

**VILLAGE OF GRAND BEACH
REGULAR COUNCIL MEETING
MARCH 16, 2022**

CALL TO ORDER

Council President Deborah Lindley called the regular council meeting to order at 7:00 p.m. EST in the upper level of the Village Hall. Present in addition to Lindley were James Bracewell, Peter Doerr and Blake O'Halloran. Paul Leonard was not in attendance.

ADOPT AGENDA

Lindley moved, seconded by O'Halloran to adopt the March 16, 2022 agenda as presented. Motion carried unanimously 4-0.

ADOPT CONSENT AGENDA

- a. Approve Village Council Minutes:
 - i. Regular Council Meeting Minutes – February 16, 2022
- b. Plan Document – Health and Welfare Benefit Plan
- c. Plan Document – Section 125 Premium Plan
- d. Pay Bills with Written Additions

Lindley moved, seconded by O'Halloran to adopt the consent agenda as presented. Motion carried unanimously 4-0.

PUBLIC COMMENTS ON AGENDA ITEMS

Village resident Joe Farwell said that after working together for 10 years, they are ready to proceed with the water easements for their property on Ely Avenue. He said it is imperative to continue with momentum and apply for the Environment, Great Lakes, and Energy (EGLE) permit.

Village resident Doug Blauw spoke about the lawsuit that the New Buffalo Shoreline Alliance (NBSA) has filed and said that the Village needs to join the lawsuit. Lindley said that she spoke to a member of the NBSA about this and invited the NBSA to give a presentation at the April meeting, adding that everything is much different than what the NBSA explained in the past.

Village resident John Rafkin said it looks like people are moving their trash cans and for those that can't, the Village is moving them and paying from the budget. He thinks that everyone should pay for trash can removal, and fees should not only be charged to the second homeowners who can't move their cans.

PRESENTATIONS/RECOGNITION

BRIAN HAKE – KRUGGEL LAWTON AUDIT PRESENTATION 2020-2021

Brian Hake of Kruggel Lawton presented the audit for the fiscal year ended October 31, 2021. He said the purpose of the audit is to perform procedures to give an opinion, and they have given an unmodified opinion to the Village. He said that the General Fund has 16.2 months of unassigned fund balance which is up from 14.9 months last year. He said the Water Fund had an increase of approximately \$87,000 with golf income at approximately \$86,000. He said they will complete the required submissions to the state.

PUBLIC HEARING

None

COMMISSION REPORTS

BUILDING & ZONING: Bracewell said that they have received all plans and drawings for new homes and both lots that were cleared are almost ready to begin construction. He suggested that if anyone has concerns regarding building, they should contact the police department rather than sending emails.

Chief Ryan Layman said that the Hunter property is about 95% cleaned up. He said the Village attorney has advised him that he should write another ticket for the property, but he is going to wait until April 1 to see if the property is going to be sold for delinquent property taxes.

PARKS & BEACHES: Doerr said that Richard Nutt's granddaughter has offered to plant a tree in memory of her grandfather, but since we have so many trees, she is going to help with something at a beach access. He said that a new homeowner was building a fence on what is referred to as Lake Avenue, but is actually called Jensen Court on public property, but the fence posts have since been removed. In order to verify that this was Village property, Doerr ordered a title search which showed that the area was not vacated and is public property. He said that what came out of the Coastal Leadership Academy that he and Harry Walder attended was the importance of having a very detailed master plan. He said they were told that when you have a plan in place, it is easier to sell the ideas to the public and it helps with grant funding.

STREETS & WATER: Leonard was not in attendance.

POLICE: Lindley once again warned residents of the scams that are out there and reminded people not to give out personal information. She said it is important to have security lights on your driveway if you are parking outside. She said she and Village Clerk Mary Robertson met with the clerk, president, president pro tem of Michiana and the Village Attorney regarding the lawsuit with New Buffalo Township concerning the special assessment. She said there will be discovery in April, mediation on June 6 and they have set aside July 6 to July 13 for a trial which could last 2-3 days.

PRO SHOP & COURSE: O'Halloran said that the pro shop typically opens as weather permits, but due to the improvements planned for the pro shop, it will probably open mid-April. He said EZ-Go will begin manufacturing the leased golf carts on March 22 and they will take two weeks.

SERVISCAPE REPORT

Clay Putnam was not in attendance. O'Halloran read Putnam's monthly report. He said the Golf Fund has budgeted \$50,000 for used equipment, but with equipment in demand, it is difficult to find used equipment.

PERSONNEL REPORTS

SUPERINTENDENT: In addition to his written report, Superintendent Bob Dabbs said they are filling pot holes.

POLICE CHIEF: Chief Ryan Layman reported that there were 28 complaints in February. He said the police department completed CPR training in February.

BUILDING INSPECTOR: Bill Lambert was not in attendance.

UNFINISHED BUSINESS

DISCUSS LIST OF PROJECTS FOR MILLAGE INCREASE

Lindley suggested that the Village ask the voters to pass a millage increase of 1 mil which would generate \$139,000 in the first year, and would be reduced each year by the Headlee Rollback. She suggested the 1 mil increase for 10 years which would generate \$1,390,000 over the 10-year period. Lindley stated that if the Village didn't ask for the millage increase in 2022, they would have to wait until 2024 or hold a special election which could be very costly.

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After discussion, the Council decided not to move forward with the millage increase this year. Council members suggested creating a vision for the Village and updating the master plan before moving forward.

NEW BUSINESS

EXCUSE COUNCIL MEMBER PAUL LEONARD JR. FROM MARCH 16, 2022 COUNCIL MEETING

Lindley moved, seconded by Bracewell to excuse Council member Paul Leonard from the March 16, 2022 meeting. Motion carried unanimously 4-0.

ELY-WILDWOOD WATER LINE EASEMENTS

Lindley moved, seconded by Doerr to approve the language in the three Ely-Wildwood water main easement agreements received from Village Attorney Sara Senica and to request that Merritt Engineering begin the permitting process with Environment, Great Lakes and Energy (EGLE). Motion carried unanimously 4-0.

TRASH CANS

Lindley said that trash cans have been discussed at seven different meetings and she would like to get something finalized to bring to the April meeting. She said that the Village might need an ordinance for enforcement.

The following are the rules that she suggests be put into place.

- Cans cannot be set out before 12:00 noon EST the day before pickup.
- Cans should be pulled back or moved away from the road by 8:00 p.m. EST the day of pickup.
- Areas where homes are located on a steep incline will be exempt. She suggested O'Halloran come up with the areas that would be exempt, and mentioned Golf Road and SkyHi where they bring their cans down to the bottom of the road because the trucks do not drive up SkyHi.
- Cans will be pulled back on Tuesday morning or the day after regular pickup if the pickup date was moved due to a holiday.
- There will be a \$5.00 charge to the property owner each time that the cans need to be pulled back by the Village.

Bracewell said that he doesn't think the Council should charge the whole Village for trash can removal. Doerr said he thinks it looks a lot better now with people pulling the cans back.

ADD TREE REMOVAL INFORMATION TO BUILDING PERMIT PACKET

Lindley read a paragraph that will be added to the building permit requirements that will be included in the building permit packets stating that lot clearing or tree removal is not allowed until there is a permit issued.

CONTRACTOR/LANDSCAPER REGISTRATION ORDINANCE AND FORMS

Lindley said that the Council has discussed this in the past and Building Commissioner Bracewell said that he and Building Inspector Bill Lambert are definitely in favor of having contractor's register annually. He said it works well in the Village of Michiana. Chief Layman said that Michiana currently charges \$50, but felt the fee needs to be increased. The documents will be presented at the April meeting with the annual fee being \$100.

PROPOSALS FOR PRO SHOP - PAINTING CABINETS AND DOORS

O'Halloran moved, seconded by Lindley to accept the proposal from Schultzy's Drywall and Interiors to paint six doors and counters to be completed by April 1, 2022 in the amount of \$2,397. Motion carried unanimously 4-0. The Village received an additional bid from Endecca Painting & Flooring in the amount of \$8,510.00.

EXTEND WALL FOR GOLF CART CHARGING

O'Halloran moved, seconded by Lindley to purchase materials required to extend the wall for golf cart charging at a cost not to exceed \$7,500 and to reappropriate the funds that were budgeted for golf cart purchases in equipment purchases to pay for the materials. Motion carried unanimously 4-0.

PROPOSALS FOR ELECTRICAL FOR GOLF CART PARKING

O'Halloran moved, seconded by Doerr to approve the proposal as submitted from Harbor Electric to install electrical service to the golf cart charging wall with the alternative option to include 100-amp service at a total cost of \$11,638 and to reappropriate funds that were budgeted for equipment purchases to pay for the electrical work. Motion carried unanimously 4-0. The Village received an additional bid from Current Electric in the amount of \$13,041.

TITLE SEARCH ON LAKE AVENUE/JENSEN COURT

Lindley told the Council that Doerr had a title search done on Jensen Court and found out that this is public property. She said she would like to move forward and send the property owners a letter to inform them that there was a title search done and the property belongs to the Village of Grand Beach and that the Village intends to put up a fence and post signs for golf cart parking only.

Superintendent Bob Dabbs suggested that the Village might need to have the property surveyed in order to know where to place the fence.

PROPERTY, LIABILITY & AUTO INSURANCE RENEWAL

Lindley moved, seconded by O'Halloran to renew the property, liability and auto insurance policy through the Michigan Municipal League with an increase of 2.5% over last year's premium as presented. Motion carried unanimously 4-0.

CYBER SECURITY INSURANCE PLAN

Clerk Mary Robertson talked to the Council about a cyber security insurance plan that the Michigan Municipal League representative suggested in addition to the \$100,000 coverage that is included in the municipal coverage. Village resident Brendan Duffner, who is in this type of business said that he would be willing to talk to Robertson about other options that will help with security at a less expensive cost.

Lindley moved, seconded by Doerr to incur a cost of up to \$1,881 for a 1-year cyber security policy and to have Mary Robertson speak with Brendan Duffner about security and to determine what we use. Motion carried unanimously 4-0.

HSA CONTRIBUTION 2022 – KATHARINE BUTLER

Lindley moved, seconded by Bracewell to contribute \$3,150 into Katharine Butler's health savings account. Motion carried unanimously 4-0.

BUDGET AMENDMENT – GENERAL FUND FY 2021-2022

Lindley moved, seconded by O'Halloran to approve the budget amendment for fiscal year 2021-2022 for the General Fund as presented. Motion carried unanimously 4-0.

BUDGET AMENDMENT – GOLF FUND FY 2021-2022

Lindley moved, seconded by Doerr to approve the budget amendment for fiscal year 2021-2022 for the Golf Fund as presented. Motion carried unanimously 4-0.

MILEAGE REIMBURSEMENT RATE

Lindley moved, seconded by Doerr to change the mileage reimbursement rate to the rate that is allowed by the Internal Revenue Service. Motion carried unanimously 4-0.

PUBLIC COMMENTS – GENERAL

Village resident Brendan Duffner told the Council that he thinks the investment in regards to cyber security should go to the build up of firewalls rather than to insurance companies. He also said that Michiana did a great job at their parks

and the Village might be able to get information from them when updating the parks.

Village resident John Rafkin said as a part-time resident, he doesn't have any recourse because he can't vote. He thinks that it is unrealistic and unfair to ask neighbors to move their trash cans.

CORRESPONDENCE

CASSIDY SCHUMAN - WEDDING

Lindley said that the Council already approved the hall use for Cassidy Schuman's wedding reception and she would like to hold rehearsal in the hall the Friday before the wedding and would like to hold the ceremony in the grass in front of the hall.

Lindley moved, seconded by Doerr to allow for Ms. Schuman's use of the hall for rehearsal on Friday, May 20 and the use of the lawn area with a diagram of the wedding chairs and parking usage. Motion carried unanimously 4-0.

HARRY WALDER – MICHIGAN COASTAL MANAGEMENT PROGRAM

Lindley thanked Pete Doerr and Harry Walder for attending the Michigan Coastal Management Program and thanked Walder for his letter.

The Council discussed the master plan and meetings that will be held with residents to find out what the property owners feel are the needs of the Village.

ADJOURNMENT

Lindley moved, seconded by Bracewell to adjourn the meeting. Motion carried unanimously 4-0.

With no further business, the meeting was adjourned at 9:29 p.m. EST.

Respectfully submitted,

Mary J. Robertson
Clerk-Treasurer