

## **CALL TO ORDER**

The regular meeting of the Michiana Village Council was called to order at 2:00 pm EST by Village President Beverly Bruesch.

## **ROLL CALL**

**Council members Present:** President Beverly Bruesch, President Pro-Tem Sheila Stein, and Council member George Hermelink.

**Council members Absent:** Council member Hillary Herbst and Council member Russ Ramage.

**Others Present:** James Imes, Chief, Michiana Shores, Indiana Volunteer Fire Department; Chief of Police Lyn Papke, Public Works employee Robert Anderson, Treasurer Amy Hemphill, Building Inspector Bill Owens, Clerk Cathy Ganus; resident Carol Shepherd and one Michiana Shores, Indiana resident.

**Motion by Stein, second by Hermelink, to excuse Hillary Herbst from the meeting. Voice vote showed unanimous approval, motion carried (3-0).**

**Motion by Hermelink, second by Stein, to excuse Russ Ramage from the meeting. Voice vote showed unanimous approval, motion carried (3-0).**

## **APPROVAL OF MINUTES**

The minutes of the March 8, 2010 meeting were approved as presented.

## **ADDITIONS / DELETIONS TO AGENDA**

Item six under New Business was deleted and ZBA – Variance was inserted in its place.

## **REVIEW OF ACTION ITEMS**

The action item listing was perused and updated.

## **TREASURER'S REPORT**

Hemphill went over the treasurer's reports for March, 2010. Hemphill presented budget amendments for fiscal year ending 06.30.2010 for all funds.

**Motion by Stein, second by Hermelink, to approve the budget amendments as presented. Voice vote showed unanimous approval, motion carried (3-0).**

The Village has received the assessed and taxable values for the next tax season. In 2009 the valuation was \$63,862,816 and for 2010, valuation was set at \$69,884,730, which is an increase of \$6,021,914, which should result in an additional \$51,000 (approximate) in revenues.

Hemphill went on to state that the Budget & Finance Committee will be holding a meeting on Monday, April 19, 2010 at 2:30 pm EST.

The treasurer's report was placed on file.

**TREASURER'S REPORT (continued)**

*Zoning Board of Appeals – Variance Information*

In light of a potential Zoning Board of Appeals Variance request application being submitted in the near future, discussion ensued regarding the Michiana Village Zoning Ordinance, which states that the Village Council is the Zoning Board of Appeals. General consensus was that the Village should obtain clarification on whether the Village Council can legally serve as the ZBA according to the Michigan Zoning Enabling Act. Also questioned was whether the Village is required to have a planning commission, as the planning commission previously appointed to re-write the zoning ordinance has been disbanded. Ganus will contact the Michigan Municipal League (MML) regarding whether the Village as a Home Rule Village is required to have a planning commission as well as whether the Village Council can serve as the ZBA.

**REPORTS**

*Building Inspector Report – Bill Owens*

Owens reported on the status of the Kenneth Wolf gazebo that was constructed in the rear yard of the residence last Summer-Fall without permits in place. Owens stated he would like to contact Village counsel regarding enforcement proceedings / removal. Owens advised that as far as he knew, Wolf had not contacted the Michigan Department of Natural Resources and Environment (MDNRE) or the Berrien County Health Department (BCHD). Bruesch advised she would contact Village counsel for further disposition.

*Tree Inspector Report – Kris Wulff – No report given.*

*Fire Report – Michiana Shores Volunteer Fire Department – Chief James Imes*

Fire Chief James Imes of the Michiana Shores, Indiana Volunteer Fire Department presented the fire report for March, 2010. The MSVFD responded to two (2) fire calls and one (1) first responders call within the Village.

At this time the contract for fire protection between the Village of Michiana and the Michiana Shores, Indiana Volunteer Fire Department was discussed. Imes was asked whether the MSVFD would be open to enter into a one-year contract with the Village at this time with an additional three year extension. Chief Imes stated he would draw up both contracts for presentation at the May, 2010 meeting.

Imes advised that the MSVFD Spring Pancake Breakfast is going to be held on April 19, 2010 from 7 am to 12 pm Indiana time and invited everyone to attend.

Imes also reminded everyone that April is Safe Digging Month and requested that before any underground digging is begun, call 811. Calling 811 will allow local utility companies time to mark their lines in an effort to keep you safe when digging underground.

*Finance Report – Richard Shepherd – No report given.*

*Water Authority Commission Report*

Ganus went over the aged accounts receivables for the Water Authority as of April 15, 2010. Approximately \$43,916.23 is delinquent and \$380.78 is from accounts that were annexed to Michigan City water but were never collected.

*Police Report – Chief Lyn Papke*

Papke provided the Michiana Village police report for the month of March, 2010. During this time there were three (3) police assists to other departments, one (1) police assists from other departments, one (1)

## **REPORTS (continued)**

### *Police Report – Chief Lyn Papke (continued)*

ambulance assist, three (3) fire assists, one (1) sign ordinance citation issued, 698 security inspections were made, and six (6) alarms were handled.

### *Public Works / Water Authority Report – Superintendent Rick Reitz*

Due to the vacation of Rick Reitz, Ganus went over the three (3) quotations obtained by Reitz for the generator funded by The Pokagon Fund. Questions ensued regarding what the quotations entailed. Ganus to check with Reitz regarding costs for LP piping / tank for the generator.

General consensus is that the quotations from Wolverine Electrical Contracting, Inc. as well as Current Electric would be the Village's recommendations to The Pokagon Fund for the award of the generator grant for the Village Hall.

### *Clerk's Report – Cathy Ganus*

Ganus advised that there will be three (3) nonpartisan positions open on the Michiana Village Council this November, 2010. August 10, 2010 at 4:00 pm is the deadline for Village candidates who wish to seek office at the November general election. Not less than ten (10) signatures but no more than fifteen (15) signatures are required on the nonpartisan nominating petition.

### *Approval of Bills*

**Motion by Stein, second by Hermelink, to approve General Fund check # 27722 to and including check # 27798 including eight (8) electronic transactions totaling \$98,950.40. Roll call vote showed unanimous approval, motion carried (3-0).**

**Motion by Hermelink, second by Stein, to approve Local Street Fund check # 605 to and including check # 606 totaling \$4,577.61. Roll call vote showed unanimous approval, motion carried (3-0).**

**Motion by Stein, second by Hermelink, to approve Major Street Fund check # 1204 to and including check # 1205 totaling \$4,577.61. Roll call vote showed unanimous approval, motion carried (3-0).**

**Motion by Stein, second by Hermelink, to approve Water Authority Fund check # 27355 to and including check # 27376 totaling \$55,734.26. Roll call vote showed unanimous approval, motion carried (3-0).**

**Motion by Stein, second by Hermelink, to accept all reports as presented. Voice vote showed unanimous approval, motion carried (3-0).**

## **OLD BUSINESS**

### *Police Manual*

The Human Resources Committee has prepared an updated Michiana Police Department Manual and Procedures book. Ganus was directed to obtain samples from other jurisdictions regarding police policy and procedures for comparison.

### *White Creek Ditch Clean-Up*

Saturday, June 26, 2010 has been set as the White Creek Ditch clean up / Community Pride day. Village residents will be notified via the Spring newsletter disseminated with the May water bills. Residents will be

**OLD BUSINESS (continued)**

*White Creek Ditch Clean-Up (continued)*

encouraged to take pride in the Village by sprucing up their residences. A list of projects needing completed (including Village-related projects – flower boxes, etc.) will also be provided.

*Rehmann Robson Billing – Audit FYE 06.30.2008*

Ganus went over the timeline of events regarding the audit for FYE 06.30.2008 and the fraud audit for the Village regarding the embezzlement of funds by a former Village employee. Ganus advised that according to her calculations, the Village has overpaid Rehmann Robson by \$1,800; however, Rehmann Robson has issued a final invoice in the amount of \$6,800. Ganus was advised to contact Rehmann Robson and request a face-to-face non-billable meeting to resolve this issue.

**NEW BUSINESS**

*Bulletin Boards*

In light of the fact that the Village no longer uses the bulletin boards located throughout the Village, Council directed the public works department to remove them (excluding the bulletin boards located on the side of the building).

*The Pokagon Fund Grant*

Council members were requested to put together the next item(s) for grant request submission to The Pokagon Fund. This item will be tabled until the next meeting.

*Police Commissioner*

**Motion by Bruesch, second by Stein, to appoint George Hermelink as the Michiana Village Police Commissioner. Roll call vote showed unanimous approval, motion carried (3-0).**

*Human Resources Manual – Sick and Vacation Days Amendment*

Council felt that the Human Resources manual should be amended to read as hours worked in two weeks as opposed to days regarding vacation time and to include “accrue sick days at a rate of ten (10) per year maximum.”

**Motion by Stein, second by Hermelink, to amend the Michiana Village Human Resources Manual, vacation time, “hours worked in a two week period” and sick time, “accrue sick days at a rate of ten (10) per year maximum”. Voice vote showed unanimous approval, motion carried (3-0).**

*DNRE Meeting Information*

Village officials met with MDNRE District Representative Michelle DeLong regarding permitting within the Critical Dune areas within the Village. There has been new regulations instituted that Village officials may not be aware of and this allowed everyone to be on the same page. Information regarding the critical dune areas can be obtained in the Village Clerk’s office.

*Clerk Schedule*

Bruesch advised the Council that she would like to increase the clerk’s hours to 40 hours per week but still retain the same office hours (9 am to 4 pm) open to the public. This item will be submitted to the Budget and Finance Committee and if approved, shall begin in the next fiscal year.

**NEW BUSINESS (continued)**

*Michiana Women's Club – Day Camp Commercial Lease Agreement*

Ganus provided Council members with the Michiana Women's Club Day Camp Commercial Lease Agreement, which has been submitted to Day Camp personnel and approved by same.

**Motion by Hermelink, second by Bruesch, to approve the 2010 Michiana Women's Club Day Camp Commercial Lease Agreement as presented pending receipt of the certificate of insurance from the Michiana Women's Club. Voice vote showed unanimous approval, motion carried (3-0).**

The Michiana Women's Club also submitted their proposed dates for the after-hour Day Camp events held at the Village Hall.

**Motion by Bruesch, second by Hermelink, to approve the proposed events for the Michiana Day Camp after hours summer events as presented with the July 16, 2010 date being a paid event (hall deposit waived). Voice vote showed unanimous approval, motion carried (3-0).**

*Community Room Use Request – June 13, 2010 (Sunday)*

Chief Papke has requested to use the community room on Sunday, June 13, 2010 for a graduation party for his grandson.

**Motion by Stein, second by Hermelink, to allow Lyn Papke to rent the Michiana Village Community Room on June 13, 2010 at the set rate of \$250 with the \$300 deposit for same waived. Voice vote showed unanimous approval, motion carried (3-0).**

*Ordinance # 15 First Reading – In Title Only*

The Michiana Water Authority is proposing that the Michiana Village Council amend Ordinance # 15 to bring all water-related ordinances in line with regard to timing for billing. This shall serve as the first reading for the amendment.

**ANNOUNCEMENTS**

Hermelink advised that he would like the Village to obtain a new corporate logo. This item was placed on the table.

**PUBLIC COMMENTS**

None.

**ADJOURNMENT**

There being no further business before the Council, the meeting was adjourned at 5:50 pm EST.

Cathy A. Ganus  
Michiana Village Clerk