

**Bellaire Village Council
Meeting Minutes
February 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 Dan Bennett, David Ciganick, Bryan Hardy, Eldon McPherson, Trish Drollinger and Helen Schuckel.

Absent: N/A

Staff Present: Cathy Odom, Treasurer, Lori Luckett, Clerk, Ken Stead, DPW Supervisor & Bill Drollinger, Chief of Police.

Also Present: Tim Reicha, Patti Savant, John Iacoangeli, John Sych, Kevin Elsenheimer, Janet Koch, Brad Kik, Linda Gallagher, Jeremy & Paige VanSice.

3. **Approval of Agenda:** The agenda was approved.

Motion by Schuckel, seconded by Bennett, to approve the agenda as presented. Motion carried by voice vote.

4. **Conflict of Interest:** Trustee Drollinger noted her conflict with wages, merit wages and health benefits. She also noted her conflict with the approval of the public safety budget that will take place at the special budget meeting later this month.

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

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

6. **Public Comment on Agenda Items:**

- **Kevin Elsenheimer:** Mr. Elsenheimer explained that he is not on the agenda, but asked Council for permission to speak at this public comment period. Mr. Elsenheimer introduced himself and presented the Thirteenth Judicial Circuit Court Annual Report. He noted that the total amount of crime has declined in this report as has the total amount of filings in circuit court. However, based on numbers this year, it is going back up. We are starting to see more trials this year. There is also a shift in the most common crime in the area, which is currently manufacture or distribution of meth and heroine. He wants entities to be aware of this growing problem.

7. **Old Business**

- a) **Permit Parking Update:** After further review of permit parking, Chief Drollinger asked Council to move forward with just signage in the parking lot behind the bar. A sign will be posted under each of the lights that there is no overnight parking; violators will be towed at owner's expense. He stated if we move forward with the permit parking, it may create another set of problems. He said he will report back to council at the end of the winter, but thinks that the signage will work. President Schulz stated that as things get busier after the winter, he would like to see the permit parking reviewed again. Trustee Ciganick noted that he was reminded that some people parking overnight are trying to be responsible by not driving after drinking. He said saving one life may be worth it. Chief Drollinger said a possible option is to use the other side of the parking lot for those vehicles. He hopes that when these signs are posted and seen, drivers will take precautions before stepping out for the evening.

Motion by McPherson, seconded by Schuckel, to authorize the purchase of the signs. Motion carried by voice vote.

- b) **Short's Anniversary Party-Change Request:** Tim Reicha is seeking permission for a site plan change for Short's Anniversary party. They would like to move the portajohn's to Broad St. between Short's and Ruthie's which will open up the parking lot by the post office for food trucks. They have

spoken to Jan Clark from Ruthie's and they have worked out the details. Trustee Ciganick asked about the location of the shuttle stop, which Mr. Reicha explained. Mr. Reicha also asked for permission to use Craven Park, which we have agreed to in prior years, they just missed putting it into their original request.

Motion by Ciganick, seconded by Bennett, to approve the change request for Short's relocation of portajohn's and for the additional request for the use of Craven Park. Motion carried by voice vote.

8. New Business:

- a. **MEDC Redevelopment Ready Communities-NLEA:** Janet Koch from the NLEA presented information and a draft timeline if Council decides to move forward with the redevelopment ready community idea. She explained that this is all voluntary, not required, but it does encourage communities to become redevelopment ready. This will set a foundation in place in a community for developers to have a known pathway to develop within that community. She explained that it is a lengthy process and some of it is complicated and some of it is not. The draft timeline presented, if adhered to, is a reasonable one. She stated that MEDC is starting to tie some of their funding to communities that are redevelopment ready. The process includes looking at our master plan and the zoning ordinance. One of the biggest benefits for a community that is engaged in this (not necessarily certified) is the opportunity to identify three development sites in the community, which could then be posted on MEDC's website for viewing by developers who may want to come to this area. There are some local communities that have already completed the process and some that are currently in the process. One person from the municipality is required to attend a training session. There are two slots open and there is no cost for the training except for traveling to get there. She said she is attending and will be happy to carpool. The NLEA is happy to help with the process if Council would like. Depending on the level of help from the NLEA, there may be some associated costs. President Schulz asked Mrs. Koch to put together a plan with costs, identifying the involvement of the NLEA with the process.

Motion by Bennett, seconded by McPherson, to have the Village embark on the beginning process of exploring the participation of the MEDC Redevelopment Ready Community. Motion carried by voice vote.

- c. **Master Plan Professional Services:** We received two proposals for master plan services, one from Beckett & Raeder and one from Networks Northwest. President Schulz noted that references were supplied by Beckett & Raeder and asked Network Northwest if they could also supply them. A representative, Mr. Iacoangeli from Beckett & Raeder & Mr. Sych from Networks Northwest, gave a brief description of their company, their planning teams and the services they will provide. Mr. Sych noted, in response to providing references, that they are currently providing services to the Village of Kalkaska, Mancelona and Benzie County. President Schulz noted that the proposed budget does include funds for these services and suggests that we address this once we have an approved budget and based on where we are financially. Trustee Drollinger asked why we are spending this amount of money when we never have before. President Schulz noted that it's been ten years since any changes have been made to the Master Plan. He explained that where we are today, compared to where we were 10 years ago is a reason for these services. With a lack of workforce housing, an influx of businesses and ways to make processes easier for these issues, the current Master Plan may not be sufficient for where we are heading.

Motion by Bennett, seconded by Ciganick, to have the clerk contact references, find out what caused them to engage professional services for the Master Plan and what did they receive from those services. Motion carried by voice vote.

- d. **Resolution #03 of 2018, Bee Well Meadery License:** Bee Well Meadery is looking for the approval of a wine tasting room license from the MLCC. Part of the process is to obtain local government approval by resolution. Chief Drollinger said he doesn't see an issue with Council approving.

Motion by Bennett, seconded by Hardy, authorizing the Village Clerk to sign the local government approval for Bee Well Meadery's Wine Tasting Room License. Motion carried by roll call vote. Ayes: Bennett, Hardy, Ciganick, Drollinger, McPherson, Schuckel & Schulz.

- e. **Greenspace Improvement Project Grant:** The Health Department of Northwest Michigan sent us information about a grant opportunity titled Building Healthy Communities-Greenspace Improvement Projects to Increase Physical Activity. This is what we want to do with the kayak launch station. Due to the timeline for the grant, a letter of interest had to be sent to the health department by January 26, 2018. The grant amount is up to \$15,000. We reached out to the Area Seniors for a letter of support to include with the grant application.

Motion by Bennett, seconded by McPherson, to authorize the submission of the application for the building of the communities' green space improvement project. Motion carried by voice vote.

President Schulz said we received correspondence from Fleis & Vandenbrink that there is a DNR grant, which targets community recreation and community health. With Council's permission he would like to recommend that Clerk Lockett pursue that grant application. If awarded, it would probably provide the entire sum of bringing it from planning through actual installation. Treasurer Odom stated that trust fund grants require a match with President Schulz, noting that it is a 25% match and that it can be an in kind match. Treasurer Odom stated that this match is not included in the proposed 2017-18 budget.

- f. **County Contracts-Snow/Sweeping:** This is an MDOT State Trunkline Maintenance Contract. President Schulz stated that the Village's intention is for snow removal, salting and sanding state owned roads and notes that this contract covers significantly more. He asked if there was a deadline for approval. Mr. Stead noted that we are not aware of any deadline, but Treasurer Odom said if we want to be reimbursed for this winter's maintenance, it will have to be approved soon, so the paperwork can be filed. She explained that if this is approved, there is a letter of understanding that has to be completed and in that letter the services we would provide would be outlined. Mr. Stead explained that major projects would still be done by the State. He also said that we may want to consider patching the holes on M-88 for them, which can be reimbursed. Trustee Ciganick said being able to outline the scope of services would change the contract and questions how that would work. Treasurer Odom noted that annually, a budget will be provided and they will work with staff to determine the work for the year. She said that a contract with the State and not the County is how it should have been done. Most communities are no longer working with their counties. Treasurer Odom explained that this contract is normally for five years and all of these contracts expire at the same time, which is in 2019. This current contract would only be for one year so that we will be in the same rotation as all other entities. Mr. Stead noted that by approving the contract, the paperwork will no longer have to go through the County.

Motion by Bennett, seconded by McPherson, to accept the State Trunkline Maintenance Contract. Motion carried by voice vote.

- g. **Administration Committee Recommendations:**

- **Wages:** President Schulz explained the cost of living increase is at 1.9%, which amounts to a \$.36 per hour wage increase. This increase is included in the 2018-19 wage scale that the Administration Committee is recommending for approval.

Motion by Bennett, seconded by Hardy, to approve the Village of Bellaire 2018-19 wage scale. Motion carried by voice vote with one abstention from Trustee Drollinger.

- **Merit Wages:** The Administration Committee looked at where the proposed budget currently stands and noted that we have the ability to offer merit increases. The committee is recommending an annual merit increase of 1, 1.25, 1.5 and 1.75 percent.

Motion by Bennett, seconded by McPherson, to approve the Administration Committee recommendation for merit increase amounts of 1, 1.25, 1.5 & 1.75 percent. Motion carried by voice vote with one abstention from Trustee Drollinger.

- **Health Benefits:** President Schulz explained the rates for BCBS increased by 14.57%. The Administration Committee looked at the amount per hour value for the employees and it comes to about a \$1.11. The new rates for health care are already included in the 2018-19 proposed budgets. President Schulz noted that with the value of the health insurance and the commitment to the employees, if it can be afforded without decreasing the plan, it is the Administration Committee's recommendation to approve.

Motion by Bennett, seconded by Hardy, to approve the Administration Committee recommendation for maintaining our current Community Blue Platinum 250 Plan. Motion carried by voice vote with one abstention from Trustee Drollinger.

- **Handbook Amendments:** The Administration Committee reviewed the handbook and is recommending some changes. The village pension program stated we have to be more explicit on when our eligibility begins.

Motion by Schulz, seconded by Hardy, to approve the language addition of "full time employees are eligible to participate in a village pension program as of the first day of the month after their hire date." Motion carried by voice vote.

The next change deals with compensatory time in lieu of overtime pay. President Schulz would like to table this for further review.

The next change relates to compensation during travel. The Fair Labor Standards Act states that hourly employees from the time they leave until the time they get back, are eligible to be compensated for that time. To be in compliance this should be changed. Staying overnight would be from the end of the seminar on the first day, start again the next day when the seminar begins and continues until they get back.

Motion by Schulz, seconded by Hardy, to approve the language addition of "hourly employees who are required to travel out of the village for work related conferences, seminars, or training shall receive compensation, inclusive of travel time, in accordance, with the Village Travel Policy. Motion carried by voice vote.

The Administration Committee is also recommending a verbiage change under compensatory time and in lieu of overtime pay, changing the word "staff" to the word "workers."

Motion by Schulz, seconded by Hardy, from the sentence beginning "For this job", DPW maintenance staff be replaced with DPW maintenance workers. Motion carried by voice vote.

The next change is in regards to Addendum B, the CDL Mandated Drug & Alcohol Testing Policy. The committee is recommending the verbiage in red be included.

Motion by Schulz, seconded by Hardy, to approve the Administration Committee recommendation to include the verbiage which reads, "including the changes to the drug testing panel and rules effective January 1, 2018. Motion carried by voice vote.

- **Travel Policy:** The Administration Committee reviewed the travel policy. The per diem rates for meals were discussed, noting that they have not been updated in many years. Admin

would like to recommend that the meal per diem rates be changed to a total of \$54.00 with the breakdown being, breakfast at \$11.00, lunch at \$15.00 and dinner at \$28.00.

Motion by Schulz, seconded by Bennett, to increase the meal per diem rates be changed to a total of \$54.00 with the breakdown being, breakfast at \$11.00, lunch at \$15.00 and dinner at \$28.00. Motion carried by voice vote.

The committee also discussed the compensatory time during travel based on Department of Labor regulations from Fact Sheet #22. President Schulz explained that if two hourly employees are attending the same training, the person who drives will be paid for the after hour time, but the passenger will not. Trustee Ciganick noted that you have to deduct your normal travel time to and from work from the total time spent in travel.

Motion by Bennett, seconded by Hardy, to add Section 9.25, Compensatory Time During Travel, to the travel policy. Motion carried by voice vote.

- **DPW Boot/Coat Allowance:** President Schulz explained that Mr. Stead requested Council consideration to use the boot/coat allowance for other things like coveralls, when the DPW employees don't need boots or a coat. He would like permission to broaden the use of the allowance to other items.

Motion by Ciganick, seconded by Bennett, to broaden the use of the boot/coat allowance to be more flexible for staff to purchase coveralls or other items that don't fall under boots or coats. Motion died due to a lack of a vote.

Trustee Drollinger said she hesitates a little and a discussion of the purchase of jeans and shirts occurred. She asked if they would give us a bill for \$150 a year just simply because they can. Trustee Bennett asked if this has been an issue in the past. Treasurer Odom explained that it has not been an issue because the allowance was for specific things. They didn't need a coat every year and some didn't need boots every year. President Schulz stated that this doesn't have to be resolved tonight if Council would like more time. Trustee Drollinger said she would like it to be more specific. President Schulz asked Mr. Stead and Treasurer Odom to discuss and put together some specific guidelines.

- **Ordinance #02 of 2018, Appointment Terms:** President Schulz explained that the current Village ordinance has the terms for the Clerk and Treasurer listed as every two years. The committee would like their terms to match their contracts, which is every three years. Trustee Drollinger said she thinks that it should be the other way. Trustee Bennett said 'so move.' There was some confusion and Treasurer Odom clarified that Trustee Drollinger suggested changing the contracts to two years instead of the appointments to three. Trustee Bennett's motion received no second, motion died. Trustee Drollinger said she would like to see it changed to two years. Treasurer Odom asked if all contracts were being changed or just the Clerk's and Treasurer's. Trustee McPherson asked why they have to be changed, what was wrong with three years, with Trustee Drollinger saying she would like to review them more often.

Motion by Drollinger, to change the terms of the agreements for the Village Clerk and Treasurer to two years. The motion was amended to change all employee contracts to two years. Motion died due to lack of support.

h. **DDA:**

- **Appointments:** The appointments for Mr. Dawson and Mr. Irwin are expiring and they are both interested in being reappointed. President Schulz would like to reappoint them to the DDA.

Motion by Bennett, seconded by Schuckel, to approve the reappointments of Mr. Dawson and Mr. Irwin to the DDA. Motion carried by voice vote.

- **FY2018-19 Budget:** The DDA presented their proposed FY2018-19 budget. President Schulz reviewed it with Council. This will be represented at the budget public hearing.
- **Other Various Matters:** President Schulz explained that this will be a standing item on the agenda to keep the lines of communication open between the Village and the DDA. He explained that the DDA is currently working on the restoration of the community hall and possible financing options.

- i. **Credit Card Processing Fees:** We received quotes from two companies on their credit card fees. One is from FIS with a low rate of 3.49% and one from Michigan Retailers Association with a rate of 2.59%. Michigan Retailers Association would require us to purchase the terminal at a one-time fee of \$199.00.

Motion by Hardy, seconded by Ciganick, to approve changing to Michigan Retailers Association for the Village's credit card processing. Motion carried by voice vote.

- j. **Cemetery Agreement Renewal:** The cemetery agreement between the Village and Forest Home Township is up for renewal. There are no changes to it except for the dates.

Motion by Schuckel, seconded by McPherson, to accept the update to the cemetery agreement and authorize the Village President and Village Clerk to sign said document. Motion carried by voice vote.

- k. **ACD Request-Dog Waste Stations:** The Antrim Conservation District is seeking financial help with the purchase of a dog waste station at the trailhead of the Cedar River Natural Area at a cost of \$145.

Motion by Drollinger, seconded by Schuckel that we do this and try to get it into this year's budget. Motion carried by voice vote.

- l. **Clerk/Treasurer Appointments:** The Clerk and Treasurer appointments are due for renewal.

Motion by Bennett, seconded by Hardy, to appoint Cathy Odom as Treasurer and Lori Luckett as Clerk/Planner. Motion carried by voice vote.

- m. **Closed Session:** The Village Council moved to go into closed session.

Motion by Schulz, seconded by Hardy, to move into closed session pursuant to MCL15.268 Section 8(d) of the Open Meetings Act for the purpose of discussing potential new village office locations. The motion further states that all Council members, Ken Stead and Cathy Odom remain in the closed session. Motion carried by roll call vote. Ayes: Hardy, Bennett, Ciganick, Drollinger, McPherson, Schuckel & Schulz. Nays: None.

The Village Council moved into closed session at 8:28 PM.

The Village Council returned to regular meeting at 8:52 PM.

When Council returned to the regular meeting the following motion was made.

Motion by Schulz, seconded by Bennett, that Council authorize the creation of an Ad-Hoc Committee titled the Village Hall Committee, with the participants being Ken Stead, Cathy Odom, David Ciganick and David Schulz. Motion carried by voice vote.

9. Discussion Items:

- a) **FY2018-19 Budget:** A draft of the FY2018-19 budget was presented for review. The proposed budget includes the wage increases, merit increases, health insurance, additional allocations for parks and some additional equipment for the WWTP. The public hearing and special budget meetings were scheduled for February 21, 2018 at 5:30 PM and 6:00 PM respectively.

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.

11. Closing Member/Public Comment:

- **Tim Reicha:** Mr. Reicha explained that in Glacial Hill's Progress Report, the G.H. board included a request for \$1,500 from the Village for help with expenses of the trail system. He said that it was not included in the budget and wondered about the status of the request. President Schulz said he would look into it so that it can be addressed at the February 21, 2018 meeting. The location of these funds was discussed and it was noted that it should come from the Parks budget.

12. Adjourn: Meeting adjourned at 8:59 P.M.

Compiled by Cathy Odom
Minutes are subject to approval.

Approved: _____

Date: _____