

**Bellaire Village Council
Meeting Minutes
December 4, 2013**

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

2. **Roll Call Attendance:**

Present: Officers David Schulz, Council Trustees Trish Drollinger, Butch Dewey, Eldon McPherson, Helen Schuckel & Dan Bennett.

Absent: Laurie Sexton

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

Also Present: Todd Gyulveszi, Tom Lapointe, Art Trowbridge, Linda Gallagher, Colette Stanish, Margie & Patrick Boyd & Rolland Fink.

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

Motion by Schuckel, seconded by Bennett, to approve the agenda with the addition of new business item g, meeting fees. Motion carried by unanimous voice vote.

4. **Conflict of Interest:** President Schulz noted his conflict with new business item f, Meadowbrook Sewer Ready to Serve Fees.

5. **Consent Agenda:** The consent agenda was approved with the removal of the minutes from the November 6, 2013 meeting.

Motion by Schuckel, seconded by Bennett, to approve the consent agenda with the removal of the minutes from the November 6, 2013 meeting. Motion carried by unanimous voice vote.

Motion by McPherson, seconded by Schuckel, to approve the minutes of the November 6, 2013 meeting with a revision in the discussion for new business item h, Resolution #15 of 2013, Shorts MEDC Grant. Motion carried by unanimous voice vote.

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

7. **Old Business:**

a) **Admin Recommendation-Resolution #18 of 2013, MERS 457:** The Michigan Employers Retirement System (MERS) would like to offer a 457 deferred comp plan to our employees. We already have one in place, there is no obligation for the Village to fund it, but it will offer a choice of plans to the employees. They usually are able to reduce fees and their returns seem to be slightly higher. If you proceed, it must be approved by resolution.

**Motion by Dewey, seconded by Schulz, to approve Resolution #18 of 2013, offering, as a choice to the employees, the MERS 457 Deferred Compensation Plan. Motion carried by roll call vote. Ayes: Dewey, Bennett, Drollinger, McPherson, Schuckel & Schulz
Absent: Sexton**

b) **Americorp Group-Camping Fees:** At the last council meeting we addressed cost sharing of camping fees for the Americorp group who worked on the Glacial Hills Trails. A motion was made to pay 50% of the camping fees. At the time we thought the total was \$840, but another invoice was found and the cost totaled \$1,260. The motion stated to pay 50% so we paid \$630 rather than \$420.

8. **New Business:**

a. **Shorts Anniversary Party-Todd Gyulveszi:** April 26, 2014 is Shorts Brewery's 10th anniversary and they will be holding a party for the event. Mr. Gyulveszi representing Shorts stated that he is currently working with Chief Rowe and MDOT to close M-88 between Cayuga and E. Broad St. and would like Council approval to do so from midnight of the 26th

to 4:00 am on the 27th. They are working on obtaining a special liquor license from the Liquor Control Commission (LCC). They are also planning to offer entertainment from 4:00 pm to midnight that evening and would like to ask Council for a sound variance to have music until midnight. As far as the sound variance, President Schulz stated to contact residents within the area of the event informing them of the events and times that they are taking place. This will give any residents who have concerns about the variance the opportunity to voice those concerns at a Council meeting. Council would then move to approve or deny the variance. President Schulz suggested to go to the Antrim County website to find the residents located in the area where the party will be held. Mr. Gyulveszi is working with a company that will provide a tent that will enclose the band and sound inside the tent area, which should help with the sound. He said he would provide a site plan to show how it will be set up with the letter to the residents who will be affected. President Schulz suggested a motion showing support for the event but we will still have the ability for additional input or approval as the details are worked out.

Motion by Dewey, seconded by Schulz, to support Short's Anniversary event, but to still have the ability for additional input and approval as details are worked out. Motion carried by unanimous voice vote.

Chief Rowe asked if Short's had a backup plan if MDOT doesn't agree to the road closure. Mr. Gyulveszi stated that it would then be a small gathering inside the pub. He stated they have already talked with the school about the use of their parking lot and they will shuttle people downtown from the school.

- b. **DDA:** The public hearing held prior to this meeting for input about the DDA. The following motion was made:

Motion by Schulz, seconded by Bennett, to authorize the Village to contact our legal counsel and pursue crafting of the ordinance to establish the DDA. Motion carried by unanimous voice vote.

President Schulz stated that Board Interest Forms will be made available for anyone interested in serving on the DDA board.

- c. **DPW Position:** President Schulz said this is on the agenda for guidance from the Council about replacing the DPW position once Mr. Fillmore retires this month. Mr. Stead attended the Administration Committee and would like to purchase generators that are needed for the lift stations in lieu of filling the position for the coming fiscal year. Trustee Dewey stated the DPW are on call and have limited time to respond if the lift station fails due to power outages. If the generators are purchased, they will kick on if power goes out and give the employees a little more time to respond to the call. Trustee Drollinger said she is concerned that the employees will burn out because of being overworked. Employees take the emergency phone for a week at a time so they are currently on a four week rotation. When Mr. Fillmore retires carrying the phone moves to a three week rotation, but Mr. Stead said he would take the phone so the four week rotation stays as is. President Schulz noted that as we start looking at the budget we can determine what we need and how to cover the costs of the generators.
- d. **EVIP-Consolidation:** The consolidation portion of the EVIP is due in February and we have a couple of options to use. One would be the Glacial Hills project, partnering with the County and the Township, and the other would be the hydro electric project. The State broadened what communities could use for this portion of EVIP. It used to be based on cost savings, now it can also be based on consolidation and cooperation that results in additional economic development for the area. This would make our help with the Glacial Hills project a qualifying project for EVIP.

Motion by Dewey, seconded by Drollinger, to authorize the Deputy Clerk to pursue gathering details as well as the necessary submission paperwork for that collaboration. Motion carried by unanimous voice vote.

- e. **TruGreen Contract:** Included in packets is a quote from TruGreen for lawn maintenance at the soccer park and the cost would be the same as last year.

Motion by McPherson, seconded by Schuckel, to authorize the appropriate agent for the Village to sign the 2014 agreement. Motion carried by unanimous voice vote.

- f. **Meadowbrook Sewer Ready to Serve Fees:** President Schulz has a conflict of interest with this agenda item and turned the meeting over to President Pro Tem Dewey. Meadowbrook has several meters at their facility. All of their water comes from their own system, however, it travels through our meters so we can determine what to charge them for sewer. In reviewing their accounts we found that they were not being charged sewer ready to serve fees. This account is used when their system is down. According to Ken, when this happens, this account is turned on and is used for water and sewer services for the entire facility until they can get their system running again. Because it is used for sewer services also, sewer ready to serve fees should be charged and have not been. I placed these billing items onto the bill and they are now being charged. Their cost for just the water ready fees gave them a monthly bill of about \$210. With the sewer ready fees now added the cost of the monthly bill is now about \$600. There is normally no usage to this account unless they turn it on to use it. This was noticed because they turned it on to flush the system, which is required by DEQ, and they had some usage charges. They are questioning why this has to happen and can we do anything about it. Trustee Drollinger stated that other customers are charged this fee, and Meadowbrook is not paying the same taxes citizen's are paying to support the system and they are using our sewer system. Trustee McPherson noted that they are only using one of the systems at a time. Trustee Dewey said we could go several ways on this and asked for Council suggestions. Trustee Bennett asked if this issue could be remedied in anyway and would like to postpone it until next meeting so that more information could be gathered.

Motion by Bennett, seconded by Drollinger, to postpone this issue until the next meeting and not charge them until resolved. Motion carried by voice vote with President Schulz abstaining.

- g. **Meeting Fees:** Tonight we had two meetings and technically members and staff receive compensation for both meetings. President Schulz would like to treat tonight as one meeting as we have done in the past.

Motion by Schulz, seconded by Drollinger, to treat the two meetings tonight as one and receive compensation for only one meeting. Motion carried by unanimous voice vote.

9. Discussion Items:

- a. **Retirement Party-Russ Fillmore:** Following receipt of Mr. Fillmore's retirement notification, he was contacted to see if he would attend an event in honor of his retirement. He is scheduled to retire on December 18, 2013. It was decided to have a potluck luncheon on the 18th at noon.
- b. **Forest Home Twp Master Plan:** Forest Home Township revised their Master Plan and by law they must send it to area municipalities for input. There is a copy of it in the Clerk's office for anyone wishing to review it.

10. Department/Committee Reports

- a) **Committee Reports:** None presented.

- b) *Clerk/Planner*: None presented.
- c) *Deputy Clerk/Treasurer*: None presented.
- d) *Department of Public Works*: None presented.
- e) *Police Department*: Chief Rowe updated Council on the status of the court date for 218 Durham. The hearing was adjourned until early February. A packet was sent to Scott Beatty, an attorney in Charlevoix, who will review it and give you a legal opinion on the potential ordinance violation.
- f) *Planning Commission*: None presented.

11. Closing Member/Public Comment:

- a. *David Schulz*: We received a flyer from Swan's Cove, a barber in the area, who is offering free haircuts for the unemployed and economically challenged for the holidays. He also informed the committee chairs to look at setting up meetings for budget discussions. Parks was scheduled to meet on December 9, 2014 at 11 a.m. President Schulz informed Council that the Administration Committee is scheduled to meet on December 5, 2014 to review applications and resumes and begin the process of hiring for the Clerk position.
- b. *Trish Drollinger*: would like to see if the gentleman from Meadowbrook maintenance could attend the next meeting.
- c. *Tom LaPointe*: stated the Council should consider soliciting the high school for internships for the DPW.

12. Adjourn: Meeting adjourned at 7:54 P.M.

Compiled by Cathy Odom
 Minutes are subject to approval.

Approved: _____

Date: _____