

**VILLAGE OF GRAND BEACH  
REGULAR COUNCIL MEETING  
MAY 15, 2019**

**CALL TO ORDER**

Council president Deborah Lindley called the regular council meeting to order at 7:30 p.m. EST. Present in addition to Lindley were James Bracewell, Paul Leonard Jr., Steve Slater and Blake O'Halloran.

**ADOPT AGENDA**

Lindley moved, seconded by O'Halloran to adopt the May 15, 2019 agenda as presented. Motion carried unanimously 5-0.

**ADOPT CONSENT AGENDA**

- a. Approve Village Council Minutes:
  - i. Regular Council Meeting, April 17, 2019
  - ii. Public Hearing - Budgets, April 30, 2019
  - iii. Special Council Meeting, April 30, 2019
- b. Hall Rental Request – Gina O'Halloran, June 8, 2019
- c. Hall Rental Request – Peg Stewart, September 14, 2019
- d. Hall Rental Request – Bridget Weaver, September 28, 2019
- e. Pay Bills with Written Additions

Lindley moved, seconded by Leonard to adopt the consent agenda. Motion carried unanimously 5-0.

**PRESENTATIONS/RECOGNITION**

**New Buffalo Shoreline Alliance**

New Buffalo Shoreline Alliance (NBSA) President Ted Grzywacz gave an update about what the NBSA has been doing for the past couple of years and most recently in regards to finding a solution and funding to resolve the shoreline erosion problem from north of New Buffalo to the state line. They recently applied for a \$15M grant with Great Lakes Fishery & Ecosystem Restoration (GLFER) which is pending waiting for results from the Army Corps of Engineers. They asked the City of New Buffalo to write a letter requesting 216 funds and are asking the Village of Grand Beach to write a letter to the Army Corps requesting 111 funds. Grzywacz said that Grand Beach is 53% of the project based on shoreline, but only 9% of Grand Beach is participating in the NBSA. Grzywacz said they need Grand Beach's support and financial support to help fund their continued costs. They need to work quickly and efficiently to get this resolved.

Leonard moved, seconded by Lindley to approve the proposed draft letter to Lieutenant Colonel Gregory E. Turner at the Army Corps of Engineers in Detroit with the words "we believe" removed from the first paragraph, and authorize Debbie Lindley to sign the letter on behalf of the Council. Motion carried unanimously 5-0.

Lindley said that if the NBSA can say that 99% of Grand Beach supports the NBSA, they will have better leverage. They need support because they do have expenses and they are costly. She would like to add a tab to the new website and include a brief reminder in the water bills regarding their need for support. Resident John Deaner and Slater thanked the NBSA for all that they are doing.

**COMMISSION REPORTS**

**BUILDING & ZONING:** Bracewell reported that the Planning Commission met yesterday for three hours and

## Regular Council Meeting – May 15, 2019

covered amendments to the Zoning Ordinance that are being considered. They covered timing of permits, dumpsters and spent time at the end of the meeting talking about New Buffalo Township's changes in zoning and how the change will effect Grand Beach. Planning Commission Chair Ray Kelly said that the township's master plan is on their website and if anyone reads it and has comments, there is a deadline to submit the comments through the website.

**PARKS & BEACHES:** Slater told the Council about his communication with Arie Donkersloot regarding work on the lake front. O'Halloran said Donkersloot did move the boulders that were in the water near the Whitewood access on to the beach, and the final resting place will be right next to the Whitewood stairs. O'Halloran said it is horrible that the rocks will be right there, but the homeowners have the right to protect their home. Lindley said Donkersloot put the rocks out in the lake to serve as a breakwater.

Slater said he has received correspondence from Mario Ortega regarding the next steps for the grant for the 42 Acres. Ellen Frankle told the council that the governor recently signed everything regarding the grant. Clerk-Treasurer Mary Robertson told the Council that she received an email from the Department of Natural Resources Grants Management regarding the project agreement for the grant development project.

**STREETS & WATER:** Leonard reported that the Michigan Fund Transportation Distributions (ACT 51) for March to the Village street funds totaled \$9,045.45. The grant request that was submitted to the State of Michigan for smaller villages and towns to build or improve existing streets and drainage system was denied, although they encouraged Grand Beach to apply next year.

**POLICE:** Lindley said that Michiana discussed a Police Authority Board at their meeting last week, so she and Jim Bracewell will be meeting with them soon to discuss the possibility of forming a Police Authority Board.

**PRO SHOP & GOLF COURSE:** O'Halloran reported that April revenue was up from last year, but May has not been a great month with all of the rain. He said the Village has no protection at the pump house for the high water that is there today and we have no idea how the pump house is going to handle the high waves. This is very serious because we have 45 days from now that the contractors can't work due to the fish spawning season. Arie Donkersloot has 45 days of work after that period and we don't even have our permit. He said if we lose our irrigation system for the golf course, we will have to buy water which would be very expensive or go without water. He said he has funding set aside for a test well and he plans to add a test well to the June agenda.

O'Halloran stated that the Council approved an expenditure last month for a survey of the Walnut Street beach access to make sure that the proposed work will be done on the Village property. Once the permit is issued, he would like to look at other contractors if Arie Donkersloot is not available.

Leonard said he has always been concerned about keeping a balanced budget, and the golf course has been self-supporting for several years. He said the golf course is a huge asset to the Village and we really need to do what we can to keep the irrigation system for the golf course. He said the Village has many expenses besides protecting the pump house and irrigation system including the 42 Acres and beach repairs. He said it is going to take over \$1,000,000 to protect and preserve the character of this Village, and he asked people to realize that it costs money to run this Village.

### **SERVISCAPE REPORT**

Clay Putnam reported that routine maintenance is ongoing. The maple tree between #4 and #5 has been removed because it was struck by lightning. He reported that there was vandalism on the golf course and the flagsticks and flags were recovered.

## **PERSONNEL REPORTS**

**SUPERINTENDENT:** In addition to his written report, Superintendent Bob Dabbs told the council that the park drain is finally open. The drain needs to be addressed. He said the maintenance crew painted the fence out front and the Village has received an anonymous donation to pay for a new fence that they will build from materials that will last for a long time and won't need painting. The Council expressed their appreciation for the donation.

**INTERIM POLICE CHIEF:** Interim Police Chief Jamie Flick reported that there were 39 total calls last month between Grand Beach and Michiana. He said there were 13 cars broken into in one night in Long Beach. Grand Beach had one car break in and Michiana had five. He reminded everyone to keep valuables out of their cars and lock the doors. With summer coming, he asked residents to please remember to keep their dogs on a leash when walking them, and to keep them off of the golf course because they aren't allowed on the course.

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

## **UNFINISHED BUSINESS**

### **42 Acres Update**

Lindley reported that \$137,750 has been raised so far and the Village should receive the \$58,000 grant from The Pokagon Fund for the 42 Acres very soon. The Friends of Grand Beach will be hosting a fund raising gala for the 42 Acres. She said if you have a service provider that you have a good relationship with that you think would like to donate something for the auction, please ask them. Sheila McGinnis said there will be a live auctioneer at the event and he said he can auction off used, running jet skis, cars or boats as long as there is a title, so if anyone has something they would like to donate, they should contact McGinnis or the Village office. She said if anyone has tickets for the theater or sports events that they would like to donate for the auction, it would be appreciated.

O'Halloran said that McGinnis asked him if the Village would donate two season golf passes to be auctioned off. O'Halloran moved, seconded by Leonard to donate two season passes for unlimited golf for the season for the fundraiser. Motion carried unanimously 5-0.

### **Golf Cart Batteries**

O'Halloran moved, seconded by Bracewell to purchase batteries for four golf carts from Carts on 12 at a cost not to exceed to \$3,000. Motion carried unanimously 5-0. Other proposals were received from Wiers Golf Carts and LanCam.

## **NEW BUSINESS**

### **Resolution – Adopt Local Pavement Warranty Program**

Leonard moved, seconded by O'Halloran to adopt the "Local Pavement Warranty Program" resolution #2019-03 and resolution #2019-04 to "Implement the Local Pavement Warranty Program" which were mandated by the State of Michigan using their language. Motion carried unanimously 5-0.

### **Resolution – Implement Local Pavement Warranty Program**

This was adopted with the resolution above.

### **Ethics Ordinance**

Lindley explained that the Council received an ethics ordinance to be reviewed before the May 23<sup>rd</sup> special meeting when Village Attorney Sara Senica will be here to discuss it.

### **Trash/Recycle Customer Rates**

Lindley explained that the cost of trash and recycle has increased to the Village. O'Halloran stated that the Council passed the cost of trash and recycle onto the homeowners last year and it has really helped the Village although we haven't seen the full impact yet. He said if the costs go up to the Village, they have to be passed on to the customer. Leonard moved, seconded by Slater to add the increase for the cost of trash and recycle charges to the water bills each year as rates to the Village are increased through 2021. Motion carried unanimously 5-0.

### **Water Meter Replacement Charges**

The Council discussed the need to replace all of the water meters with digital read meters that will be more efficient and will let the water department know if there is excessive water usage. Lindley said funds are being set aside to replace the meters, but there was a suggestion at the budget meeting to add a fee on the water bills to recover the cost of replacing the meters. The meters are expected to cost approximately \$160,000.

Leonard moved, seconded by Slater to add a charge of \$5.00 per month to the water bills for all residents in the Village until the Village recoups the cost of the acquisition and installation of the water meters at a cost of approximately \$160,000 with a time frame of six years, and at that time, the Council can decide to discontinue the charge or apply it to another expense. Motion carried 4-1 with Leonard, Lindley, O'Halloran and Slater voting aye and Bracewell voting nay.

### **Beach/Lakefront Plan**

Slater spoke to the Council about the first part of the lakefront policy that members of the Parks and Recreation Committee recommended that would require contractors working on the beach to bring a plan to the Council letting them know how long the work is going to take, how much rock is delivered and other information regarding the project.

He said the second part of the plan is that much of what can be done with the beaches is out of our hands, but we can make them accessible where there is beach, and make them clean and safe. He said he met with Superintendent Bob Dabbs about having a regular weekly beach clean-up and a report that would be completed for the Council regarding the beaches.

Lindley said if there have been problems with parks and beaches in the past, it has been addressed by our maintenance crew, and by Memorial Day they've always had it looking good. She is not in favor of handing direct access over to residents to demand things be done. She said if there is a problem, people can call the Clerk's office, or talk to Bob Dabbs at his office. She said she won't interfere with residents doing repair work to save their bluffs and homes. Residents have engineering plans, get DEQ permits and have to depend on the schedule of the contractors, fish spawning rules and conditions on the lake. The barge cannot be on the lake if the waves are over 18". She said she doesn't like the equipment and armor stone on the beach and the distance it extends. She said individual Council members should not be contacting contractors unless suggested by the Council President or the Council.

Leonard said the points in the policy and suggestions on how to implement it are very good ones. He said that when the Council agreed to allow contractors to place rock on Royal Avenue before being placed in front of the homes, it was not to be a warehouse for rock.

Bracewell said he is concerned that the person writing the check to have work done in front of their homes won't be able to get the contractor to do the work because they can't adhere to the policy.

O'Halloran said he thinks the guidelines are good and he thinks there needs to be a policy or a plan. He tried to talk to Donkersloot because he had a lot of residents calling him about the rock on the beach. He said Donkersloot is going to be working in Forest Beach for 45 days after the 45 day spawning period. He is concerned about when Donkersloot will be able to do the work at the Walnut beach access.

Slater said he reached out to Dave Wolf and Arie Donkersloot last fall and said he wants to communicate and be able to tell the Council when the work will be done. We have to balance lake front owners and the rest of the residents because they want to use the beach. He said it is common sense to ask a contractor to come to the Council and explain their plans. He is not trying to stop anyone from getting work done, but wants to know when it will be done and how it will be done. He said this lakefront plan is a draft and at some point it might need to become an ordinance.

The Council heard from Village residents Ray Kelly, Barb Rooney, Gina O'Halloran, John Deaner and Amy Slater regarding the plan and work on the lake front.

Slater said he thought as the Park and Beach Commissioner, he would be the one that would contact the contractors regarding work on the beach. He said he puts a facility report together each month and gets it in for the Council packet. He said he would be happy to sit down with anyone on the Council to work through this beach/lakefront plan.

Leonard said the beach belongs to the Village, and is a good idea to have a policy so that the Council knows what contractors are doing and how long they'll be there. He said the Council speaks to the president and everyone should know that Council President Debbie Lindley is the one that makes the decisions as far as they're concerned, and she speaks for the council. Discussions have to come through her.

Lindley suggested that Slater look into what other communities are using since he mentioned that Dave Wolf of Oselka Construction said he is not opposed to a plan, and that Grand Beach is the easiest area to deal with regarding lake front work.

#### **Parks & Recreation Master Plan Draft Survey**

Steve said they are working on the Parks and Recreation Master Plan and one of the state's requirements is to get a survey out to the residents. The committee worked on the proposed survey and made changes to it several times. He said he needs to get this out in June.

Slater moved, seconded by Leonard that the Draft Parks and Recreation Survey be accepted by the Council as amended. Motion carried unanimously 5-0.

#### **White Creek - Direction of Water Flow**

Slater said that two years ago, the neighbors to the south brought a piece of equipment down to the beach and changed the direction of the creek which is now changed and going straight out to the lake.

Slater moved, seconded by Leonard that with Attorney Sara Senica’s help if needed, Debbie Lindley draft a letter to the DEQ regarding the flow of the creek and send a copy of the letter sent to the DEQ to the home owner’s association. Motion carried unanimously 5-0.

**Non-Motorized Path on Royal Avenue to Station Road**

The Council discussed the possibility of installing a non-motorized path along Royal Avenue to Station Road to get pedestrians off the road for safety reasons. Leonard moved, seconded by Slater to ask Superintendent Bob Dabbs to find out what it will cost to put in a walking path along the road from the arch to Station Road. Motion carried unanimously 5-0.

**Donation – Fox Memorial Garden Maintenance**

Lindley thanked the Fox family for a generous donation for the upkeep of the Fox Memorial Garden located outside of the pro shop.

**Hall Rental Use for 42 Acres Fundraising Event, July 20, 2019**

Lindley said she would like to let the fundraising group use the hall at no cost. Leonard moved, seconded by O’Halloran for use of the Village Hall at no charge for the function to raise money for the Grand Beach Nature Preserve (42 Acres) and that the cleaning fee be absorbed by the Village. Motion carried unanimously 5-0.

**Harbor Country Cross-Municipal Group Meeting, October 7, 2019**

Lindley explained that there is a group of municipal leaders that have been meeting and sharing information. They meet at different places and she would like to host the October 7, 2019 meeting in Grand Beach. Leonard moved, seconded by Bracewell to approve the use of the hall on October 7, 2019 for the Harbor Country Cross-Municipal Group Meeting at no cost. Motion carried unanimously 5-0.

**AUDIENCE RECOGNITION**

John Deaner said that he has talked to quite a few people in his neighborhood who are not necessarily against a special assessment with all of the issues that are going on. He wrote a letter to the Council with suggestions a few years ago and one of them was a marketing plan, and he thinks if we are going to try to sell an assessment or a millage we will need to convince the people that we really need this millage. He would be willing to help with that. O’Halloran said that he thinks that we can use this new website to communicate things like this. Deaner also suggested a quarterly newsletter on the major topics that the council has worked on and done.

**CORRESPONDENCE**

The following correspondence was received.

John Deaner – Police Authority Board  
Robert Koenig Family – Thank You

Laurie Roche – Request for Stop Sign. Lindley said that Laurie Roche requested a stop sign at Golf View and Deer Park and if we were going to do that, it would require a 3-way stop. Leonard said if the bushes are in the way, we should have the owners remove them. Lindley said there are trees that have grown out into the easement. She doesn’t recommend a stop sign there.

Regular Council Meeting – May 15, 2019

New Buffalo Shoreline Alliance Report

Letters Regarding Budgets and/or Grand Beach Police

Roger & Kathi Adams  
Judith & Patrick Blackburn  
Marcia Heitzmann  
Barbara Kucharski  
Gene Kucharski  
Carol & Bill Lyons  
Daniel Neustadt  
Paul & Paula Rohr  
Thom Schmidt  
Susan Sonderby

**ADJOURNMENT**

Lindley moved to adjourn the meeting. Motion carried unanimously 5-0. With no further business, the meeting was adjourned at 10:49 p.m. EST.

Respectfully submitted,

Mary J. Robertson  
Clerk-Treasurer