

**Bellaire Village Council
Meeting Minutes
October 2, 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 & Laura Sexton.
 - Absent:** N/A
 - Staff Present:** Cathy Odom, Treasurer, Janet Koch, Clerk & Brad Rowe, Chief of Police Office and Ken Stead, DPW Supervisor.
 - Also Present:** Rachel Krino, Colette Stanish, Tony Cutler & Don & Jean Seman.
3. **Approval of Agenda:** The agenda was approved.
 - Motion by Schuckel, seconded by Sexton, to approve the agenda with the addition of new business item e, PAC-Training. Motion carried by unanimous voice vote.**
4. **Conflict of Interest:** Trustee Dewey and President Schulz noted their conflict with new business item a, the water/sewer overpayment and they will abstain.
5. **Consent Agenda:** The consent agenda was approved as presented.
 - Motion by Bennett, seconded by McPherson, 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) **Budget Amendment-New Truck:** We did a budget amendment for the new truck at the last meeting, but it was only done for the amount we needed over and above the amount of the CD. It should have been for the entire amount because the entire purchase was not a budgeted item. We now need another amendment in the amount of \$13,950 to motor pool capital outlay from the general fund balance account to cover the entire purchase of the new truck.
 - Motion by Schulz, seconded by Sexton, to approve a budget amendment in the amount of \$13,950 from the fund balance of the General Fund to Motor Pool capital outlay for the purchase of the new DPW vehicle. Motion carried by unanimous voice vote.**
8. **New Business**
 - a. **PAC-Public Art:** PAC is looking for permission to display a piece of art outside in front of the building. A picture of the art was presented.
 - Motion by McPherson, seconded by Dewey, to approve the placement of artwork outside the front of the community hall. Motion carried by unanimous voice vote.**
 - b. **Public Works Committee Recommendations:**
 1. **Budget Amendment-Water/Sewer Overpayment:** During the software transition from the old utility billing program to the new, it was discovered that four accounts had been overcharged due to incorrect ready to serve fees placed on the account or an incorrect assigning of a 1.25" line that should have been a ¾" line. They are now being billed correctly, but the village attorney said to avoid receiving unjust enrichment we should refund the overpayments. The Public Works Committee is recommending that we approve and pay these refunds in full.
 - Motion by Sexton, seconded by Bennett, to refund the water & sewer overpayments in full to the accounts that were overcharged. Motion carried by**

voice vote with 2 abstentions. Ayes: Sexton, Bennett, McPherson, Drollinger & Schuckel. Abstention: Schulz & Dewey.

Motion by Sexton, seconded by Bennett, to approve a budget amendment from the fund balance of the water fund to the water fund miscellaneous account in the amount of \$6,252.30 for the purpose of refunding overpayments on water/sewer accounts that were overcharged. Motion carried by voice vote.

2. **Resolution #12 of 2013:** Public Works Committee is recommending that this resolution be approved to formalize the new water/sewer rate schedule. It also amends the shut off fee for nonpayment from \$60 to \$30, which is the standard fee and also amends nonpayment shut off procedures. We call those on the shut off list before shut off and this amendment will limit how many times we can call the same customer before shut off.

Motion by Drollinger, seconded by Bennett, to approve resolution #12 of 2013, amending the water/sewer rate schedule and other miscellaneous matters. Motion carried by unanimous roll call vote.

- c. **Par Plan Grant-Resolution #13 of 2013:** We received an in car camera from the previous par plan grant cycle. The police department would like to apply again this year for personal video cameras. These cameras attach to their uniform and will provide another form of protection for our officers. To apply for the grant the governing body must approve this resolution.

Motion by Bennett, seconded by Schulz, to approve Resolution #13 of 2012, allowing for the application of this year's Par Plan grant cycle for personal video equipment for the police officers. Motion carried by unanimous roll call vote.

- d. **Utility Advisors, Inc.:** We received information from Utility Advisors, Inc, a company that can conduct an audit of our utility payments for possible overcharges at no cost to the governmental unit. If they find overcharges they will get them removed and process the refunds. They charge 50% of the overpayment for their services only if we are due a refund due to overcharges. Council questioned how they search for these overcharges and if it is something we can do ourselves so as not to have to pay someone else.

Motion by Schulz, seconded by Bennett, to table this until a future date and more information can be gathered. Motion carried by unanimous voice vote.

- e. **Training:** This seminar addresses ways to plan and prepare for violence that could be faced in local communities. The clerk and treasurer would like to attend. It is an all day session so if approved, the offices will be closed for the day. The event takes place at Shanty Creek on October 22, 2013 and the cost is \$65. Chief Rowe stated the speaker for this seminar is an excellent speaker and would recommend anyone who can attend to do so.

Motion by Bennett, seconded by Schulz, to support and pay for the employees to attend, approve the closing of the offices for the day and to have this a paid work day for the staff attending. Motion carried by unanimous voice vote.

9. Discussion Items:

- a. **DDA Update:** Clerk Koch is working on the paperwork for the DDA. She and President Schulz discussed the DDA district, which includes the Central Business District, B & B Merchantile and Hickory & Bridge Lane. The timetable will be moved back about a month. The resolution can be ready for next month, which will create the DDA. The public notice can then go in the paper for a December public hearing. The ordinance can then be passed in February. Our attorney said he could write the ordinance at a cost of approximately \$1,000 or the clerk can write it and have the attorney review it. The creation of the DDA board could be in March. We will also work on the details of the TIF.

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:* A written report was presented.
- e) *Police Department:* Chief Rowe explained that he received a letter in reference to a home in the Village that is in violation of the Michigan medical marijuana act and our zoning ordinance. A letter was written about a month ago so the owner is aware of the zoning ordinance issues but not of the potential zoning conflicts of the marijuana act. Chief Rowe would like to set up a meeting to discuss the letter, address the questions in the letter and where to go from here. Trustee Dewey asked what the accusation was about and Chief Rowe stated it was about a potential grow issue. Chief Rowe stated that our options will depend on how the current prosecutor feels about the Act and if there is a standing about where a grow ops can be within our Village. The previous prosecutor didn't feel we could control that. Council said to address the blight issues and have the Chief speak with the prosecutor about the medical marijuana issues and bring the discussion back to them at the next meeting.
- f) *Planning Commission:* None presented.

11. Closing Member/Public Comment:

- a. *Butch Dewey:* Dewey asked when we start working on the next fiscal budget and it was noted that we will start in early November.
- b. *Tony Cutler:* Mr. Cutler introduced himself as a candidate for state representative.

12. Adjourn: Meeting adjourned at 7:43 P.M.

Compiled by Cathy Odom
Minutes are subject to approval.

Approved: _____

Date: _____