

**Bellaire Village Council
Meeting Minutes
May 1, 2019**

1. **Call to Order:** President Schulz called the meeting to order at 7:00 PM.

2. **Roll Call Attendance:**

Present: President David Schulz, Council Trustees David Ciganick, Dan Bennett, Eldon McPherson, Trish Drollinger, Bryan Hardy and Helen Schuckel.

Absent: None

Staff Present: Cathy Odom, Treasurer, Lori Lockett, Clerk, Bill Drollinger, Chief of Police & Brad Keiser, DPW Supervisor.

Also Present: Terry VanAlstine, Troy from Fleis & Vandenbrink, Ruth Basch, Yolanda Ayala, Deana Jerdee, Patrick Boyd, Mr. & Mrs. Miglo, Gary Mortensen, Jennifer Hodges & Linda Gallagher.

3. **Approval of Agenda:** The agenda was approved with additions.

Motion by Schuckel, seconded by Hardy, to approve the agenda with the additions of new business item m, Glacial Hills Request, item n, NLEA Membership & Fees, item o, Park Rental Liquor Liability Policies & item p, Sale of Fixed Assets, BPD & discussion items, b, Short Term Rental Legislation. Motion carried by voice vote.

4. **Conflict of Interest:** None presented.

5. **Consent Agenda:** The consent agenda was approved.

Motion by Ciganick, seconded by Hardy, to approve the consent agenda as presented. Motion carried by voice vote.

6. **Public Comment on Agenda Items:** None presented.

7. **Old Business**

a) **Miglio Sewer Tap-Road Repair Cost:** This was addressed at last month's meeting and Council approved sending him an invoice for the amount of the repair. Mr. Keiser explained that Tony Marshall dug up the road to reach the sewer main so he could tap into it. During the process he came across the tap for the house across the street so he moved a few feet and found a tap already in place. This is the tap Tony used to tie in. Under the Village ordinance, the contractor is supposed to put the road back the way he found it and he bills the homeowner. Mr. Keiser explained that Reith Riley went on strike during that time so Mr. Marshall called Mr. Stead to find out how to handle the road repair. Mr. Stead told him to take the repair off of his invoice, we will find someone to fix the road and then invoice the homeowner. Mr. Keiser said that this is his understanding of the events, but he was not on the job site at the time. He said this is usually a private matter between the homeowner and the contractor and does not fall on the Village. Mr. Miglio explained that their contention is that the road did not have to be dug up so they should not have to pay for the road repair. He said they did know they would have to pay for the road repair if it did have to be dug up; however, he tapped into a stub that was already located on the property and was not in the road. Mr. Miglio also noted how surprising it is that the Village received no records of the sewer lines in that area when they were put in. Mr. Keiser explained that they were installed in the 1970's by a private contractor and we received no records about any of it. The work has been completed and the Village has already paid for the repair. After some discussion it was suggested that we split the cost of the repair with Mr. Miglio.

Motion by Ciganick, seconded by Drollinger, to split the cost of the repair between the Village of Bellaire and Mr. Miglio. Motion carried by voice vote.

b) **Sewer Project Update:** Mr. Keiser explained we are in the final stages of prep. The right of way information has been sent to the attorney and we are close to going out for bids. We will be solidifying for details at tomorrow's meeting. Mr. Molby from Fleis & Vandenbrink said they were finalizing the design work and we will then apply for the required permits. We have to have permits in place before we go out for bids. President Schulz stated that they are going through the scope of the project to make sure we stay on budget.

- c) **DDA Update:** The DDA, based on the grant they received, engaged a person to assemble a strategy for fundraising for the renovations on the community hall. He also explained to Council that he informed the DDA the lowest priority for the Village is finding a new office location due to the Village's current financial commitments of the sewer and water projects that are coming up. He told them if they want this to happen, they will need to include funds for new Village offices in their fundraising efforts. The DDA requested information about the interior spaces needed for Village offices, the cost estimates and directed Mr. Keiser to look into it.
- d) **County Update-Terry VanAlstine:** Mr. VanAlstine updated the Council on current County business. The Grass River natural Area Road has been cut in. They are letting it dry and will finish it up. There is money in the budget that will allow for improvements to the parking area as well. The County is in negotiations for a tower on McKinney Rd., but it doesn't look like there will be much cooperation. They have had discussions about putting in their own tower but it will be a lengthy process if they decide to go that route. Surveys about the Facilities Master Plan are continuing to come in and they look forward to reviewing the results. The County is also researching security options for the County building.

8. New Business:

- a. **Garden Club Flower Request:** Previously Council approved the purchase of flowers for the bridge boxes in the amount of \$175 with the DPW putting in the base in each of the boxes.

Motion by Bennett, seconded by Hardy, to approve the purchase of flowers for the bridge boxes in the amount of \$175. Motion carried by voice vote.

- b. **Lakeview Cemetery-Additional Property:** Mr. Mortensen expressed a concern of running out of gravesites at the cemetery and would like the Council to consider purchasing additional property. He stated we need to first determine how many sites are currently available and the average of yearly interments so we can gauge an estimate of our timeline and our future needs. Available property was discussed. Mr. Keiser will look into what's available. Treasurer Odom pointed out that if more property is purchased for cemetery needs, there will be more maintenance costs and the cemetery currently doesn't sustain itself. She also noted that we do get help from Forest Home Township and that it is 50% of the difference between revenue and expenses, not 50% of just the expenses. Trustee Ciganick asked what the requirements are for a municipality to provide a cemetery and it was noted that there are none.

- c. **Antrim County Fair Board Request:** The Antrim County Fair Board would like the Village to consider waiving the zoning site plan review fee of \$200 for the barn they would like to construct for 4H at Craven Park. Trustee Ciganick asked the reason they were asking for the waiver. He explained that we have player fees for the kid's leagues to help with some of our costs for maintenance, why should they be an exemption. Trustee Drollinger stated that we do more maintenance on the parks than at the 4H. Mr. Keiser noted that we actually provide the majority of the maintenance at 4H also, which includes mowing, trimming, eradicating poison ivy, repair of the bleachers and we supply water to them.

Motion by Drollinger, seconded by Hardy, to waive the site plan review fee. Motion carried by majority voice vote. Ayes: 5 Nays: 2

- d. **Paddle Antrim Requests:** Paddle Antrim is requesting permission to hold their kayak event again this year. It is scheduled for September 12-14, 2019. They would like permission to place a tent and additional porta-potties at the Ohio St. launch. They would also like to have their banner displayed.

Motion by Schulz, seconded by Bennett, to approve the request to hold the Paddle Antrim event as in years past. Motion carried by voice vote.

We received examples of signage for the water trail system and an agreement between the Village and Paddle Antrim addressing details for those signs. Paddle Antrim has received a large grant for signage that will mark the access sites on the water trail. A map was presented that showed the location of the signs that will be placed in the Village. Council reviewed.

Motion by Hardy, seconded by McPherson, authorizing the Village President to sign on behalf of the Village the Chain of Lakes water trail signage agreement. Motion varied by voice vote.

Deana Jerdee from Paddle Antrim informed Council that they have received some grants for the signage, but they are trying to raise \$275,000 for the whole project. They currently have \$110,000. They would also like to develop a paddler's guide so they are asking all entities that have access points to the trail to donate between \$1,000-\$5,000. Trustee Ciganick asked about the status of the kayak launch project. Clerk Lockett said the cost of the launch itself is \$46,000 and we haven't yet received a quote for the seawall, which is required by DEQ. Mr. Keiser said we are looking at spending about \$3,000 this year alone for site prep. Clerk Lockett said that so far, grants have funded the beginning stages of the launch project. We are currently looking at grants to fund the rest of the project. It was noted that we cannot afford to put in the launch unless we secure other grant funding. A Parks Committee meeting will be scheduled to discuss further.

- e. **Admin recommendation-Cemetery Maintenance Worker:** Admin interviewed two applicants and is recommending the Village hire Kevin Graham as the cemetery maintenance worker. The committee is recommending that we hire Mr. Kevin Graham. There was discussion concerning the hours he might be available to work because of a current position he holds elsewhere. Mr. Keiser is concerned about accidents on the job if he is working after hours and DPW doesn't know he's working. Mr. Keiser suggested requiring him to report when he plans to work at the cemetery so that staff is aware he is on the clock. A probationary period was also discussed.

Motion by Schulz, seconded by Hardy, to hire Kevin Graham for the seasonal DPW cemetery maintenance worker position at the starting wage on the wage scale, and in the event Mr. Graham declines the offer, the committee recommends hiring Paul Szamatowicz for the position. Motion carried by voice vote.

- f. **Grave Opening Fees:** Mortensen Funeral Home increased their grave opening fees; however, our agreement states that rates are set by Village Council. The new rates were presented and Council discussed.

Motion by Schuckel, seconded by Bennett, to approve the new 2019 fee schedule as presented. Motion carried by voice vote.

- g. **County Owned Property-Potential Property Taxes Due:** At the last Council meeting we were discussing County owned property. When we took over this entire building, we were told that if we rented the other half to a "for profit" business we may be responsible for a portion of property taxes as it might have to be placed back on the tax roll. Derman and Turkelson currently has an active lease and works out of the County building creating a similar situation. Mr. VanAlstine informed Council that there are bids out to demolish the entire building.

Motion by Bennett, seconded by Drollinger, to authorize the Village President to sign a letter to be sent to the County Commissioner Board Chair, the Antrim County Administrator and the Antrim County Treasurer to inquire as to the probability back and current taxes due the Village, the Township and the County. Motion carried by voice vote.

- h. **Fair Board Lease:** The Fair Board has requested an extension for the lease. The cost for the attorney to prepare this is estimated at \$160. Trustee Drollinger suggested having the Fair Board pay the fee as it is their request to extend it. Trustee Ciganick asked what would happen if they don't want to pay this cost. President Schulz noted the lease would then not be extended.

Motion by Drollinger, seconded by Schuckel to approve the extension of the lease, subject to the Fair Board paying the attorney fee to prepare the extension. Motion carried by voice vote.

- i. **Online Payments:** Treasurer Odom explained that she researched the process that will allow residents to pay their bills online. The process requires the implementation of software from BS & A that will allow residents to view their bills online. This can be done by a subscription that will cost the Village \$1575 a year and will allow anyone to look up records, or by a pay per hit option. This option allows owners only to access their data, free of charge, and will allow others, such as title companies or real estate agents to access the data at a per hit fee. Record search costs range from \$1 to \$2 per hit. The second thing we will need to do is find a payment processing company. Many municipalities use Point-n-Pay and are happy with their service. With them, there is no cost to the Village. All costs are borne by the homeowner. The fee for this is 3% with a minimum of \$2.00 for credit or debit cards and \$3.00 for e-checks up to \$10,000. This

would also eliminate our current processing service. It takes up to 48 hours for the payment to hit our bank account.

Motion by Bennett, seconded by McPherson, to approve the process for online payments using the pay per hit option. Motion carried by voice vote.

- j. Irrigation Accounts-Unusual Scenario:** We currently do not charge ready to serve (RTS) fees for irrigation accounts because customers are already charged RTS fees with their residential meter. However, we have two irrigation accounts, the Triangle (owned by the Village) and Spillane's dentist office that have irrigation accounts with their own tap. These are on vacant lots (no building) so they are not hooked up with the residential meter on the building. With the changes to RTS fees being charged whether service is on or off, do we want to charge these two accounts RTS fees or continue to treat them like all irrigation accounts? Council discussed leaving it as is and no further action was taken.

- k. Antrim County-Future Infrastructure Needs:** President Schulz requested this on the agenda and he did mention this to the County at their Thursday evening board meeting. He stated that he would like to authorize Bradley Keiser to send a letter to the Board Commission Chair and the County Administrator notifying them that if the grants that the Village has applied for to repave Broad St. from Bridge to Derenzky and because we are also looking at the new water main project that we will be sizing based on our current needs that have been identified, it would be in the County's best interest to identify potential needs for their campus so all of the work could be completed at one time.

Motion by Schulz, seconded by McPherson, to authorize Bradley Keiser to send a letter to all the County Commissioners and the County Administrator requesting information regarding estimates of water supply needed for potential future construction at their Bellaire campus. Motion carried by voice vote.

- l. Parks Committee-Tree Bags:** Parks Committee would like to get tree bags for the new trees that were planted last year. This will help with their watering and are reusable. They were found on Amazon for \$8.50 each. We would get fifty of them. The budget was discussed and there are funds from a project we have decided not to do this year.

Motion by Drollinger, seconded by Hardy, to purchase 50 tree bags at \$8.50 each. Motion carried by voice vote.

- m. Glacial Hills Request:** Glacial Hills will be installing 4-6 trash cans and would like permission to dump the bags into the Village dumpster.

Motion by Drollinger, seconded by Hardy, to allow them to use our dumpster for the trash. Motion was withdrawn after discussion.

Trustee McPherson informed Council they will not be buying the trash cans presented. They are going with a less expensive model. Trustee Ciganick asked who will be taking the trash to the dumpster. Mr. Boyd said they have hired an employee that will do the work for Glacial Hills. Trustee Ciganick also asked about the capacity of the dumpster. Mr. Keiser explained that we own the dumpster we use and with the trash at all the parks it gets quite full. Trustee Drollinger asked about using one of the County's dumpster. She and Trustee Hardy withdrew their motion.

- n. NLEA Membership & Fees:** The NLEA annual fees are based on taxable value. The fee for the Village is going up from \$471 to \$494.

Motion by Hardy, seconded by McPherson, to approve the invoice with the updated dollar amount. Motion carried by voice vote.

- o. Park Rental Liquor Liability Policies:** We have required insurance for events held on our property that names the Village as an additional insured. We have someone renting Richardi Park that wants to serve alcohol. We received a letter from their insurance company saying they have coverage. We called him to let him know that we needed a copy of the policy naming us as the additional insured. We received a call back from their insurance company explaining that they do not provide that. The ordinance doesn't specifically say we need a host liquor liability policy, but our reservation form clearly states that the Village be a named insured on a proof of liability. Chief Drollinger said he had a recent experience where a company would not

name the agency as an additional insured because they were insuring the people taking out the policy, not the agency. It was noted that if that happens, then the Village is not covered and it opens us up to liability. It was also noted that past liability limits were one million dollars and this letter says they are covered for only \$300,000. Council discussed and agreed to follow past practice and require a policy with the Village as the named insured. Trustee Ciganick said we need to make sure our ordinance is amended to address the specific requirements.

- p. **Sale of Fixed Assets-BPD:** Officer Light is working for the Mancelona Police Department and they would like to pay for half of his vest. Chief Drollinger would like permission to send them a bill for \$300.

Motion by Hardy, seconded by Ciganick, to approve sending an invoice to the Mancelona Police Department for \$300 for Officer Light's vest. Motion carried by voice vote.

9. Discussion Items:

- a) **Draft Copy of Audit:** A draft copy of the audit was presented for review. Any changes should be forwarded to the Treasurer so they can be discussed with the auditor.
- b) **Short Term Rental Legislation:** President Schulz explained that house bill 4046 is currently being address by the legislature in regards to short term rentals. He is questioning the verbiage in the bill. If anyone would like to read it and contact their representative and voice their opinion on the matter now is the time.

10. Department/Committee Reports:

- a) **Committee Reports:** Committee minutes were included in packets for review for those committees that have met.
- b) **Clerk/Zoning Administrator:** A written report was presented.
- c) **Treasurer/Deputy Clerk:** None presented.
- d) **Department of Public Works:** Bradley Keiser said the work on the front slab has begun, we received our new truck, garbage cans are painted and put out downtown and work has begun on the painting at the community hall.
- e) **Police Department:** A written report was presented. Chief Drollinger informed Council that he is working on abandoned vehicles and the Shorts party went well. There was one arrest.

11. Closing Member/Public Comment:

- **Dave Ciganick:** Trustee Ciganick, in light of the required water testing that is forthcoming, suggested looking into other testing sites that may be less expensive to the Village. Discussion of costs and testing reports occurred.
- **Terry VanAlstine:** Mr. VanAlstine noted that the Boy Scouts will be placing flags for veterans at the cemetery before Memorial Day.

12. Adjourn: Meeting adjourned at 8:31 P.M.

Compiled by Cathy Odom
Minutes are subject to approval.

Approved: _____

Date: _____