

**Bellaire Village Council
Meeting Minutes
October 3, 2018**

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, Bryan Hardy, Dan Bennett, Eldon McPherson, Trish Drollinger and Helen Schuckel.
 - Absent:** N/A
 - Staff Present:** Cathy Odom, Treasurer, Lori Luckett, Clerk & Bradley Keiser, DPW Supervisor.
 - Also Present:** Terry VanAlstine, Norman Hayes, Linda Gallagher, Dee Lynch, Gary Lockwood, Janet Koch, Don Seman, Christy Wilson & Terry Colombo.
3. **Approval of Agenda:** President Schulz added several old and new business items to the agenda. Old business items f, hiring/interview process; item g, Alerus Retirement-Cost Changes, new business items g, WWTP Boiler-Bid Policy; h, MDEQ-Water Line Replacement, item j, credit cards, Home Depot, item d bullet point, Bellaire Youth Initiative request and several items under item e, administration committee recommendations.

Motion by Hardy, seconded by McPherson, to approve the agenda with the additions of old and new business items. Motion carried by voice vote.
4. **Conflict of Interest:** Trustee Hardy noted a conflict with the Bellaire Youth Initiative item under parks.
5. **Consent Agenda:** The consent agenda was approved.

Motion by Schuckel, seconded by Drollinger, to approve the consent agenda as presented. Motion carried by voice vote.
6. **Public Comment on Agenda Items:**
 - **Norman Hayes:** Mr. Hayes introduced himself and explained what his job entails. He is running for Probate Judge and would like Council support.
7. **Old Business**
 - a) **Historical Society-Sign Request:** The museum would like to paint a sign directly under where it says Village of Bellaire on the front of the building. They will pay for the cost but need help to find someone to do the work. Clerk Luckett contacted the people who painted the spring toys at the park, but they are unable to do the job. President Schulz said they have permission to paint the sign. When someone is located to do the job, inform council and the work can be completed.
 - b) **DPW Director:**
 - **Effective Date:** The former DPW Director's last day was scheduled for September 17, 2018. We were notified that he was changing it to September 11, 2018.
 - **Wages:** Due to the effective date change for the former DPW Director, Mr. Keiser's start date was changed to September 11, 2018 and his starting wage was changed as of that same date.
 - **Employment Agreement:** The employment agreement for Mr. Keiser now includes the new start date and new wage. The following motion was made:

Motion by Bennett, seconded by Hardy, to approve the updated employment contract between the Village of Bellaire and Bradley Keiser, DPW Supervisor. Motion carried by voice vote.
 - c) **Community Hall Update:** The DDA is actively pursuing grants to restore the community hall to its original state. With that, research has been done to find the offices a new home. President Schulz explained that we have been in contact with Mr. McKinnon from the East Jordan Family Health Center to discuss the building they have for sale as a possible location for the new offices. He said research has been done to

determine the possibility of purchasing the building. Purchasing options were researched. Those options include Act 99, selling bonds or placing a millage on the tax roll. These options also have limitations and due to the upcoming work for the sewer department and the potential work needed for water line upgrades, it is not feasible for us to purchase the building at this time. President Schulz explained that we do have other property in the Village that might create a location for building offices. Trustee Ciganick noted that the DDA would need to have 2,000,000 to restore the current community hall. He said it would be very nice to see this building put back to its original design, but he questions the cost of doing this plus any cost for us to find a new home. He doesn't think that it's a good idea. President Schulz said he will contact Mr. McKinnon and explain that at this time, the Village is not in a position to move forward with the purchase of the building.

- d) **Curb project-Status & Quote:** Mr. Keiser met with Mr. Hall from MDOT and Ryan Wurtz from Elmer's and we have a contract signed and the work will begin on October 15, 2018. It will probably take a couple weeks to complete. We will pay the costs up front and then we will be reimbursed from the state. A letter written to inform property owners that will be affected during the work was presented for approval.

Motion by McPherson, seconded by Bennett, to officially approve the Team Elmer's proposal for \$29,850. Motion carried by voice vote.

Motion by Ciganick, seconded by Hardy, to authorize the Village President to sign the letter regarding curb repair to the affected property owners. Motion carried by voice vote.

- e) **Village Proposal Review:** The County had a public presentation of their options for their new proposed county campus. Several options for the jail and law enforcement to be located in the downtown area and one option for them to be located remotely were presented. President Schulz explained that the commissioners are currently focusing on the options that keep the location of the campus where they currently are. The Village and the DDA sees this as a time to present another potential option, which, in part, moves the jail and law enforcement outside of the downtown area. Based on public comment at their meeting, the opportunity was provided for us to present this idea. President Schulz noted that the costs for this option were gathered from the costs provided by the firm the County hired. He explained the option based on the slides presented by the DDA and the NLEA. Based on the existing campus option, the jail would be located on the bank property. If this creates limited expansion options, there could be a potential revenue loss as more property may need to be purchased, removing it from the tax roll. Projected costs to the County for this option can be upwards of \$22,000,000. Other options were mentioned, some which include a sally port, which would be needed if the jail is located offsite. It was noted that costs for the offsite jail location are in the lower range of estimated costs. The option the DDA and Village are working on is actually the lowest cost option available. Option W-W, which is the name for this option, locates the jail off site, Grove St. would be vacated and the County Administration Building would be in the location of the current jail, Court St would be reopened, and a new two story building would be built in that location with retail space on the lower level and affordable housing on the upper level. It would create more parking and the courthouse would remain. With this option, additional revenue would be generated due to the retail and housing spaces. If Council agrees, we were invited to present this option to the County. For them to consider this plan, we may have to have some negotiation items that will allow all entities to work together. We could approve the vacation of Grove St. after the new jail is constructed, reduce utility tap in fees, upgrade Court St and potentially pass over the food pantry/parking lot to County ownership. Trustee Drollinger asked why would we not sell the food pantry/parking lot, why would we give it to them. The negotiating item was changed to sell/pass it to them. She also noted that Depot St. may not be ours; it may belong to the bank and requested that this be researched. Trustee Ciganick noted that the original plan was about the jail, now the entire campus is being reworked and said this is a huge price tag for a county such as ours. He also questioned that some of the costs noted seemed very low. Mrs. Koch mentioned this will likely be a multi phase, multi year project. President Schulz said that a four question survey was developed to determine the demographics of preferences. The commissioners will receive a copy of the results.
- f) **Hiring/Interview Process:** Trustee Ciganick wanted this on the agenda to see about modifying the process of interviewing supervisory positions. He stated that he felt nobody was comfortable at that last meeting during that interview process. President Schulz noted that unless an applicant notes they would like their application to be confidential, it has to be at an open meeting. Having a special meeting was also discussed.

- g) **Alerus Retirement-Cost Changes:** Alerus presented some cost saving changes to the employee pension plan and if approved would lower our costs by approximately \$2,000. If approved, our investment advisor fees would be reduced, record keeping and administrative fees would increase and revenue sharing would not change. Another item affected deals with changes in funds, which would now be handled by Alerus and would no longer have to come to Council for approval. A memo was sent to all employees and none of them had any concerns with the changes.

Motion by Bennett, seconded by Schulz, to approve the new proposal. Motion carried by voice vote.

8. New Business:

- a. **Crusecom-Annual Assessing Officer Report:** This is a required annual report due to their received tax abatement. The report explains the different taxable values and the number of hires within the last year.
- b. **Planning Commission Reappointments:** Don Seman and Butch Dewey's seats on the Planning Commission expire in November of this year and both have expressed their interest in serving another term. If approved, their new terms will expire November 30, 2021.

Motion by Bennett, seconded by Hardy, to approve the reappointment of Don Seman and Butch Dewey to the Planning Commission. Motion carried by voice vote.

- c. **2% Tribal Grant Application-Kayak Station:** We have received preliminary small grants for the canoe/kayak station at Richardi Park and we are now moving on to the infrastructure work and installation of the new launch. Clerk Luckett has filled out the application for a 2% Tribal Grant in the amount of \$45,069.28 and is looking for approval to get it sent in.

Motion by Bennett, seconded by McPherson, authorizing the submission and signatures required by the tribe for consideration. Motion carried by voice vote.

d. Parks Committee:

- **Tobacco Free Parks-Resolution #20 of 2018/Signs:** Trustee Drollinger said the committee discussed and agreed that there are places in the park that should be tobacco free. This would include the beaches, soccer park, little league fields, Craven Park ball fields playground, Woodenware playground, the other Richardi Park play area, basketball courts, tennis courts, Holiday Acres park and the Ohio St, River St. boat launches. The rental spaces that include the pavilion, gazebo and the campground would not be included. She said they do need further information because they don't know about the signs. Trustee Ciganick questioned how we would differentiate the non smoking and smoking sections within the park unless there is a designated smoking area. Trustee Drollinger said the idea was to just place the signs stating where it was not allowed.

Motion by Drollinger, seconded by Hardy, to approve support of tobacco free parks and beaches, including the soccer park, little league fields, Craven Park ball fields and playground, Woodenware Park, the beach, the old playground at Richardi Park, the basketball courts, tennis courts, Holiday Acres park and the launch sites at Ohio & River Street, and to exempt the rental spaces. Motion carried by voice vote.

Clerk Luckett noted that this should have been approved by resolution, which had been provided.

Motion by Bennett, seconded by Ciganick, to approve Resolution #20 of 2018, supporting tobacco free parks and beaches in the Village of Bellaire. Motion carried by roll call vote. Ayes: 7 Nays: 0.

- **Campground-Open/Close/Rates:** The committee discussed the dates for opening and closing the campground. There is an occasional request to open early and stay open later. Trustee Drollinger said the Mr. Keiser agreed it is possible because the bathhouse is heated. She said it may not be possible to keep the water on directly to the campsites when the ground starts to freeze. The Parks Committee is proposing that we open the park April 1 and close it November 30 and if during that time water is not available to the sites, we lower the cost to camp to the

primitive rate of \$15 a night. This would require opening the bathhouse earlier and closing it later. President Schulz said we will need to make sure potential campers are made aware. Mr. Keiser noted that we have always had the bathhouse ready to go by the 1st of April due to high school baseball games, the campground just wasn't open.

Motion by Drollinger, seconded by Schuckel, to set the rule of opening the campground April 1st, closing it November 30 and weather depending, make camping \$15 a night if water is not available. Motion carried by voice vote.

- **Bellaire Youth Initiative Request:** Dee Lynch from the Bellaire Youth Initiative is requesting permission to use the property on the corner of W. Forest Home Ave and River St. for a community garden to allow her to teach the children of the youth center to garden. They have the needed funds and they would do the work. It would be placed between the walking path and the road. Trustee Ciganick asked about the plan for water. Mrs. Lynch explained there are discussions with Mr. Udell about irrigation and they are waiting to hear. She explained this is a Rotary/Youth Center seed to table project aimed at teaching children how to plant, grow, cook and can. She said it will be a 66' x 48' garden, fenced with flowers around the parameter to help protect from the deer. It will be a supervised project and said they are insured. President Schulz asked about the Village being held harmless, in which, she explained that we should check with our attorney, but she does have hold harmless agreements that parents are required to sign. President Schulz also said we would need an additional insured policy that includes the village's name. Trustee Ciganick, just to be clear, it sounds like the Village would be responsible for electricity and a water source. Mr. Keiser said Mr. Udell has offered to hookup to his irrigation system. He said if that happens, the only issue would then be is if he moved. He said we do have our own source of water by Woodenware Park if needed. Parks is recommending that we allow them to use the property for their garden.

Motion by Drollinger, seconded by Schuckel, to allow the youth organization to use the property for a garden. Motion carried by voice vote with one abstention from Trustee Hardy.

- **Ice Rink:** Trustee Drollinger explained that Mr. Lockwood who has been working on the ice rink the last couple of years needs a place for equipment. The last couple of years he has used the old bathhouse for storage. Mr. Lockwood wants to make changes to the bathhouse to accommodate better storage for the ice rink equipment. The committee looked through the bathhouse and Mr. Keiser said that the old bathhouse is in better condition than the new one. The sewer drainage is in better condition due to the pump and location of the drainage system. The committee came up with a few ideas; something other than using the bathhouse, but Mr. Lockwood still has some questions. Mr. Lockwood stated that he has previously used this bathhouse and wanted to make improvements by putting in a garage heater and a hot water tank. There are no costs to the Village for these improvements. Trustee McPherson asked about the zambini that they are able to use. Mr. Lockwood explained this is one of the reasons they wanted to make the changes to the bathhouse. He said he could use his trailer. Mrs. Lynch said the youth center has been involved in the program since inception and they will work with everyone to make sure this program stays active. Trustee McPherson said the committee never indicated that they could not continue to make the ice rink; a storage area is what is up for discussion. President Schulz clarified that when originally approached about the ice rink, the Village was very supportive. Trustee Drollinger explained that we are under new direction and have learned that it is a very viable asset. She reiterated that we are not saying that they cannot continue to do the same things they have in the past, it is just that the changes they want to make cannot be completed the way they are proposing. Other options were provided, but at the time, Mr. Lockwood wasn't open to those options. One option was a heated trailer. She understands that one has been offered for their use from Mr. Joyce. She said one concern that came from the DPW is the constant running of water, which they explained they had to do for optimal rink conditions. Mr. Lockwood said that the zambini is required to have warm water to run it, which was the reason for the water heater. He did say he learned of another way to heat water for it. Trustee Ciganick asked if a small shed

would work, noting that it would have to be removed each spring. Mr. Keiser mentioned that the school has a shed at Craven that may be allowed to be used. They would have to ask. President Schulz suggested this go back to the Parks Committee and work with the DPW to finalize details.

e. **Administration Committee Recommendations:**

- **Vehicle Policy-DPW Director:** The former director had use of a vehicle to and from his home due to being on call 24/7. President Schulz said that the Treasurer explained that in most cases use of a company vehicle is valued and that value is placed on an employee's W-2 as a benefit. Council previously approved a policy which did not count the use of a vehicle as a benefit and would like to offer the same for the new director as it is used in his daily job.

Motion by Schulz, seconded by Bennett, to update the policy and offer the same for the new DPW Director. Motion carried by voice vote. .

- **Telephone Policy-DPW Director:** The current DPW Director is offered a phone for use to perform his job. However, most of the time he uses his personal phone. The Chief of Police has a work phone where ½ of the cost is reimbursed by the Fire Department as he also uses that phone for fire department business. President Schulz would like to look into providing some kind of cost share to Mr. Keiser for the use of his personal phone. Treasurer Odom put this question out on the list serve and is awaiting answers to how other communities handle this. She suggested that a policy be put in place is Council moves forward with this idea. The administration committee will review and to provide a future recommendation.
- **Nepotism Rules-Potential New Hire:** President Schulz explained that we received eleven applicants for the DPW position vacated due to Bradley Keiser's promotion. One of the applicants is a relation to Mr. Keiser. The handbook has a section that deals with the hiring of relatives. Administration would like to have Council clarify their opinion on this subject before reviewing applications. Currently, an employee cannot answer to their relative. In this case the applicant would be considered a DPW employee and would have to answer to Mr. Keiser. The majority of Council agreed that this would not work and we should maintain our current policy. Trustee Bennett argued that this could take away from individual rights because he cannot apply for the position due to this. He would like to take applications based on qualifications.
- **Cemetery Maintenance Employee:** Due to hiring Mr. Keiser, the current cemetery employee, who is a relative, now answers to Mr. Keiser. Trustee Drollinger said that because he is a current employee, he should not be penalized due to our decision in the change of leadership. President Schulz suggested we seek legal counsel advice on the matter by the next Administration meeting. Trustee Bennett would like to know if the language in the handbook is legal. Mr. Keiser said that the employees at the shop feel he shouldn't have to resign his position at the cemetery. Admin will get answers from legal counsel and will review it at their meeting on Monday.
- **Paid Leave/Sick Time:** In 2007, Council decided to eliminate sick time, but did not want current employees to lose that time. They changed it to paid leave and current employees received it as such. Employee hired after that date did not receive this time. Admin will review and make a recommendation.

- f. **Resolution #21 of 2018, Street Administrator:** The previous DPW Supervisor was named the village street administrator. With his resignation, the village should name a new one.

Motion by Bennett, seconded by Hardy, to approve Resolution #21 of 2018, naming Bradley Keiser as the Village Street Administrator. Motion carried by roll call vote. Ayes: 7 Nays: 0

- g. **WWTP-Boiler/Bid Policy:** We received a bid for the boiler at the WWTP, however, it was determined that we have a policy that requires a bid for projects over \$10,000. Council agreed to place this out for bids and ask the company who placed a bid to rebid.

- h. **MDEQ-Water Line Requirement:** As of current state legislation we have to start the process of removing any lead water service line within the municipality. Preliminary identification of lead services lines have to be reported by January 2020. Field verification of lead service lines by January 2025. Replace lead service lines by 5% starting in 2021. The services lines have to be replaced from the main into the house by 18” or to the meter if the meter is in the house. We do have a water asset management plan. Mr. Engles from the MRWA would like to schedule a new rate study and to review the asset plan so we can start planning for what will need to be done. Mr. Keiser explained the depth of the work that will have to be done. Treasurer Odom informed Council that this will not only mean water line work, it will also include road work.
- i. **DDA Matters:** Nothing new to report.
- j. **Credit Card-Home Depot:** Our current cards have the former DPW Supervisor’s name on them and need to be changed.

Motion by Schulz, seconded by Ciganick, to designate Bradley Keiser’s name be placed on the Village Home Depot card, remove Ken Stead’s name and to draft a letter to include the date of the change. Motion carried by voice vote.

9. Discussion Items:

- a) **BCBS Survey:** BCBS would like members to take their survey online. Instructions to access the survey were included for anyone wishing to take it.

10. Department/Committee Reports:

- a) **Committee Reports:** Committee minutes were included in packets for review for those committees that have met.
- b) **Clerk/Planner:** None presented.
- c) **Treasurer/Deputy Clerk:** None presented.
- d) **Department of Public Works:** None presented.
- e) **Police Department:** None presented.

10. Closing Member/Public Comment:

- **David Schulz:** Paddle Antrim was very appreciative of our support for the water trail and we are invited to an appreciation gathering if anyone is interested in attending.
- **Terry Colombo:** Mrs. Colombo would like to know what the Council has done concerning short term rentals. Clerk Lockett noted that Council decided not to take any action. The Planning Commission considered it but they wanted to see if the state legislature was going to do anything. They haven’t heard back, but it does look like the legislature isn’t going to act on it. It will have to go back to the Planning Commission will have to address it. President Schulz noted that if there will be nothing at the state level, then we should address it. Mrs. Colombo also asked about road patch work and when it will be completed. Mr. Keiser said the contract was signed today and the work will be placed on the schedule. The village will contract the work and then the homeowner accordingly. Her final question deals with the campground. If the campground opens earlier and opens later and it snows, how will the roads in the campground be maintained. Mr. Keiser noted that they will maintain the roads.
- **Mr. VanAlstine** wanted clarification that the bargaining items stated in the WW option for the County campus is only if the County chooses that and it was noted that yes, that is the case.

12. Adjourn: Meeting adjourned at 9:13 P.M.

Compiled by Cathy Odom
Minutes are subject to approval.

Approved: _____

Date: _____