

**Bellaire Village Council
Meeting Minutes
May 4, 2022**

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

2. **Roll Call Attendance:**

Present: President Dan Bennett, Council Trustees Trish Drollinger, Bryan Hardy, Pat Boyd, Eldon McPherson, & Helen Schuckel.

Absent: Dave Ciganick

Staff Present: Cathy Odom, Treasurer, Bradley Keiser, DPW Supervisor, Bill Drollinger, Chief of Police & Nicole Essad, Clerk.

Also Present: Terry VanAlstine, Kevin Keiser, Chris Johnson, Lynn Keller, Lynn Keller, Marguerite & Ray Karabin, Jennifer Hodges, Don Hoyt, Linda Gallagher & Mia from 7 & 4 News.

3. **Approval of Agenda:** The agenda was approved with the addition of new business item k, Concerns and the deletion of new business item f, Resolution #18 of 2022, Millage Rates.

Motion by Schuckel, seconded by Boyd, to approve the agenda as amended. Motion carried by unanimous voice vote.

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

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

Motion by Boyd, seconded by Schuckel, to approve the consent agenda as presented. Motion carried by unanimous voice vote.

6. **Public Comment:** None presented.

7. **Old Business**

a) **County Update:** Mr. VanAlstine explained that they received a Bellaire Dam report, and mark Stone will be going over that at their next meeting. The next household hazardous waste is scheduled for June 11 in Elk Rapids at the DPW. They had their first CIP meeting which discusses items over \$10,000. The next CIP meeting is Monday at 9:00 am. The County approved repairing the roof on the Nifty Thrifty building. The did some work as a fiduciary for the TLPA, Three Lakes and the US Geological Survey that will be doing survey work on the golden-brown algae. The Bailey/Antrim County election lawsuit was dismissed in the court of appeals. They have 45 days to appeal. A question was asked about the cost of the lawsuit to date, noting the estimated cost was \$100,000. Mr. VanAlstine informed Council that he was running for re-election.

b) **DDA Update:** Mr. Hoyt explained that the downtown map is now complete, and it came in under budget. They want to get public feedback to see how well it is liked and are also looking at placing it on other end of downtown as well as in the new restroom area. The DDA Parking sub-committee will meet this month. They provided some updates to the DDA directory on the Village website. They are going to pursue working with the Bellaire High School Leadership Class on a project downtown. He noted that the Village requested some funds for the construction

of the new restrooms. The DDA is still researching more information about public Wi-Fi, but as a good will gesture they would like to offer the Village \$5,000 of the \$10,000 set aside for Wi-Fi to use for the public restrooms. If they can find funding through other sources for Wi-Fi, they could potentially offer the remaining \$5,000 to be used for the public restrooms.

- c) **Downtown Restroom Update:** Mr. Keiser stated that the restrooms are being painted, the drywall is up, we passed our insulation inspection, the plumbing permit has been pulled & toilets are being installed, He noted that we are still waiting for Consumers and DTE hook ups. Northwest Lock will be here the week of the 16th to install the auto time lock system.
- d) **Ball Field Update:** Mr. Keiser explained that final grading will be done next week. The fence company has put stakes in the ground for the new fence. There are two 40' poles that are being set by Great Lakes Energy, which they donated, for the Osprey nests.

8. New Business

- a) **Photobooth Request:** President Bennett reminded Council that it has been Village policy not to allow the use of public property for profitable items. David Janaskie from Grand Traverse Photobooth Co. would like permission to place a photobooth under the new pavilion by the new restrooms. It would provide external monitor slideshows highlighting weekly events or local businesses. The photo strips can be branded for specific businesses and can include coupons for the businesses. There is no cost to the Village and the Village can be paid \$1.25 for each paid visit through the booth. Council agreed that it was a good idea and suggested discussing this with the DDA. No further action was taken.
- b) **Bridge Box Flowers-Ruth Basch:** Mrs. Basch is requesting the Village help purchase the flowers for the bridge boxes again this year. We have budgeted \$175 in past years, but she is asking for a little more due to the increase in flower costs. The amount to approve was discussed with President Bennett noting to keep the Village share at \$175 and he will personally donate \$25.00.

Motion by Hardy, seconded by Drollinger, to approve \$175 for the purchase of flowers for the bridge boxes with the Bennet family donating an additional \$25. Motion carried by unanimous voice vote.

- c) **Little League Request & Contract:** The little league needs more funding to replace equipment, so they are trying to obtain more sponsorships. They do not have enough teams to place the sponsors names on jerseys so they would like permission to place a banner on the fence at the little league fields at Craven Park next year with the names of all the sponsorships they receive. Their contract for the 2022 season is also ready for approval.

Motion by Boyd, seconded by Drollinger, to approve the 2022 little league contract. Motion carried by unanimous voice vote.

Trustee Drollinger explained that if we allow them one banner, then there probably isn't a problem but we also have a banner program going on to help offset the cost of the ballfield renovation, which helps support all the fields. Trustee McPherson said to allow them to have one banner at the little league fields and any future requests can be discussed at a future meeting.

Motion by McPherson, seconded by Hardy, to allow the little league to place one banner thanking their sponsors, for this year only, at the little league fields. Motion carried by unanimous voice vote.

- d) **AT & T Tower Request:** AT & T has requested permission to place a tower on the property located by the reservoirs. Mr. Keiser said they were previously shown potential locations several years ago and decided that the reservoir property wouldn't work because of the abundance of trees that would have to be removed. He explained if we can reach back out to them and if they still want to pursue locations, they could do some site studies to determine the best locations. No further action was taken.
- e) **Campground Request:** A camper is requesting a discount on campsite fees due to mobility issues. They like our campground due to the ease of getting around. However, with the rate increase staying there is unaffordable. After some discussion about cost increases to run the park, Council agreed not to allow a discounted rate.
- f) **Resolution #18 of 2022, Millage Rates:** This item was removed from the agenda before approval of the agenda.
- g) **Hickory Ln. Sewer Line Insurance Claim Update:** We received a call from the insurance company explaining that they do not cover underground lines unless those lines are within 1000' of a municipal owned building. This line is within that distance of the community hall, which will allow them to pay out on a small portion of the claim totaling approximately \$7,200. Because they can pay out a portion of the claim, the insurance company will pursue subrogation to be reimbursed for that share of the claim. If we choose, we can subrogate for the balance of the claim. We received a call from the insurance company's subrogation attorney who will work with us for the balance of the claim. There will be no fee to us unless they successfully argue the case in our favor. If we are eligible to receive the balance of the claim, the fee for their services is 1/3 of the amount that is recovered. We can also hire our own attorney to provide this service. Short's Brewing Company also made a claim for the backups that were caused by this same issue. Their insurance company told them to send it to the Village for reimbursement, which they did. It was forwarded to our insurance company and to our attorney. This discussion that keeps coming up is that the Village didn't mark the line. However, the line that was broken by the contractor's workers was a private line and the Village does not mark private lines, only our own. The Public Act that explained Miss Dig procedures was sent to our insurance company and it explains that we mark our lines. Mr. Keiser explained the broken line is a service line for Bee Well and runs across the property owned by Short's. That property was once owned by one person. After discussion about responsibility for the damage and who's responsible for payment of the damages, the following motion was made.

Motion by Boyd, seconded by McPherson, to accept Hewson & Van Hellemont's offer to represent us moving forward. Motion carried by unanimous voice vote.

- h) **Bicycles/Skateboards on Sidewalk-Marking Walks:** President Bennett received a complaint about skateboards on the sidewalks and possible accidents with people exiting stores. Trustee Boyd spoke with some of the business owners and the general consensus is that there is a problem with skateboards on the sidewalks in the evenings, but most did not want to see painting on the sidewalks. Chief Drollinger asked them to give his department some time to educate the kids about avoiding these issues. Council agreed.

i) **Water Main Extension Request:** A request from Tractor Supply to run a water main extension to their property south of Dollar General, just outside the Village limits was presented. President Bennett noted that the cost for a project like this is upwards of \$500,000. Mr. Keiser explained that we should revisit this request. It was the first informal offer from them to get it to the table for further discussion. During previous discussions with them, they have talked about the possibility of annexing into the Village, which would create more tax revenue. President Bennett noted that we will be reaching out to Kearney Township and the County to see if they are open to helping with this. Mr. Keiser would like to have a Public Works meeting to discuss further options. Council agreed and sent it to the Public Works Committee.

j) **Wastewater Treatment Plant Operations:**

- **Employment Matter:** Council received a letter of resignation from employee Chris Thompson. President Bennett asked for a motion to accept his resignation. Trustee Boyd stated that he didn't want to accept the resignation but felt that he should be terminated because he decided not to do his job and he could have put many people at risk.

Motion by Boyd, seconded by Hardy, to terminate Mr. Thompson's employment. Motion carried by unanimous voice vote.

- **3rd Party Operator:** Mr. Keiser introduced Chris Johnson from Operation Services, which is the company that came in to service the wastewater treatment plant for the Village during Mr. Thompson's suspension. He will answer any questions the Village Council might have. They have been working diligently with DPW staff and EGLE to resolve the matters at hand and we are currently in good standing. To avoid these issues in the future, staff training and notifications received from EGLE for wastewater was discussed. Mr. Keiser stated that Operation Services has provided a proposal for their services to run the plant and provide testing. Trustee Drollinger noted that the proposal is a five-year agreement with a 4% escalator each year. She asked about the length of time it would take to train staff to run the plant on our own again and it was noted approximately three years. Mr. Johnson stated obtaining the certification is the most difficult part of the process. Mr. Keiser noted that what is needed might change depending on the determination by EGLE whether we need the plant at all. We may just need a lagoon license, which may not take as long to get. Mr. Johnson also noted that there is a termination clause in the agreement so if they are not needed for the five years, the agreement can be terminated. Mr. Keiser noted that the cost savings for supplies that they are finding will help cover some of their costs.

Motion by Hardy, seconded by McPherson, to accept the proposal from Operation Services, Inc. for our wastewater operations. Motion carried by unanimous voice vote.

k) **Concerns:** This item was added to the agenda and then withdrawn to discuss later.

9. **Discussion Items:** None presented.

10. **Department/Committee Reports:**

- a) **Committee Reports:** Committee minutes, for the committees that have met, were included in packets for review.

- b) **Clerk/Zoning Administrator:** Clerks Essad informed Council that about 30 letters have been sent out for inoperable vehicles and items for cleanup and a few zoning permits have come in.
- c) **Treasurer/Deputy Clerk:** Treasurer Odom said the audit is being finalized and the first ARPA report has been completed and sent to the federal government.
- d) **Department of Public Works:** Mr. Keiser also noted that the anni party went well with DPW staff assisting them with what they needed. They had the road cleaned and back open by 9:00 am.
- e) **Police Department:** Chief Drollinger informed Council that they have attended trauma training, the Short's anni party went well with not one single incident and the Griffith family donated body cameras to the department.
- f) **Planning Commission:** Nothing presented.

11. Closing Member/Public Comment:

- a) **President Bennett:** President Bennett would like to have the Planning Commission investigate language to address some complaints that he has received about old vehicles and junk laying around to help alleviate potential problem areas.
- b) **Ray Karabin:** Mr. Karabin asked if there will be any work done about the drainage ditch that is out in the area of Cedar St. and Maple St. Mr. Keiser informed him that the storm drain will be rebuilt this summer, but there are no plans for any major paving. They will be repaving where the line was dug up for water & sewer repairs. He also noted that the vacant property next to him has a large tree that had fallen and should be removed. He said there is also two big branches that are going over the cedar signpost, which will eventually cover the sign. Fish Day also went very well.
- c) **Trustee Hardy:** Trustee Hardy informed Council that he and Patty Savant have taken over the Memorial Day Parade. Emails have gone out and they are looking for anyone who would like to join them in the parade. They are just asking that the theme be based on American patriotism to remember those that paid the ultimate sacrifice in defense of their country. They will also accept volunteers that want to help. They will be meeting at 10:00 am at the Baptist Church.

12. Adjourn: Meeting adjourned at 8:18 P.M.

Compiled by Cathy Odom
Minutes are subject to approval.

Approved: _____

Date: _____