

**Bellaire Village Council
Meeting Minutes
June 4, 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 & Eldon McPherson.

Absent: Laura Sexton

Staff Present: Lori Lockett, Clerk, Cathy Odom, Treasurer & Ken Stead, DPW Supervisor.

Also Present: Colette Stanish & Patti Savant.

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

Motion by Schuckel, seconded by McPherson, to approve the agenda with the addition of new business item g, Employee. Motion carried by voice vote.

4. **Conflict of Interest: Trustee:** None presented.

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

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

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

7. **Old Business:**

a. **PC Member Appointment:** There is a vacancy on the Planning Commission due to Mr. Fedraw's resignation. We have advertised for the opening and received an interest form from Don Seman. He currently serves on the DDA and we found that serving on both boards does not create a conflict. President Schulz would like to appoint Don Seman to the Planning Commission for the duration of Mr. Fedraw's term which expires on November 30, 2015. President Schulz also asked the Clerk to send a letter to Mr. Fedraw thanking him for his service.

Motion by Dewey, seconded by Bennett, to approve the appointment of Don Seman to the Planning Commission. Motion carried by voice vote.

b. **Portage Station Update:** The Clerk presented a report that updated the Council where we currently are with the project. Location sites have been researched. A portage station should not be located within 300 feet of a dam, spillway or powerhouse and the locations identified for the portage station meet this requirement. As the stations will be along the river's edge and into the water we will have to consult with DNR & DEQ with a permit being required and we will also have to be ADA (American Disability Act) accessible. With these requirements and added costs, we will be unable to provide two portage stations for the cost of \$5,200, which is the original cost approved in the grant. We will also have to ask for a change in the scope of the project to allow us to only build one station. The grant documents also show a September deadline for completion of the project, however, due to the requirements of building the station, we will need to ask for an extension. President Schulz noted that if we are allowed an extension, we may be able to find other sources of grant revenue that may help with the added costs.

Motion by Schulz, seconded by Dewey, to authorize the Village Clerk to contact the granting agency to change the scope of the project from two stations to one station and to request an extension of the September deadline. Motion carried by voice vote.

- c. **Audit:** The 2013 audit report was reviewed and discussed. Trustee Bennett noted the \$98,000 increase in total net position of the Village for the fiscal year. Differences between the previous year and this year for other revenue was discussed with Treasurer Odom to find out from the auditors what is grouped together in the "other" category in the audit report. Trustee Bennett asked if the auditors made any recommendations of things that we need to change or do differently and it was noted that none were made. President Schulz mentioned that we have minimal internal controls, but noted this is not uncommon in a small office such as ours.

8. New Business:

- a. **Chamber/Destination Bellaire Requests:** Patti Savant from the Chamber asked the Council if the DPW could position the flower barrels downtown and once planted if we could water them again this year. She said she removed the Christmas lights that she could reach off the big Christmas tree and would like the DPW to remove the rest of them. President Schulz said we could coordinate a schedule for placement of the barrels and he noted that with the DDA now in place, keeping the downtown beautified could be an objective for them. Trustee Drollinger asked if wood chips could be placed in the barrels before putting them out. As far as the Christmas lights, it was noted that as the Christmas tree grows, it may not be possible to remove the lights on an annual basis.
- b. **Landscaping/Snow Removal Applications/Fees:** A resident came in with two forms that would require companies hired by residents for snow removal or landscaping to file an application with the local government office before they can work on properties within the Village limits. He would like the Council to consider implementing these applications. Council discussed and took no action.

- c. **Ordinance #02 of 2014, Dangerous Structures:** We currently have something in our nuisance ordinance that is difficult to enforce. This ordinance is intended replace that.

Motion by Dewey, seconded by Bennett to approve Ordinance #02 of 2014, Chapter 31, dangerous structures. Motion carried by roll call vote. Ayes: Dewey, Bennett, Drollinger, McPherson, Schuckel & Schulz. Nays: None

- d. **Ordinance #03 of 2014, Fair Housing:** With the Community Block Grant that we received, we are required to have an ordinance and complaint process in place dealing with fair housing. Trustee Bennett stated that he would like to amend the ordinance in light of a Supreme Court decision that occurred today, he would like to amend this ordinance to add sexual orientation to any area in the ordinance where they discuss anyone who could be discriminated against. Treasurer Odom suggested sending this amendment to the attorney before approval of the ordinance. Clerk Luckett stated that we can have the attorney review this change and then vote on the ordinance next month.

Motion by Bennett, seconded by Schulz, to send the proposed amendment to the attorney for his review and address the ordinance again at the next meeting. Motion carried by voice vote.

- e. **Resolution #11 of 2014, Fair Housing Complaint Process & Forms:** Due to sending the ordinance back to the attorney for further review, this was tabled until the next meeting.
- f. **Resolution #12 of 2014, Millage Rates:** The millage rates for this year need to be set. The budget was calculated based on last years rates. If agreed the rates will be the same as last year.

Motion by Dewey, seconded by Bennett, to approve Resolution #12 of 2014, setting the millage rates for 2014 at 10.8359 for general operations, 3.1375 for streets and 1.4800 for the sewer bond. Motion carried by roll call vote. Ayes: Dewey, Bennett, Drollinger, McPherson, Schuckel & Schulz.

- g. **Employee:** One member of council has had conversations about an issue with the office of the clerk. President Schulz asked if a closed session would be requested and it was noted that it would not be necessary. Trustee Drollinger stated that she has had several conversations and she is requesting that this be sent to the Administration Committee for review.

Motion by Drollinger, seconded by Bennett, to have the Administration Committee complete a review of the Clerk's office. Motion carried by voice vote.

9. Discussion Items:

- a) **Legal Service Rates:** We received a notice from the attorney that rates for legal services will be increasing to \$155 from \$145 per hour.
- b) **Cleanup Days:** The township clean up for Village residents is set for June 12, 2014.
- c) **Outside Display-CBD:** The ordinance that currently exists is restrictive about what can be placed on the downtown sidewalks. Our trash containers are against the ordinance. Technically the sandwich board signs are against the ordinance. Businesses have begun to place things outside on the sidewalk, which are also against the ordinance. We need to look at the practicality of making sure that the sidewalks are kept passable and safe, while creating an inviting atmosphere. Discussion of bikes and skateboards on the sidewalks downtown was discussed. Clerk Luckett is looking for guidance from the Council on how they would like this taken care because part of her responsibility is to enforce the ordinance as it is. President Schulz suggested that a thoughtful analysis be completed to take care of this and suggested having the Planning Commission look at this.

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. Council members said the new paving that was recently done looks great. Mr. Stead also said he received a call from representatives at Shanty Creek who would like to meet with the Public Works Committee on June 25, 2014 to discuss the plume that is coming this way.
- e) **Police Department:** None presented.
- f) **Planning Commission:** None presented.

11. Closing Member/Public Comment:

- **Dan Bennett:** noted that the trash containers at Richardi Park were overflowing. He stated that this needed to be taken care of. There was an event at the park and the office will discuss this with the person who rented the park on the weekend.
- **David Schulz:** informed Council of the letter that Short's placed in the paper to thank everyone for their help during their anniversary party.
- **Trish Drollinger:** asked if we were done cleaning up after the removal of trees that took place in the fall. Mr. Stead said they were not done yet and are working towards getting it done.

- *Butch Dewey*: thanked the DPW for their hard work. He stated we were snow plowing about five weeks ago. He also mentioned that the 1983 plow truck is burning oil. Trustee Bennett mentioned opening up a special account to start saving for things like this.
- *Patti Savant*: also thanked the DPW for their work during the winter months.

12. Adjourn: Meeting adjourned at 8:17 P.M.

Compiled by Cathy Odom
Minutes are subject to approval.

Approved: _____

Date: _____