

**Bellaire Village Council
Meeting Minutes
January 8, 2014**

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, Ken Stead, DPW Supervisor & Brad Rowe, Chief of Police.

Also Present: Linda Gallagher, Colette Stanish, Margie & Patrick Boyd, Patty Savant & Alec Stilwell.

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

Motion by Schuckel, seconded by McPherson, to approve the agenda as presented along with the addition of old business item b, EVIP. Motion carried by unanimous voice vote.

4. **Conflict of Interest:** President Schulz noted his conflict with old business item a, Meadowbrook Sewer Ready to Serve Fees and with one of the applicants because he knows them on a personal level. He will abstain from the voting.

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

Motion by Bennett, 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) **Meadowbrook Sewer Ready to Serve Fees:** This was tabled from the last meeting and the issue was explained. Meadowbrook has a meter that is turned on only when they have a problem with their own system. When this happens they use water & sewer for the entire facility and were not being charged the sewer ready to serve fees. When we noticed this, we added it to their billing. They were questioning the charge and if there was anything that could be done about it. Since the last meeting Mr. McCleese from Meadowbrook followed up with some research on his own and has decided not to contest the charge. He found that this is a common charge for water and sewer. Ms. Odom explained that this meter is only turned on for flushing the system, which they are required to do, and when their original system fails, which they are required to have. When they turn it on for flushing, they are supposed to let us know and we remove the sewer charges because it is not going into the sewer. When they turn it on for the facility, they are charged for all billing items. All metered customers are charged a ready to serve fee. Trustee Dewey stated this fee is charged to help maintain the systems and their cost for the sewer ready to serve fees are based on line size and the fee for them is about \$400 per month. They do not need the sewer unless it is turned on because their original system fails. Trustee Drollinger noted that they are not using any more sewer because only one meter will be used at a time. President Schulz suggested that Meadowbrook get charged for the sewer fees only if the system is turned on due to failure of their current system.

Motion by Dewey, seconded by Drollinger, to charge Meadowbrook the water ready fee and not the sewer ready fee except in the event that they actually use the water and then charge them the sewer ready fee. Motion carried by voice vote with one abstention by Schulz.

- b) **EVIP:** President Schulz explained this is phase two of the EVIP program and that we have done this for a couple years now. This year will be participating in the continued development of the Glacial Hills trail system that is on Forest Home Township property and working with Forest Home Township and Antrim County to see this project complete. Our participation will include waiving camping fees for volunteers and with expansion, signage, etc.

Motion by Dewey, seconded by Bennett, to authorize the Village President to sign the paperwork for phase 2 of EVIP, certification of consolidation of services. Motion carried by unanimous voice vote.

8. New Business:

- a. **Craven Park Eagle Scout Project:** Alec Stilwell completed his Eagle Scout project of fixing up some areas of the baseball field at Craven Park. He presented before & after pictures and gave the Village some excess funds from his fundraising efforts to be used at the park. The Council commended and thanked him for his work.
- b. **Ohio St.-Kayak Vendor:** We received an email from Matt Webster asking permission to use the boat launch area on Ohio St. to provide kayak rentals on a daily basis throughout the summer. He has also approached the County for permission to use some of their access locations for the same purpose. Mr. Webster's plan is to either place the rentals in the areas or may construct a removable structure to set up shop in those areas. The County is doing some research on the subject. President Schulz noted that the County is concerned about potential liability and about having a private company use public land to make a profit. Trustee Drollinger stated that there are many places that take boat renters to drop off sites and pick them up at the end of the day. She said she doesn't have a problem with that, but he shouldn't set up shop in those locations. President Schulz suggested informing Mr. Webster that he could use the access for a drop off/pick up area but not to use it for anything other than that. It was also suggested to contact Council if he would like to further discuss this.
- c. **Yoga Class:** Currently there is a yoga instructor that conducts yoga class in the community hall and she is requesting the ability to an additional offering of more Wednesday classes in the evening and will work around our Wednesday meeting schedule. President Schulz placed this on the agenda because PAC charges to hold these classes. Trustee Drollinger asked how they can charge for this and doesn't feel this is right. She stated that if they are charging for this then that will help them with their rent. It was noted that they go back to full rent on February 1, but with ISLAND'S help. There was a discussion of the policy regarding the use the community hall which prompted a discussion of the nonprofit rental regulations. Trustee Drollinger asked the difference between charging for yoga in the community hall or at the park, which we wouldn't allow. Trustee Dewey said they are going through PAC, which could be considered the difference. Trustee Bennett said the first rule of renting states that we will only rent to non profits, with the word only being an exclusive words, which means no one else. PAC is nonprofit, but yoga is not. Trustee McPherson said we agreed to their reorganization. President Schulz affirmed past events. He said that PAC has a lease that is currently month to month due to financial hardship. They approached us to accept half rent and if we follow the community hall rental policy, they would not be able to have that yoga class. If we look at the organization as being a tenant and that tenant is paying PAC to hold the class and they hold more classes, that increases the likelihood that PAC would be able to pay the full rental commitment, which is what we want, to be able to help with the expenses of the building. Trustee Drollinger noted that they are not following the policy in a couple more areas. Number 2 of the policy states that someone from the nonprofit will be in attendance during the event, but in the email it states that will have to show them how to lock up, which says they are not planning on being here. Number 3 says that we will not charge for events. If they are charging rent they are charging for events. In this case, they are breaking three of the policy rules. Trustee McPherson suggested tabling this until new lease

discussions take place. President Schulz suggested moving this to the Property & Building Committee for further lease discussion.

- d. Bellaire Chamber of Commerce-Schedule of Events:** The Chamber of Commerce is seeking approval for their summer schedule. Patti Savant first thanked the Village and the Police Dept. for their help in the past. The only change she noted was that they were offering less music events and they will be working with Shorts to help with their anniversary event. Ms. Savant did inform the Council that Shorts will not be doing their kayak event this year and would like to see the Chamber keep it going. She said they are looking at working with the Elk Rapids Chamber to see if this it is a feasible option.

Motion by Schulz, seconded by Bennett, to approve the 2014 schedule of events requested by the Chamber of Commerce. Motion carried by unanimous voice vote.

e. Admin Committee Recommendations:

- **Interviews:** The Administration Committee narrowed down the search for the Clerk position to three candidates and the Council proceeded to interview each of them.
- **Health Benefits-New Rates & MSPA Membership:** President Schulz explained changes occurring in our health insurance due to the Affordable Care Act (ACA). Costs for the new policy was discussed. President Schulz said he believes that the overall benefit package is important and would not like to see the quality of the plan change any more than it has to if we can afford it. He stated that Mr. Stead asked that we purchase some needed equipment for this year in lieu of hiring another employee. Trustee Bennett would like to see an internal/external coordination of benefits added to this policy, which would allow better coverage for a family if the spouse is covered elsewhere. He said, to his understanding, the cost of this addition is minimal. Bennett would also like to see staff look into the cost of insurance in the marketplace. He also agrees with being able to offer employees the best we can afford. President Schulz said the Administration Committee is looking at all of this during the budget process and is recommending that they provide the best plan the ACA will allow. With the ACA, our agent said we should put together an annual plan and the MSPA will prepare and amend this plan as needed, as changes to the ACA are made. The cost to join is \$125.

Motion by Schulz, seconded by Bennett, to pursue membership with the MSPA for the purpose of document creation and amendments as needed. Motion carried by unanimous voice vote.

- **Budget-Generators & DPW Position:** President Schulz explained that Mr. Stead would like to see the purchase of generators in lieu of another employee for this year. Mr. Stead explained that he received a call from Jim Smith and was informed this would be his last summer to work for the Village. In light of this, Mr. Stead said he would now need another employee. He also said that there is enough money in this year's budgets to purchase the generators now so they would not have to be budgeted in next year's budget.

f. Parks Committee Recommendations:

- **Reserved Sites:** The Parks Committee had someone want to rent a site that was not on the list of reserved sites. The committee discussed the need for reserved sites and would like to recommend that we provide additional sites that can be reserved. There are currently 6 sites that can be reserved and they would like to add 12 more. With the additional reserved sites, Council reviewed Policy #6 and made the following motion:

Motion by Drollinger, seconded by Bennett, to approve the amendments to Policy #006 as presented. Motion carried by unanimous voice vote.

Trustee Drollinger informed Council that there was a problem last summer with campers not paying the set price for the site they were camping on. She stated that if they had a tent on a water/electric site which is \$15 per night, they were only paying the primitive price of \$10. This also was the same for those camping on full hook up sites, but not using the full hookup. These campers only paid the water/electric price. We charge a specific cost per site, not just what they are using. To remedy this, the committee would like to recommend that we place different color dots on the posts of each site and within those dots, put the price of the campsite.

Motion by Drollinger, seconded by Schulz, to place colored dots on each post and designate the cost of those sites within the dots. Motion carried by unanimous voice vote.

- **Policies 5 & 6:** Policy # 5 was reviewed and amended.

Motion by Schuckel, seconded by Dewey, to approve the amendments of Policy #005 as presented. Motion carried by unanimous voice vote.

g. Public Safety Recommendations:

- **Police Officer Position:** Trustee Bennett explained that Zack Light will not continue his employment as a part time officer this summer. The committee discussed options and Trustee Bennett said they felt a third patrolman was needed due to how busy downtown becomes. They are recommending the hiring of a third full time officer. He also said the committee discussed the status of 218 Durham St. and asked Chief Rowe to fill the council in. Chief Rowe explained the status of the issue. He said that the attorney felt that our ordinance is defensible and if we are successful with the current problem, then he would be happy to help us out. Mr. Stead informed the Council that we received a Miss Dig for the property, and discussion of the possibility of it being torn down took place. The following motion for support of budgeting for a third officer was made based on the recommendation of the Public Safety Committee. Trustee Drollinger questioned where the funds to pay for another officer would come from. Bennett noted that the funding is already in the budget in the public safety fund balance. Dewey noted that because the fund balance is there, doesn't mean the cash is there to pay for it and said that the cash would have to come from the general fund, which could create needed cuts from elsewhere. We do not have \$125,000 laying around for this cost. Dewey stated his main concern is that our newest plow truck is 33 years old, we are going to hire another DPW employee, and another police officer, we have to be concerned with running out of money. Chief Rowe presented options for budgeting for the third position.

Motion by Bennett, seconded by Schulz, to support the budgeting for a third full time officer for the FY2014-15.

President Schulz noted that the recommendation states to look at budgeting for a third officer, it didn't say to commit to the hiring of the third officer. It charged the Administration Committee with looking to add the third position and what it fiscally does to the Village budget. Due to this the motion was amended to read:

Motion by Bennett, seconded by Schulz, to look at budgeting for a third full time officer for the 2014-15 Fiscal year. Motion carried by unanimous voice vote.

- h. Baseball Field Renovation:** Mr. Vandergriff's 8th grade problem solving class is seeking permission to renovate the baseball field at Craven Park to provide a more efficient and safe place for athletes and fans to play. Students of the class presented their ideas. They are looking to replace the diamond dust, fertilize the outfield, replace the footing in the batting cages and paint the concession stand/announcers booth. President Schulz said this proposal mentions fundraising to help cover costs of the renovation. Mr. Stilwell donated \$50 of excess funds from his project, which could be used to help with this project. The Village would just have to be billed for some of the material.

Motion by Schulz, seconded by Drollinger, to accept the proposal to work on the Craven Park ball fields to make them safer for student use, with the supervision of the DPW supervisor. Motion carried by unanimous voice vote.

- i. DDA-Opt Out & Board Application:** According to State legislation all taxing entities have 60 days after a public hearing to choose to opt out of a proposed DDA. The Council needs to decide if they want to opt out of the DDA. Trustee Dewey said he wants Council to be aware that if they do not opt out they will receive no increase of revenue from the DDA district for 20 years. President Schulz discussed receiving our taxable value for the next fiscal year, but until we receive it, a decision will be difficult to make. He also noted that once the goals and objectives are set by the DDA Board, funding responsibility for those goals are placed with the DDA and not with the Village.
- j. Map Copy-Betty Hoover:** There is a large platted map in the offices and Betty Hoover would like to take it to Traverse City to get a copy of it. Dewey noted that we should have a couple copies made. President Schulz noted that due to her working with the Historical Society she will take care of it and would like to see copies made just in case this one is damaged.

Motion by Dewey, seconded by McPherson, to allow Betty Hoover to remove the map and to have copies made. Motion carried by unanimous voice vote.

Council made the following motion to move into closed session at 9:08 pm.

Motion by Bennett, seconded by Drollinger, to go into closed session pursuant to Section 8 (f) of the Open Meetings Act, being MCL 15.268, to consider and discuss confidential application for the Clerk position. Motion carried by roll call vote.

Ayes: Bennett, Drollinger, Dewey, McPherson, Schuckel & Schulz Nays: None

Council returned to open session at 9:39 pm.

Motion by Dewey, seconded by McPherson, to come out of close session and return to open session. Motion carried by roll call vote.

Ayes: Dewey, McPherson, Bennett, Drollinger, Schuckel & Schulz. Nays: None

President Schulz entertained a motion on Council's suggestion to fill the vacancy of the Clerk's position.

Motion by Dewey, seconded by Bennett, to offer the position to Lori Luckett. Motion carried by voice vote with one abstention. Schulz abstains.

Motion by Dewey, seconded by Drollinger, to empower the Administration Committee to negotiate the contract with Ms. Luckett. Motion carried by voice vote.

9. Discussion Items:

- a. **DDA Antrim County:** Antrim County’s standard policy is to initially opt out of the DDA. It doesn’t preclude them from returning to the Village for the purpose of negotiating an agreement for what extent to which they would opt back in.
- b. **Budget:** Admin will be meeting with the direction that Council has provided concerning the third officer, the DPW employee, health insurance and negotiating the first year contract with Ms. Luckett.

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:** A written report was presented.
- f) **Planning Commission:** None presented.

11. Closing Member/Public Comment:

- a. *Dan Bennett:* asked to place the word confidential on all future applications.
- b. *Colette Stanish:* asked what stood out for Ms. Luckett and it was noted her skill set is what they liked.

12. Adjourn: Meeting adjourned at 9:52 P.M.

Compiled by Cathy Odom
Minutes are subject to approval.

Approved: _____

Date: _____