were issued in August.

**5. Beach Commissioner –** Russel Bruesch said they need to decide whether to remove or leave the portable steps in place this winter. He said the steps at Stop 42 can probably remain in place as there is a good buffer, but that there is not a sufficient buffer at Stop 38. He said these decisions can be made as fall weather progresses. Russell said the beaches held up well this summer. Ryan Layman said approximately 12 beach fire permits were issued. Russell said the deadline for removing kayaks and paddle boards, off the racks is October 15, and that it should be fine to leave the racks in place this winter.

**6. Public Works/Water Authority Report –** Superintendent Rick Reitzsaid the inmates did a great job clearing and cleaning areas in the park and near the pump house. He said they had to stop due to COVID restrictions at the jail, but it is possible they may resume the week of September 20. Rick said they have taken 8 kayaks/boards this year off the beach or rack with no sticker. They sprayed for mosquitos last week and removed many fallen trees. Rick said he checks copper in the water twice yearly and is waiting to hear back from the state on the second part of the testing. PFAS reports were good. He said he will do testing in October for trihalomethane and haloacetic acids. Rick said they will start leaf pickup on November 1 for the entire month of November; they will not pick up leaf piles containing sticks or rocks because it breaks the leaf vacuum. The schedule will be posted on the website. Rick said one of the big tires is currently out to be weighed to get the cost for removal of all the tires. A representative from Woodruff said the inlet castings on the drywell on Lake Shore Drive cannot be raised any higher due to the likelihood of water runoff to the adjacent properties. Woodruff said it would need to be cut back 4 feet in each direction and re-filled. Mike Mintz said the Council will discuss the options on how to proceed with this issue. Kathleen Hogan Morrison asked when Bruce Woodruff would have the estimate for the work at Stop 39. He said that Bruce was waiting for a preliminary design so they can provide an educated estimate, and that they should have estimates for the various options by next week.

**7. Water Board Report – Rick Reitz - Pump House Chlorination Project –** Rick Reitz said he has a meeting with Peerless next week to go over the chlorination project. He said the plumbing is almost complete, and the electrician will come out to hook up the pumps. He is hopeful the project will be complete around the beginning of the year. Rick said he has a meeting with the EPA on September 15 to go over the water system and will review any concerns with them. Anne Heywood talked to Whiteman regarding the Whiteman study. She said they will talk with EGLE to get an estimate for when they will complete their review. Anne said the current copy at the Village office is not the final study.

**8. Clerk/Treasurer Report – Anne Heywood --** Anne asked for approval of the August check register in the amount of $136,913.48. Phil Bonello made a motion to approve the check register for August; Mike Mintz seconded; motion passed. Anne reported that the balance for all accounts is $2,754,771.22, and the Pokagon fund still has $25,666.00. Anne announced that Tuesday, September 14 is the last day to pay property tax without penalty.

**OLD BUSINESS:**

**Park Update –** Joann Fisher said Bill Lambert is talking with Donkersloot about a possible bridge over the creek. She thanked Josh and Rick for removing the old chain link fence and playground equipment, and cleaning behind the pavilion. She also thanked Mr. Buford who worked closely with Tom Mullen throughout the construction of the pavilion and made an additional donation for the metal roof. Joann reported that people are using the baci ball court and thanked Holly and Rich Duran who donated a baci set. She said seven families are donating to replace the backstops on the basketball court. The cedar fence along Cherokee is going in next week, at which time parking will be across Cherokee on the right-of-way. Joann said she is meeting with a playground equipment rep on October 15; new equipment will arrive by the end of October. She said there are almost enough donations for larger playground equipment, and if so, she hopes to have it here by Spring. Total park donations to date are over $300,000; the goal is $450,000. Oktoberfest is October 9. People interested in attending can contact the Village office for tickets. Tickets are $35 for adults (includes dinner, one beer and a souvenir beer stein) and $10 for kids (dinner)and music. Additional food and drink will be available for purchase. Joann thanked Russell Bruesch and Pam Schutt for distributing flyers over Labor Day weekend. The funds for Oktoberfest will go towards the park. Mike Mintz mentioned that the park fund is completely separate from the Village fund. Someone commented that there are cracks in the pickle ball courts. Anne Heywood said she will check with Lisa Zirpolo about whether the warranty will cover repairing the cracks.

**Stop 43 Revetment –** Mike Mintz reported the Stop 43 revetment should be completed in another month. He said they are working on Lorin Brown’s steel wall and backfill, and that there has been good progress on the stone revetment. Mike said the concrete is being removed from the water. The Village will work with Triple D on the Village revetment portion. He said in the next few weeks they will install pylons to support new stairs and will remove the old pavilion.

**Stop 39 Email Responses from Residents --** Kathleen Hogan Morrison said at the last Council meeting she reported on the options provided by Lindsey Mathes from Edgewater Resources for Stop 39 on how to access Stop 39 safely and at what cost. She said the details are in the minutes from the August Council meeting. She said Edgewater provided estimates if they were to do the work: for full rock revetment and a timber structure including the last 14 stairs being metal, the cost would be approximately $65,000, and the civil engineering portion would run around $15,000, for a total of approximately $85,000. Kathleen emphasized the Village has not agreed to anything. She said it is important to get another estimate from a construction company, and said she does not yet have figures from Woodruff. Kathleen said at the August meeting she asked residents to put forth questions and thoughts in writing. To date she has received 5 responses. One resident expressed that the Village infrastructure should take priority over Stop 39. Two residents said they didn’t attend the August meeting so didn’t have enough information with which to form an opinion. Kathleen invited them to review the detailed minutes from the August meeting. Two residents said they wanted as much of a permanent solution as possible for Stop 39, with one saying he is willing to make a contribution. Another resident and his wife suggested contacting federal authorities to see if there are federal funds available from the National Oceanic and Atmospheric Administration (NOAH) to address the issue at Stop 39 since it deals with protecting coastal communities affected by flooding and coastal storms. Kathleen invited more residents to respond in writing with their thoughts. She asked if any resident is willing to volunteer to research possible funding from NOAH.

**Update on New Website –** Chief Ryan Laymen said the current website service, Network Solutions, had until Saturday to release everything. Once this happens the new website will be up and running. The Village’s IT person is working with Network Solution on making this an easy transition.

**NEW BUSINESS:**

**Woodruff Report on Lake Shore Drive New Drywell --** See Section 6 above.

**Resolution Needed for Bank for New F-450 Truck --** Mike Mintz reported that Horizon bank requested a resolution for the new four year loan the Village took on the new truck. Mike moved to make the resolution to move ahead with the Horizon bank loan. Roll call: all Council members voted aye.

**Planning Commission 3 New Appointments –** Phil Bonello announced the appointment of three new members to the Village of Michiana Planning Commission: Tim McCarthy, Anthony Pellus & Karen Szyp. Resident Bill Schutt asked for a summary of the Planning Commission and how members are appointed. Phil said the Planning Commission broadly reviews issues and ordinances and presents recommendations to the Village Council. He noted that the Planning Commission has no authority to make decisions. Phil stated people who were appointed expressed interest to volunteer. If someone is interested in becoming a member of the Planning Commission they should write a letter to Anne or a Councilmember to get on a list. There are seven members on the Planning Commission and four meetings per year, per the Charter. Anyone may attend to listen to the meetings. Phil called for a vote on the three new appointments: all Council members voted aye.

**Right-Of-Way Application to be Part of Building Permits for Heavy Trucks --** Mike Mintz said the Village legal counsel, Sara Senica, has some items for the Council to review before addressing this issue, so this topic will be discussed at the October Council meeting.

**PUBLIC COMMENT /CORRESPONDENCE:**

Maureen Shekleton asked Rick what his thoughts were about the dip in the road on Chickagami. Rick Reitz said he will patch it but will need to have an engineer look at it.

Bruce Hirsch said visibility on Hillside Trail approaching Michiana Drive is impeded by a lot of overgrown brush on the right-of-way. The Village recently purchased a new piece of equipment that enables trimming of brush on the right-of-way. Bruce also said that the road signs at each end of Birchmont are different (one says Trial and one says Avenue). This will be looked at.

Dan Peterson from the Pokagon Fund informed the Village Council and community that the Pokagon fund has released a community input survey. He said the link is on their website at www.pokagonfund.org. The survey is open through next Friday.

Mike Mintz adjourned the meeting at 2:29pm EST.

Respectfully submitted

Anne Heywood

Clerk