

**VILLAGE OF GRAND BEACH  
REGULAR COUNCIL MEETING  
SEPTEMBER 18, 2019**

**CALL TO ORDER**

Council President Deborah Lindley called the regular council meeting to order at 7:34 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 Leonard to adopt the September 18, 2019 agenda as presented. Motion carried unanimously 5-0.

**ADOPT CONSENT AGENDA**

- a. Approve Village Council Minutes:
  - i. Regular Council Meeting, August 21, 2019
  - ii. Special Council Meeting, August 29, 2019
- b. Hall Rental Request – La Lumiere School, November 2, 2019
- c. Pay Bills with Written Additions

O'Halloran moved, seconded by Slater to remove the Regular Council Meeting Minutes from the consent agenda. Motion carried unanimously 5-0.

Bracewell moved, seconded by O'Halloran to adopt the consent agenda with the removal of the August 21, 2019 minutes. Motion carried unanimously 5-0.

O'Halloran moved, seconded by Slater to amend the Regular Council Meeting minutes of August 21, 2019 to include under "Bids - Royal Avenue Non-Motorized Path" the following: *"The non-motorized path is for pedestrian use and bicycles will not be allowed on the sidewalk"* and *"In regards to the concern for the homeowner's landscaping located along the path, Superintendent Bob Dabbs said he talked to Mark Bailin, the property owner and he is fine with the proposed changes."*

Motion carried 4-1 with Leonard, Lindley, O'Halloran and Slater voting aye and Bracewell voting nay.

**PRESENTATIONS/RECOGNITION**

Lindley thanked Interim Police Chief Jamie Flick for saving the life of a community member when he was the first responder to a call and gave CPR and used the defibrillator on the gentleman. She heard that if he wouldn't have been there, the gentleman might not have survived. She presented him with a Lifesaving Award which was followed by a round of applause.

**COMMISSION REPORTS**

**BUILDING & ZONING:** Bracewell reported that it has been another active month with difficulties, particularly at the house on Oak Avenue. The property owner has been ticketed and the Village is in the process of writing another ticket regarding a safety issue because he doesn't have garage doors on the home that is under construction. In regards to the property on Rohde Court, the storage trailer has been sold, but they are not sure of the exact date that it will be moved. They are prepared to start writing tickets to that property owner if he doesn't remove the trailer and clean the site up. There was concern from a property owner on Ridge Road regarding a post that was bent over by a contractor's truck who is working on a new home. The contractor will take care of the post when the project is completed. There was discussion about a property owner on Lake View who was building a deck on the lake side of the home without a permit. Lambert said they have still not applied for a permit, but have submitted an engineering study.

## Regular Council Meeting – September 18, 2019

Planning Commissioner Chair Ray Kelly told the Council that the Planning Commission will hold a public hearing and meeting on November 7, 2019 regarding possible zoning ordinance amendments that they have been working on. The amendments include more restrictions for building trailers, pods and dumpsters. O'Halloran thanked Ray Kelly and the Planning Commission for all the work they've done on the zoning ordinance amendments which he said was well written.

**PARKS & BEACHES:** Slater reported that the Parks and Recreation Committee met on September 7 to establish priorities and a ranking system to determine the time frames for different projects. The final draft 5-year Parks and Recreation Master Plan will be reviewed and discussed at a meeting to be held on October 2, 2019 at 6:00 EDT - 5:00 CDT. There will be a public hearing on November 20, 2019 30 minutes prior to the regular Council meeting for final review of the plan and council vote. The plan will be submitted to the state in December. Slater and O'Halloran attended the New Buffalo Shoreline Alliance (NBSA) meeting. He said the Council currently supports them and recommends that the council support them more with things that don't cost the Village anything. Lindley said we will have a link on our new website for them. O'Halloran said they are our voice and they are getting to the right people.

Lindley said the Village was issued a permit for the work at the pumphouse and beach on Friday. She recently met with Jim Bracewell, Bob Dabbs, Ben Zimont of EGLE (DEQ), Mike Morphey of Abonmarche and Arie Donkersloot. The Village still needs a permit from the Army Corps of Engineers which should arrive within the week, and needs to keep adjacent property owners to the south informed and keep the channels open with them.

She said the good news is construction costs should be lower. Mike Morphey said it is no longer a danger, but things could change at any time. Donkersloot thinks he will be able to work from the top of the bluff and get the Malachowski side done this winter, and the other side will probably have to be done by barge in the spring. She said she saw a picture of what the finished project will look like and it will look very nice and less obtrusive than she originally thought.

**STREETS & WATER:** Leonard said that at the last meeting he talked about a chemical spill in the lake and how unhappy he was that the Indiana Department of Environmental Management (IDEM) did not send notices out about the spill, and now there has been another spill on Friday which was cleaned up fairly quickly. He read a letter that he sent to representatives from Michigan City, Hammond, East Chicago, Gary, Portage, Ogden Dunes and Michiana Shores stating his disappointment in not receiving notice of these spills from IDEM so that accurate information could be relayed to Michigan residents regarding their drinking water. He has received a number of responses from representatives.

**POLICE:** Lindley had nothing to report.

**PRO SHOP & GOLF COURSE:** O'Halloran reported that he didn't receive a golf report for the month in the packet, but coming into this month, we were doing pretty well. He said there are only a few sources of revenue which support the golf course and it is self-funding, but if there is a bad year, the Golf Fund will borrow money from the General Fund and then repay it. He said we lost a couple of big trees near the parking lot which was a shame, but they were dangerous. He would like to expand some of the revenue streams including increasing rental cart fees. He will also consider making changes to the agreement with outside companies that rent carts to people in Grand Beach. There was discussion about the numerous carts in the Village that do not have parking stickers on them. O'Halloran will make sure that the rangers are checking carts for stickers and asked that if you see a cart without a sticker you report it to the police or to him.

### **SERVISCAPE REPORT**

Clay Putnam reported that they have started trimming branches on the evergreens on the course. The fairways will be aerified this week and the greens and tees will be started on September 24.

### **PERSONNEL REPORTS**

Regular Council Meeting – September 18, 2019

**SUPERINTENDENT and BUILDING INSPECTOR:** Superintendent Bob Dabbs and Building Inspector Bill Lambert had nothing to add to their written reports.

**INTERIM POLICE CHIEF:** Interim Police Chief Jamie Flick reported that there were 64 complaints between Michiana and Grand Beach in August. He reminded everyone that the pier is very dangerous and we almost had a drowning a couple of weeks ago when someone jumped off the pier, but family members were there to save him. Michiana Police Chief Ryan Layman commended Flick for the recent lifesaving event and said that things are working well with shared police services between the two communities.

## **UNFINISHED BUSINESS**

### **42 Acres Update**

Lindley was excited to report that the Village has reached the 25% match for the purchase of the 42 Acres. She thanked everyone involved in the fundraiser, those that went out and solicited auction items and everyone that donated to help reach the goal. She said this is something that will be here forever for our residents to enjoy. The Village needs to get two more appraisals of the property. She will contact McKenna tomorrow to make sure that Mario Ortega is following the guidelines and following through with what needs to be done to complete the process.

### **Chief Dan Schroeder – Continuation of Sick/Vacation/Insurance**

Lindley said that our insurance carrier has informed us that we can no longer keep Chief Dan Schroeder on our health insurance policy since he is not working 30 hours a week. The Village will have to drop him from our insurance effective September 30, 2019. She said she feels the Village has been very generous in covering Schroeder's benefits, and paying the difference in sick pay between his normal earnings and what he is paid by workman's compensation. His sick pay has ended, but he still has vacation time remaining.

Lindley moved, seconded by Leonard to stop paying all benefits to Schroeder on September 30, 2019 and to pay his vacation time in the amount of \$8,093.47 for 228 1/2 hours, and that funds for the vacation pay be moved from police chief wages to vacation pay in the budget. Motion carried unanimously 5-0.

### **Test Well**

O'Halloran explained that the Village only has one source of water to irrigate the golf course which is the pumphouse. It is very old and we've tried to figure out what the longevity of it. The Village is going to put stone down to protect the Walnut Beach access and the pumphouse. If the pumphouse were to fail, another option would be to buy water from Michiana which would cost approximately \$47,000 a year and that is not a viable solution. Another option is to try and find out if there is well water available and we can do that by doing a test well. Bob Dabbs, Clay Putnam and John Deaner recently put together a nice report with costs for a test well, costs for having wells on the golf course and irrigation on the course in the future with that system.

We received proposals from Peerless-Midwest and DeWind to drill a test well. Clay Putnam said the Peerless pricing is for vertical wells, and they are of the opinion that horizontal wells will not work or will not be the best way to go. They want to drill down approximately 175 feet for \$13,500 to see what kind of water and flow they find, if any, and then will come up to a shallower depth for an additional \$4,940. If successful at finding water, we have to find out what the flow is and whether one well is sufficient or if we will need more. If unsuccessful at both depths, it needs to be sealed at a cost of \$6,720. Putnam said Peerless-Midwest has been in business for many years and have provided great assistance to the committee when working on the irrigation study and proposal.

Putnam said that DeWind is less expensive and they are of the opinion that a horizontal well is the way to go and that they can potentially find a well that could meet our gallons per minute with one well. If that occurs, we would not need to dig a holding pond on the golf course. He said the unknown is who is correct. John Deaner said that DeWind told him

Regular Council Meeting – September 18, 2019

that they couldn't use a horizontal well on the golf course, but would have to be on the beach. Putnam will have to clarify that with them.

Deaner said that Peerless-Midwest said they are having difficult times finding water for golf courses all along the Lake Michigan coast, including Chikaming. Putnam doesn't know of any golf course in the area that has a 500 per minute gallon well.

There was discussion from the council regarding:

- The chance of hitting water and the use of a horizontal well versus a vertical well and risks associated with the horizontal well.
- No idea how long the pumphouse will last.
- Outlet pipes from the pumphouse that run into the irrigation system or the inlet line in the lake might fail before the pumphouse.
- The longer we wait, the more expensive it will be for the Village to replace the pumphouse when the day comes.
- We could easily try four or five wells and not have any success and spend \$100,000.

O'Halloran finds it hard to believe with the water table at #4 that we wouldn't have success. He said there is a very high water table in the Fifteen Acres, and there might be a lot of water for us to draw from.

Lindley said the Walnut Street work will cost approximately \$160,000 which would be about two months of operating expenses which will reduce our fund balance from 10.3 months to 8.3 months. She said we will need to take another \$25,000 out of fund balance for a drainage project in the park. She is concerned with things on the needs analysis. O'Halloran said that we are going to need to look at a millage or a special assessment to complete some of the things on the needs list. Bracewell said if we have other concerns that have been on the list of things to do for five years, we should add the wells to the list and move forward with the other needs.

O'Halloran moved, seconded by Leonard to hire Peerless-Midwest to do a test well based on options one, two and three at \$13,500 for option one, with an additional cost of \$4,940 for option two and if options one and two do not work, we will have to proceed with option three for a total cost not to exceed \$25,160.

When asked what his opinion was, Bob Dabbs said in 1972 it blew out all the way around the pumphouse and they had to use scaffolding to get to it, and in 1975 King Construction came in and built groins around it. He doesn't think the structure is going anywhere, but the intake could fail. He never heard DEQ say that we can't go out there and fix the intake. He said the pipes going up the hill can be fixed by the Village, but they can't fix what's under Lake Michigan. Lindley said we have replaced the pumps and the insides of the pump house and we have a computer system that alerts us if there is a problem. Dabbs said we absolutely need to find a secondary source. He said a lot of drainage issues can be fixed with a pond on the golf course. His predecessors have said that the pumphouse will be here when we are gone. His concern is with the pipe under the lake.

Slater said he would like to know what the response time is and if the Village has ever investigated relining the intake pipe. Dabbs said that it is done on water lines, so he'll check into it.

Roll Call Vote

Leonard	Aye
O'Halloran	Aye
Lindley	Nay
Slater	Nay
Bracewell	Nay

Regular Council Meeting – September 18, 2019

Motion failed 3-2.

**Budget Amendments 2018-2019 – Golf & Capital Projects Funds**

Not necessary since the test well was not approved.

**Needs Analysis**

Lindley said she would like to continue discussing the needs analysis and another need came up regarding the drainage under Royal from the golf course. She would like to have a work session to discuss issues and whether we need to do a special assessment or a millage increase. Dabbs said he would like to add relining the intake pipe to the list.

**NEW BUSINESS**

**Police Shared Services**

Lindley said that she met with Jim Bracewell and Michiana during the summer and they decided that creating a Police Authority Board would create problems with a clerk and payroll, so they think what we are currently doing as far as sharing services is working well. She said information has been sent to Village Attorney Sara Senica regarding an agreement between the two communities. She thinks the biggest thing that needs to be done is compensate Michiana since we only have two officers and they have three, and we are sharing their Chief of Police.

**Addendum to the Handbook for Michigan Officials**

After the Addendum to the Handbook for Michigan Officials (ethics policy) was discussed by council members, Leonard asked that the Council review it carefully for next month's meeting.

**Park Drainage Bids**

Lindley said that Bob Dabbs received bids for a drainage project in the park and there is currently \$20,000 in the Capital Projects fund for the project and another \$5,000 to be transferred in to Capital Projects for the project. The low bid is \$36,850 which leaves us short by \$11,850.

Leonard moved, seconded by Bracewell to appropriate funds of \$11,850 from our fund balance in the General Fund for the drainage project. Motion carried unanimously 5-0.

Lindley moved, seconded by Leonard to approve the bid from Falatovics Construction LLC in the amount of \$36,850 for the drainage project. Motion carried unanimously 5-0.

**Asphalt Bids for Drainage Project**

Lindley said that there is a bid from Rieth Riley for paving, but they are currently on strike so it is possible that the road might remain gravel over the winter. Dabbs was expecting two more bids, but didn't receive them prior to the meeting.

Bracewell moved, seconded by Slater to approve an expenditure of up to \$20,000 for the asphalt work for the drainage project with Superintendent Bob Dabbs selecting the company. Motion carried 4-1 with Bracewell, Leonard, Lindley and Slater voting aye and O'Halloran voting nay.

**Budget Amendments 2018-2019 Capital Projects & Local Street Funds**

Lindley moved, seconded by Slater to approve a budget amendment to transfer \$20,000 from Capital Projects to Local Street Funds for the asphalt for the 2018-2019 budget, but if the project is started in November, the budget amendment will be for the 2019-2020 budget. Funds will come from the Local Revenue Sharing Board (LRSB) which is usually used for streets. Motion carried unanimously 5-0.

## Regular Council Meeting – September 18, 2019

### **WiFi Proposal**

Lindley explained that the company that provides WiFi to the Village has filed bankruptcy and is expected to stop servicing their customers on October 1, 2019. Lindley moved, seconded by Leonard to approve option one with a three year lease from The Tech of Southwest Michigan in the amount of \$468.70 for the equipment and a monthly fee of \$64. Motion carried unanimously 5-0.

Lindley said Clerk-Treasurer Mary Robertson has been working very hard on the new website, and has been coming in early and staying late to do so. Lindley would like to see this month's minutes included on the new website. She said the website will be a work in progress with things continually added to the site.

### **Tree Removal – Golf Course**

O'Halloran told the Council that he, Clay Putnam, Don Butler and Marty McFadden looked at the trees on the golf course to find out if there some of the trees were safe or not. He said some of the trees are very hollow and are similar to the trees that came down near the parking lot. The 2nd and 9th hole are definitely the worst, with four trees that need to be removed on the 2nd hole and six trees on the 9th hole. Most are dead and they are going to fall and will be dangerous. O'Halloran said the trees need to be taken down in the fall and they will get bids for the October meeting.

O'Halloran moved, seconded by Slater to appropriate \$15,000 for tree maintenance in the fall and that the General Fund will loan \$15,000 to the Golf Fund to be repaid in the spring. Motion carried unanimously 5-0.

### **Children's Golf League**

O'Halloran explained that times have changed and the Social Club has requested that children's golf be held on Fridays in the future rather than Thursdays because people don't spend the entire summer in Grand Beach like they used to because there are two working parents in the family. It is difficult to get the kids here and they think enrollment will increase with the change. He said the season is only seven weeks long and will be finished on July 31. O'Halloran said Saturday is the #1 golf day, Friday is #2 with Sunday #3 because of men's golf, and he is concerned with what this will do to revenue. Others felt like getting more children involved in golf might increase the revenue. The Council felt that it was important to support the Social Club and that the children are the golfers of the future.

O'Halloran moved, seconded by Leonard to support the Social Club in regards to their request to have kid's golf changed from Thursday to Friday, scheduling the 9-hole kids to start earlier to free up the course earlier in the afternoon and potentially skipping an official score day with a one year test duration, with a reevaluation to take place next year. Motion carried unanimously 5-0.

### **10 Acre McKean Parcel**

Lindley said that the Village received a letter from Attorney Frank DeFrancesco who represents Mary McKean. McKean is planning to place a 10 acre parcel of property located between the golf course and the Fifteen Acres up for sale within 10 days of the letter dated September 10, 2019. They want to offer the property to the Village first. When Mary Robertson contacted the attorney, she was told he doesn't know the price. Lindley is concerned that there might be a problem with high water issues there. She suggested that this might be a piece of property that the Parks and Recreation Committee might be interested in. She will pursue this and get details on the price and will report on this in October.

### **AUDIENCE RECOGNITION**

Harry Walder told the Council that there is a car parked in a garage on Rohde Court in an unfinished house, and he believes that is considered occupancy although the building inspector might think differently. He added that there is a lot of debris on that site and it should be cleaned up.

## Regular Council Meeting – September 18, 2019

Judith Blackburn expressed her concerns with the number of deer in the Village and the inability to thin them out, the enforcement of dogs on leashes, property maintenance and dead trees in the Village including those on private property.

### **CORRESPONDENCE**

The following correspondence was received.

#### **Harry Walder – Special Meetings**

Walder sent a letter requesting some type of alert for special meetings. Lindley said the Village posts special meeting notices on the website and on the bulletin board as required by law. She said statistics show that the more emails you put out on mail chimp, the more people don't open the email.

#### **Mark Bailin – Water Drainage Issue**

Bracewell said that Bailin sent a letter in because he has a real situation with a drainage issue. Slater said we owe him a solution. This will be added to the October agenda for discussion.

### **ADJOURNMENT**

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

With no further business, the meeting was adjourned at 10:31 p.m. EST.

Respectfully submitted,

Mary J. Robertson  
Clerk-Treasurer