

VILLAGE OF GRAND BEACH
REGULAR COUNCIL MEETING (HELD ELECTRONICALLY)
JULY 15, 2020

CALL TO ORDER

Council President Deborah Lindley called the electronic (virtual) regular council meeting to order at 7:30 p.m. EST.

ROLL CALL – IN ATTENDANCE

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

ADOPT AGENDA

Lindley moved, seconded by Leonard to adopt the July 15, 2020 agenda with the addition of *Item N. “Renting Golf Carts for Pro Shop”*.

Roll Call Vote

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:
Regular Council Meeting, June 17, 2020
- b. Pay Bills with Written Additions

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

Roll Call Vote

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

Harry Walder commented on “Dibs on Beach” - He hopes the Council does not start imposing rules for people who put chairs on the beach. “Millage/Special Assessment Research” – He said the Village needs to do something about its finances and a special assessment might be the way to do it.

Kaye Moriarty commented on “Global Engineering Request to Build New Wall” – She is concerned that they need to protect the seawall in front of the home on Lake View Avenue as it is affecting the rocks in front of her home.

Tricia Stewart commented on “Millage/Special Assessment Research” – She read previous minutes and noticed a special assessment would be used for several items and wondered if extending Comcast to her neighborhood on Fox Trail would be considered as one of the items in a special assessment.

PRESENTATIONS/RECOGNITION

None

COMMISSION REPORTS

BUILDING & ZONING: Bracewell said there has been movement on negotiations for the purchase of on an unfinished home on Oak Avenue which has been a problem. The home under construction in the Fifteen Acres has shown slow and steady progress.

PARKS & BEACHES: Slater said the work is ongoing at the Walnut Avenue beach and the beach at Whitewood has been very crowded. People should practice social distancing at the beach. He has attended webinars and has seen a new procedure using beach prisms which has been done in the Upper Peninsula. He’ll have more information about this for the next meeting.

STREETS & WATER: Leonard had nothing to report.

POLICE: Lindley reported that full-time officer Patrick Myers has resigned and a part-time officer is filling in until the position can be filled. She spoke about her disappointment in the general disregard for signage in the Village, stating that the police had placed police tape up at the Walnut beach access twice because it was closed and the tape was torn down both times. Children are climbing on the rocks at both Whitewood beach and the pump house which is very dangerous. There is a “Keep Off” sign at the pier, and a metal rail which has to be navigated, yet people are still on the pier. She warned that there is dangerous metal debris off of the pier. She said fireworks have never been allowed on the beaches in Grand Beach yet there were fireworks on the beach. The fireworks ordinance will be amended at the next meeting to state that fireworks are not allowed on public property or the beaches. She said that drivers of golf carts on the street must be 16 years old with a driver’s license and she’s seen underage drivers driving them and even saw a girl driving a cart with headphones on and texting while driving. She said she has asked the officers to ticket underage drivers. She added that if you are renting your house out, you should have a packet of rules at the house and make sure renters are aware of all of these rules.

She said if anyone sees any infractions with golf carts they should send an email to the deputy clerk at deputyclerk@grandbeach.org with the information and cart number, and someone will follow up on it.

PRO SHOP & GOLF COURSE

O’Halloran said that with the Covid-19, he thought the golf course would have a bad year because the course was closed down for the first time in history, but instead we are having a better year than we’ve had in a long time. He said the rounds of play are up significantly over 2018 and 2019 and cart rentals are up. He said the course looks very good and everyone must adhere to CDC rules. He said there is very hot weather expected and the irrigation system on the course is antiquated and needs to be addressed and maybe it can be included in a possible special assessment.

SERVISCAPE REPORT

Clay Putnam said that routine maintenance has been completed and broad leaf weeds were treated. He said there are four sprinklers on hole #8 that are not functioning in automatic mode and have to be turned on and off manually. There have been golfers out early before the pro shop opens and he asked if they are out playing and the maintenance staff is

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working in that area that they move to another hole so they can get their work done. He said there have been a lot of people congregating near #5 green near the park and even kids playing in that area, and asked them to avoid that area. O'Hallaron said people should be practicing on the practice green and driving range.

PERSONNEL REPORTS

SUPERINTENDENT: In addition to his written report, Superintendent Bob Dabbs said they have received the material to build the new fence to replace the fence that is near the arch. The goal is to complete the project by Labor Day.

POLICE CHIEF: In addition to his written report, Police Chief Ryan Layman reported that June was very busy and there were 68 calls for the month. He said there was golf cart stolen in Grand Beach which has not been recovered and warned if parking a cart outdoors the owner remove the keys or park it inside. He stated that the "road diet" has been removed and the highway has been returned to four lanes.

BUILDING INSPECTOR: Building Inspector Bill Lambert said that he is very happy to see that there is a deal in the works for the unfinished house on Oak. The Village has issued 17 permits this year and the new houses are coming along well.

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

WEDDING /RECEPTION – OCTOBER 3, 2020

The Council heard from someone who plans to be married outdoors and hold their reception at the hall on October 3, 2020. He said that with all that is going on with Covid-19, they are trying to make plans that will work as long as the Governor moves Michigan into phase 5 of the reopening plan before October 3rd. They will space chairs out for the outdoor ceremony so guests that aren't from the same household will social distance from one another. They will pass out masks and have sanitizer available. He said they would like to hold a wedding dinner for 60 guests for three hours, clean and sanitize for an hour after the first group leaves and have a reception with a different group of 50 guests with snacks and drinks. In addition, he asked for permission to use the hall on Sunday morning for brunch for 50 different guests.

He said if Michigan stays in phase 4, or even moves back to phase 3, they will have to consider doing things differently and make other accommodations.

Lindley moved, seconded by Slater that the Council will allow the wedding to be held outdoors and the reception to be held in the hall on Saturday with a brunch on Sunday as long as the state has moved into phase 5 of the reopening plan and the applicants follow the plan that was presented to the Council with no more than 50 guests indoors, use of face masks and sanitizer, clean and sanitize in the hall between groups, but if the state is still in phase 4 or below they will have to make different plans.

Roll Call Vote

Blake O'Halloran	Aye
Steve Slater	Aye
James Bracewell	Aye

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Paul Leonard Aye
Deborah Lindley Aye
Motion carried unanimously 5-0.

GLOBAL ENGINEERING REQUEST TO BUILD NEW WALL AT 46039 LAKE VIEW AVENUE

After much discussion between the Council and representatives of Global Engineering regarding the replacement of a retaining wall on the Pine side of the home at 46039 Lake View Avenue, the Council asked the engineering firm to go back to their clients and discuss a plan that does not require the use of approximately 2’6” of Village property on the east and north side of the home. The Council was also concerned about the seawall in front of the home that needs work and is causing problems to the property next to the home.

LAKE PARK BEACH ACCESS

Superintendent Bob Dabbs told the Council he was approached about the possibility of using the Lake Park beach access to get equipment down to do revetment work on properties on both sides of the access. They would have to remove the patio pavers that are there, and would do their work, repair the revetment at the access, replace the pavers and build a new viewing platform with no cost to the Village. There was concern that if the work is done that the residents on the north end of Grand Beach will not have any way to enjoy the sunsets and visit with their neighbors since there are no beaches open in that area. The Council directed Councilmembers Paul Leonard and Steve Slater to meet with them to discuss the proposal.

DIBS ON BEACH

Lindley said that with Whitewood being the only beach that is open right now, there are many people who are going down to the beach and placing their chairs on the beach to save a spot for later. She has asked Bob Dabbs and his crew to remove any chairs from the beach and put them up against the bluff. The Council discussed that this has been going on for years, and that people need to realize that if someone comes down to the beach and there is no place to sit, they will move the chair. They said that people need to get along and practice social distancing.

BEACH WALKWAY – WALNUT BEACH ACCESS

Leonard moved, seconded by Bracewell to authorize the reconstruction of beach access stairs at Walnut Avenue at a cost not to exceed \$15,000.

Roll Call Vote

Deborah Lindley Aye
Blake O’Halloran Aye
Steve Slater Aye
James Bracewell Aye
Paul Leonard Aye
Motion carried unanimously 5-0.

GOLF CART BATTERIES

O’Halloran moved, seconded by Lindley to purchase batteries for three golf carts from LanCam at a cost of approximately \$2,100.

Roll Call Vote

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

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Motion carried unanimously 5-0.

MERS 2019 ACTUARY REPORT

Lindley moved, seconded by Bracewell to contribute 6.72% of full-time employee wages to the MERS plan effective November 1, 2021 to help reduce the unfunded liability in the pension plan.

Roll Call Vote

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

Motion carried unanimously 5-0.

CARES ACT – PUBLIC SAFETY PAYROLL REIMBURSEMENT

Lindley moved, seconded by Leonard to authorize Lindley to sign documents to apply for the Cares Act - Public Safety Payroll Reimbursement.

Roll Call Vote

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

Motion carried unanimously 5-0.

HAZARD PAY

Lindley moved, seconded by Leonard to apply for Hazard Pay through the Cares Act for eligible employees on the condition that if the state comes back and requires reimbursement that the employees will return the money to the Village.

Roll Call Vote

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

Motion carried unanimously 5-0.

MILLAGE/SPECIAL ASSESSMENT RESEARCH

Lindley said an email was sent out by a resident to many residents about the Village's taxes and millage. Lindley said that she previously had New Buffalo Township Supervisor Michelle Heit come in and explain how the millage was collected for the township and other entities. Lindley said that if the Village adopts a millage or a special assessment, all of the money collected will stay in the Village. She said a millage is voted on by registered voters at an election. Per the charter, the Council can set a special assessment and the residents have 30 days to collect signatures of over 50% of property owners affected to try and stop an assessment, but the assessment can still go through with the affirmative vote of at least four members of the council.

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Slater said that each year the millage rate has gone down for the last 20 years. He has checked the millage rates of all of the Villages in Berrien County and the average is 9.45 mils and Grand Beach is a little over 6 mils. He said the Village has spent hundreds of thousands of dollars over the last three or four years on revetment. He said the revenue that comes in allows the Village to do the basics, but there are other needs that should be addressed. He suggested a work session to talk about special assessments, millage rates and what needs to be done and how.

Leonard said the Council has a pretty good idea of what the more pressing issues are, and they need to decide if the money is available, what to spend it on.

O'Halloran said he has been on the Council for eight years and every year the Council has a budget meeting and struggles to maintain. He said the Village is struggling with current revenue to do what everyone expects. He said the golf course irrigation definitely needs to be addressed.

Bracewell said that the Village had tremendous success with voluntary contributions for the purchase of the 42 Acres. He said he isn't against the idea, but wants to be sensitive to people that live here and don't rent their home out for rental income.

Lindley said that there are things that need to be addressed. She will find out who she can get to speak to the Council about millage rates and special assessments at a meeting and asked Council members to bring their top five priorities to discuss.

ROAD DIET UPDATE

Clerk-Treasurer Mary Robertson told the Council that New Buffalo Township and Michigan Department of Transportation (MDOT) representatives received numerous letters of safety concerns and near misses regarding the road diet on US Highway 12. She said that the township recently adopted a resolution and sent it to MDOT asking them to remove the trial road diet and informing them that they were not in favor of a permanent road diet because of safety concerns. Township Supervisor Michelle Heit said several times at the meeting that if and when MDOT decides to remove the road diet is up to MDOT. Robertson said it was changed back to four lanes shortly afterwards and will be repaved as a four lane highway in 2021 according to MDOT.

PLANNING COMMISSION VACANCIES

Bracewell said there will be two vacancies coming up on the Planning Commission. He thanked Chair Ray Kelly for the tremendous service he has done for the Village and thanked Pat O'Leary for his service on the Planning Commission. He said Planning Commission member Laurie Roche has agreed to stay on for another term.

Lindley said that the Council received a letter from Elaine Bayer with many of the concerns Lindley has about home rentals, and she thinks this is something that the Planning Commission will be working on. Lindley is concerned with people purchasing houses to be used only as rentals because they are not concerned about their neighbors.

Lindley asked those interested in serving on the Planning Commission to let Clerk-Treasurer Mary Robertson know.

FOX MEMORIAL GARDEN MAINTENANCE DONATION

On behalf of the Council, Lindley thanked the Fox family for their donation to the Village for the upkeep of the Fox Memorial Garden outside of the pro shop.

RENTING GOLF CARTS FOR PRO SHOP

O'Halloran said based on increased interest in golf recently, Pro Shop Manager Don Butler proposed renting three golf carts from an outside vendor to be used as rental carts for two months. Butler has had to turn away quite a few golfers

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because he is out of rental carts, and in addition to the loss of the cart rental fee, we are also losing revenue from the green fees.

O'Halloran moved, seconded by Leonard to rent three golf carts from Carts on 12 for two months at a cost of \$1,200 per the quote.

Roll Call Vote

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

Motion carried unanimously 5-0.

AUDIENCE RECOGNITION

Harry Walder said that the Council will need to consider a millage increase or a special assessment, suggested collecting a tax on rental properties and asked about the progress in the purchasing of the 42 Acres. Lindley said that the state has made a decision on the appraisal value of the 42 Acres, but she didn't want to give any information out until talking with Grand Beach Land Development.

Laurie Roche said she admires the Council for all of the work they have put into the meeting. She is concerned with rental properties, the number of people staying at the rentals and she feels there should be a fee imposed on renters. She said it is no longer renting to friends and family, but is now big business with properties renting for \$900 per night. She doesn't like what she sees and said she likes to know her neighbors.

Lynn Bolanowski asked if the police have been checking for cart stickers. She said that the police have started to get rid of cars parked on Whitewood. She said the police have to spend too much time on some issues.

Bob Kegan said that the engineers discussing the property on Lake View Avenue and the use of the access were discussing the least costly plan, and he thinks they know they can go back to the drawing board and come back with another plan.

Kaye Moriarty reminded people to vote on August 4, 2020.

Nancy Drake said that if property owners use Village property to do work on their own property, and they make a promise to the Village to replace something or do something extra, that the Village should ensure that the property owner has the funds available or a bond on file to show that they can do what they promised for the Village.

CORRESPONDENCE

ELAINE BAYER-RENTAL PROPERTY

Lindley said that the Council received a letter regarding rental properties and hopes that everyone takes time to read the letter.

ADJOURNMENT

Lindley moved, seconded by Leonard to adjourn the meeting.

Roll Call Vote

Steve Slater	Aye
James Bracewell	Aye

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Paul Leonard	Aye
Deborah Lindley	Aye
Blake O'Halloran	Aye

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