

**Bellaire Village Council
Meeting Minutes
November 7, 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:** Lori Lockett, Clerk, Cathy Odom, Treasurer & Chief Bill Drollinger.
 - Also Present:** Mike Sizen, Gary Lockwood & Dee Lynch.
3. **Approval of Agenda:** President Schulz changed new business item f from ACH Policy to 4H Shed, added new business item h, Recreational/Medical Marijuana, item I, Frozen Water Line Notice, item j, Position Description Amendment, discussion item b, Performance Evaluations, item c, Neighborhood Advancement Program and item d, Christmas Party.
4. **Motion by Ciganick, seconded by Schuckel, to approve the agenda with the change of new business item f from ACH policy to 4H Shed, adding new business item h, Recreational/Medical Marijuana, item I, Frozen Water Line Notice, item j, Position Description Amendment, discussion item b, Performance Evaluations, item c, Neighborhood Advancement Program and item d, Christmas Party. Motion carried by voice vote.**
5. **Conflict of Interest:** Trustee Hardy noted a conflict with the Bellaire Youth Initiative Garden and Fence.
6. **Consent Agenda:** The consent agenda was approved with an amendment to the October 17, 2018 minutes under the DPW Hire item, adding an “r” that was missed to the name Christopher.
Motion by Schuckel, seconded by Ciganick, to approve the consent agenda with the change to the minutes. Motion carried by voice vote.
7. **Public Comment on Agenda Items:** None presented.
8. **Old Business**
 - a) **Vehicle Use Policy:** At the last meeting Council had suggested that the vehicle use policy for the DPW supervisor be updated.
Motion by Hardy, seconded by Drollinger, to approve the DPW Supervisor vehicle use policy #16. Motion carried by voice vote.
 - b) **Resolution #22 of 2018, Water-Sewer Fees:** At the last meeting, water/sewer ready to serve fees and turn off/turn on fees were discussed. The resolution was amended to include changes in how these fees are charged. Discussion of how to inform the public of these changes occurred, noting that we will post it on the face book page, the website, a letter or to send information out with the frozen waterline notice.
Motion by Bennett, seconded by McPherson, to approve Resolution #22 of 2018 as presented, effective March 1, 2019. Motion carried by roll call vote. Ayes: Bennett, McPherson, Ciganick, Drollinger, Hardy, Schuckel & Schulz. Nays: None.
 - c) **Lost Sick Time/Paid Leave:** A past administration eliminated sick time, but to avoid having the employees lose that time, it was rolled into their paid leave with future employees not receiving it all. Some employees are asking why they don’t receive that benefit. President Schulz said allowing it for all employees will not impact the budget because they will either work the day or use a sick day. He also informed Council that the State recently passed legislation that will allow an employee to earn up to nine days of sick time and this is tentatively scheduled to become effective next year. He explained this will give us time between now and then to research how we would be able to label employee time off.
Motion by Bennett, seconded by Hardy, allowing employees hired after 2007 to have the 40 hours added to their paid leave time. Motion carried by voice vote.

d) **DPW Trucks:**

- **Old Truck:** This is a 1999 pickup. We have received repair estimates and it exceeds the value of the pickup. Mr. Keiser would like permission to sell it.

Motion by Hardy, seconded by Bennett, to authorize the DPW Supervisor to place the 1999 Blue Dodge pickup for sale. Motion carried by voice vote.

- **Water Truck:** We have purchased our vehicles through MIDeal, which allows municipalities to purchase items at special discount prices. Mr. Keiser has been in contact with other municipalities who said they purchase vehicles, keep it for 3 or 4 years and then put it up sale at retail pricing. It works out that the selling price is enough to purchase another vehicle at the MIDeal pricing. The concept is to replace your vehicles every 3 years or so, which will allow for a newer fleet of trucks that need less repair, thus eliminating the majority of repair and maintenance costs for motor pool. We have validated that this is possible with MIDeal stating that we cannot just buy and sell for profit. Treasurer Odom said she contacted the auditor to see how potential capital gains affect the village. It was noted that as long as we purchase new vehicles with the funds, it should not affect us. The auditor did say that we should have a policy in place and Odom has put this on the list serve to gather sample policies. Trustee Ciganick discussed the value of the current water truck and noticed that certifying the vehicle could net us a little more when we sell. He also discussed the reply from MIDeal as far as how long to keep a vehicle before we sell. President Schulz said we could work on the policy and then make a decision on the sale of the water truck. He also noted that it is good timing with the budget process coming up. Trustee Ciganick noted that there will be an optimal resale period, whether 3 or 4 years and this could be put into the policy. Trustee Ciganick also noted that the current truck is a F350, but the quote for the new truck is an F250. He said we should quote the same for a better comparison. It was noted however, that what was quoted was what was actually needed. No further action was taken.

8. **New Business:**

- a. **BYI Garden & Fence:** Parks Committee met with Mrs. Lynch and identified a site for the garden they would like to do, however, the location puts the garden in the village right of way. They would also like to put an 8' fence around it to keep the deer out of it. A resident near that location is using this site to park vehicles and has objected to the location of the garden. The resident is not opposed to the garden, but is not fond of the location. If this is seen from a zoning perspective, fences cannot be 8' high nor can they be placed in a right way. Mrs. Lynch has tested the soil and it is a good site, but the question is if it should be there now that it has been determined to be in the right of way. It is on park property and the village doesn't have to abide by its ordinance, but this may set precedence if we proceed and anyone challenges our decision. President Schulz addressed the use of public property for parking, noting that it is village property and they would need to find another place to park. He also noted that it is village property, we are exempt from the ordinance and with that in mind, do we want to exercise our right and allow the garden to be in that location? There was a discussion of the size of the fence and what other alternatives might be available. Mrs. Lynch stated they have received tremendous support for the garden, but wants to keep peace for all concerned. They are ready to go, with the only thing to do before winter is to kill the grass in the area of the garden. In the spring they will condition the soil, put up the fence and plant. The food will be used for cooking classes with the excess given to the food pantry. The details of the fence and slightly changing the location of the garden were discussed. Trustee Ciganick asked what size the fence needs to be to comply with zoning, Clerk Luckett noted 6'. She also noted County rules are 7'. Trustee Ciganick said he loves the idea of the garden and we will make it happen, but he has concerns about not complying with our own ordinance due to the push back we may get. Changing the location of the garden was mentioned with alternatives of Craven Park, Holiday Acres, the Maple St. property and inside the transportation station being discussed. Mrs. Lynch said they need 2400 sq. ft. and water and will go where ever it is the least obstruction to anyone with the fence. This item was sent to the Parks Committee for further review. They will drive around to look for other options that might be available.

- b. **Resolution #23 of 2018, PA 152 Opt Out:** This is an annual resolution required if Council exercises its option to make our own decisions on employee health care.

Motion by Bennett, seconded by Hardy, to approve Resolution #23 of 2018, opting out of PA 152. Motion carried by roll call vote. Ayes: Bennett, Hardy, Ciganick, Drollinger, McPherson, Schuckel & Schulz. Nays: None.

- c. **SCADA System:** Mr. Keiser is looking for permission to upgrade the communication system software to the water system for better remote computer access. We are currently using trial software that the Village representative from Grand Traverse Mobile Communications has been using for quite some time. It is now no longer supported and remote access is not available unless the upgrade is allowed. The cost for the upgrade will be in the form of a \$200 a year annual maintenance fee.

Motion by McPherson, seconded by Drollinger, to authorize the DPW Supervisor to expend \$200 per year for upgrade to the SCADA software. Motion carried by voice vote.

- d. **Memorandum of Agreement-Mobile Computer Terminals:** This is an agreement with Antrim County to provide mobile computer equipment for our police vehicles. It will be their equipment and we will provide insurance for the computers we will be using.

Motion by Hardy, seconded by Ciganick, authorizing Chief Drollinger to sign the memorandum of agreement, mobile computer terminal (MCT) project for the Village of Bellaire. Motion carried by voice vote.

- e. **Leaf Issue-Railroad/Walking Path:** We have received notice that a couple of residents are blowing their leaves into the walking path, which creates a difficulty for those walking on the path. A letter was drafted explaining that this should stop and informs the residents that we have a location where they can take their leaves and brush for disposal. Trustee Drollinger asked what would happen if they don't comply, with Chief Drollinger noting that the police department will then address it.

Motion by Hardy, seconded by Bennett, to authorize the Village President to sign the letter and send it to the affected village residents. Motion carried by voice vote.

- f. **4H Shed:** Mr. Sizen from 4H is requesting approval for the installation of a 10 x 10 or 10 x 12 shed to be placed east of the showers to store tools and kids games that are used during the Fair. It will be placed on a pad and will not be on a permanent foundation.

Motion by Drollinger, seconded by McPherson, to allow the placement of the shed. Motion carried by voice vote.

Mr. Sizen informed Council that they have been approached about lighting up the new sign that was placed at Craven Park. He said he spoke with the airport to make sure it would not affect any of their lighting and it will not. They are looking at a sort of solar lighting. This was referred to the Parks Committee.

- g. **Maple Street Property:** President Schulz explained this was placed on the agenda to address putting it back on the market for sale. It was tabled until the BYI group had a chance to see if it would be a good place for their community garden and if not, Council will discuss putting it back on the market in the spring.

- h. **Recreational/Medical Marihuana:** With the approval of recreational marihuana, we received correspondence from the attorney informing us of the provisions within the act. We are allowed, as a municipality, to enact an ordinance prohibiting, limiting the number of, or regulating marihuana establishments under the act. President Schulz explained some of the financial items in the Act. Chief Drollinger noted that the gentleman who gave the presentation about the medical dispensary has not spoken with him yet as requested. He said he did do some research and had contact with Gaylord, where they had twelve dispensaries. They also had two methadone clinics in the community. The ordinance put in place to allow them has now been rescinded. They had significant problems with a rise in homelessness, retail fraud and assaults. He noted that these issues may not all be related to the dispensaries, but incidents increased. He reminded Council that if someone is in need of items, they can obtain it by several means and we don't need a store in our downtown. He also informed them that what will be allowed on a person is a larger

amount and today's marihuana is 80% more potent than it was in the 60's and 70's. Trustee Ciganick said we do not need a store front to sell it in our community and to draw up the ordinance.

Motion by Ciganick, seconded by Drollinger, to authorize the Village Clerk to communicate with legal counsel to draft such ordinance. Motion carried by voice vote with one nay vote from Trustee Bennett.

- i. **Frozen Water Line Notice:** In the past we have sent out a notice concerning frozen water lines and staff would like to streamline it and only have to send it out once. It will save several hundred in mailing. It could be mailed in November and sent out with the mailing for our EVIP. Council agreed.
- j. **Position Description Amendment:** We have some documents that label the person in charge of the DPW a director and some that call him a supervisor. We would like to make sure that we are consistent in all documents. The position has always been titled Supervisor and we would like to change the job description and a section in the handbook from director to supervisor.

Motion by Schulz, seconded by Schuckel, to authorize the changes as noted substituting the word director with the word supervisor in the DPW Supervisor position description and on page 6 of the handbook. Motion carried by voice vote.

9. Discussion Items:

- a) **Water Line Replacement-Record Eagle Letter:** This is included in packets just to keep this in mind on the potential future project and costs to identify lead service lines.
- b) **Performance Evaluations:** It is the time of year for performance evaluations. President Schulz will get with Clerk Lockett to set up the timeline to get them completed.
- c) **Neighborhood Advancement Program:** We received this notification from the Antrim County Treasurer and it is included in your packet for review and to see if you are in need of further information about it. This was tabled to gather more information.
- d) **Christmas Party:** In the past we have patronized Short's Brewing for a get together. At this time, there is not much interest for a party and no further discussed occurred.

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:** Chief Drollinger informed Council that Halloween went very well with no problems. He said Trustee McPherson asked him about a couple of crosswalks at Birch St/Cayuga and at Family Fare at Alden Street. Chief Drollinger noted that the state will not put in a crosswalk since there are no sidewalks in the area. We may want to consider putting in sidewalks in the area so we can put a needed crosswalk in that area. The new crosswalk signs were discussed and he noted he saw tremendous impact from them.
- e) **Police Department:** None presented.

10. Closing Member/Public Comment:

- **Eldon McPherson:** Trustee McPherson updated Council that the Public Works Committee is having Mr. Keiser conduct a survey to see what properties along M-88 near the bowling alley would be interested in hooking up to the Village water system.

- **David Schulz:** President Schulz informed Council that Antrim County had a special meeting for additional information on the proposed campus plans. There was a large informal group for public comment suggesting that the County form an Ad-hoc Committee that consists of some Commissioners, the Village President, DDA and residents of the Village to look at slowing the process down and to take a better look at the project to make sure a good plan is chosen.

12. Adjourn: Meeting adjourned at 8:22 P.M.

Compiled by Cathy Odom
Minutes are subject to approval.

Approved: _____

Date: _____