

**VILLAGE OF GRAND BEACH  
REGULAR COUNCIL MEETING  
AUGUST 17, 2022**

**CALL TO ORDER**

Council President James Bracewell called the regular council meeting to order at 7:00 p.m. EST. Present in addition to Bracewell were Peter Doerr, Paul Leonard Jr., Deborah Lindley and Blake O'Halloran.

**ADOPT AGENDA**

O'Halloran moved, seconded by Bracewell to adopt the August 17, 2022 agenda as presented. Motion carried unanimously 5-0.

**ADOPT CONSENT AGENDA**

- a. Approve Village Council Minutes:
  - i. Regular Council Meeting Minutes – July 20, 2022
  - ii. Special Council Meeting Minutes – August 3, 2022

Bracewell moved, seconded by Leonard to approve the Regular Council Meeting minutes of July 20, 2022 and the Special Council Meeting minutes of August 3, 2022. Motion carried unanimously 5-0.

- b. Hall Rental Requests
  - i. Matthew Denny
  - ii. Harbor Country Chamber of Commerce (Grand Beach Sponsor Jim Bracewell)
  - iii. Dimitrios Tianus (Grand Beach Sponsor Renee Pappas)
  - iv. Mary Kenny

Bracewell moved, seconded by O'Halloran to approve hall rentals as presented. Motion carried unanimously 5-0.

- c. Pay Bills with Written Additions

Bracewell moved, seconded by Leonard to approve the payment of bills with written additions as presented. Motion carried unanimously 5-0.

**PUBLIC COMMENTS ON AGENDA ITEMS**

Michelle Hannon told those in attendance that she is a democrat running for county commissioner. She said she is in favor of moving the Marquette Greenway off of Grand Beach Road and onto a trail for safety reasons.

**PUBLIC HEARING**

None

**PRESENTATIONS/RECOGNITION**

**Marcy Hamilton – Marquette Greenway**

Marcy Hamilton addressed the Council and said that they are close to reaching their fund-raising goals. She said that the trail from Chicago to New Buffalo is about 96% funded and should be completed in the next couple of years. She said the cost of the Marquette Greenway from the Indiana state line to New Buffalo will cost approximately \$5,500,000. She said they are very close to getting approval and an easement from Amtrak, adding that it has added about \$1,000,000 to the cost of the project and approximately an extra year.

## Regular Council Meeting – August 17, 2022

Hamilton said there will be a 5' separation between the road and the 10' asphalt trail with a fence located between the road and the train tracks. She said this is a non-motorized trail and can also be used by walkers and runners.

Bracewell said that he is still in favor of separate crossovers for the bikes over the railroad tracks for safety reasons and Hamilton said when they met with Amtrak reps onsite, and they told them it would cost \$500,000 and \$200,000 a year for maintenance to do that.

Lindley said that she thinks having the trail on the Village right-of-way will give the Parks & Recreation Committee a leg up on getting grants for a walkway.

Leonard said that the cyclists are coming. He said that they weren't so sure years ago, but now that the funding is there and with the demand for recreation growing with the population increasing, that they are coming. He said keeping them off of Grand Beach Road will be a great benefit for the Village. He said that the Village is required to spend ACT 51 street funds for non-motorized costs.

After speaking about costs of the bike trail, O'Halloran said he doesn't see any costs to the Village. Hamilton said that there will be a fence placed on the Village right-of-way and if the Village wants to change the type of fence, the Village might incur a cost or share in the cost.

Hamilton said that New Buffalo Township has agreed to do all of the maintenance of the trail, and it is up to the Village on whether they sign a memorandum of understanding (MOU) with New Buffalo Township or give them an easement. She said the township is fine with doing what works best, and if there are extra costs for an easement and documents, that the township would request that the Village make that investment. Township Clerk Judy Zabicki told the Council that New Buffalo Township will provide insurance and the Village will be held harmless.

Hamilton said that the area being discussed for a trail along Grand Beach Road from the Village limits to the train tracks crossing is a public right-of-way. She said the Village cannot use that property for development and that they are just adding another lane for transportation.

### **COMMISSION REPORTS**

**BUILDING & ZONING:** Bracewell said there currently is a window shortage and new homes are not getting water service yet because they are waiting for windows. He said there are 21 houses going up and asked for patience from people living next to a building site. He said if there is a problem, contact the police department.

**PARKS & BEACHES:** Doerr had nothing to report.

**STREETS & WATER:** Leonard said the Village is trying to put away money for paving and has applied for a grant for paving. Clerk Mary Robertson told the Council that the Village should find out if they were awarded the grant by the end of August. Leonard said normal water activities including water testing have been taking place.

**POLICE:** Lindley said that the police are quick to respond, which is what is nice about having local police. She said that a person's life was saved on the pickleball court in Michiana thanks to a quick response by Officer Myers who used an AED to save the man's life. She said the officers do a great job with training and responding to calls.

**PRO SHOP & COURSE:** O'Halloran said that golf was up during Covid and the Village course has stayed consistent in play from 2020 and 2021. The golf course finished July at \$71,000 in revenue and the most historical year of 2021 was \$65,000 in July. He said that with the new rental carts, the cart rental revenue has increased.

**SERVISCAPE REPORT**

Clay Putnam said they have replaced several sprinkler heads in the last months. He said a large limb from an oak tree on the left side of 5 fairway fell, and they have found that the tree is rotted and needs to be removed for safety reasons. He said it was a very old tree and, in his opinion, it probably reached the end of its life.

**PERSONNEL REPORTS**

**SUPERINTENDENT:** In addition to his written report, Superintendent Bob Dabbs said that they will be working to close the gap in the fence near the McKean property along Grand Beach Road.

**POLICE CHIEF:** In addition to his written report, Chief Ryan Layman said there were 72 complaints in July which is typical. He said they are seeing petty vandalism in Grand Beach, and said that the speed trailer was turned over and damaged. He said that the officers attended 8 hours of “response to active shooter” training, adding that he hopes nothing ever happens, but that the Village is only about 5 minutes away from Notre Dame School and New Buffalo Elementary School.

**BUILDING INSPECTOR:** Bill Lambert said there are 21 new houses going up. He said he saw the letter from Harry Walder that is in the packet and he spoke with him before the meeting. He said his work load levels off when the houses get to a certain stage. He has to inspect the foundation and inspect again after the trades have been there. He doesn’t think he needs help, and will let the Council know if he does need help in the future.

**UNFINISHED BUSINESS**

**BEACH ACCESS LICENSE AGREEMENT**

Doerr said that there have been a few things clarified in the beach access letter, license agreement and hold harmless agreement. He said that they left the fee open on what the Village can charge contractors, and was told by Village Attorney Sara Senica that the Village can’t charge differently depending on what state the contractor or homeowner is from. He said that he thinks the Council can come up with a fee schedule that is consistent.

Doerr moved, seconded by Leonard to approve with the modifications included, the letter to property owners next to beach accesses, the license agreement between the Village and the homeowner and the release and hold harmless agreement as presented. Motion carried unanimously 5-0.

**BEACH ACCESS RELEASE AND HOLD HARMLESS AGREEMENT**

Approved in above motion.

**NEW BUSINESS**

**MARQUETTE GREENWAY**

Doerr moved, seconded by O’Halloran to approve the construction of the Marquette Greenway and to determine at a later date whether there will be a Memorandum of Understanding signed with New Buffalo Township or an easement granted. Motion carried unanimously 5-0.

**WILDWOOD/ELY WATER LINES EASEMENT PROPOSAL**

Leonard said the latest development regarding the Wildwood/Ely water lines is being driven by cost. He said the contractor’s proposal to move the lines was \$69,000, and there are additional costs that would have to be paid. He said that he was contacted by Joe Farwell and Farwell offered to sell the Village an easement over the water lines for \$60,000. O’Halloran said the Village has already had hard costs in regards to the project. Lindley said she doesn’t want 40 years to go by and another Council and new owners to come along and want to do something different. Leonard said the easement would be permanent. Bracewell said he likes to get things done and doesn’t want to see this go another

## Regular Council Meeting – August 17, 2022

10 years. The Council is interested in taking a look at Farwell's proposal and will schedule another meeting for discussion. They asked Robertson to find out what has been paid so far to the attorney and engineer.

### **PLAQUE – GRAND BEACH NATURE PRESERVE RIBBON CUTTING**

Bracewell said he thinks obtaining the Nature Preserve was the most significant move by the Council and Village residents since he has been involved in the Council. He said there is a company that will make a nice plaque that will include the news coverage from the New Buffalo Times, and it will be a nice keepsake to display in the Council room.

Bracewell moved, seconded by O'Halloran to purchase the wooden plaque as presented at a cost of \$257. Motion carried unanimously 5-0.

### **POST DAMAGE AND REPLACEMENT COST**

After discussion regarding increased costs, Doerr moved, seconded by Leonard to increase the fee for cement posts that are knocked down or broken when drivers hit them to \$150 per post. Motion carried unanimously 5-0.

### **HARBOR COUNTRY HIKERS – PARKING REQUEST**

Bracewell suggested that the Harbor Country Hikers park their vehicles in the circle at Village Hall and walk out to the Grand Beach Nature Preserve when they go for their hike.

### **DIRECT TV ANNUAL VIDEO REPORT**

Robertson explained that the Village received the required annual video report from Direct TV.

### **REAPPOINT JAMES BRACEWELL AS EX-OFFICIO MEMBER TO THE PLANNING COMMISSION WITH TERM ENDING AUGUST 31, 2023**

Bracewell moved, seconded by Leonard to reappoint Jim Bracewell as ex-officio member to the planning commission with a term ending on August 31, 2023 and to reappoint Frank Giglio to the planning commission with a term ending August 31, 2025. Motion carried unanimously 5-0.

### **REAPPOINT FRANK GIGLIO TO THE PLANNING COMMISSION WITH TERM ENDING AUGUST 31, 2025**

Approved in above motion.

### **CORRESPONDENCE**

#### **ED & YVETTE BRANDES – TREE CLEAN UP THANK YOU**

Bracewell said the Council received a thank you for the prompt clean up of a tree that fell across a road. O'Halloran said that the Council gets a lot of correspondence and a lot of it is negative. He said it is nice to see a letter thanking the police and the maintenance crew for work on a tree.

#### **CLEM & BARBARA MCDONALD – TREES ON BEACH ACCESS**

Clem McDonald spoke to the Council about trees that he had planted on the Village access in the past and the new forms that the Council has approved regarding the beach accesses.

#### **MOLLY TRAFAS – CONSTRUCTION AT 46029 LAKE VIEW**

Bracewell said that he spoke with the project manager at 46029 Lake View about the sand that spilled over onto the property of Molly Trafas, and was told that it has already been taken care of.

#### **ED TRAINOR – NEW BUFFALO TOWNSHIP SPECIAL ASSESSMENT DISTRICT**

Bracewell said that if you write a letter to the Council, it doesn't force a Council member to respond. Lindley said that a Council member is allowed to vote in the way that they want and that they are one vote out of five.

Regular Council Meeting – August 17, 2022

**HARRY WALDER – BUILDING INSPECTOR & REPORTING**

Bracewell said there were two letters from Harry Walder. Bracewell said he has taken direct action about special meetings, and that a lot of people are aware of the special meetings. He said the notices for special meetings are posted on the Village website, and people have to check the website for upcoming meetings. He said that there are 21 homes being built in the Village and Building Inspector Bill Lambert has been busy.

**HARRY WALDER – SPECIAL MEETINGS**

**ADJOURNMENT**

Bracewell moved, seconded by Leonard to adjourn the meeting. Motion carried unanimously 5-0.

With no further business, the meeting was adjourned at 8:55 p.m. EST.

Respectfully submitted,

Mary J. Robertson  
Clerk-Treasurer