

**Bellaire Village Council
Meeting Minutes
June 5, 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, Butch Dewey, Jennifer Hodges, Rachel Krino, Troy Molby & Linda Gallagher.
3. **Approval of Agenda:** The agenda was approved with additions.
 - a) **Motion by Ciganick, seconded by Schuckel, to approve the agenda with the additions of new business item j, Rotary Charities Grant-Gourdie Fraser, item k, Letter of Authorization-Joint Permit Application, item l, Relay for Life Banner Request & discussion item a, County Owned Potential Property Taxes Due Status. Motion carried by voice vote.**
4. **Conflict of Interest:** None presented.
5. **Consent Agenda:** The consent agenda was approved.

Motion by Bennett, 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) **Neighborhood Enhancement Program:** We submitted our application for the Holiday Acre subdivision in the Neighborhood Enhancement Program. However, this project was not selected for funding in this round. The NEP has not been utilized for manufactured home repair in the past, so they would request an onsite visit, additional pictures or a video, which could help the staff determine how to proceed from a policy perspective for future funding rounds regarding this housing type. No further action was taken.
 - b) **Parks Committee:**
 - **Paddle Antrim Support Request:** Paddle Antrim requested support for funding. The Parks Committee is recommending that Village Council approve \$1,000, to be taken from funds set aside for the kayak launch.

Motion by Drollinger, seconded by McPherson, to approve support in the amount of \$1,000 to Paddle Antrim with funds that have set aside from the kayak launch. Motion carried by voice vote.
 - **Portable Skate Park Features-Attorney Correspondence-Signage:** The Parks Committee is recommending that Council approve the use of some portable skate park equipment on a trial basis in Richardi Park. Rachel Krino has presented some equipment ideas. She has full plans and specs and is hoping this can lead to more permanent structures. They will be removable but not so people can walk off with them. Trustee Drollinger said Parks was concerned about liability and wondered if signs needed to be placed at the park. The attorney was contacted for his opinion. Discussion occurred. It was noted that we could contact our insurance agent. Trustee Ciganick suggested signs at the entrances to the park, which would cover all equipment at the park. Mrs. Krino noted that she has researched signage and for \$22.00, there is a 22 x 18 sign that will list basic rules for the skate park. She said the skate park committee is willing to purchase the sign.

She also noted that they met with Evergreen Skate Parks; they like what they see and are willing to donate a design, which she will bring to Council when she receives it.

Motion by Drollinger, seconded by Schuckel, to approve the temporary skate park with signs. Motion carried by voice vote.

- **Alcohol Consumption-Parks recommendation/Attorney Correspondence/Richardi Park Reservation Form:** The Parks Committee discussed changing the requirements for alcohol consumption at the park. The committee is recommending that alcohol be allowed within a 25' perimeter of the pavilion, no alcohol on the beach, that no glass containers are allowed and renters must obtain a \$1,000,000 host liquor liability insurance with the Village as the named insured if they want to serve alcohol at their event. Ordinance #2 of 2019 addresses these changes. If approved, changes to the reservation form should also be approved. It was noted that none of these changes have been reviewed by the attorney.

Motion by Schulz, seconded by Bennett, to send the updated Ordinance #2 and the park reservation form to legal counsel for their review, suggestions and recommendations. Motion carried by voice vote.

- c) **Sewer Project Update:** Mr. Keiser said the design is complete and we are currently in the permitting process. Once permits are obtained, the bidding process will begin. President Schulz explained that the budget has been reviewed and pared down. If bids come in high, we will have the opportunity to rebid. The process and timeline for change orders was discussed. President Schulz explained that some change orders may be time critical and with Council only meeting once a month, a decision on handling them needs to be reviewed. He would like the process to allow selective individuals to approve those change orders under conditions that are approved by Council so the project can proceed. He also noted that once the project begins, authorizing the Treasurer to pay the draw requests should be done. The other option is to schedule special Council meetings to address these items as they come up.

Motion by Schulz, seconded by Hardy, that when we receive a substantiated draw request, the Village Treasurer be authorized to disburse funds to meet that draw request. Motion carried by voice vote.

Change orders were discussed. President Schulz said if Council were going to choose who might handle the change orders, he would recommend the DPW Supervisor, the Treasurer and himself. However, he noted if there is a problem naming a few to handle change orders, a special Council meeting can be called. Jennifer Hodges explained that because the project is through the USDA, there are mechanisms in place that will make sure the project moves forward. She explained that work directives, signed by the contractor and engineer, can be issued, which would allow the contractor to move forward with the understanding that it ultimately may not be approved by the Village. Part of the engineer's job is to monitor the budget so they would be responsible to make sure the change order fits within the budget. She said to keep in mind that change orders have to be approved by the Village as well as the USDA. President Schulz said this can be discussed further at the next meeting of the Village and the engineer.

- d) **DDA Update:** President Schulz informed Council that Louise Wetzel is the newest member on the DDA. The DDA is currently working on more grants. He said they are researching the possibility of a 501c3 organization having the ability to apply for a grant that will be used to purchase a building, which might then give the Village a place for their offices. He also informed Council that the DDA Bellaire Economic Committee will continue to be at County meetings reinforcing their opinion that the County jail should be placed outside of the downtown area.
- e) **County Update-Terry VanAlstine:** Mr. VanAlstine updated Council on County matters. The County Board approved signage and the agreement with Paddle Antrim. Asbestos and lead testing is being considered for the bank building. The Sheriff's Department bought a new vehicle. The Road Commission is moving forward in considering some repair work on Eddy School Road and a discussion to make it a Class A road in the future occurred. Networks Northwest will be at the late June meeting with results of the County campus survey.

8. New Business:

- a. **Detachment-6658 Bellaire Hwy.:** We received a letter from the resident at 6658 Bellaire Hwy. asking the Village to approve their detachment from the Village. They feel they are not receiving Village services and would like to be removed from the Village boundaries.

Motion by Schulz, seconded by Hardy, to authorize the Village President and Village Clerk to sign Resolution #14 of 2019. Motion failed by roll call vote. Ayes: None Nays: Hardy, McPherson, Schuckel, Bennett, Ciganick, Drollinger & Schulz.

Trustee Ciganick asked if the property description has been verified and it was noted that it had not been. Clerk Luckett noted this description was from the website. Trustee Drollinger asked why we would allow a detachment for one property when other properties surrounding it are included. Mr. Keiser noted that near the end of the winter, they did change their route to turn around at the old estates property so they are now being plowed by the Village. It was noted that even if the Village doesn't take the plow that far, they are still receiving winter maintenance services because the County plows Bellaire Hwy. They can also receive village sewer service, but chose not to hook up at this time. It was also noted that they are using the brush pile services. President Schulz would like to inform them of the estimated costs to hook up to the village utility system in the same letter that we let them know the detachment was not approved.

- b. **Antrim County Conservation District Update:** Wendy Warren from the Antrim Conservation District provided a briefing about the history, events and future activity plans for the Antrim Conservation District. Their strategic plan is to serve Antrim County in the conservation and enhancement of our County's natural capital by providing relevant, unbiased, factual information and best practices that prioritize environmental protection and is sensitive to property rights and economic resilience. The state and federal government do not fund conservation districts any longer. Currently, the County Conservation District is funded by a millage. They have great resources that help residents in the County, which include hazardous waste disposal, electronic waste disposal and eradication invasive species to name a few. The Village Council extended their thanks for all the things they do for residents.
- c. **Parking Business Equipment-Village Property:** Mr. Keiser informed Council that he was contacted by a couple of people noting that Mr. Udell was parking equipment on Village property by the River St. boat launch. Clerk Luckett reached out to him, in which he indicated he was purchasing some property where he would be able to park his equipment. No further action was taken.
- d. **Thimble Alley-Abandon/Vacate:** President Schulz explained that in 1972, John Fleet approached Village Council about abandoning or vacating Thimble Alley. There are two plats of property that border on Thimble Alley which is owned by one property owner. The idea is to have Thimble Alley become part of those two parcels. Mr. Keiser noted that they granted an access to Lot 10 off Thayer Lane in the original plat in 1895. However, nothing was ever done with it. The house crosses the property line and cannot be separated. The garage is almost right on the alley. President Schulz explained that we have history where those requesting the vacation of the street or alley are responsible for the costs of doing so. He asked if we have the ability to say that nobody would be negatively impacted if we were to abandon it. Treasurer Odom noted that the process would require sending the information to the state, which will accrue costs and because this would be done at the request of the property owner, the property owner would bear the costs. Costs will be researched and the results forwarded to Mrs. Keiser.
- e. **Master Plan Release:** The Master Plan draft is complete and Council approval is needed to release it for the 63 day public review period. Mr. Dewey thanked Council for hiring professional services to help with the draft. We will publish a notice of the 63 day review period, post it on the website and once that is complete, a public hearing is held.

Motion by Schulz, seconded by Bennett, to release the draft copy of the Master Plan for the 63 day public review period. Motion carried by voice vote.

- f. **Resolution #15 of 2019, Master Plan:** The Planning Commission approves the final version of the Master Plan unless Council wants to assert their right to approve or reject the proposed plan. If Council would like final approval, this resolution would need to be adopted.

Motion by Hardy, seconded by Schulz, to approve Resolution #15 of 2019. Motion carried by roll call vote. Ayes: Hardy, Bennett, Ciganick, Drollinger, McPherson, Schuckel & Schulz. Nays: None.

- g. **Resolution #16 of 2019, Millage Rates:** This resolution will set the millage rates for the 2019-20 fiscal year. It was noted that the budget was approved based on the same millage rates set last year.

Motion by Hardy, seconded by Bennett, to approve Resolution 16 of 2019, setting the 2019-20 millage rates. Motion carried by roll call vote. Ayes: Hardy, Bennett, Ciganick, Drollinger, McPherson, Schuckel & Schulz. Nays: None.

- h. **Resolution #17 of 2019, Deficit Elimination Plan:** We have completed our recent fiscal year audit. We received notification of a deficit in our equipment fund of \$24,275. Included in your packet is a resolution that includes a deficit elimination plan for our current situation and from here we can discuss ways to permanently eliminate this deficit. Treasurer Odom explained that she spoke with our auditor to come up with a plan to eliminate this deficit. The auditor explained why we were at a deficit, which is due in part to monies owed to the general fund for wages and benefits. There are several options that will help eliminate this debt. One option is for Council to forgive the \$102,000 owed to the general fund. We can also forgive some of it and pay back the difference or we could also dissolve the motor pool fund acting on its own and make it a component of the general fund, which is how our public safety account is set up. One problem with the first two options is that we may be forgiving these for years to come because it is difficult to run motor pool as a standalone fund.

Treasurer Odom left the meeting to retrieve the original copy of the resolution to present to Council. During this time the following motion was made.

Motion by Bennett, seconded by Hardy, to move on with the agenda until Treasurer Odom returns to the meeting. Motion carried by voice vote.

Council moved forward to new business items j and k during Treasurer Odom's absence.

Treasurer Odom returned to the meeting with the original copy of the resolution. Council reviewed resolution.

Motion by Hardy, seconded by Bennett, to authorize the Village President to sign Resolution #17 of 2019, the equipment fund deficit elimination plan. Motion carried by roll call vote. Ayes: Hardy, Bennett, Ciganick, Drollinger, McPherson, Schuckel & Schulz. Nays: None.

- i. **Audit Engagement Letter:** The auditors presented their engagement letter for their services over the next five years.

Motion by Hardy, seconded by McPherson, to authorize the Village President to sign the audit engagement letter. Motion carried by voice vote.

- j. **Rotary Charities Grant:** President Schulz informed Council that Rotary Charities is opening up a grant cycle for up to \$100,000.

Motion by Schulz, seconded by Hardy, to engage Gourdie Fraser for the purpose of the creation, review and submission with the Village Clerk for the Rotary Charities Grant for the kayak launch station. Motion carried by voice vote.

- k. **Letter of Authorization-Permit Application:** USDA requires a joint permit for the sewer project and Fleis & Vandenbrink needs authorization from the Village to apply for the permit.

Motion by Hardy, seconded by Bennett, to authorize the Village President to sign that document. Motion carried by voice vote.

1. **Relay for Life Banner Request:** Steve Kerschner is requesting that the Relay for Life banner be allowed to stay up for two weeks. Our current policy allows for one week.

Motion by Drollinger, seconded by Ciganick, authorizing the relay for Life Banner to stay up for two weeks. Motion carried by voice vote.

9. Discussion Items:

- a) **County Owned Potential Property Taxes Due Status:** Clerk Luckett explained that she spoke with the assessor, who indicated that the property is off the tax roll in error and she will be placing it back on the tax roll for this year. Clerk Luckett asked about the previous two years it has been off the roll. The assessor explained changes in the law, but she was researching how to deal with the situation. No further action was taken.

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:** None presented.
- c) **Treasurer/Deputy Clerk:** None presented.
- d) **Department of Public Works:** Mr. Keiser said they have been busy and are hoping for a few rain free days to complete the concrete slab outside the Village offices.
- e) **Police Department:** Chief Drollinger received a letter from Tristan Cole in recognition for the Bellaire Police Department. Mobile terminals in the police vehicles have now been installed.

11. Closing Member/Public Comment: None presented.

12. Adjourn: Meeting adjourned at 8:26 P.M.

Compiled by Cathy Odom
Minutes are subject to approval.

Approved: _____

Date: _____