

VILLAGE OF GRAND BEACH
ZONING BOARD OF APPEALS HEARING
March 15, 2006

President James Bracewell called the Zoning Board of Appeals Hearing to order at 7:15 P.M. EST. Present in addition to Bracewell were John Boden Jr., Pete Carroll, Bob Grim and Debbie Lindley.

The Zoning Board of Appeals meeting was held on a request by Martin and Marcy Dunne of 45302 Putters Lane for a variance from the front setback requirement for a swimming pool and a variance from the requirement of locating a pool at least twenty (20) feet from the adjoining property line.

President Jim Bracewell stated that he was on the telephone three hours prior to the meeting with Mr. Dunne concerning the variance request. Bracewell stated that he would like to continue the hearing for thirty days to give the Dunnes time to reevaluate things regarding the pool.

The board received a ten page letter from Attorney Eric Guerin of Kalamazoo, representing Golfmore Estates, Inc. and opposing the variance request.

Pete Carroll mentioned that there are covenants on the property and Richard Farina stated from the audience that the only issue with the covenants would be the fence.

Bob Grim moved, with support from Jim Bracewell to close the hearing and continue the hearing in thirty days. Motion carried unanimously 5-0.

With no further business, the meeting was closed at 7:22 PM EST.

Respectfully submitted,

Mary J. Robertson
Clerk/Treasurer

**VILLAGE OF GRAND BEACH
REGULAR COUNCIL MEETING
MARCH15, 2006**

President Jim Bracewell called the regular council meeting to order at 7:30 EST. Present in addition to Bracewell were John Boden Jr., Walter Peter Carroll Jr., Bob Grim and Debbie Lindley.

P. Carroll moved, with support from J. Boden to approve the minutes of the regular council meeting of February 15, 2006. Motion carried unanimously 5-0.

Committee reports:

Building & Zoning: John Boden spoke about a letter that he, Jim Bracewell and Bill Owens had received from a homeowner of the Village concerning problems with their contractor. They all agreed that this is a civil matter to be taken care of by the two parties involved.

Parks & Beaches, Pro-Shop & Golf Course: Pete Carroll told the council that he will have an in depth report at the next month's meeting.

Streets & Water: Bob Grim told the council that two month's prior to this meeting he had given them a list of streets that needed to be repaved. He has forwarded this information to the Budget and Finance Committee in hopes of budgeting money for this project next year.

Police: Debbie Lindley and Police Chief Dan Schroeder thanked Mick Crumley and the VanAir Manufacturing Corporation for their generous donation of a spotlight for the new Trailblazer. VanAir provided the spotlight and installed it on the Trailblazer at no charge to the Village.

Nick Sinnott of ServiScape reported that Jim Dolemba has one of his employees back to work and is preparing the golf course for opening day on April 1st. He added that the Village will soon be taking possession of 3 "used" greens mowers which have been purchased from one of ServiScape's clients.

In addition to his written report, Superintendent Bob Dabbs told the council that Keith Carlson contacted him regarding the Hamburger-Mathias Subdivision. Keith has received all of his piping for the water project and will begin soon. Dabbs will have to shut the water off to the Village for about 15 minutes to hook up the new water lines.

The Police Chief and Building Inspector had nothing to add to their written reports.

In his president's report, Jim Bracewell discussed the upcoming budget process for fiscal year 06/07. He stated that growth is not automatic and that all departments should take a look at their budget to find areas where expenses can be reduced. The

proposed budgets that the budget and finance committee will be working on show the general fund to be over budget by \$70,000 and the golf fund to be over budget by almost \$5,000.

Bracewell also discussed the cash flow problem that the Village is experiencing. The Village operates for nine months of the year before the property tax revenues begin to come in for that fiscal year. Village Clerk Mary Robertson stated that in light of the cash flow problem, she would like all departments to put off expenditures that aren't a necessity at this time until later in the year when the tax dollars have begun to come in.

B. Grim moved, with support from J. Boden to approve to pay the bills as presented with written additions. Motion carried unanimously 5-0.

Under old business was a discussion concerning the zoning ordinance. The Village is trying to make changes to the ordinance to make it easier to use. The council had many issues that they discussed concerning the revisions. Village Attorney Lou Desenberg will attend the April meeting to answer questions and explain changes to the ordinance.

Comments were made by council members regarding the addition of conditional zoning to the new zoning ordinance. Some of the items discussed included garage sales, the definition of a street, Bed and Breakfasts, home rentals, height restrictions on accessory buildings, contractor work hours and signs.

Rob Andrew of Merritt Engineering told the council that the Village has been working through all of the deficiencies that were included in the Water Reliability Study several years earlier. The next project is to replace the remaining undersized four inch water main in our system in part of the Village.

Merritt Engineering has been working on financing with the water revolving loan program. Andrew added that the Village will need to begin working with a financial advisor and bond council in the future. He stated that the revolving fund will allow for the planning, engineering and financial assistance costs to be included in the bonding issue.

B. Grim moved, with support from J. Boden to 1) authorize the clerk to sign the MDEQ water system construction permit application and submit for construction permit when complete; 2) to authorize Merritt Engineering to finalize the project plan based on evaluations for adverse impacts by the State Historic Preservation Office, U.S. Fish and Wildlife Service, Michigan Natural Features Inventory and Michigan DEQ for floodplain evaluation; 3) and Merritt Engineering will approach these agencies for permits. When they get them they will forward a copy to us and the permits to the DEQ to meet the DEQ requirements. The DEQ completion is contingent upon these agency reports. Motion carried unanimously 5-0.

Andrew was asked if the matter between the city and township regarding water could cause problems for the Village with the emergency interconnect which is located in the township. He stated that the Village has an agreement for emergency water and that the DEQ will not allow the emergency source to be turned off for drinking water and fire protection regardless of how things turn out between the city and township.

P. Carroll discussed the possibility of grant funds for the water project. Andrew stated that this is an area in which a financial advisor will be of help.

J. Bracewell moved, with support from J. Boden to adopt Resolution #06-01, the Hazard Mitigation Plan as read and written. Motion carried unanimously 5-0. The council appointed Chief Schroeder as the Village representative to sit on the disaster committee and/or hazard mitigation sub-committee.

Next on the agenda was a resolution regarding floodplain management which is required by FEMA. The clerk noted that the attorney had made two changes to the resolution after they were distributed to the council. The first change was to remove the last sentence of item number two on the second page which said (This is to be included only if the FEMA has issued a FHBM for the community). The next change was to correct the date located in the first sentence of the third page to read October 9, 1974.

J. Bracewell moved, with support from J. Boden to adopt Resolution #06-02, the Floodplain Management Resolution request from FEMA so that the Village is a part of the National Flood Insurance Plan. Motion carried unanimously 5-0.

J. Bracewell moved, with support from J. Boden to adopt Ordinance #2006-01, the State Construction Code with Flood Management Provisions as written. Motion carried unanimously 5-0.

Golf Commissioner P. Carroll announced that Dave Gring will not be returning as Pro-Shop Manager. However, he did not leave the Village without a replacement. Pete met with Don Butler from Michigan City regarding the position. Butler's father managed the Pottawattomie Golf Course for 38 years. He added that Butler is a great golfer, gives golf lessons and is a five time Michigan City Champion and should do well as the manager.

P. Carroll moved, with support from B. Grim to appoint Don Butler as the new Pro-Shop Manager. Motion carried unanimously 5-0.

The State of Michigan has made many changes to the election law. The clerk told the council that as a result, the deadline to file nominating petitions for the November 7th Village Election is May 16th, 2006. Under the old election law and the Village Charter, the Village nominating petitions were due by the fourth Saturday prior to the election. The State is hoping to make another change which would change the deadline for the petitions to twelve Tuesdays prior to the November election. Petitions must be turned to

the New Buffalo Township office. As of this date, the deadline for petitions is May 16th, 2006.

J. Bracewell moved, with support from J. Boden to approve the request for hall rental for Erin Harrigan for August 19, 2006. Motion carried unanimously 5-0.

J. Bracewell moved, with support from P. Carroll to donate \$60 to the New Buffalo Police Department for a safety and drug prevention program for children and their parents. Motion carried unanimously 5-0.

COUNCIL MEETING MINUTES – MARCH 15, 2006 PAGE 4

Village resident Jim Bachleda informed the council that he will be applying for a building permit on Monday morning. The permit is to construct a building that they have been talking about for the last 18 months.

He is interested in the conditional zoning that might be added to the new zoning ordinance. He and his wife own two lots with a swimming pool straddling both lots. They would like to build another building on the property, but the building can not exceed 15' in height and 900 square feet. They are interested in building something that is taller and more suitable to the architectural design of their home. He stated that the conditional zoning would allow them to build a larger building. With the conditional zoning, there would be a condition placed on the deed that says that they must sell both houses and the pool as "one unit" or take out the pool and sell it as two separate properties.

Resident Alice Grim addressed the council concerning summer rental properties. She suggested that residents that rent their homes out register at the Village office to alert them of the rentals. She stated that by identifying the renters with a parking permit of some type, it will be easy to recognize the cars as renters in Grand Beach when they park to go to the beach.

J. Bracewell moved, with support from B. Grim to adjourn the meeting. Motion carried unanimously 5-0.

With no further business, the meeting was adjourned at 9:20 p.m. EST.

Respectfully Submitted,

Mary J. Robertson
Clerk/Treasurer

