

Bellaire Village Council
Meeting Minutes
April 4, 2012

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

2. **Roll Call Attendance:**

Present: Officers Dave Schulz, Butch Dewey, Brent Nelson, Anne Wendling, Trish Drollinger & Helen Schuckel.

Absent: Dennis Balon.

Staff Present: Cathy Odom, Treasurer, Janet Koch, Clerk, Brad Rowe, Police Chief & Ken Stead, DPW Supervisor.

Also Present: Colette Stanish, Rachel Krino & other representatives from Parkside Arts Council, Steve Kershner, Linda Gallagher, Ray Mills, Dean Johnson, Bud Heirlihy, Len Francine & Patti Savant.

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

Motion by Dewey, seconded by Schuckel, to approve the agenda with the additions of new business item A-2, 5K Run-Steve Kershner and item k, Personal Property Tax. Motion carried by unanimous voice vote.

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

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

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

6. **Public Comment on Agenda Items:** None presented.

7. **Old Business**

a) **Fire Suppression Update:** Trustee Nelson spoke with the property owner concerned about fire suppression fees and that conversation resolved the concerns. President Schulz and Trustee Nelson will discuss Village response and send a letter to the owner.

8. **New Business**

a) **American Legion/Area Seniors, Inc Request:** Mr. Heirlihy, commander of the American Legion post discussed their plans for a veterans memorial by the senior center on S. Maple St. They are seeking approval to remove a layer of the road to act as a base in the area where the memorial will be built. Len Francine, future director of the American Legion post said they have set up the dedication for May and he expects the project to take about a month to complete. DPW Supervisor stated his concerns about the hole that may be left if they remove a top layer of the road. President Schulz presented a quote of \$6,450 from Reith Riley to repair the road if a layer is removed with the question of who will pay the cost. President Schulz explained that the original plans for the memorial showed it in a different location than currently presented. He explained the local street budget and discussed future road repair that will have to be considered when looking for available funds. The budget shows \$3,000 going into fund balance. These are funds that could be used if no other expenses are incurred in the budget. Dewey asked if waiting to pave was possible, but stated that he thinks the memorial is a good idea. Mr. Heirlihy stated that they do not need the pavement now, but would like the dirt from the road right now. Mr. Mills asked if the Village could pay half of the cost. Mr. Nelson stated that they currently just want to be able to move the dirt. We could allow them to proceed with that and then the Village can take time to decide whether to fund part or all of the cost of the improvement to the road. Discussion occurred about filling in the area where the dirt would be removed. President Schulz noted that the right of way license that was given to the Area Seniors states that any

improvements to the area will be funded by them. Mr. Nelson asked if any of this was discussed with the DPW Supervisor to make sure things will be done correctly. Ken Stead can meet with Mr. Marshall to verify.

Motion by Schulz, seconded by Dewey, pending approval of the DPW Supervisor, Ken Stead, the American legion is authorized to have Tony Marshall excavate from the high rise area to where the American Legion will be constructing the memorial on Area Seniors property. Motion carried by unanimous voice vote.

Council discussed the possibility of helping with some of the cost of paving and discussed the options for paving the project. Trustee Drollinger stated that the lease says any improvements will be paid by the Seniors and wonders why we are paying for anything. Wendling noted that it's a nice addition to the community.

Motion by Nelson, seconded by Wendling, to have the Village of Bellaire pay for ½, not to exceed \$3,225 for the 140' long, shrinking down to 12' veteran's memorial pathway. Motion carried by unanimous voice vote.

- b) **5K Run-Steve Kershner:** is representing Shanty Creek and Shorts Brewery & they've discovered that the distance between the front doors at Shanty Creek and the front door of Shorts Brewery is exactly 5K. They would like permission to hold a 5K & 10K race in this area. He spoke with MDOT, revised the course and presented a new map. They would like permission to close Broad St. giving a place for runners to congregate. They would also like police support at crosswalks and to have no parking during the race on M-88 north of town to allow for the 10K portion of the race. The date for the race is May 12, 2012. They expect about 100 people. Discussion of insurance took place with the Village requesting a policy with them listed as an additional insured.

Motion by Dewey, seconded by Schulz, to approve the 5K & 10K race circuit, to provide public safety assistance, close off Broad St. and have them supply an insurance certificate listing the Village as an additional insured. Motion carried by voice vote with Brent Nelson abstaining.

- c) **Community Hall Clarification:** A while ago Council approved Parkside Arts Councils (PAC) request for a flat file in the north side of the chambers but there is now a buildup of items and it needs to be taken care of. PAC said the buildup is due to construction and it will be cleaned up when finished.
- d) **Parkside Arts Council Requests:** would like Council permission to change the color of the lobby walls from the color chosen at the last meeting. They would paint one wall a bright green and the other walls a lighter shade of the green. A discussion of colors and the brightness of the colors occurred. Trustee Nelson noted that Council needs to remember that we are still running a business office and it could potentially affect operations. Trustee Dewey stated that it could be repainted if not liked.

Motion by Schulz, seconded by Drollinger, to approve the choice of colors, invigorating green on the accent wall, a muted green on the other walls with the provision if in the view of the majority it is something that the landlord is unable to live with that Parkside Arts Council would be required to change it to a slightly less vibrant color. Motion carried by voice vote. Ayes-5; Nays-1 (Trustee Nelson).

At the last meeting PAC talked about an outdoor sculpture and they would like permission to place it in front of the building near the tree outside the Clerk's office and they would like to put a garden around it. They are not sure of what the sculpture will be but it will be made at an arts collaboration workshop. They would eventually like to make it a sculpture garden with multiple sculptures. They would take care of the garden. President Schulz suggested that it be able to be removed in the winter and to be careful of possible vandalism. PAC stated that it will be installed to stay in year round.

Motion by Dewey, seconded by Wendling, to permit Parkside Arts Council to develop a sculpture garden at the northeast corner of Bridge St. & Broad St. adjacent to the Village Community Hall, right outside Clerk's front window. Motion carried by unanimous voice vote.

- e) **President Pro-Tem:** The first meeting in April is when we usually vote for a Pro tem in case the president cannot preside over meetings. This practice was due to our elections being held in March. Our elections have now moved to November. In speaking with MML, general law village regulations have not kept up with this so we can choose when we want to approve a Pro tem but we need to include it in our Rules of Procedure. President Schulz prefers to hold off until the November election and if there is no objection from the rest of the Council. No objection was stated. President Schulz informed Council that a letter was received by Trustee Balon asking for a leave of absence until the June meeting to attend to the start up of his new business. It was noted that the Rules of Procedure can be reviewed, amended if needed and presented at a future meeting.
- f) **Brush Pile:** DPW Supervisor, Ken Stead, informed Council that our brush pile is full and we will not be able to take much more. This service is for Village residents and we are having an issue with residents from outside the Village limits dropping off brush. The camera we were using previously did not work as expected. Mr. Stead has been working with our communication company and they would be willing to donate a system that we would have to purchase the software for. A keypad is used with each resident receiving a key code to access the brush pile. The system will track the key code use which will allow us to know how many times a resident is accessing the pile. Too many uses would alert us to make sure the amount of brush that is being dropped off is coming from that resident's home. Another option is to shut it down completely. President Schulz asked Mr. Stead to obtain costs for the system to present and discuss at committee.
- g) **Summer Ball League Contract:** It's time to renew the Little league contract. There are no changes to the contract except for the dates and we have had no problems with the current contract in the past.

Motion by Dewey, seconded by Schuckel, to approve the 2012 contract with the Bellaire Summer Ball League and to authorize President Schulz to sign it. Motion carried by unanimous voice vote.

- h) **MML Grant:** This is a grant offered by MML and if we would like to apply, a letter of intent is due by April 6, 2012 with the actual application due May 1, 2012. The grant is from \$500-\$2000 and is to help communities implement any placemaking ideas they may have. They are looking for something creative, easily maintained, something that will have a continued presence and makes a difference to the community. Obtaining a display board at a cost of \$800-\$2000 was discussed. Trustee Dewey mentioned having a walking map of the old buildings with plaques describing a little history of the different locations. Council liked this idea from Trustee Dewey.

Motion by Dewey, seconded by Schuckel, to allow the Village President to sign the letter of intent for the MML grant. Motion carried by unanimous voice vote.

- i) **EVIP #3:** With the deadline of May 1, 2012 approaching for EVIP #3, it's time to signify the Village intent to have new hires pay for 20% of their health care costs. There is current appropriation bills that may remove this requirement, that a certain portion of the EVIP will be different. Clerk Koch asked if approving our intent to have all new hires pay 20%, and next year this requirement is removed, are we still bound by this year's decision? She also noted that the act states that we have to intend to comply with the terms of the act within a reasonable length of time. It doesn't state that we will do it by a certain time or from now on. Clerk Koch also informed Council that the State is proposing to tie revenue sharing to the Iranian Act, which means no municipality will be able to purchase goods from a company that has financial ties to Iran. The State is also proposing, in appropriations bills, is that if you are compliant with SB 7

then you will automatically be in compliance with EVIP. President Schulz also noted that they are talking about eliminating the opt out option for next year.

Motion by Wendling, seconded by Nelson, that the Village of Bellaire intends to comply with whatever the State of Michigan shall mandate for EVIP #3. Motion carried by unanimous voice vote.

j) **Checking Account Signatures:** The Village currently requires two signatures on financial correspondence. There are only two people eligible to sign checks per account, but there have been times when one person may be gone. President Schulz would like to see if Council would approve a third person to be able to sign checks. This would require new signature cards which name all eligible signers. This is tabled until review of any regulations that would not allow another signer on accounts.

k) **Resolution #09 of 2012, Consumers Energy:** Consumers Energy would like to make some changes to some light fixtures. For them to do the work and to change our billing they are required to have a resolution from the municipality authorizing them to do so. They will be reducing the lumens in two streetlights. Discussion of the lower lumens being a safety issue occurred.

Motion by Wendling, seconded by Nelson, to approve Resolution #09 of 2012, an authorization for change in standard lighting contract and an authorization for Consumers Energy to make changes in the lighting service. Motion carried by roll call vote.
Ayes: Wendling, Nelson, Drollinger, Schuckel, & Wendling Nays: Dewey & Schulz
Absent: Balon

l) **Personal Property Tax Legislation:** Lawmakers are looking at eliminating significant portions of commercial personal property tax and all of the manufacturing personal property taxes over a several year timeframe. MML is asking municipalities to send a letter to lawmakers stating the importance of this revenue and if removed ask them to look at ways to replace it. They have included a sample letter.

Motion by Dewey, seconded by Drollinger, to have the Village Clerk take the sample letter, rework it so that it comes from the Village Council and authorize the Village President to send the letter to the State legislature concerning the elimination personal property tax. Motion carried by voice vote with one nay vote (Trustee Wendling).

9. Discussion Items:

- **Milton Township Master Plan:** Milton Township is in the process of reviewing their Master Plan and has sent us a copy for our review and input. Council would like to have Clerk Koch review it and send them any comments she may have.
- **NMCOG Grand Vision Seminar:** They are having another placemaking seminar at a cost of \$35.00 in Traverse City or Petoskey if anyone would like to attend. If you would like to attend, let the office staff know and they will sign you up. President Schulz stated that it did provide some great ideas.

10. Department/Committee Reports

a) *Administration Committee:* President Schulz commented that in Chief Rowe's report a thorough synopsis of the complaint is explained and a resolution addressed. It was determined that there are no grounds for complaint and a formal letter will be drafted and sent to the person who filed the complaint.

b) *Committee Reports:* None presented.

- c) *Clerk/Planner*: None presented.
- d) *Deputy Clerk/Treasurer*: None presented.
- e) *Department of Public Works*: Written report presented.
- f) *Police Department*: Written report presented. Chief Rowe informed the Council that every month they are required to report incidents to the State and a comparison is done with previous years. He explained that Officer Light was not reporting his incidents so the numbers are not correctly stated. Future reports will be more accurate because all incidents will be included. A resident has a therapy dog that she is training and he has given permission for her to take the dog into the park. If this is not approved by Council he will let her know. Council approved as long as she had a vest on the dog which explained that he is a therapy dog and is being trained.
- g) *Planning Commission*: None presented.

11. Closing Member/Public Comment: None presented.

12. Adjourn: Meeting adjourned at 8:52 P.M.

Compiled by Cathy Odom
Minutes are subject to approval.

Approved: _____

Date: _____