

**VILLAGE OF GRAND BEACH
REGULAR COUNCIL MEETING (HELD ELECTRONICALLY)
DECEMBER 16, 2020**

CALL TO ORDER

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

Lindley read the following information regarding the remote meeting:

This meeting is being held remotely due to the COVID-19 pandemic under Senate Bill 1108 which was recently passed. All Council members should identify themselves prior to speaking so that everyone is aware of who is speaking. The President of the Council will read all of the agenda items as we go along for those that can't see the agenda.

There will be two times when the public can speak.

- The first time will be during "comments on agenda items".
- The second time is "audience recognition" where you can speak about any concerns.
- All audience members will be muted until it is time for them to speak.
- Please identify yourself before speaking.

ROLL CALL – IN ATTENDANCE

James Bracewell – Attending remotely from Grand Beach, Michigan

Paul Leonard – Attending remotely from Grand Beach, Michigan

Deborah Lindley – Attending remotely from Grand Beach, Michigan

Blake O'Halloran - Attending remotely from Grand Beach, Michigan

Steve Slater - Attending remotely from Grand Beach, Michigan

ADOPT AGENDA

Lindley moved, seconded by O'Halloran to adopt the December 16, 2020 agenda as presented.

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, September 16, 2020
 - Special Council Meeting, October 7, 2020
- b. Pay Bills with Written Additions

Lindley moved, seconded by Bracewell to adopt the consent agenda with the removal of *(b.) Pay Bills with Written Additions*.

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Roll Call Vote

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

Motion carried unanimously 5-0.

PAY BILLS WITH WRITTEN ADDITIONS

O'Halloran asked Clerk Mary Robertson about a \$926 item listed in the Golf bills that arrived after the original list that did not have a description. Robertson said that it was something that was left on the list from the previous month and said she would have it removed.

Lindley moved, seconded by Leonard to remove the \$926 error from the list and pay the bills with written additions.

Roll Call Vote

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

Motion carried unanimously 5-0.

COMMENTS ON AGENDA ITEMS

Angela Trainor expressed her concerns regarding a request for vacating a portion of Wildwood Avenue. She suggested that the Village consider paving the end of Wildwood which is currently gravel to help with plowing, trash and leaves at the end of the road.

Joe Farwell spoke about the request for vacating a portion of Wildwood and said that he felt that the neighboring property owners could get together and design something that would work for all of them. He also said that he has been speaking with Leonard about a Memorandum of Understanding regarding water lines on his family's property on Ely and is looking forward to working with the Village on the matter.

PRESENTATIONS/RECOGNITION

COMMISSION REPORTS

BUILDING & ZONING: Bracewell said there is a complete list of permits in the packet, although there is one more permit to be issued soon for a home that was recently sold on Perkins which has been gutted inside. Building inspector Bill Lambert is working with the contractor who is determining what type of work needs to be done and then they will submit the permit application. Bracewell and Lambert drafted a letter to a property owner in Fifteen Acres who has not made much progress on the house he is building. The letter will be forwarded to the Village Attorney for review prior to sending to the property owner. Bracewell said the Village is positioning itself to take possible action to condemn the house after it has been exposed to the weather for the last couple of years.

PARKS & BEACHES: Slater said that he included for information purposes only the cost of installing a new tennis court at approximately \$150,000. He said there aren't many companies that install tennis courts, and he has talked with Superintendent Bob Dabbs about the Village doing all of the prep work.

O'Halloran said when looking at the survey that was done for the Parks and Recreation Plan, the five main things people wanted done had to do with the beaches and the tennis court was closer to the bottom of the list. He said if the Village was going to spend that much money, he would rather see it spent on the top items of the survey, not those on the bottom.

Lindley gave an update on the 42 Acres and said that Grand Beach Land Development is paying to have another appraisal done. The company that will do the appraisal has talked to the DNR and it is very clear what the expectations are. They expect to have the appraisal completed within 90 days.

STREETS & WATER: Leonard said that leaf pick has stopped and they are concentrating on winter activities. Leaves placed in biodegradable bags will continue to be picked up. He said with the weather, there will be potholes and asked that the clerk's office be notified of any potholes that need to be filled.

POLICE: Lindley reminded everyone that it is a very difficult time for people, so there will be scammers out there. She warned people not to give any of their personal information out, and if there is a question, call the non-emergency police phone number.

PRO SHOP & GOLF COURSE: O'Halloran outlined what he hopes to do in the new budget year, but said we might not get everything done although these items are in his 6-year plan.

1. New flooring in the pro shop
2. Tree program
3. Replace two oldest rental golf carts with newer carts
4. Finish mower
5. Light duty utility vehicle
6. Heavy duty utility vehicle

SERVISCAPE REPORT

Clay Putnam said leaf clean-up is finished on the golf course. The irrigation system has been winterized and winter equipment maintenance is ongoing.

PERSONNEL REPORTS

SUPERINTENDENT: Nothing in addition to written report.

POLICE CHIEF: In addition to his written report, Police Chief Ryan Layman said there were 51 complaints in November. An officer was almost sideswiped by a driver on Grand Beach Road who turned out to be intoxicated. He cautioned the public that catalytic converters are once again being stolen, so be aware of any noise around your vehicles.

BUILDING INSPECTOR: Building Inspector Bill Lambert had nothing in addition to his written report.

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

REQUEST USE OF PINE BEACH ACCESS - 46039 LAKE VIEW AVENUE

Lindley said that a new homeowner at 46039 Lake View Avenue was requesting use of the Pine Street beach access to move equipment and materials to rebuild a retaining wall. Realtor John Larkin read the letter of request from the new owner, and said that they are going to replace a retaining wall on the north, east and west side of the home.

O'Halloran moved, seconded by Lindley to allow use of the Pine Street beach access to replace a retaining wall on the north, east and west side of the home located at 46039 Lake View Avenue.

Roll Call Vote

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

Motion carried unanimously 5-0.

TIM SHEAHAN – REQUEST TO VACATE PORTION OF WILDWOOD AVENUE

The Council heard a request from homeowner Tim Sheahan to vacate a portion of Wildwood Avenue. He said the snow is plowed to the end of the road which leaves no access to his home. In addition, he stated there are garbage issues and there is a utility pole with a brace that makes it difficult to build a shed or garage. He is willing to talk with property owners Joe Farwell and Ed and Angela Trainor to try and work something out. Lindley asked him to come back to the council with a better plan and drawings.

MEMORANDUM OF UNDERSTANDING – ELY AVENUE WATER LINES

Leonard said he drafted a Memorandum of Understanding (MOU) in order to move water lines that are located on the Farwell's private property on Ely Avenue. After creating the draft, Joe Farwell informed him of the legal name of the trust, names and addresses of trustees and a legal description of the property that will need to be added to the MOU. He would like to make those changes and submit the MOU to Village Attorney Sara Senica for her review and then onto the Farwells for their review before bringing it back to the Council for final approval. He anticipates the project to be completed in three years because the Village does not have all of the money available for the project. He said the MOU will run with the land when sold.

Superintendent Bob Dabbs told the Council that they will put in an isolation valve when moving the water lines and there will be no water interruption to residents.

Lindley was concerned that the beneficiaries of the trust agree that the lines be moved to the edge of the property because if not, the cost is too high to do the project. She said as long as they are agreeable to that, she doesn't see a problem.

Leonard moved, seconded by Lindley to authorize submission of the draft Memorandum of Understanding as edited to include the legal name of the trust, addresses and legal description to Village Attorney Sara Senica for review and then bring the document back to the Council for final approval.

Roll Call Vote

James Bracewell	Aye
Paul Leonard	Aye

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Deborah Lindley	Aye
Blake O'Halloran	Aye
Steve Slater	Aye

Motion carried unanimously 5-0.

Bracewell said that the Council had voted on this matter three years ago, but didn't have funding available. He suggested the possibility of purchasing the lot and saving \$50,000.

Joe Farwell said they have no plans to develop the land at this time, but they need to take care of the water lines and close the trust.

MEMORANDUM OF UNDERSTANDING – LAKE PARK DRIVE BEACH ACCESS

Slater explained that he, Leonard and Superintendent Bob Dabbs met with representatives of homeowners on Lake Park Avenue regarding use of the beach access for revetment work. He said this access had a nice brick walkway and viewing platform that has been removed and if the Council approves, the contractor will replace the walkway and viewing platform with a design that the Council approves.

O'Halloran was concerned that the project could take nine months and the access would be closed. Devon Moore of Triple D Excavating & Moore, LLC said he doesn't think nine months is appropriate and that date can be adjusted. They plan to get in and out as soon as they receive permits.

Slater moved, seconded by Leonard to accept the draft Memorandum of Understanding for the Lake Park access with the addition of a provision that requires the work to be completed before Memorial Day 2021. The document will be sent to Village Attorney Sara Senica for review.

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

Motion carried unanimously 5-0.

COVID-19 REMOTE WORK POLICY

Clerk-Treasurer Mary Robertson explained the COVID-19 remote work policy which is required by Michigan Occupation Safety and Health Administration (MIOSHA).

Leonard said that the emergency rules put in place by Michigan Department of Health and Human Services (MDHHS) as well as MIOSHA went into effect because of the emergency related to the COVID virus and he doesn't expect changes for six months because of the way the virus is playing out.

Lindley moved, seconded by Leonard to adopt the COVID-19 Remote Work Policy as presented and to revisit the policy in April.

Roll Call Vote	
Deborah Lindley	Aye
Blake O'Halloran	Aye

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Steve Slater	Aye
James Bracewell	Aye
Paul Leonard	Aye

Motion carried unanimously 5-0.

HEALTH INSURANCE – MEDICARE ADVANTAGE

Clerk-Treasurer Mary Robertson explained the difference in the new Priority Health coverage that goes into effect January 1, 2021 and the Blue Cross Blue Shield policy that the employees currently have when an employee/spouse reaches Medicare age. The Priority plan for those on Medicare is different than the normal supplemental policy that BCBS offers, costs much less, but requires more out of pocket expenses. The cost savings to the Village for an employee/spouse on Medicare with the Priority Health plan is \$7,250 per year.

Bracewell moved, seconded by Leonard to pay a \$2,000 stipend for Medicare employees/spouses that fall into this category with only one employee/spouse this year, and the Council will look at it year by year in the future.

Roll Call Vote

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

Motion carried unanimously 5-0.

POLICE DEPARTMENT OFFICE

Lindley said that the police department has been completing a revitalization of their office and included \$2,800 in the current budget for new desks, although the cost of the desks is \$500 more than expected.

Lindley moved, seconded by O'Halloran to approve the proposal for new desks at a cost not to exceed \$3,300.

Roll Call Vote

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

Motion carried unanimously 5-0.

LEAVES

Lindley discussed problems with homeowners and their landscapers putting leaves out onto the roadway making the roads dangerous. She said the Village has a cut-off date this year of December 4. She said the maintenance department has to change their equipment over for snow removal. She said there is an ordinance that says there can be fines of up to \$500 for depositing debris in the roadway. She wants to get the word out to the residents next year in the Breeze, newsletter and mail chimp. O'Halloran suggested sending out three mailchimps; one at the start of leaf season, one in the middle to remind of the cut-off date and once to say that pickup is over.

Lindley said that leaves placed in brown biodegradable bags will continue to be picked up.

PICK-UP TRUCK BIDS

Superintendent Bob Dabbs said that his pick-up truck is in need of repairs which would cost thousands of dollars and he has 87,000 miles on the truck. He said he is switching from Ford to Dodge for several reasons, including better suspension and a bigger engine. He said the Dodge has a 5 year/60,000 mile warranty with Ford having a 3 year/36,000 warranty.

Bracewell moved, seconded by Slater to authorize the purchase of a Dodge Ram Tradesman pick-up truck with a plow from Seelye Dodge Ram Jeep at a cost of \$20,000 with a trade in value for the old truck of \$19,000.

Roll Call Vote

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

Motion carried unanimously 5-0.

PLANNING COMMISSION ANNUAL REPORT

Lindley thanked the Planning Commission for the annual report and for the dedicated work they've done for the Village.

SHORT TERM RENTAL SURVEY

Lindley stated that we do not have short-term rentals in the Village. The Village has a resolution that states if someone is renting, they are required to get a Special Land Use permit. Leonard suggested that Attorney Sara Senica meet with the Planning Commission and the Council to explain where we are today in short term rentals and where she sees the state going with short term rentals.

Planning Commission Chair Laurie Roche said that the Planning Commission was asked to review short term rentals and figure out how we could improve on this. She said members Harry Walder and Robert Kegan put together an ordinance similar to Michiana's ordinance. They found out that they can't impose a tax on rentals and fees can only be used to run the program. She thinks it is time to meet with the Village attorney.

Lindley moved, seconded by O'Halloran to table the short term rental survey.

Roll Call Vote

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

Motion carried unanimously 5-0.

AUDIENCE RECOGNITION

John Larkin thanked the Council for their wisdom regarding short term rentals and thanked Laurie Roche and the Planning Commission for their work. He thanked Clerk Treasurer Mary Robertson for her quick work in getting someone to his mom's house to resolve a water problem.

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Jacob Byrnes thanked the Village, Jim Bracewell and Building Inspector Bill Lambert for their help in getting the project done at the end of Whitewood Avenue.

CORRESPONDENCE

ROBERT KEGAN – SHORT TERM RENTAL SURVEY

Kegan’s letter regarding the short term rental survey was discussed during the discussion about the survey.

O’Halloran thanked employees for the nice gift and said that he appreciates all of their work throughout the year and wished everyone a Merry Christmas.

ADJOURNMENT

Lindley moved, seconded by Bracewell to adjourn the meeting.

Roll Call Vote

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

Motion carried unanimously 5-0.

With no further business, the meeting was adjourned at 10:01 p.m. EST.

Respectfully submitted,

Mary J. Robertson
Clerk-Treasurer