

**Bellaire Village Council  
Meeting Minutes  
March 5, 2014**

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

2. **Roll Call Attendance:**

**Present:** President David Schulz, Council Trustees Trish Drollinger, Butch Dewey, Dan Bennett & Helen Schuckel.

**Absent:** Laurie Sexton & Eldon McPherson

**Staff Present:** Lori Lockett, Clerk, Cathy Odom, Treasurer, Brad Rowe, Chief of Police & Chris Thompson, WWTP.

**Also Present:** Colette Stanish, Don Seman, Linda Gallagher, Dean Branson & Brad Kik.

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

**Motion by Schuckel, seconded by Bennett, to approve the agenda with the additions of new business item p, 2013-14 budget amendments, item q, Grant Administration Assistance Agreement and old business item a, 2014-15 budget. Motion carried by voice vote.**

4. **Conflict of Interest:** President Schulz stated a conflict with new business item c, Meadow Brook Meter Usage.

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

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

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

7. **Old Business:**

a. **2014-15 Budget:** Trustee Drollinger is concerned about the 2014-15 budget and would like to reconsider some of the things that were placed in the budget. She said she would like to consider hiring a part time DPW employee instead of a full time employee. She stated that she isn't comfortable with a budget where we plan to use the fund balance and is potentially ongoing. Trustee Dewey agreed. He said we have used the fund balances for one shot purchases but never as ongoing and sees us having the same problem next year. He also doesn't see our property values going up. Trustee Bennett disagrees and said we can leave the budget as is and still only hire part time. President Schulz agrees that we can leave the budget as is, but still address how we hire employees.

**Motion by Bennett, to direct the department heads to address concerns of Council and report back at the next meeting. Motion dies due to the lack of a second.**

President Schulz said we can have Mr. Stead delay the hiring process until he can address Village Council next month.

**Motion by Drollinger, seconded by Bennett, to ask Mr. Stead to delay hiring a full time employee until it can be discussed at the Council meeting next month and to look into considering hiring a part time employee. Motion carried by voice vote.**

8. **New Business:**

a. **Antrim County Untied Through Ecology (ACUTE)-Letter of Support:** Dean Branson from the Three Lakes Association gave an overview of their request. They would like the Council to provide a letter of support to the MDEQ for them to fix the plume that is migrating this way. The biggest driver for this is the affect this plume will have on property values. The solution is long term with real estate agents also providing letters of support. The second thing they would like, at a request from MDEQ, is to provide a sign on letter with as many

names as possible. Organizations such as the MDEC, MDEQ and Rural Development will be seeing these letters. President Schulz stated that if this affects the Township like projected, it could affect us as well due to a possible population decrease.

**Motion by Schulz, seconded by Dewey, to authorize the Village President to sign the letter from A.C.U.T.E to Mr. Wagner and to have the Clerk draft a letter of support on behalf of the Village of Bellaire and authorizing the Village President to sign that letter. Motion carried by voice vote.**

**b. P & B Recommendations:**

- **Parkside Arts Council Lease & Yoga:** The committee met to discuss the lease with Parkside Arts Council (PAC). They will be going back to paying the full rent of \$450 and with ISLAND now helping with the rent, the attorney said we don't need a new lease, an addendum would be sufficient. Clerk Luckett noted that the lease was changed to include part of the stage as their storage area. The yoga class was discussed and it was decided that the members of the class will pay the fee directly to PAC.

**Motion by Dewey, seconded by Schulz, to authorize the Village President to sign the lease with PAC, going back to the original rental price. Motion carried by voice vote.**

PAC is requesting permission to submit a proposal for painting & installing track lighting in the hallway.

**Motion by Dewey, seconded by Drollinger, to allow just track lighting to display their artwork in the hallway. Motion withdrawn.**

Drollinger seconded but had questions about who will install the lighting and would like to make sure it is installed by someone who is licensed and to make sure they work with Mr. Stead. Treasurer Odom reminded Council that the hallway lights were put in by a Department of Energy grant. Track lighting may not be able to replace the energy efficient lights already installed in the hallway. The precious motion was withdrawn and the issue tabled.

**c. Public Works Recommendation:**

- **Meadow Brook Meter Usage:** There has been a noticeable influx of infiltrate into the sewer plant in the months of April, May & November. The DPW investigated and found that Meadowbrook's new building is the only major change . They installed a meter to test the influx and there was up to 128,000 gallons of sewage in a 38 day period, which put our system to almost capacity. The committee met with Meadowbrook and they are providing their own investigation, but until it is complete, we would like to install a meter to know what exactly is coming into our system. The cost for the meter ranges from \$5200 to \$6600 depending on the size of the line. We would like to start metering them on the 15<sup>th</sup> of the month and start billing them for what is actually coming into our system. The thought is that there are some cross connection issues and we are receiving their storm water. A company has already been hired by Meadowbrook to find the problem area, but we will recoup some of the cost from the extra influent which results in about \$1060 in revenue for the Village. It was noted that we could also have them pay for the meter. Trustee Dewey noted that this issue should get resolved because we cannot afford to install another holding pond.

**Motion by Drollinger, seconded by Bennett, to bill Meadowbrook Medical Care Facility based on the meter that shows the additional influx as opposed to using**

**the meter that's the water meter. Motion carried by voice vote with one abstention, President Schulz.**

- d. Frozen Pipes-Residential Customers:** There are some residents with frozen pipes that have asked if they are going to be billed. Other communities do not waive ready to serve fees as they were put in place to pay debt and/or infrastructure repair. It was noted that one community doesn't reduce billing due to a run water notice because they feel that the alternative of frozen lines is worse. There is no control over mother nature. No action was taken and billing will continue.

- e. DDA Board:** Rob Joyce, Joe Short, and Don Seman have turned in applications to be on the nine (9) member DDA Board. President Schulz will be on the board. He will be approaching others to see if they are interested in serving. One named mentioned was Mr. Garwood. At least 51% of the board members should have a financial interest in the DDA.

**Motion by Dewey, seconded by Bennett, to accept President Schulz's appointments of Don Seman, Joe Short and Rob Joyce to the DDA Board. Motion carried by voice vote.**

- f. Nuisance Ordinance Revision:** The previous clerk was working on a section of the nuisance ordinance pertaining to dangerous structures. Our attorney recommends that we make this its own police power ordinance. If left as is we would be required to hire professionals for inspections to determine a buildings potential danger. Counsel should decide if legal counsel should draft the new ordinance, which would be easier to enforce and would not have the requirements of hiring experts to determine dangers on structural components.

**Motion by Dewey, seconded by Bennett, to have the Village attorney draft a dangerous structure ordinance. Motion carried by voice vote.**

- g. Rules of Procedure:** An annual review of the Village Council Rules of Procedure was discussed.

**Motion by Schulz, seconded by Bennett, to approve the Council Rules of Procedure as they currently stand. Motion carried by voice vote.**

- h. Meeting Dates:** Meeting dates for the next fiscal year were presented. They will continue to be held on the first Wednesday of the month with the exception of holidays that fall on that Wednesday. President Schulz verified with the Council that one meeting a month was satisfactory.

**Motion by Schuckel, seconded by Dewey, to approve the 2014-15 meeting date schedule as presented. Motion carried by voice vote.**

- i. Resolution #04 of 2014, Fire Board Appointment-Roger Rainey:** Mr. Rainey's term is about to expire as the Village representative on the fire board. He would like to be reappointed for another three year term.

**Motion by Dewey, seconded by Schuckel, to approve Resolution #04 of 2014, appointing Roger Rainey to the Bellaire District Fire Board for a three year term. Motion carried by roll call vote. Ayes: Dewey, Schuckel, Bennett, Drollinger & Schulz.**

- j. Resolution #05 of 2014, Street Administrator:** This is an annual resolution naming a street administrator for the Village of Bellaire. Mr. Stead has served as the administrator.

**Motion by Dewey, seconded by Bennett, to approve Resolution #05 of 2014, naming Ken Stead as the Village street administrator for the 2014-15 fiscal year. Motion carried by roll call vote. Ayes: Dewey, Bennett, Drollinger, Schuckel & Schulz.**

- k. Resolution #06 of 2014, Bond Counsel:** This is an annual resolution naming the Village bond counsel for the 2014-15 fiscal year. We usually use Miller, Paddock, Canfield & Stone.

**Motion by Schuckel, seconded by Bennett, to approve Resolution #06 of 2014, naming Miller, Paddock, Canfield & Stone as the Village bond counsel for the 2014-15 fiscal year. Motion carried by roll call vote. Ayes: Schuckel, Bennett, Dewey, Drollinger & Schulz.**

- l. Resolution #07 of 2014, Financial Institutions:** This is an annual resolution naming the Village financial institutions for the 2014-15 fiscal year. President Schulz noted that Citizen's Bank should be changed to First Merit in the resolution.

**Motion by Dewey, seconded by Schuckel, to approve Resolution #07 of 2014, naming Alden State Bank, Bellaire; Huntington National Bank, Bellaire; First Merit Bank, Bellaire and Bay Winds Federal Credit Union, Bellaire as the financial institutions for the Village for the 2014-15 fiscal year. Motion carried by roll call vote. Ayes: Dewey, Schuckel, Bennett, Drollinger & Schulz.**

- m. Resolution #08 of 2014, State Trunk Line Right of Way:** This is an annual performance resolution which will allow the Village to provide work in the right of way on state owned highways.

**Motion by Schuckel, seconded by Bennett, to approve Resolution #08 of 2014, which will allow the Village to work in the right of way on state owned highways. Motion carried by roll call vote. Ayes: Schuckel, Bennett, Dewey, Drollinger & Schulz.**

- n. Liquor License Resolution-Shorts:** Brian from Shorts was present to answer any questions Council may have concerning the license. Their current license at both places, allows them to brew 900,000 gallons or 30,000 kegs and they can only sell what they produce. This wine (cider) makers license doesn't apply to the quota. It was noted that the amount of beer that is brewed will be affected by how much cider is brewed. This license is for the Bellaire location only. They will brew the vast majority of it in Elk Rapids, but need the license to sell it in Bellaire and they will only sell their own brew. It is allowed under our zoning because Shorts is classified as a restaurant. Trustee Dewey asked Brian to remind Scott at Shorts to submit a site plan for the project they have begun. The site plan was further discussed.

**Motion by Dewey, seconded by Drollinger, to approve the liquor license resolution for Short's Brewing Company. Motion carried by roll call vote. Ayes: Dewey, Schuckel, Bennett, Drollinger & Schulz. Nays: None**

- o. Summer Ball league Contract:** It is time to renew the annual contract with the Bellaire Summer Ball league. The only changes to the contract are the dates.

**Motion by Dewey, seconded by Schuckel, to authorize the Village President to sign the contract for 2014 between the Village and the Bellaire Summer Ball League. Motion carried by voice vote.**

- p. 2013-14 Budget Amendments:** These are yearend amendments for the 2013-14 fiscal year. President Schulz asked Council to place an effective date of 02-28-14 at the top of the page.

**Motion by Schulz, seconded by Drollinger, to approve the budget amendments for the 2013-14 fiscal year effective February 28, 2014 as presented. Motion carried by voice vote.**

- q. Grant Administration Assistance Agreement-NLEA:** This is an agreement between the NLEA and the Village of Bellaire for them to provide administration for the MEDC grant approved for the Shorts Brewing Company. There is no additional funding required of the Village as this will be paid from the grant. Our attorney has reviewed it, made some revisions and it is now ready for approval.

**Motion by Dewey, seconded by Schuckel, to approve and authorize the Village President to sign the Grant Administration Agreement between the NLEA and the Village of Bellaire. Motion carried by voice vote.**

**9. Discussion Items:** None presented.

- a. **Board Interest Forms-Antrim County:** Antrim County has several board position open and if anyone is interested in serving on them, there are applications in the office.
- b. **Zoning Ordinance Review:** This is a reminder that funds have been approved in the budget for the attorney to review the zoning ordinance for inconsistencies. This will be added to the April agenda for discussion.

**10. Department/Committee Reports**

- a) **Committee Reports:** None presented.
- b) **Clerk/Planner:** Clerk Luckett informed the Council that her research on the EVIP requirement concerning hard cap for DPW employees resulted in finding no reference to that fact. She also informed the Council she did some research on the exchange for health benefits and reviewed several different policies. Some had extremely high deductibles and others not so high depending on level of plan. She said there are many disclaimers and due to that, comparing policies would be difficult. She also noted that help for payment of these policies goes directly toward the premiums, not the deductible. She will provide a more completed list in the near future. Comparisons with other communities was discussed, however, it was noted that an apple to apple comparison is difficult due to differences in taxable values, job descriptions and budgets.
- c) **Deputy Clerk/Treasurer:** The audit is scheduled for April 8, 2014.
- d) **Department of Public Works:** None presented.
- e) **Police Department:** A written report was presented. Chief Rowe also informed the Board that he spoke with Officer Light about keeping his part time position but he is not interested. He and Mr. Rix will serve as reserve officers.
- f) **Planning Commission:** None presented.

**11. Closing Member/Public Comment:** None presented.

**12. Adjourn:** Meeting adjourned at 8:21 P.M.

Compiled by Cathy Odom  
Minutes are subject to approval.

Approved: \_\_\_\_\_

Date: \_\_\_\_\_