

**Bellaire Village Council
Meeting Minutes
December 5, 2012**

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

2. **Roll Call Attendance:**

Present: Officers Dave Schulz, Anne Wendling, Butch Dewey, Dan Bennett & Helen Schuckel.

Absent: Laura Sexton & Brent Nelson

Staff Present: Cathy Odom, Treasurer & Brad Rowe, Chief of Police.

Also Present: Dee Lynch, Linda Gallagher, Dan Bean & Colette Stanish.

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

Motion by Bennett, seconded by Schuckel, to approve the agenda with the addition of old business item a, Resolution #11 of 2012 (Par Plan) & new business item h, Bellaire Youth Center Grant Request & item i, Notice of Pending Judicial Foreclosure. Motion carried by unanimous voice vote.

4. **Conflict of Interest:** Trustee Drollinger noted her conflict with new business item a, PA 152.

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

Motion by Dewey, seconded by Schulz, to approve the consent agenda with the removal of the communication item, Notice of Pending Judicial Foreclosure. Motion carried by unanimous voice vote.

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

7. **Old Business:**

a) **Resolution #11 of 2012:** last month Council approved Resolution #11 of 2012 dealing with the par plan grant and it should have been Resolution #13 of 2012.

Motion by Dewey, seconded by Schuckel, to approve the document change of Resolution #11 of 2012 to Resolution #13 of 2013. Motion carried by voice vote.

8. **New Business**

a) **PA 152:** PA 152 requires municipalities to choose options for health care. They must choose to either opt out, an 80/20 option or the hard cap option for EVIP compliance. Last year the Council opted out and if this method is chosen, it must be addressed annually. The Council's position has been and still is that we are able to control our budget without decreasing services. Trustee Bennett agrees and stated his position on the State interfering with local government.

Motion by Schulz, seconded by Bennett, to approve Resolution #14 of 2012 wherein which we again exempt out of PA 152. Motion carried by voice vote. Ayes: 4 Abstain: Drollinger

b) **Property Foreclosure:** There is a small piece of property at the south end of Bridge St. that went up for tax sale. Nobody purchased the property during the tax sale and by law, unless we object, it automatically goes to the local municipality.

Motion by Dewey, seconded by Drollinger, to accept the property with the provision to reimburse the County the sum of previously paid taxes in the amount of \$12.97. Motion carried by unanimous voice vote.

- c) **Rules of Procedure Reauthorization:** Council must annually review and adopt their rules of procedure. It was reviewed and revised in May of 2012 so there are currently no changes suggested.

Motion by Drollinger, seconded by Schulz, to approve the Village Council Rules of Procedure as presented. Motion carried by unanimous voice vote.

- d) **ORV Ordinance:** A public hearing was held prior to the last meeting to voice pros & cons of the proposed ORV ordinance. It was sent back to public safety who made final changes to the ordinance and it is now ready for review and/or approval.

Motion by Dewey, seconded by Drollinger, to approve Ordinance #03 of 2012, authorizing and regulating the operation of off-road vehicles on streets within the Village of Bellaire. Motion carried by unanimous roll call vote.

- e) **Committee Assignments:** Due to the election, committee assignments have to be reappointed. All remained the same except to replace Anne Wendling's seats with Trustee Bennett.

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

- f) **Zoning Workshop:** There is a workshop in Traverse City that Janet would like to attend about form based zoning and placemaking. The cost is \$55.00. Funds are available in the education item of the budget.

Motion by Schuckel, seconded by Dewey, to authorize the Clerk's attendance at the form based zoning and placemaking workshop for a cost of \$55.00. Motion carried by unanimous voice vote.

- g) **Senior Friendly Community:** Trustee Dewey met with the Area Seniors, the Chamber of Commerce & Dave Dozma from the office for services to the aging and Mr. Dozma is recommending that we accept a designation as a Senior Friendly Community. It means that we are set up to supply the needs for senior citizens. There is a survey that has to be completed and Trustee Dewey is looking for staff help in completing it. This survey will determine if we are senior friendly. Drollinger asked how this helps us and Dewey & Schulz noted that we would be able to advertise that Bellaire is a Senior Friendly Community to possibly attract potential retirees, which could help with home sales among other things.

Motion by Dewey, seconded by Schulz, to work on getting the survey complete to help in the process of becoming designated as a Senior Friendly Community. Motion carried by unanimous voice vote.

- h) **Bellaire Youth Center-Grant Request:** Dee Lynch from the Bellaire Youth Center explained that they are applying for a tribal grant for \$20,000 to expand their program but to do so they must partner with the local municipality. She explained they currently offer programs on Tuesdays & Wednesdays, but due to the volume of kids on a waiting list they would like to expand to Mondays & Thursdays. They would like to add a robotics program and also to provide tutoring. They are also looking at providing some kind of summer program. They have tremendous support from the community for the programs already in place, but to expand more funds would be needed and that is what the grant will provide. If agreed, the invoicing and payments will go through the Village. It was noted that the Village has partnered with other entities in the past for the tribal grants. President Schulz stated that the application will need to be brought in front of the Village for a signature. Reporting will also have to be done on how the grant funds are spent. Dee Lynch explained how their funds are currently spent. A memo on letterhead will be needed to send with the grant if the Village agrees if approved.

Motion by Bennett, seconded by Drollinger, to authorize the Village of Bellaire to jointly pursue the 2% grant through the tribe with the Bellaire Youth Center. Motion carried by unanimous voice vote.

- i) **Notice of Pending Judicial Foreclosure:** President Schulz explained that we provided an easement of a small portion of property to Stone Waters Inn to allow for the placement of a dumpster. He also stated that judging by the notice of pending judicial foreclosure proceedings have been initiated for the property and we were identified as a potential entity of interest because of the easement. The Treasurer contacted the attorney and verbally went over the documents, but they have yet to review them. They did not feel there was any action needed. We received a second notice and wanted to bring it to Council attention to make sure we are doing everything we should be. The Treasurer noted that we are under the understanding that easements go with the property no matter who owns it, but that it would be nice to have that verified.

Motion by Dewey, seconded by Schulz, to have the attorney's review the notice of pending judicial foreclosure. Motion carried by unanimous voice vote.

9. Discussion Items:

- a) **Sidewalk Ordinance:** The Village had a sidewalk ordinance that did not get incorporated into the codebook. A review of several communities ordinances were presented. President Schulz recommend that this be sent to the Streets Committee for review.

10. Department/Committee Reports

- a) **Committee Reports:** None presented.
- b) **Clerk/Planner:** None presented.
- c) **Deputy Clerk/Treasurer:** we received an action alert from MML about personal property taxes. It seems that the bills may pass and if they do it could mean a loss of revenue to the Village of \$27,000-\$30,000. They would like everyone to call their legislators and if they are going to eliminate personal property taxes, then make sure the lost revenue will be replaced 100% with something else. It was noted that these bills are 6022, 6024-26 if you would like to read the actual language.
- d) **Department of Public Works:** None presented.
- e) **Police Department:** Chief Rowe explained a incident that he wanted Council aware of. He received a call about a bicycle rider, riding with his family, and drinking. Could not locate him, came back to office, received a call from a different person, looked again and found him. He was drinking, right downtown. Chief Rowe confiscated the container and began to write a ticket, but found that there was nothing that allowed him to write the ticket. He stated the incident didn't feel right to him, it felt wrong, and would like Council's opinion about establishing an open container ordinance.
- f) **Planning Commission:** None presented.

11. Closing Member/Public Comment:

- a) **Trish Drollinger:** stated that the hallway needs to be repainted and that she thinks she will get it done on her own time. President Schulz requested the minutes of the meeting when discussion took place about the painting of the hallway. He will then draw up a letter to Parkside Arts Council about getting it done.
- b) **Dan Bennett:** explained that his son wrote a book about Native American folklore and Bellaire was mentioned in the book. He also commented on Ms. Lynch's comment about

the programs that were eliminated in school's due to budget cuts. He knows some kids who were in school when those classes were being taught and how those students apply those lessons learned today in their everyday lives.

- c) *Linda Gallagher*: commended Dee Lynch and the Bellaire Youth program. She thanked the Council for their support and also thanked Chief Rowe for his assistance with a situation he handled for her.
- d) *David Schulz*: reminded everyone about the Christmas party at Short's on December 10th at 6 pm. He also noted that he is humbled and honored to serve the Village.

12. Adjourn: Meeting adjourned at 8:02 P.M.

Compiled by Cathy Odom
Minutes are subject to approval.

Approved: _____

Date: _____