

**VILLAGE OF GRAND BEACH
REGULAR COUNCIL MEETING (HELD ELECTRONICALLY)
MAY 20, 2020**

CALL TO ORDER

Council President Deborah Lindley called the electronic (virtual) regular council meeting to order at 7:38 p.m. EST.

Roll Call – In Attendance

| | |
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| James Bracewell | Aye |
| Paul Leonard | Aye |
| Deborah Lindley | Aye |
| Blake O'Halloran | Aye |
| Steve Slater | Aye |

ADOPT AGENDA

Lindley moved, seconded by O'Halloran to adopt the May 20, 2020 agenda as presented.

Roll Call Vote

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|------------------|-----|
| Paul Leonard | Aye |
| Deborah Lindley | Aye |
| Blake O'Halloran | Aye |
| Steve Slater | Aye |
| James Bracewell | Aye |

Motion carried unanimously 5-0.

ADOPT CONSENT AGENDA

- a. Approve Village Council Minutes:
 - i. Regular Council Meeting, April 15, 2020
 - ii. Budget Work Session, April 21, 2020
 - iii. Public Hearing-Budgets, May 7, 2020
- b. . Pay Bills with Written Additions

Lindley moved, seconded by Leonard to adopt the consent agenda as presented.

Roll Call Vote

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|------------------|-----|
| Deborah Lindley | Aye |
| Blake O'Halloran | Aye |
| Steve Slater | Aye |
| James Bracewell | Aye |
| Paul Leonard | Aye |

Motion carried unanimously 5-0.

COMMENTS ON AGENDA ITEMS

None

PRESENTATIONS/RECOGNITION

None

COMMISSION REPORTS

BUILDING & ZONING: Bracewell said that the governor had eliminated construction during the pandemic until May 7 when she allowed it again. He said that he and Building Inspector Bill Lambert and two police officers held a meeting with property owner John Hunter in Fifteen Acres regarding the slow progress on the house he is building. They suggested that he contract with a framing contractor to move things along and he was supposed to show the contract to Bill Lambert, but has not done so yet. Bracewell said there was a complaint under correspondence about a home under construction on Oak with Tyvek flying in the wind, which has since been taken care of. He said there are two parties interested in purchasing the home, but the challenge is negotiating a fair price.

PARKS & BEACHES: Slater said that the Whitewood stairs are in good shape, but the erosion is eating away at the bluff on the left of the stairs. He said there is a lot of debris at Whitewood and Walnut beaches and asked Superintendent Bob Dabbs to remove it. He said the only beach is probably at Whitewood until the work on the pump house and beach access is finished at Walnut. Leonard said that in the Eiffel Towers you can look down at the lake from Robin Lane and Lee Point, but there is no beach or stairs there.

Lindley said that in regards to the purchase of the 42 Acres, things are moving along and there will hopefully be a closing on the property in the near future. She said the Soper & Associates appraisal was \$1,235,000 and the Adams & Associates appraisal was \$1,925,000 which was much lower than previous appraisals because these appraisals were done using comparable uses of the property and the first two were done as lot development appraisals.

STREETS & WATER: Leonard said that fortunately with all of the rain, the Village hasn't had any significant problems with flooding like other communities in Michigan. He said he received notice from the state that revenue sharing is going to be reduced.

POLICE: Lindley thanked the officers for their dedication to the public. She said the police are enforcing the governor's orders to make sure that Grand Beach is safe for those that live here even though the police department and council members did not create the orders.

Lindley said that the road diet has been put into place out on the highway with one lane in each direction and a center turn lane from the state line to the City of New Buffalo. She and other council members attended meetings about the road diet and the Village has made it clear that it does not want the road diet. She suggested any petitions or concerns about the road diet be directed to New Buffalo Township and the State of Michigan Department of Transportation. She said the Village needs to start addressing the township who adopted a resolution for a trial road diet and the State of Michigan to let them know the Village is not in favor of it. The Village has asked the state to put a stop light out at the entrance to Grand Beach in the past, but they were not willing to put one up.

PRO SHOP & GOLF COURSE

O'Halloran said it has been a challenge with the executive orders from the governor, but the Village has done everything to make sure it is following the governor's orders. On April 20 we were allowed to open the golf course, but not the business of golf. The pro shop cannot be open, but you can play golf and pay by phone or at the door to the pro shop. The pro shop is now allowed to rent golf carts out and they are sanitized before and after each use. Rangers are allowed to work now and they are making sure that players have paid and are following the CDC's recommendations. There is signage up about the CDC recommendation. Signs that were put up when the course was closed were removed by someone. If you have those signs, please return them to the Village. Golf cart stickers can be paid for at the pro shop or by mail and once paid for can be picked up at the pro shop. O'Halloran hopes the governor will allow pro shops to open soon.

SERVISCAPE REPORT

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Clay Putnam was not in attendance. Lindley thanked ServiScape for maintaining the course during this difficult time and sharing in the federal government grant they received for wages.

PERSONNEL REPORTS

SUPERINTENDENT: In addition to his written report, Superintendent Bob Dabbs said the dump truck was just repaired and they will be out picking up leaves this week. Lindley thanked Dabbs and his crew for maintaining the Village infrastructure with reduced personnel resources.

POLICE CHIEF: In addition to his written report, Police Chief Ryan Layman reported that there were 48 calls for the month with many of them related to the Governor’s Executive Orders. He reminded everyone that dogs must be on a leash when not on your private property and when on the beach. Dogs are not allowed on the golf course. He also reminded people to remove valuables from their cars and lock the doors stating that thieves are not breaking into locked cars, but taking things out of unlocked cars.

BUILDING INSPECTOR: Building Inspector Bill Lambert was not in attendance.

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

RESOLUTION 2020-03 TO COLLECT DELINQUENT PROPERTY TAXES

Lindley moved, seconded by Leonard to adopt resolution 2020-03 to collect delinquent property taxes as presented.

Roll Call Vote

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| Blake O’Halloran | Aye |
| Steve Slater | Aye |
| James Bracewell | Aye |
| Paul Leonard | Aye |
| Deborah Lindley | Aye |

Motion carried unanimously 5-0.

RESOLUTION 2020-05 TO ALLOW CONSTRUCTION WORK ON SATURDAYS DURING SUMMER OF 2020

After discussion regarding whether to allow construction work on Saturdays during the summer of 2020 due to the restrictions during the pandemic and the short season, it was decided to leave the construction hours the same as they have been in the past with no building construction allowed on Saturdays during the summer.

BOAT AND WINCH PURCHASE

Dabbs told the Council that he would like to purchase a pontoon boat and winch to be used to put the anchors in and remove them from the lake each summer.

Lindley moved, seconded by Leonard to approve a check for up to \$5,000 for Superintendent Bob Dabbs to purchase a boat and winch.

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Roll Call Vote

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|------------------|-----|
| James Bracewell | Aye |
| Paul Leonard | Aye |
| Deborah Lindley | Aye |
| Blake O'Halloran | Aye |
| Steve Slater | Aye |

Motion carried unanimously 5-0.

DUMP TRUCK PURCHASE

Village employee Tim Pendergast told the Council that he received bids for the purchase of a new dump truck. He said that the Village held onto the last dump truck for 10 years and in the end, the Village was spending a lot of money on repairs. Pendergast feels that this is a good time to purchase a new truck and the Village will still get a good trade in value for the truck. In addition, there will be a new salt spreader and plow included with the truck. Lindley said the funds are set aside in Capital Projects for the truck.

Lindley moved, seconded by Leonard to approve the proposal from Sieman's in Bridgman to purchase a dump truck and accessories at a cost not to exceed \$50,000.

Roll Call Vote

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|------------------|-----|
| Paul Leonard | Aye |
| Deborah Lindley | Aye |
| Blake O'Halloran | Aye |
| Steve Slater | Aye |
| Jim Bracewell | Aye |

Motion carried unanimously 5-0.

Bids were received from Fox Chrysler \$56,723, Sorg \$46,725 and Siemans \$41,438.

BUDGET AMENDMENT – CAPITAL PROJECTS FY 2019-2020

Lindley moved, seconded by O'Halloran to approve a budget amendment for fiscal year 2019-2020 in the Capital Projects Fund as presented.

Roll Call Vote

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|------------------|-----|
| Deborah Lindley | Aye |
| Blake O'Halloran | Aye |
| Steve Slater | Aye |
| James Bracewell | Aye |
| Paul Leonard | Aye |

Motion carried unanimously 5-0.

INCREASE BUILDING INSPECTOR/ZONING ADMINISTRATOR'S PAY

Building Commissioner Bracewell explained that when the Village's Building Inspector/Zoning Administrator was hired eight years ago, he was paid a little less than the former inspector. He was hired in at 60% of the building inspection fees. Bracewell said that he would like to increase his fees from 60% to 70% to keep in step with what the other municipalities are paying him as their inspector.

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Bracewell moved, seconded by Lindley to increase the building inspector’s pay to 70% of inspection fees, an increase of 10%.

Roll Call Vote

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|------------------|-----|
| Blake O’Halloran | Aye |
| Steve Slater | Aye |
| James Bracewell | Aye |
| Paul Leonard | Aye |
| Deborah Lindley | Aye |

Motion carried unanimously 5-0.

USE OF BEACH ACCESS FOR REVETMENT WORK – PERMISSION REQUIRED

Lindley said she would like to clarify some things regarding the use of beach accesses by homeowners and contractors for revetment work because the Village has had issues with various property owners and recently had an issue with a property owner who stated that they do not have to ask permission to use the access next to their home. She said a resident and contractor have been using an access without approval or without signing a hold harmless agreement.

Lindley said she understands the process to be that EGLE gives permission for work to be done on the lakefront. The Village does not grant permission, but contractors have always notified the Village when work was to be done and our accesses were to be used. The contractors sign a hold harmless agreement that legally assures the Village that accesses will be returned to their original condition. .

She said the Village needs to know when contractors and residents use the accesses so we don’t run into problems in planning usage, and we make sure that the accesses are restored to their original state. She said that the Village never relinquished these requirements.

There was discussion among Council members and they were in agreement that residents and/or contractors need to get permission from the Village to use an access for revetment work and must sign a hold harmless agreement.

SECTION 103 AUTHORITY LETTER (NEW BUFFALO SHORELINE ALLIANCE)

Lindley said that the Village signed a “111 agreement” in the past requesting funding for studies related to beach erosion and that this is a different agreement to allow for more funding. She said it requires matching funds, but New Buffalo Shoreline Alliance assured her that if they cannot raise the funds necessary, they will withdraw from the agreement. Beach Commissioner Steve Slater who is a member of the New Buffalo Shoreline Alliance said that they are about half way through the process to put together a plan and study.

Slater moved, seconded by Leonard to allow Lindley to sign the Section 103 Authority Letter as presented.

Roll Call Vote

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|------------------|-----|
| James Bracewell | Aye |
| Paul Leonard | Aye |
| Deborah Lindley | Aye |
| Blake O’Halloran | Aye |
| Steve Slater | Aye |

Motion carried unanimously 5-0.

MCCORMICK EGLE PERMIT – 20-DAY COMMENT PERIOD

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Lindley said that Ben Zimont of EGLE contacted Clerk-Treasurer Mary Robertson about work to be done by Oselka Constructors on the McCormick property as well as in Forest Beach. Oselka will be using Sid Mathias' vacant lot to access the properties. Zimont informed Robertson that there is a requirement of a 20 day comment period since the property owner is not going to use natural materials for the revetment work. Lindley said if the project is not done according to the specifications in the permit, the property owner could be fined and asked to remove the materials that have been put down. The Council can respond to EGLE with any concerns about the project, but there were no objections or concerns.

There was discussion about the damage being done to Village roads due to the heavy equipment and trucks coming in and out of the Village. Lindley said she asked Bob Dabbs to take pictures of the roads in the area where contractors are working on revetment before the project and after to see if there was any damage done to the roads. Bracewell suggested a letter be sent to all of the contractors so that they can't blame each other for road damage.

AUDIENCE RECOGNITION

Village resident John Deaner addressed the Council with concerns included in his letter about pickleball courts and also concerns about revetment work and damage that could be caused to other properties.

CORRESPONDENCE

YVETTE BRANDES – UNFINISHED HOME ON OAK AVENUE

This letter was addressed under the Building Commissioner's report.

JOHN DEANER – 42 ACRES

JOHN DEANER – PICKLEBALL COURTS

Lindley thanked John Deaner for his letter about the 42 Acres and said that they will take the pickleball matter under advisement.

SOUTHBANK LEGAL – SEAWALL AND REVETMENT AT 46039 LAKE VIEW AVENUE

Lindley thanked Village resident Kaye Moriarty for keeping the Council in the loop by sending them a copy of a letter that was sent to the bank that retains ownership of the property at 46039 Lake View Avenue.

ADJOURNMENT

Lindley moved, seconded by Leonard to adjourn the meeting.

Roll Call Vote

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| Paul Leonard | Aye |
| Deborah Lindley | Aye |
| Blake O'Halloran | Aye |
| Steve Slater | Aye |
| James Bracewell | Aye |

Motion carried unanimously 5-0.

With no further business, the meeting was adjourned at 9:01 p.m. EST.

Respectfully submitted,

Mary J. Robertson
Clerk-Treasurer