

CALL TO ORDER

The regular meeting of the Michiana Village Council was called to order at 2:02 pm EDT by Village President Beverly Bruesch.

ROLL CALL

Council members Present: President Beverly Bruesch, Council member Hillary Herbst, and Council member George Hermelink.

Council members Absent: President Pro-Tem Sheila Stein and Council member Timothy Iverson.

Others Present: Chief of Police Lyn Papke, Public Works Superintendent Rick Reitz, Treasurer Amy Hemphill, Clerk Cathy Ganus; Janet Hays, Harbor Country News; and residents Carol Shepherd, Rich Shepherd, and Lyn Stein.

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

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

APPROVAL OF MINUTES

Motion by Herbst, second by Hermelink, to approve the minutes of the regular June 14, 2010 meeting as amended. Voice vote showed unanimous approval, motion carried (3-0).

Motion by Bruesch, second by Hermelink, to approve the minutes of the special June 19, 2010 meeting as presented. Voice vote showed unanimous approval, motion carried (3-0).

Motion by Hermelink, second by Bruesch, to approve the minutes of the special July 1, 2010 meeting as presented. Voice vote showed unanimous approval, motion carried (3-0).

REVIEW OF ACTION ITEMS

The action item listing was perused and updated. Bruesch reported that Iverson has been in contact with Mary Dunbar of The Pokagon Fund regarding future grant requests. Iverson to report at the next meeting.

ADDITIONS / DELETIONS TO THE AGENDA

The Southwest Michigan Planning Commission National Pollutant Discharge Elimination System (NPDES) Public Education Plan Implementation Contract was added to new business.

CORRESPONDENCE

Resignation of Sheila Stein

Sheila Stein submitted her resignation as Village Council member dated July 7, 2010 effective immediately.

Motion by Herbst, second by Hermelink, to accept the resignation of Sheila Stein with regret and gratitude for her years of service. Roll call vote showed unanimous approval, motion carried (3-0).

CORRESPONDENCE (continued)

Appointment to Village Council

Village resident Linda Stein has expressed interest in appointment to the Village Council to fulfill the remainder of the term of Sheila Stein (November, 2010).

Motion by Herbst, second by Hermelink, to appoint Linda Stein to the Village Council to fulfill the remainder of the term vacated by Sheila Stein. Roll call vote showed unanimous approval, motion carried (3-0).

Ganus then administered the Oath of Office to Lyn Stein.

TREASURER'S REPORT

Hemphill provided the treasurer's report for month ending June 30, 2010. Hemphill stated that this would be her final meeting. The Council thanked her for her assistance and wished her well in her new position.

The treasurer's report was placed on file.

REPORTS

Building Inspector Report – Bill Owens – No report

Tree Inspector Report – Kris Wulff – No report.

Ganus advised of being in receipt of an estimate from The Tree Mann about the dead tree on Mohawk Trail mentioned by Iverson at a previous council meeting. Reitz to contact The Tree Mann to inquire if stump removal is included in the quotation.

[2:28 pm - Herbst steps out to take a conference call.]

Fire Report – Michiana Shores Volunteer Fire Department – Chief James Imes – No report.

Finance Report – Richard Shepherd – No report.

Water Authority Commission Report – Rick Reitz

Reitz reported that a Water Authority Commission meeting will be scheduled for some time in August. Bruesch discussed the legal ramifications of Village Ordinance # 15 regarding water utility payments. Ganus provided an update on the water billing dated June 30, 2010.

Police Report – Chief Lyn Papke

Papke provided the Michiana Village police report for the month of June, 2010. During this time there were three (3) written traffic warnings issued, one (1) parking citation issued, nine (9) police assists to other departments, one (1) police assists from other departments, one (1) ambulance assists, three (3) dog ordinance violations – written warnings, one (1) sign ordinance citation issued, 564 security inspections were made, and 23 alarms were handled.

Papke discussed incidents that transpired over the July 4th holiday (double police coverage the July 4th weekend). He stated there were five (5) smash-and-grabs (car break-ins) that occurred during the holiday weekend. Papke came in and patrolled the Village in his personal vehicle on Friday and Saturday evening.

REPORTS (continued)

Police Report – Chief Lyn Papke (continued)

Papke reported that fireworks violations were down this year. There was one (1) incident on Lake Shore Drive involving a computerized fireworks display. Once the display was started, it could not be shut off. Papke asked to investigate this matter. Stop 43 has seen a rise in golf cart usage as well.

Public Works / Water Authority Report – Superintendent Rick Reitz

Reitz advised that they have been busy cleaning up from the storm. Water meters installed so far this month total 20.

The RFP for asphalt paving was addressed and then placed on the table to allow for the drafting of RFP specs. Leaf removal quotes were to be disseminated at the August, 2010 meeting.

[3:00 pm – Herbst returns from conference call.]

Clerk's Report – Cathy Ganus

Ganus went over the clerk's report. Due to the ability to receive LP for a lower price at another distributor, a decision was made to go through Co-Alliance for LP fuel for the generator. Co-Alliance provided two (2) tank options: purchase the LP tank outright at a cost of \$854 or rent the tank from Co-Alliance at \$100 per year. After 8 ½ years the tank would be paid for if the tank was rented. Ganus suggested purchasing the tank outright.

Motion by Hermelink, second by Stein, to approve the purchase of a 250-gallon LP tank from Co-Alliance for use with the emergency generator at a cost not to exceed \$854. Roll call vote showed unanimous approval, motion carried (4-0).

Motion by Hermelink, second by Herbst, to approve the check register as presented. Roll call vote showed unanimous approval, motion carried (4-0).

Motion by Herbst, second by Hermelink, to approve accounts payable requests from the General Fund in the amount of \$21,794.24 and Water Authority Fund in the amount of \$1,320.00 as presented. Roll call vote showed unanimous approval, motion carried (4-0).

OLD BUSINESS

New Grant Requests – The Pokagon Fund Pokagon-New Buffalo Area Local Revenue Sharing Board (PNBALRSB) Correspondence

The PNBALRSB is anticipating the second Tribal payment for the 12-month period ending July 31, 2010 from the Four Winds Casino pursuant to the provisions of the Compact. The LRSB will be accepting applications for specific actual costs incurred as provided in the Bylaws and by LRSB policy until August 1, 2010. Thereafter, payments in lieu of taxes and discretionary distributions will be distributed.

NEW BUSINESS

Direct Deposit – July Pay Dates

In light of the difficulty in obtaining dual signatures for employee payroll, Ganus investigated the possibility of direct deposit for employee payroll. Chemical Bank charges \$9.95 per month plus \$.30 per transaction for direct deposit (considered eBanking). Roughly 10 employees are paid every two weeks. There is a one-time enrollment fee of \$25.00.

NEW BUSINESS (continued)

Direct Deposit – July Pay Dates (continued)

Motion by Herbst, second by Hermelink, to approve the enrollment of eBanking with Chemical Bank at a cost of \$9.95 per month plus \$.30 per transaction with a one-time enrollment fee of \$25. Roll call vote showed unanimous approval, motion carried (4-0).

Variance Application Form

There have been multiple inquiries regarding the variance process; however, there was no formal application in place. Ganus has reviewed the current zoning ordinance and presented a draft variance application form for consideration.

Motion by Herbst, second by Hermelink, to approve the Zoning Board of Appeals variance application as submitted with immediate implementation. Voice vote showed unanimous approval, motion carried (4-0).

Southwest Michigan Planning Commission NPDES PEP Contract

Communities who have been issued Certificates of Coverage (CoCs) from the Michigan Department of Natural Resources and Environment (MDNRE) must implement their SWPPI. A large component of the SWPPI is the public education portion (PEP). The SWMPC has the resources to implement the PEP and have developed a program that will satisfy the goals as stated in the PEP.

Motion by Hermelink, second by Herbst, to approve the contract with the Southwest Michigan Planning Commission for Public Education Plan Implementation regarding the National Pollutant Discharge Elimination Plan (NPDES) with fees not to exceed \$250. Roll call vote showed unanimous approval, motion carried (4-0).

ANNOUNCEMENTS

None.

PUBLIC COMMENTS

None.

ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 3:30 pm EDT.

Cathy A. Ganus
Michiana Village Clerk