

**VILLAGE OF GRAND BEACH**  
**REGULAR COUNCIL MEETING**  
**JANUARY 17, 2018**

**CALL TO ORDER**

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

**ADOPT AGENDA**

Bracewell moved, seconded by O'Halloran to adopt the January 17, 2018 agenda as presented. Motion carried unanimously 5-0.

**APPROVE MINUTES**

O'Halloran moved, seconded by Bracewell to approve the minutes of the Regular Council Meeting of December 20, 2017 as presented. Motion carried unanimously 5-0.

**PRESENTATIONS/RECOGNITION**

None

**COMMISSION REPORTS**

**BUILDING & ZONING, PARKS & BEACHES:** Bracewell and Giglio had nothing to report.

**STREETS & WATER:** Leonard said the Village has been doing a lot of plowing and streets are in good shape.

**POLICE:** Lindley said the Police Chief just gave her a copy of what Michiana is doing with the logo on their police cars so that they show that they are serving Michiana and Grand Beach. Leonard thinks it is a good idea to keep our identity on our cars to distinguish our vehicle from theirs. Lindley said as we continue with the sharing of services, this is the type of thing that will need to be discussed.

**PRO-SHOP & COURSE:** O'Halloran said that he will be meeting with Karen Poff of Horizon Bank to discuss a new software system for the Pro Shop to be used with iPads to be more user friendly and the system will give a lot more flexibility with inventory and price changes.

**SERVISCAPE REPORT**

Clay Putnam told the Council that they will begin reconditioning tees and greens supplies and are seeking bids for materials and supplies for 2018. There has been minor discussion about the intake line in the lake. They would like to get an idea of the current condition of the pump's intake line by sending a diver down to examine it and hope to get an idea of how long the system will last. Once they know how long it might last, they will identify other sources of water for irrigating the golf course such as wells or purchasing municipal water and the associated costs.

**PERSONNEL REPORTS**

**SUPERINTENDENT:** In addition to his written report, Superintendent Bob Dabbs said that all of the snow plowing equipment is working well. The Council told him that they appreciate the great snow plowing that has been done, especially over the holidays when the plowing took employees away from their families.

**POLICE CHIEF:** Police Chief Dan Schroeder had nothing to add to his written report.

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**BUILDING INSPECTOR:** Bill Lambert said the house that is under construction on Oak will continue soon as they have hired a contractor to do the framing. All four houses under construction are coming along well.

### **BILLS TO BE PAID**

O'Halloran moved, seconded by Leonard to approve the payment of the bills with the written additions as presented. Motion carried unanimously 5-0.

### **UNFINISHED BUSINESS**

#### **TREE REMOVAL AND REPLACEMENT ORDINANCE**

Leonard said that he thinks the sample ordinance that was discussed last month is overkill. O'Halloran said it is difficult, but he would like to see as many trees kept on the property as possible when someone is building, but he doesn't know how to regulate it. Leonard wondered how involved the Village government should be in regulating something that should be up to the property owner. He said a better way to address this might be to have something in writing in our ordinances about tree preservation. Bracewell said that the trees that were removed that caused concern to some people were removed to make room for construction. O'Halloran said we should push to have people maintain their trees and as building permits come up, keep an eye on them to make sure they aren't taking down trees unnecessarily.

### **NEW BUSINESS**

#### **APPROVAL OF COMBINED GRAND BEACH/MICHIANA POLICE SCHEDULING**

Lindley explained that the Council previously voted to continue to explore combining services with Michiana and to evaluate how it is working in February, but the shared schedule will actually begin in March.

Lindley moved, seconded by Bracewell to approve the combined Grand Beach/Michiana services police scheduling with Michiana. Motion carried unanimously 5-0.

#### **GEORGE KEELER RETIREMENT**

Lindley said that we need to have policies in place and we have sent our employee handbook to Attorney Sara Senica for her advice. Lindley said we don't have anything in writing from Officer Keeler who was set to retire at the end of February, but now wants to retire at the end of February and use his vacation hours of approximately six weeks while remaining on the Village health insurance for two months at a cost of \$1,882 per month.

Lindley said our attorney and insurance agent have both said that this is not a good precedent to set because if you do it this time, you have to do it for everybody. Lindley would recommend that the Council accept his February 28<sup>th</sup> retirement date and pay out his vacation time. Leonard said that is what most employers do; they pay out their vacation and sick pay and they are retired and the employer's exposure to any liability comes to an end.

Bracewell suggested looking into the vacation day carry over and said that he believes in most corporations, you retire on a certain date and you receive a package with any hospitalization that you might have due to you. If you don't use sick and personal days, you lose them.

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Bracewell said his last day would be February 28 and he would be given a check for the remainder of his vacation days. Leonard said it would be helpful if Lindley as Police Commissioner write a letter stating that the letter is confirming that he is retiring on February 28.

O'Halloran wants to see a policy that spells out benefits, but does not want to take anything away from the employees. He said the policy will be used for all employees, and not just for one or two. Lindley said she will sit down with Robertson and talk to other people to see what their policies are.

Leonard moved, seconded by O'Halloran to spend up to \$300 for refreshments for an event open to the public at Village Hall. Motion carried unanimously 5-0.

### **LETTER OF SUPPORT OF NEW BUFFALO TOWNSHIP GRANT PROPOSAL TO THE POKAGON FUND FOR HYDRAULIC STUDY & GIS MAPPING**

Leonard said that a group of local communities are working to put together a study and a GIS map which will help identify the location of all of the water lines in these communities.

Leonard moved, seconded by O'Halloran to approve a letter of support of a New Buffalo Township grant proposal to The Pokagon Fund for a hydraulic study and GIS mapping. Motion carried unanimously 5-0.

### **AMEND ZONING MAP**

Leonard said the Planning Commission is recommending a change to the Zoning Map for 10 lots located on Station Road from Low Density Residential (LDR) to Medium Density Residential (MDR) which will allow for less restrictive setbacks, smaller square footage and more narrow lots.

The Planning Commission approved all of this and his understanding is that those 10 lots should have been zoned Medium Density Residential in the first place. There was no opposition at the Planning Commission meeting and no opposition at tonight's meeting.

Leonard said that the Zoning Ordinance requires "Findings of Fact" when amending the Zoning Ordinance. The facts to be considered are:

- A. Whether the requested zoning change is justified by a change in conditions or the original ordinance was adopted by an error. Leonard believes that the original ordinance didn't take into adequate consideration the character of these lots, and they should have been zoned Medium Density instead of Low Density Residential.
- B. Possible precedent and effects if approved. Leonard doesn't see any adverse impact on Village ordinances, the character of the Village, Village traffic or property values and he does not see any negative effect from changing the zoning.
- C. The availability of public services if approved. Leonard said that public services are just as available then as they are now.
- D. Effect on Village policies if approved. Leonard said the plan sets out clearly what is required for Medium Density and it brings those lots into conformance.
- E. Consequences to the Master Plan if approved. Leonard said if anything, it brings that section into better conformity with the Master Plan.

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- F. Whether the health, safety, welfare is furthered by the approval. Leonard doesn't see any negative effects and if anything, it will eliminate any arguments between neighbors on what they can and cannot do.

Leonard moved, seconded by Bracewell to adopt these as "Findings of Fact" of the Council. Motion carried unanimously 5-0.

### **ORDINANCE TO AMEND ZONING ORDINANCE**

Leonard moved, seconded by O'Halloran to adopt ordinance number 2018-93 to amend the Zoning Ordinance to change the zoning from Low Density Residential to Medium Density Residential for lots 1 (46320 Station Rd.), 2 (46318 Station Rd.), 3 (46316 Station Road) and 4 (46314 Station Rd.) of Block 11 and lots 1 (46312 Station Rd.), 2 (46310 Station Rd.), 3, 4, 5 and 6 of Block 12, Michigan Shores Country Club Estates subdivision. Motion carried unanimously 5-0.

### **CHARTER REVISION**

Clerk-Treasurer Mary Robertson said she had a discussion with Village Attorney Sara Senica regarding an amendment to the charter to allow for compensation to the Council. Senica said we need to revise the Charter which will take 1-1 1/2 years to complete. It is up to the Council on whether they want to wait for a full revision or put the one amendment on the ballot for the General Election. The Council previously tried to place four charter amendments on the ballot, but was told by the Attorney General that they would have to do a charter revision because the charter needed to be revised. The language for the amendment needs to be submitted to the Attorney General and Berrien County for their approval. The Council directed Robertson to speak with Attorney Senica to get the language ready for the February meeting so the Council can review.

### **AUDIENCE RECOGNITION**

None

### **CORRESPONDENCE**

#### **MR. & MRS. HANG – THANK YOU**

Leonard said the Council received a thank you note from Mr. & Mrs. Hang in regards to the use of the hall and surrounding grounds for their wedding.

### **ADJOURNMENT**

Bracewell moved, seconded by Leonard to adjourn. Motion carried unanimously 5-0.

With no further business, the meeting was adjourned at 8:32 p.m. EST.

Respectfully Submitted,

Mary J. Robertson  
Clerk-Treasurer