

**VILLAGE OF GRAND BEACH
SPECIAL COUNCIL MEETING
APRIL 30, 2019**

CALL TO ORDER

Council president Deborah Lindley called the Special Council Meeting to order at 7:24 p.m. EST. Present in addition to Lindley were James Bracewell, Paul Leonard Jr., Blake O'Halloran and Steve Slater.

ADOPT AGENDA

Bracewell moved, seconded by O'Halloran to adopt the April 30, 2019 Special Council Meeting agenda as presented. Motion carried unanimously 5-0.

UNFINISHED BUSINESS

None

NEW BUSINESS

Abonmarche Proposal

Lindley explained that Abonmarche has proposed additional costs for permit processing up to \$3,000 for the pumphouse and beach access work and \$1,500 for a survey of the Walnut beach access. The other item they proposed is a stormwater drywell feasibility study at a cost of \$4,500.

Vicky and Kieran McHugh who own property adjacent to the Walnut beach access addressed the Council regarding the proposed work at the pump house. They said the only thing they have seen regarding the project is what is shown on the state's website. They are opposed to the project as shown on the website because they are concerned that their property will be damaged because of the work to be done. Kieran said it is clearly proven that groins sticking out in the lake cause problems for the property to the south of the groin and referred to the breakwater in New Buffalo and the condition of beaches south of there in Sunset Shores. Vicky said their letter of opposition to the DEQ says that their property needs to be taken into consideration because this project will affect their property.

Leonard said his understanding with the DEQ is that they want to be sure any rocks placed do not encroach on private property. Lindley said the DEQ was concerned with where the stairs are located to make sure that they are not on the adjacent property. She said the DEQ wanted to know why the Village was proposing to put rocks in front of the pump house although she thinks that it makes sense to place rocks there.

Lindley suggested the McHughs contact Abonmarche or Donkersloot to see what they can do to protect their property. O'Halloran asked the McHughs if when the Village gets the survey and sees where the Village property begins and ends, and does the work which will probably go right up to the Village property lines if they are going to tie into it. Kieran McHugh said yes, they will do something with their property, but they don't know if it will tie into the Village's plan. O'Halloran explained that the Village has protected its beach access points and adjacent homeowners have done what they needed to do to protect their property. He said the Village is putting revetment work in to protect the access point and it will also protect the pump house.

Bracewell moved, seconded by Slater to approve the proposal from Abonmarche for the survey of the Walnut beach access and an additional budget for permit processing in an amount not to exceed \$5,000, and to share information with the adjacent property owners once it is received. Motion carried unanimously 5-0. The Council decided not to have the drywell feasibility study done at this time. Bracewell stated that the Village has authorized other surveys to help with problems among neighbors and when the survey comes back, the McHughs might not be happy with it, or the Village might not be happy.

Village Website Proposal

Lindley stated that the Village has received proposals to create a new Village website that the Clerk and Deputy Clerk will be able to update. Clerk- Treasurer Mary Robertson told the Council that she received a proposal from Kelsey Miller who created Chikaming Township's website along with several others. She said the Chikaming Township website is a very nice website, and was created using SquareSpace. Miller proposed creating the Village website using SquareSpace.

The second proposal was received from Land Information Access Association (LIAA) which is the company that was hired to update the current Village website since the Clerk is unable to add things to the website. LIAA created the City of New Buffalo's website along with many others. She said that Debbie Lindley, Deputy Clerk Cheryl Cook and she looked at LIAA's website functions at an online session with a representative from LIAA recently.

Robertson said LIAA will require the Village to move everything over once they create the shell of the website, unless the Village chooses to have them transfer the information under a separate support agreement.

O'Halloran said he would like to tie into the website for the golf course at some time.

Leonard said from a business standpoint, the Village needs someone that will be there to help with problems in the future and a possible revamp of the website at some point, so he is in favor of using LIAA rather than using an individual.

Leonard moved, seconded by Slater to accept a proposal from LIAA for a contract amount of \$3,370 for the first year and a support agreement for 40 hours at \$55 an hour in the amount of \$2,200 to be used within a 2-year period. Motion carried unanimously 5-0.

Clerk-Treasurer Robertson spoke to the Council about the website's ADA compliance. She said she did not have the Council packet put on the website because it is definitely not ADA accessible and asked what she should do in the future.

Leonard said going forward, we should ask LIAA to expedite the new website and to minimize the amount of public information that is put on the website and ask people to come to the office for the information. Leonard said that under ADA, we have to make reasonable accommodations, so having the paper work in the office for people to pick up would be a reasonable accommodation. He said his law firm has represented two universities that have paid out six figures in settlements in federal court related to their websites not being compliant, and municipalities are not exempt from this. He said major corporations like Disney, Walmart and Google got hit with big lawsuits and paid out huge amounts of money for the same reason.

Lindley said that Jim with LIAA said that our current website is very compliant, and Chief Dan Schroeder did a very good job with it.

Robertson said she will continue to put the agenda and minutes on the website. Slater said there are a lot of people that aren't here year around, and if we are willing to have the paperwork available in the office, it is better to have the packet available online. He said if LIAA can help us put the packet on in a compliant way, that's what we should do. Robertson will discuss this with LIAA.

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AUDIENCE RECOGNITION

John Deaner asked who the lead person is that is working with the pumphouse, the DEQ and Abonmarche. Lindley said it is the Council, but she and Bob Dabbs have been working on this.

ADJOURNMENT

Lindley moved, seconded by O'Halloran to adjourn the meeting. Motion carried unanimously 5-0. With no further business, the meeting was adjourned at 8:26 p.m. EST.

Respectfully submitted,

Mary J. Robertson
Clerk-Treasurer