

**VILLAGE OF GRAND BEACH
REGULAR COUNCIL MEETING
SEPTEMBER 20, 2023**

CALL TO ORDER

Council President Harry Walder called the regular council meeting to order at 7:00 p.m. EST. Present in addition to Walder were James Bracewell, Edward Brandes, Peter Doerr, and Blake O'Halloran.

ADOPT AGENDA

Brandes moved, seconded by O'Halloran to adopt the September 20, 2023 as presented with the addition of item 10(o) "*Handicap Parking*" and item 10(p) "*Apply for Tree Grant*". Motion carried 4-1 with Brandes, Doerr, O'Halloran and Walder voting aye and Bracewell voting nay.

ADOPT CONSENT AGENDA

- a. Approve Village Council Minutes:
 - i. Regular Council Meeting – August 16, 2023
- b. Hall Rental Request – Mike Elliott
- c. Pay Bills with Written Additions

Bracewell moved, seconded by Brandes to remove the minutes of August 16, 2023 from the consent agenda for discussion. Motion carried unanimously 5-0.

O'Halloran moved, seconded by Brandes to adopt the consent agenda with the removal of the August 16, 2023 minutes. Motion carried unanimously 5-0.

After discussion of the August 16, 2023 minutes, Brandes moved, seconded by O'Halloran to approve the minutes of August 16, 2023 as presented. Motion carried unanimously 5-0.

PUBLIC COMMENTS ON AGENDA ITEMS

The Council heard comments from the following Village property owners regarding agenda items:

- Ed Sebastian – Pine Avenue beach viewing platform.
- Larry Acker – Hire consultant to review and edit new master plan.
- Sheila McGinnis – Committee to recommend future use and improvements to hall and surrounding area.
- Anthony Ulizio – Pine Avenue beach viewing platform.
- Barb Rooney – Handicap Parking.
- Vicki McHugh – Pine Avenue Beach Viewing Platform.

PRESENTATIONS/RECOGNITION

None

PUBLIC HEARING

None

COMMISSION REPORTS

REPORT ON NEW BUFFALO TOWNSHIP MEETING

Brandes reported he attended the September 18, 2023 meeting which was a routine meeting. He said the township gave conditional approval to marijuana businesses, and they have plans for a \$1.7M special assessment project for sewer on Hoder Road which shouldn't affect the Village. Doerr said he attended the August meeting which was held after the Village

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Council meeting, and he later contacted the clerk about them not having documents available on the website for the public regarding the meeting and she suggested contacting the supervisor.

BUILDING & ZONING: Walder had nothing to report on building and zoning.

Walder told the Council that he met with a woman who was interested in giving yoga classes in the Council room. After discussion and liability concerns, the Council was not interested in allowing the woman to use the room for yoga classes.

He said he is still waiting for a plan from Abonmarche for the Marquette Greenway.

Walder announced that there will be a retirement party for Clerk-Treasurer Mary Robertson on Friday, December 1, with lunch paid for by the Council members. There will be an email invitation sent out to everyone later, and he said if anyone is interested in helping with the party, they should contact Deputy Clerk Kim Wolnik.

PARKS & BEACHES: Doerr said he reached out to the engineer who is working on the railroad crossing near Karwick in Michigan City for the Marquette Greenway and they are still working on it, and he will get in touch with him again to see how they will handle the bikes crossing the tracks. Doerr said he heard from residents about the playground equipment at the park not being safe, and he will have a parks and recreation committee meeting soon and they will discuss it. He said his group has been working on the E.coli issue in White Creek, with Ed Trainor doing a lot of research on the issue. He expects to put the issue on the October agenda.

STREETS & WATER: Bracewell commended Superintendent Bob Dabbs and his crew for the street patching they have done, and said if there is a pot hole that was missed, you can send an email to him or Dabbs. He said water samples have been submitted. He spoke about the importance of safety at the railroad crossing with the Marquette Greenway.

POLICE: Brandes said there were three cement posts and a mailbox knocked down near the park and thanks to Chief Layman and Officer Brewster, they were able to find out who did it with the help of car parts left at the scene and the new license plate reader. He said there are 52 short-term rentals registered with one not yet in full compliance.

PRO SHOP & COURSE: O'Halloran said there were more rounds of golf in August 2023 than in August 2022. He said the weather has been very cooperative, so the golf course has had a pretty good year.

SERVISCAPE REPORT

Clay Putnam said they spent a considerable amount of time with the pump at the lake and Lindahl Marine had divers go into the lake to look for the intake line which they didn't find. Then they pushed air through the pipe to see if bubbles would appear in the lake and they didn't. Lindahl came back a few days ago and was able to locate the clogged pipe. He said there will need to be maintenance done on the pumps to get the issue resolved.

PERSONNEL REPORTS

SUPERINTENDENT: In addition to his written report, Superintendent Bob Dabbs said they are waiting for the state inspector to inspect the generator and then they plan to shut down the hall to get everything up and running as was planned in April.

POLICE CHIEF: In addition to his written report, Police Chief Ryan Layman stated that the State of Michigan is planning on passing a short-term rental law, but that it won't affect the Village's ability to regulate short-term rentals. He said there will be additional fees that the Village will receive from an excise tax that is planned and an additional 2% fee to be used for recreational purposes.

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BUILDING INSPECTOR: In addition to his written report, Building Inspector Chad Butler said there are 40 open building permits with one new home on the report. He expects to issue two certificates of occupancy permits within the next month. He reported on a house that was in disrepair and another that was torn down.

UNFINISHED BUSINESS

NEW BUSINESS

HSA CONTRIBUTION FOR NEW EMPLOYEE

O'Halloran moved, seconded by Bracewell to contribute \$1,216.67 to Kim Wolnik's health savings account (HSA). Motion carried unanimously 5-0.

ORDINANCE NO. 2023-108 – WATER CROSS CONNECTION

Brandes moved, seconded by Bracewell to adopt the Water Cross Connection Ordinance No. 2023-108. Motion carried unanimously 5-0.

ORDINANCE NO. 2023-109 – AMEND ORDINANCE NO. 52

Brandes moved, seconded by Doerr to adopt Ordinance No. 2023-109 to amend Ordinance No. 52 to remove the swimming pool inspection requirement. Motion carried unanimously 5-0.

TREE CONSULTANT

Walder discussed this under the "Apply for Tree Grant" item on the agenda.

TREE ORDINANCE REVIEW AND DEVELOPMENT

Walder told Council members that Nancy Wendling put a lot of time into creating a draft tree ordinance, and that it would be sent out to them and to the Village attorney for review.

WATER TAP FEE INCREASE

Walder said the current water tap fee is \$5,000, but after speaking with Superintendent Bob Dabbs, he found out that generally they can do the tap for \$5,000, but if they run into problems, it will cost much more.

Brandes moved, seconded by Doerr to increase the water tap fee from \$5,000 to \$7,500. Motion carried unanimously 5-0.

PEERLESS MIDWEST LAKE INTAKE IRRIGATION PUMP QUOTE

O'Halloran moved, seconded by Brandes to approve the purchase of a lake intake irrigation pump from Peerless Midwest at a cost of \$19,400. Motion carried unanimously 5-0.

LINDAHL MARINE QUOTE

O'Halloran moved, seconded by Brandes to approve a daily rate of \$5,150 from Lindahl Marine with a total cost not to exceed \$26,000. Motion carried unanimously 5-0. O'Halloran told the Council that Lindahl Marine located the lake intake pipe, and it is clogged, so we will need to find a company to unclog the pipe.

PINE AVENUE BEACH VIEWING PLATFORM

Walder said that at the August meeting, the Council approved an ADA beach viewing platform at Pine Avenue, but when meeting with ELD Construction, he found out that the platform could not be built 42" down the bluff so that the handrails did not show from the top because someone could fall off the bluff onto the platform. Council members discussed different ways to build the platform down the bluff which would not be ADA compliant, or to build it on top of

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the bluff so that it could be ADA compliant. There was concern about not making the platform ADA compliant in order to keep the views for people in the neighborhood.

Brandes moved, seconded by Doerr to approve the platform as proposed by ELD Construction at Pine Avenue at the cost

in the original proposal, ADA compliant and for the platform to be built at grade on the bluff going out 16' towards the water with a 42" high handrail from grade all the way around the platform.

Roll Call Vote

Bracewell	Nay
Brandes	Aye
Doerr	Aye
O'Halloran	Nay
Walder	Aye

Four votes in favor of the motion are required in order to increase the budget. Motion failed 3-2.

HIRE CONSULTANT TO REVIEW AND EDIT NEW MASTER PLAN

Walder said there is a proposal from Marcy Hamilton to review the master plan and make sure everything is included in the plan that is legally necessary. He said she is a senior planner and the deputy director of the Southwest Michigan Planning Commission (SWMPC). He said the cost will be less than \$5,000 and she will bill at an hourly rate as shown on her proposal.

After much discussion, the item was tabled.

CAPITAL IMPROVEMENT PROGRAM

Walder said that Village resident Mike Kelly brought information to the Council at a previous meeting that the State of Michigan requires the Village to create a capital improvement program, and Clerk Mary Robertson said the Village has one, although it doesn't have the level of detail that is required. Walder is going to send this to the Planning Commission.

CHARTER REVISION

Walder said that the Village charter is very old and needs work. He understands that a revision to the charter is a lot of work, and he will ask Village Attorney Sara Senica to look at it and give the Council recommendations.

COMMITTEE TO RECOMMEND FUTURE USE & IMPROVEMENTS TO HALL AND SURROUNDING AREA

Walder said that this was an item that received relatively high priority on the master plan survey. He would like to form a committee and will send an email out to the Village to see who is interested in serving on the committee.

MONTHLY OR BI-MONTHLY NEWSLETTER

Walder said that the need for better communication came out of the master plan survey. He suggested creating a monthly or bi-monthly newsletter and felt it should be done by a Council member. O'Halloran suggested it be created by the Council president. Clerk Mary Robertson suggested that the newsletter be sent to her before it is sent out and she will check with Council members to make sure they don't have any issues with it.

Brandes moved, seconded by Doerr for the Council president to prepare a monthly or bi-monthly newsletter and that the Council will be given a chance to review it before it is sent out. Motion carried unanimously 5-0.

HANDICAP PARKING

Walder said that he met on the upper level with Superintendent Bob Dabbs to look at how to put in handicap parking spots. He said the plan they came up with would not require removing any trees. They could put in handicap parking for three cars and four golf carts which would be marked as handicap parking, and they would put protection on the edge of the road so cars would not back off the hill. He estimated the cost to be approximately \$10,000 for landscape timbers, paving, striping and building a fence around the air conditioning condenser and generator which would also hide the trash cans.

Brandes moved, seconded by Doerr to build handicap parking, a fence around the generator and condenser and striping for handicap car and golf cart parking at a cost not to exceed \$10,000, and to pay for it from fund balance in the general fund. Motion carried 4-1 with Brandes, Doerr, O'Halloran and Walder voting aye and Bracewell voting nay.

APPLY FOR TREE GRANT

Walder said he met with Steve Lane who is not a contractor, but is from Great Lakes Urban Forestry Management about grant funding that has been set aside for tree management. He said the State of Michigan is giving out grants in the \$10,000 to \$20,000 range and Lane feels that Grand Beach has a good chance of receiving a \$10,000 grant, which is a matching grant and would require Grand Beach to match the \$10,000. Walder said the grant must be submitted to the state by October 13, and since it is so close to the deadline, he would like to accept the proposal in the amount of \$700 to have Lane submit a grant request. Walder said If we get the grant, Lane would propose to do a complete survey of all trees on public property in Grand Beach for approximately \$5K.

Brandes moved, seconded by Doerr to approve awarding a contract in the amount of \$700 to Great Lakes Urban Forestry Management to prepare a submission for a matching grant from the State of Michigan in the amount of \$10,000. Motion carried unanimously 5-0.

PUBLIC COMMENTS

The Council heard comments from the following Village property owners:

- Barb Rooney – Elevator chair to reach upper level instead of handicap parking due to safety concerns.
- Michael Sheahan – Should not serve alcohol at Village Hall, and safety concerns for bicycles crossing over railroad tracks.
- Nancy Buckley – Restructuring the way meetings allow public comments to possibly defuse frustration.
- Sue Stone – Ely platform safety concerns, platform blocks her view, and feels adding platform at Pine not a good idea.
- Liz Grim-Vaughan – Difficulty and danger with handicap parking on upper level.
- Judith Blackburn – Difficulty accessing park and other facilities due to injury, in favor of ADA compliant facilities.

Bracewell thanked Meg Piper and all the volunteers who have been working on the Grand Beach history.

CORRESPONDENCE

ADJOURNMENT

Brandes moved, seconded by O'Halloran to adjourn the meeting. Motion carried unanimously 5-0.

With no further business, the meeting was adjourned at 9:09 p.m. EST.

Respectfully submitted,

Mary J. Robertson
Clerk-Treasurer