

**Bellaire Village Council
Meeting Minutes
May 6, 2020**

1. **Call to Order:** President Bennett called the meeting to order at 7:02 PM.
2. **Roll Call Attendance:**
 - Present:** President Dan Bennett, Council Trustees David Ciganick, Eldon McPherson, Bryan Hardy, Pat Boyd, Trish Drollinger and Helen Schuckel.
 - Absent:** N/A
 - Staff Present:** Cathy Odom, Treasurer, Bill Drollinger, Chief of Police & Brad Keiser, DPW Supervisor.
 - Also Present:** Terry VanAlstine, Louise Wenzel, Holly Wilson, Nicole Essad, Charlynn McBee, Margie Boyd, Elise (Caller 01), John Smith, Tony Magnus & Jennifer Hodges.
3. **Approval of Agenda:** The agenda was approved with the deletion of new business item a, Grant Request-Heidi Shafer ACD and the addition of new business item y, Flag Pole.
4. **Motion by McPherson, seconded by Schuckel, to approve the agenda with the deletion of new business item a, Grant Request-Heidi Shafer ACD and the addition of new business item y, Flag Pole. Motion carried by voice vote.**
5. **Conflict of Interest:** Trustee Ciganick noted a conflict with new business item c, a variance request for Holly Wilson for chickens and goats.
6. **Consent Agenda:** The consent agenda was approved.
Motion by Schuckel, seconded by McPherson, to approve the consent agenda as presented. Motion carried by voice vote.
7. **Public Comment on Agenda Items:** None presented.
8. **Old Business**
 - a) **County Update:** Mr. VanAlstine noted that there is a full time maintenance person open at the airport, a board meeting is scheduled on zoom or Facebook live on May 7 at 9 am. The reservation software for Barnes Park is ready for use but there is no park open date set at this time, Three Lakes Association, County and Torch Lake Protection Alliance to eradicate an invasive species. They purchased new sheriff's vehicles and promoted the Census, citing that only 27% of the County have filed. There are 4 Districts that have contested races in this year's election. Kearney Township approved fireworks at Shanty if they will have them and they approved clean up days for inside the Village for June 11 and outside the Village limits on June 4.
 - b) **DDA Update:** Louise Wenzel provided a DDA update. The DIA summer 2020 display is still proceeding but they are not sure when it will begin due to Covid 19. She also said there is a Covid 19 collaboration in place with the DDA, Antrim County Emergency Center and the Chamber of Commerce to find a unified plan to help the local businesses deal with Covid 19 issues. They are setting up a Go Fund Me Page and looking for potential grants that may help.
 - **Facilitator Request:** The DDA heard a presentation from the Bellaire Community Action Plan Proposal. The DDA approved \$5,000 for the project budget. She introduced Elise Craft who works with community organizations that have a vision and a plan but needs some support. Ms. Craft explained that the DDA and Village have some common goals but is currently no coordinated effort to implement them. This action plan pulls the goals together, prioritizes them and proposes a plan for implementation. They are

proposing a three phase process to create the plan and implement it. The first phase is to apply for a Rotary Charities Grant for \$10,000 to fund the creation of the action plan. Once funding is secured, phase two will be to create the action plan. The plan will prioritize and define the roles of the goals and will show the project budgets, funding sources and timeframes. Phase three will be to implement the plan. They expect the entire cost of this to range between \$18,200 -\$23,200. She explained the proposed budget and is asking the Village to contribute \$5,000 toward the project with the fund coming from the general fund. If additional funds are needed for this project, Ms. Wenzel noted that they hope to bring on board other interested parties that may consider providing additional funds. Treasurer Odom informed Council of potential revenue short falls due to Covid 19 so they were aware of possible revenue loss before making their decision on this matter.

Motion by McPherson, seconded by Boyd, to proceed with the grant application, the three step process and agree to contribute \$5,000 toward the project. Motion carried by voice vote.

- c) **Maple St. Property:** Council chose to put the property up for sale for \$8,800, which is the amount we need to recoup based on purchase price and maintenance costs. With the cost of realtor fees, we will not make what we are required to make if we list it for \$8,800. Keller Williams ran some numbers with varying sale prices for you to choose from. Trustee Ciganick suggested listing it for \$12,000.

Motion by Ciganick, seconded by Hardy, list the Maple St. property with Julie Pietrowicz for a list price of \$12,000. Motion carried by voice vote.

8. New Business:

- a) **Grant Request-Heidi Shafer ACD:** Deleted from the agenda.
- b) **Shorts Anniversary party-Reschedule Request:** Due to the Covid 19, Shorts is requesting a change in the date for their anniversary party to Saturday, October 17, with the detour starting Friday, October 16 and ending Sunday, October 18.

Motion by Boyd, seconded by McPherson, to approve the date change for the Shorts Anniversary Party. Motion carried by voice vote.

- c) **Variance Request-Holly Wilson-Chickens/Goats:** Holly Wilson would like a variance from the ordinance to allow for up to 20 chickens and 5 goats. Ms. Wilson explained that if a standard yard can have 4 chickens and she has 2 ½ acres, she would like permission to have more. She will be using their eggs for her business. She spoke with the neighbor and they don't have any problem with having that many chickens. She also doesn't feel that either of them will be a nuisance. President Bennett explained that she is seeking relief from Village code Chapter 30, Chickens and Chapter 70, Nuisances. Ms. Wilson said she was hoping to save time and money by requesting a variance for her property only, thus avoiding having to amend the ordinance. President Bennett said the variance request would allow the farm animals in a residential district. Ms. Wilson asked if they could be considered pets. Trustee Drollinger said chickens are not pets but Ms. Wilson was referring to the goats. Treasurer Odom reminded Council that if they decide to allow the animals, the first step would be to amend the Village code. Then it would also require a zoning permit because zoning doesn't allow for farm animals in an R-1 District. Ms. Wilson explained that many other municipalities allow for these animals. Trustee Drollinger said she thinks that the chickens and goats are two separate issues and should be handled separately. Our current ordinance allows for up to 4 chickens. Ms. Wilson noted that the ordinance doesn't state any land size. President Bennett commented on setting precedence by going against the Village code. Ms. Wilson asked that because she already has a special use permit for her business, is there anything that would allow her to ride along with that specifically for business purposes. She said she would

lessen the amount of chickens if needed. Trustee Ciganick stated we could name a lot size, allowing for a higher number based on that. Chief Drollinger suggested sending this to the Planning Commission for further fact finding and discussion. He said we could research what other communities are doing. President Bennett said we could check with neighbors with Chief Drollinger noting that a public hearing could be held for their comments.

Motion by McPherson, seconded by Boyd, to send this to the Planning Commission for further review. Motion carried by voice vote with one abstention by Trustee Ciganick.

- d) **Campground Request-Dave Berghoff:** Mr. Berghoff was told last year that he could no longer stay at the campground because of the storage of items used for his business. Commercial businesses are not allowed to operate in the campground. Trustee McPherson noted that with the refrigerated items used for his business the campground fees may not cover electric costs. Trustee Boyd agreed that we have a clear set precedence that no businesses profit off of public property. Trustee Ciganick said the issue is more about the domestic appliances. Trustee Drollinger stated that even though he was operating on the lake, there were inspections and appliances at the campground that they considered part of his business. Mr. Keiser said he has always been a good tenant at the campground. After this discussion, no further action was taken. He will still not be allowed to camp at the campground.

- e) **Resolution #11 of 2020, Bond Counsel:** This is an annual resolution naming the Village Bond Counsel for the FY2020-21.

Motion by Ciganick, seconded by Hardy, to approve Resolution #11 of 2020, naming the Village Bond Counsel for the FY2020-21. Motion carried by roll call vote. Ayes: Ciganick, Hardy, Boyd, Drollinger, McPherson, Schuckel & Bennett. Nays: None.

- f) **Resolution #12 of 2020, Financial Depositors:** This is an annual resolution naming the Village financial depositors for the FY2020-21.

Motion by McPherson, seconded by Ciganick, to approve Resolution #12 of 2020, naming the Village financial depositors for the FY2020-21. Motion carried by roll call vote. Ayes: McPherson, Ciganick, Boyd, Drollinger, Hardy, Schuckel & Bennett. Nays: None.

- g) **Resolution #13 of 2020, Street Administrator:** This is an annual resolution designating Bradley Keiser as the Village street administrator for the FY2020-21.

Motion by McPherson, seconded by Boyd, to approve Resolution #13 of 2020, designating Bradley Keiser as the Village street administrator for the FY2020-21. Motion carried by roll call vote. Ayes: McPherson, Boyd, Ciganick, Drollinger, Hardy, Schuckel & Bennett. Nays: None.

- h) **Resolution #14 of 2020, Cemetery PC:** This is an annual resolution to approve the percentage of grave sales that will be placed into the perpetual care fund for the FY2020-21. That amount is set at 0.00% this year because the perpetual care fund has in excess of \$84,000.

Motion by Ciganick, seconded by Hardy, to approve Resolution #14 of 2020, approving the percentage of grave sales that will be placed in the perpetual care fund. Motion carried by roll call vote. Ayes: Ciganick, Hardy, Boyd, Drollinger, McPherson, Schuckel & Bennett. Nays: None.

- i) **Resolution #15 of 2020, Remote Meetings:** The adoption of this resolution is being recommended by our attorney. The purpose is to allow for remote meetings. It will also protect the Village in case anyone questions decisions made at remote meetings.

Motion by Bennett, seconded by Hardy, to approve Resolution #15 of 2020, allowing for remote meetings. Motion carried by roll call vote. Ayes: Hardy, Boyd, Ciganick, Drollinger, McPherson, Schuckel & Bennett. Nays: None

- j) **Meeting Dates:** Council meeting dates are to be approved and posted on an annual basis.

Motion by Boyd, seconded by Schuckel, to approve the meeting date schedule as presented. Motion carried by voice vote.

- k) **Rules of Procedure Annual Review:** The Village Council Rules of Procedure are reviewed and approved on an annual basis.

Motion by McPherson, seconded by Hardy, to approve the Village Council Rules of Procedure with no changes. Motion carried by voice vote.

- l) **Cemetery Contract-Mortensen Funeral Homes:** This is an annual contract and there are no changes except the dates. This contract pertains to grave openings.

Motion by Schuckel, seconded by McPherson, to approve the contract between the Village of Bellaire and Mortensen Funeral Homes as presented. Motion carried by voice vote.

- m) **Interim Zoning Administrator:** Chief Drollinger has been providing interim zoning administrator services since Ms. Lockett's departure. We did not have a meeting prior to today for approval.

Motion by Boyd, seconded by McPherson, to approve Bill Drollinger as the interim zoning administrator. Motion carried by voice vote.

- n) **Park Closure:** Mr. Keiser explained this is to inform Council that we have closed the parks and they will reopen as soon as allowed.

- o) **Campground Opening:** The campground is closed and will remain closed until allowed to reopen. There are concerns about reopening the bathhouse. Mr. Keiser explained that we are scheduled to open May 15, which depends on the Governor's order. He spoke with DNR and there has been discussion about limiting the use of the bathhouse due to exposure possibilities. Because we have full hook up sites, they are suggesting that we open the campground to full hook up sites only and keep the bathhouse closed. It could be limited to self contained campers only. Discussion occurred about closing all sites that are not full hook up. Placing signage to direct campers about the new rules was discussed. Trustee Drollinger suggested we plan to open fully by June 1, 2020. Maintaining the bathhouse with proper equipment was also discussed.

Motion by Drollinger, seconded by Schuckel, to partially open the campground to full hookup only as of May 15, 2020 with a complete opening on June 1, 2020 depending on the Governor's order. Motion carried by voice vote.

- p) **Street Paving Bids-Broad St. & Hickory Lane:** We received one bid from Payne & Dolan for the paving of Hickory Lane at a cost of \$17,970 and Broad St. at a cost of \$113,350. They were able to come in under budget by approximately \$7,800. They are hoping to have the work completed this month.

Motion by Boyd, seconded by Hardy, to accept the bid from Payne & Dolan and proceed with signing their contract. Motion carried by voice vote.

- q) **Public Safety Recommendations:**

- **Ordinance #02 of 2020, Repeal Chapter 16:** This pertains to throwing items off of the bridges in town. Chief Drollinger said he spoke with the attorney and he is recommending that we do not repeal what is already in place. It is a state law not to throw

things from the bridge, which is a misdemeanor and our code makes it a civil infraction. No further action was taken.

- **ATV Request Denial:** We had a request to allow ATV's on the walking path trestle bridge. Chief Drollinger said he is still working on this and is waiting for a call. He asked that this be tabled until further information could be obtained. No further action was taken.
 - **Intern:** Chief Drollinger informed Council that the department has an intern for the summer. Her name is Hailie McGray. It is part of her school training and she will be taking notes as part of her school work.
- r) **Water/Sewer Penalties & Shut off's:** Mr. Keiser and Treasurer Odom explained to Council that we did not charge penalties or shut anyone off this past month. President Bennett said that with many people losing their jobs he would like to see it continue. Council should decide whether they would like to continue not charging penalties and if so for how long. Trustee Drollinger suggested following the Governor's guidelines about shutting customers off.

Motion by Drollinger, seconded by Boyd, to remove all of the extra charges or penalties off the water bills through the month of July, until August 1, 2020. Motion carried by voice vote.

- s) **Paid Leave Carry Over-Treasurer:** Treasurer Odom explained that she has 10 hours of paid leave she was unable to use before the clerk resigned and would like Council permission to carry them into the next fiscal year.

Motion by Drollinger, seconded by Schuckel, to allow the Treasurer to carry over 10 hours of paid leave. Motion carried by voice vote.

- t) **Revenue Short Fall:** Treasurer Odom informed Council that she has been receiving information from the treasurer list serve that many municipalities are expecting their revenue sharing to be cut in half, at least for the 3-4 months of the shutdown. There are no hard numbers at this point. There may also be a shortfall in the Act 51 revenue we receive for streets. Mr. Keiser is also keeping an eye on the parks budget due to the loss of potential campground revenue.

u) **Admin Recommendations:**

- **Clerk/Zoning Administrator Position:** The Administration Committee is recommending that the Council extend an offer of employment to Nicole Essad for the Clerk/Zoning Administrator position. Trustee Drollinger asked why the Council did not interview the candidates. It was noted that a hiring policy was put in place after the last round of interviews which gave the Administration Committee the duties to interview applicants and then make a recommendation to Council. It was noted that the hiring policy can be reviewed and changed if needed. Starting date will be determined.

Motion by Bennett, seconded by Hardy, to hire Nicole Essad for the Clerk/Zoning Administrator position. Motion carried by voice vote.

Motion by Hardy, seconded by McPherson, to set the starting wage for the Clerk/Zoning Administrator position at \$16.55 p/hr and after 90 days, with a satisfactory review, elevate her salary to the rate equivalent to \$37,000 based on 2080 hours; at the completion of her first year she would move to the second year on the wage scale, with a satisfactory review. Motion carried by voice vote.

- **Cemetery Maintenance Worker Position Update:** We received one application, however, he didn't respond to our request for an interview. Mr. Keiser would like to repost for the position. Council agreed.

- **Part Time Police Officer Position:** The Administration Committee would like to recommend hiring Devon Doucette for the part time police officer position. It will be for 624 hours for the season. Wages were discussed with Trustee Ciganick stating that we include the first year wage rate as indicated on our wage scale in the motion. Trustee McPherson asked if we provide for an experience factor. The discussion of wages was sent to the Administration Committee for review.

Motion by Bennett, seconded by Boyd, to hire Devon Doucette to fill the part time officer position. Motion carried by voice vote.

- **Office Reopening:** Treasurer Odom explained that with the potential for reopening, Council should review or discuss what safety precautions they would like to see to keep staff and residents safe. She said that just because the stay at home gets lifted, doesn't mean the virus is eliminated. Putting a half door with a Plexiglas top was discussed. President Bennett attended and a meeting hosted by the County Emergency Management office and there were some recommendations from that meeting. Meetings and social distancing will have to be determined. No further action was taken.
- v) **Category B Grant:** We applied for this grant last year and were not successful. We have a game plan this year and would like to apply again. We are looking at doing S. Genessee from Bellaire Hwy to the dead end for next summer. The cost estimates are \$240,000. We would apply for \$120,000.

Motion by McPherson, seconded by Hardy, to approve Resolution #16 of 2020, giving permission to apply for the Category B Grant. Motion carried by roll call vote. Ayes: McPherson, Hardy, Boyd, Ciganick, Drollinger, Schuckel & Bennett. Nays: None.

- w) **Vector Truck:** Mr. Keiser explained that the debris body on the vector truck caved in on itself due to vacuum pressure. Doheny looked at the damage, which will take anywhere from 8-12 weeks to repair and the cost will be approximately \$60,000. He postponed the purchase of the boring machine so we can get this fixed. Once it is fixed, it will come with another 10 year warranty.

Motion by Ciganick, seconded by Boyd, to authorize Mr. Keiser to move forward with the repair of the vector truck at a cost not to exceed \$60,000 without further council approval. Motion carried by voice vote.

- x) **Bridge Boxes:** We have previously given \$175 towards the flowers for the bridge boxes and they would like to know if Council will approve doing this again.

Motion by Ciganick, seconded by Schuckel, to allocate \$175 toward the purchase of flowers for the bridge boxes. Motion carried by voice vote.

- y) **Flag Pole:** Mr. Keiser explained that MDOT will not allow the flag pole given to the Friends of the Veterans to be placed in the triangle, which was previously approved by Council. The proposed new location will be at Richardi Park near the bridge. The placement of the pole will be done by Josh Watrous of Eden Building and after placement we will provide minor landscaping at the base of the pole with a rock identifying "Friends of Veterans". The flag will also be illuminated.

Motion by Drollinger, seconded by Schuckel, to approve the new location of the flag pole at Richardi Park. Motion carried by voice vote.

9. Discussion Items:

- **Dave Ciganick:** Trustee Ciganick asked that the DPW re-tape some of the equipment at the park.

- **Patrick Boyd:** Trustee Boyd informed Mr. Keiser that there was a bridge at the park also needed repair. Mr. Keiser noted that the bridge was on County property. Mr. VanAlstine asked for the information and he will look at getting it repaired.

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:** Odom informed Council that she is working with the auditor to complete this year's audit. It will be conducted via emails.
- d) **Department of Public Works:** Mr. Keiser said they have begun sweeping the streets and it is going well.
- e) **Police Department:** Chief Drollinger informed Council that the Memorial Day parade has been cancelled due to Covid 19. He also explained that domestic violence and mental health issues have increased.
- f) **Planning Commission:** Nothing presented.

11. Closing Member/Public Comment:

- **Dave Ciganick:** Trustee Ciganick asked about the status of the signage for the ice rink that was sent to the Planning Commission. Mr. Drollinger noted that we have not had a meeting since it was sent to them and will address it at their next meeting.
- **Bryan Hardy:** The Friends of the Veterans, Patty Savant and Bryan Hardy are chairing the committee for the Memorial parade. They would like to still put the flags out even though the parade is cancelled. Mr. Keiser also noted that they hope to have the memorial back up by then.
- **Terry VanAlstine:** Mr. VanAlstine informed Council that they will be placing flags at veteran gravesites at the cemetery for Memorial Day.

12. Adjourn: Meeting adjourned at 8:50 P.M.

Compiled by Cathy Odom
Minutes are subject to approval.

Approved: _____

Date: _____