**VILLAGE OF MICHIANA**

**MICHIANA COUNCIL MEETING**

**Friday, January 8, 2021**

**1:00 p.m. (EST)**

The meeting was held by Virtual “Zoom”. Mike Mintz, Linda Stein, Phil Bonello, Joann Fisher and Kathleen Hogan Morrison were present on the call, as well as Police Chief Ryan Layman, Water & Street Superintendent Rick Reitz, Building Inspector Bill Lambert and Clerk Anne Heywood, and 18 Village residents dialed in to listen and participate.

**Addition to Agenda –** Mike Mintz added Stop 43.

**Approval of Council Meeting Minutes from December 11, 2020**

Mike Mintz made a motion to approve the council meeting minutes from December 11, 2020; Phil Bonello seconded the motion; motion approved.

**Approval of the Water Meeting Minutes of December 15, 2020**

Mike Mintz made a motion to approve the water minutes from December 15, 2020; Kathleen Hogan Morrison seconded the motion; motion approved.

**REPORTS**

**1. Building Inspector Report** - Bill Lambert reported 40 permits for the year 2020. All projects are moving along with no problems.

**2. Treasurer’s Report –** Cheryl Cook (Absent). Anne Heywood stated there is $2,579,659.27 in funds for December, and $30,185 in the Pokagon Fund. Phil Bonello did not receive the request ed year to year report but Anne will pull up numbers and report back.

**3. Tree Inspector Report –** Kris Wulff - Not on call

**4. Fire Chief Report** – Chief Gary Bendix report submitted; not on call.

**5. Police Commissioner Report** – Russell Bruesch had nothing to report.

**6. Police Report –** Chief Ryan Layman reported 34 calls for December and 584 calls for the total year. The yearly report covered both Grand Beach and Michiana. Chief Layman said it was a very busy year with many challenges, but he was proud of his officers, who look forward to serving both communities in the coming year. Chief Layman also reminded all residents again to lock their cars because an unlocked car had been broken into recently.

**7. Beach Commissioner Report** – Russell Bruesch reported that he had read that by the end of January the lake levels will go down another 1 or 2 inches. Rusty was a little concerned that Michiana still had no ice yet on the lake. Rusty said the beaches look good. He is hoping that the early Spring storms don’t change them.

**8. Public Works/Water Authority Report** – Rick Reitz reported that he and Josh had started taking down one of the tire swings and are working on knocking down the dirt pile in the park and leveling it out. Rick reported that they picked up 88 loads of leaves. They hauled away 53 loads across the highway to the composting area. The other 35 were dumped over by toboggan run in the Village. Linda asked if Rick was going to continue to use that area to dump leaves; Rick said no. Rick and Josh had picked up some of Christmas trees and hauled them over to the composting area across the highway.

**9. Water Board Report –** Rick Reitz said that he and Josh had read the meter route and that Rick passed his exam for his D3 license, which is required by the State to add chlorine to the Village water. He is still working on getting prices for chlorination project at the pump house. He received the letter from the State of Michigan which allows Rick to install the new pipes for chlorination project over at pump house. He did the B5 test at the pump house since Michigan City is not doing the testing anymore. Rick was still waiting for the results. The Tree Mann is supposed evaluate the trees in the park on Tuesday, January 12th. Phil Bonello wanted to know the distance before grade drop of the creek and Rick thought it was about 8 to 10 feet.

**10. Clerk Report** – Anne Heywood asked for a motion to approve the check register for $73,730.85. Mike Mintz made a motion to approve the check register for December as submitted in the amount of $73,730.85; Linda Stein seconded the motion; motion passed. Anne gave the year-to-year balance Phil wanted. The General Fund last December 2019 was $1,273,811.00 at the end of December 2020 we are at $1,379,245.93.

**OLD BUSINESS:**

1. **Update on Playground Meeting –** Joann Fisher said the Village will not be storing yard waste or leaves in the park anymore. The Village is going to a yard waste program which will start the first Thursday in April through the last Thursday of October. Lakeshore, the village garbage service, will be picking up yard waste once a week on Thursday’s. The Village will pay for this extra service this year to see how the program works out. All homeowners will have to provide their own brown bags or purchase a garbage container from Lakeshore. More information with details on this program will be coming soon so please check the web site. The Park Committee and Council have reviewed the new plan. Joann said her goal for the first phase was to complete the new playground, the pathway, new pavilion, new fencing around the park and play area, and the landscaping. The second phase would be the bridge over the bridle path and clearing the area for walking. Joann will receive 3 D drawings of the new park from Jon Ruble of Planned Environment Associates by mid-January and they will be posted outside the Village Office and posted on the Village web site. Willa Lang said that the plan is for the whole Village and Joann is open to any ideas. Kathleen Hogan Morrison explained that Joann presented a proposal for a park plan, but that in order to get the project moving forward the Village is looking at some grants and funding from residents to understand when and where the Village will start its work. Joann said the Village is looking at the ways to recognize donors. Joann explained that some of park equipment was being removed because the Village insurance carrier stated some equipment was in poor condition and had to be removed. The Village has received some great ideas from Joann Fisher, as well as Lynn Altschul, Jurate Landwehr, Rusty Bruesch and Willa Lang of the Park Committee. Anne Heywood explained that Joann has all the cost breakdown for the park improvements. The items shown on the 3 D park plan can be broken down by cost and installation. Joann said a letter was going out to the residents in the water bill mailing, to announce the new park proposal. Phil Bonello said to emphasize in our letter how alive the park has become with the new pickle ball court. Joann hopes to have mini social event sometime in February by the Village Hall as a new park kickoff.

**NEW BUSINESS:**

1. **Stop 43 -** Mike Mintz explained at Stop 43 the Village has 6 homeowners that want to improve and save their property by putting revetments along their property. Those projects are moving forward with getting permit approvals. All the properties will be using an easement letter drawn up by Sara Senica, the Village Attorney, regarding the repair and replacement of revetment on the property along the Village right away. After consulting with the attorney, it appears very difficult or impossible to determine which properties in that area are in village right of way, vacated or given to the homeowners. The easement/lease agreement would allow the property owners near Stop 43 to make improvements on their property and use the village right of way. If the beaches come back, the easements do not allow homeowners to increase the size of their property or interfere with riparian rights beyond their own properties. The residents will be required to sign the easements and have state approval to go into the lake. The Village is going to require the contractor, Tripe D to build a revetment for the Village at Stop 43. The Village will use Lindsay Mathus, an engineer from Edgewater Resources, to get the Village permitted. This will then allow the Village stop to be protected with revetment. There will be a continuous line south of the Village property to tie into the Ginther’s property. The burden in doing this revetment will be shifted to the contractor. The contractor has agreed to draw up specifications of what this would cost and the Village Attorney will draw up the agreement stating that Triple D has donated its time and material for Stop 43 and in return the Village Attorney will put together a tax letter for the corporation so it could seek a deduction from the IRS for its work the Village. Today Mike Mintz would like the council to allow Lindsey Mathus, the engineer from Edgewater to move ahead with this project costing $7,700 in engineering fees and $2,000 in permits fees. This would be the only Village expense. Kathleen noted that in the easement agreement it is not clear that anyone is agreeing to make certain all the work is done in appropriate matter. She asked who is going to make certain that Stop 43 and surrounding areas are restored properly and who is going to be responsible for overseeing this. Kathleen asked if there would be separate contract between the Village and Trible D. Mike asked Kathleen to make note of this so he could give this to the Village Attorney to add in the agreement. Step 1 of this complicated process for the Village is paying for the engineering work and permit fee. Step 2 of the process is the easement preparation between the Village and the individual homeowners. The easements do not specify what exactly is going to be done once the work is done. Kathleen said she anticipates the easement contracts will be matched by the contract between Triple D and the Village. She wants all contracts to require that Village property be returned to its best condition so the Village is protected. Phil Bonello said the Council had talked about this at the last meeting and he still recommended that before and after pictures be attached to the contract. Resident Maureen Shekleton asked whether there be a problem to access the beach at stop 43. Mike said he thought the Village might need to look at the beach at Stop 43 and discuss the matter with Trible D. Mike said he was not sure if Stop 43 would be open for the summer season, but he would look at future plans to access. Mike said he would talk with the engineer, Lindsey Mathus, to see what could be done for future use access at stop 43. Maureen Shekleton said “Thank You” to the Council for its work.

**PUBLIC COMMENT**:

Kathleen Hogan Morrison said everyone should have received a letter from New Buffalo Township explaining the special assessment. If anyone still had questions, they should log on Tuesday, January 19 Michelle Heit will be on line to answer any questions.

Resident Ellen Goldrick Grose wanted to talk about her questions she emails to Anne Heywood, the Village Clerk, about the park, Ellen Grose has missed that part of the meeting about the park. Mike Mintz told her that the Council was going to go over everything again. Anne answered a few of her concerns and she would follow up later.

Mike Mintz adjourned the meeting Kathleen Hogan Morrison seconded at 2:10 p.m.

**CORRESPONDENCE: N/A**

Respectfully submitted

Anne Heywood

Michiana Clerk