

**Bellaire Village Council
Meeting Minutes
July 2, 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, Helen Schuckel, Laura Sexton & Eldon McPherson.
 - Absent:** Dan Bennett
 - Staff Present:** Lori Lockett, Clerk, Cathy Odom, Treasurer, Brad Rowe, Chief of Police & Ken Stead, DPW Supervisor.
 - Also Present:** Roger Rainey, Julie Budas, Al Odom & Tim Reicha.
3. **Approval of Agenda:** The agenda was approved.

Motion by Sexton, seconded by Schuckel, to approve the agenda with the additions of new business item k, new employee decisions & discussion item b, Short's anniversary celebration. Motion carried by voice vote.
4. **Conflict of Interest: Trustee:** President Schulz noted his conflict with new business item j, Public Works Recommendations, Meadowbrook meter.
5. **Consent Agenda:** The consent agenda was approved.

Motion by Schuckel, seconded by Dewey, to approve the consent agenda as presented. Motion carried by voice vote.
6. **Public Comment on Agenda Items:** None presented.
7. **Old Business:** None presented.
8. **New Business:**
 - a. **Richardi Park Request-Tailwinds/Shorts:** On Sunday, August 3, 2014 the 1st annual competitive bike race will be held at Glacial Hills and will be sponsored by Shanty Creek & Short's Brewing Company. They are expecting about 400 people with two races being held. One for the experienced bikers and one for others. The starting line will be at Richardi Park and the finish line will be at the high school. Short's would like to set up a hospitality area under the pavilion to serve food and alcohol. Currently, alcohol is not allowed in the park so they are seeking a variance to allow them to do this. The drinks will be strictly complimentary and they are expecting it to last from about 11:30 am to 4:00 pm. Tim Reicha from Short's presented a site plan so Council had an idea of their plans. Trustee Drollinger said with their history of control she didn't see a problem. President Schulz said they should provide insurance with the Village as an additional insured.

Motion by Sexton, seconded by McPherson, to grant Short's Brewing Company a non precedent variance on the Village's stated position of no alcohol in the park and to have them provide insurance naming the Village as an additional insured. Motion carried by voice vote.

Trustee Drollinger would like the Parks Committee to meet to further address this issue for future occurrences. Chief Rowe stated that Short's will have to obtain a permit from the MLCC for this event. Mr. Reicha confirmed this and informed the Council that the Chamber of Commerce will be applying for the permit on their behalf.
 - b. **Bicycle Parking Lot:** President Schulz was approached by a representative of Short's about placing a bike rack on the property the Village owns by the Antrim Review building. President Schulz noted that at this point, we aren't using the property for anything specific, it

is centrally located downtown and would like Council to consider making that area a dedicated bike lot. He also noted that it looks like we could place a rack in the public lot by Fischer Insurance between the sidewalk and the car stops. He suggested that Parks look into this location for installing a future permanent bike lot. President Schulz noted that Chief Rowe suggested we use one of the bike racks that are inside Richardi Park for now. Trustee Drollinger noted that she doesn't see the bike racks in Richardi Park being used that often and suggested using both of them downtown.

Motion by McPherson, seconded by Dewey, to approve the installation of a bike rack on the Village owned property by the Antrim Review. Motion carried by voice vote.

- c. **Co-Ed Softball Schedule/Tournament:** The Co-ed softball group supplied the Village with a schedule and all games are during the day so they will not be using the lights. They would like permission to hold the 12 team tournament again and will be holding the event to benefit the Forgotten Eagle and Wounded Warrior programs. They will need the lights for a couple of games that will be played after dark on Friday and Saturday, but will be happy to pay for the electrical use. Because of who will benefit from the event, not charging for use of the lights was discussed.

Motion by Schulz, seconded by Dewey, to grant them permission for that tournament and waive any electrical costs . Motion carried by voice vote.

- d. **DDA Update:** Mr. Joyce had to withdraw from the DDA Board due to personal reasons. An application was received from Julie Budas showing her interested in serving on the DDA Board. President Schulz would like to appoint Mrs. Budas to the DDA Board.

Motion by Dewey, seconded by Sexton, to accept the appointment of Julie Budas to the DDA Board. Motion carried by voice vote.

- e. **Ordinance #03 of 2014, Fair Housing:** As part of the MEDC grant that the Village submitted in partnership with Short's, we are required to adopt a fair housing ordinance as well as a complaint form. This was tabled at the last meeting due to Trustee Bennett wanting to add sexual orientation to the discrimination list. The attorney was contacted and he noted that we are not required to add this, but we can if we would like to. The ordinance has been updated to include this.

Motion by Sexton, seconded by Schuckel, to approve Ordinance #03 of 2014, the Fair Housing Ordinance. Motion carried by roll call vote. Ayes: Sexton, Schuckel, Dewey, Drollinger, McPherson & Schulz. Nays: None. Absent: Bennett.

- f. **Resolution #11 of 2014, Fair Housing Complaint Process & Forms:** This resolution will set the process and provide the forms needed for anyone to file a fair housing complaint. A change to include sexual orientation on the forms was noted and with that change the following motion was made.

Motion by McPherson, seconded by Drollinger, to approve Resolution #11 of 2014, the fair housing complaint process and form. Motion carried by roll call vote. Ayes: McPherson, Drollinger, Dewey, Sexton, Schuckel & Schulz. Nays: None. Absent: Bennett

- g. **Resolution #13 of 2014, Title VI Plan:** Due to receiving funds from the State of Michigan for streets we need a resolution to establish a Title 6 Plan in place, which avoids discrimination of those that do not speak English. The resolution approves the board signature and it has already been pre-approved by MDOT. Any future changes to the plan must be resubmitted to the State for approval and the clerk will be the Title VI co-coordinator. It is also required to be posted on the first page of our website.

Motion by Dewey, seconded by McPherson, to adopt Resolution #13 of 2014, the Title VI Plan. Motion carried by roll call vote. Ayes: Dewey, McPherson, Drollinger, Sexton, Schuckel & Schulz. Nays: None. Absent: Bennett.

- h. Resolution #14 of 2014, Water Trails Map:** This resolution will allow the Grand Traverse Regional Land Conservancy (GTRLC) to place our public access sites, the intermediate access sites at Ohio St. & River St., on their water trails map that is being developed.

Motion by Dewey, seconded by Sexton, to approve Resolution #14 of 2014, adding Village public access sites to the Chain of Lakes Water Trails Map. Motion carried by roll call vote. Ayes: Dewey, Sexton, Drollinger, McPherson, Schuckel & Schulz. Nays: None. Absent: Bennett.

- i. Portage Station Update:** As of the last meeting we discussed reducing the scope of the project from two portage stations to one due to cost and restrictions. The Northwest Michigan Council of Government (NWMCG) is willing to allow for this change and is willing to extend the deadline. Clerk Luckett has done some research and determined that this portage station needs to be an ADA or universally accessible launch to all of the public to be in compliance. The grant funds received from the NWMCG will cover the permitting fees and the onsite inspection for the permit application, but the cost for the construction of the actual launch is coming in at \$35,000-40,000. This doesn't include the excavation. Clerk Luckett stated that we could fundraise to complete the project. We could also seek other grant possibilities or seek private contributions. The deadline for the current grant is September 30, 2014. She is looking for guidance from the Council on how to proceed. She stated she would not like to see us return the funds because of how that might affect the award for future grants. President Schulz noted that we are in an area of one of the most premier water areas in the state and it would be great to provide universal access to the waterways and suggested that we contact the Chamber to see if they would be willing to help solicit donations. Discussion of grants occurred. Trustee Dewey doesn't want to lose the grant funds but is not sure we can justify this cost. He doesn't see it being used as much as projected. He said those that kayak this area will use it whether there is a launch or not. Trustee McPherson asked about the status of the kayak lockers that were previously discussed. President Schulz noted that a low cost structure was found and we could contact a local high school woodworking program to build it for us. He stated that if we could provide this access, it could be used as a marketing tool to bring more people to the area. He said we haven't applied to NWMCG for other grants in the past, if we can't pull this off it might not affect us very much. Discussion of the regulations for locations of the launch and of the lockers took place. We have to be at least 300' from a dam so placing them in the beach area wouldn't work. Council agreed to ask the Chamber if they would be interested in helping to seek donations and to ask MWMCG for a deadline extension.

j. Public Works Committee Recommendations:

- **Meadowbrook Meter:** Trustee Dewey reminded Council that Meadowbrook is putting water into our septic system at a rate higher than expected and it cannot be determined where it is coming from. Mr. Stead said they have been working on it and have repaired several leaks they have found. They still need to camera or smoke test a few more lines. In the meantime a temporary meter has been used to determine their usage for billing. At this point the committee discussed installing a permanent meter & structure to hold the meter. Trustee McPherson said they are a long way off from solving the problem areas and we are having problems monitoring the usage the way we are due to accuracy. The committee is suggesting installing a permanent meter to track it. The committee also discussed the cost of the meter, which is expected to run about \$8,000, and to have Meadowbrook pay for ½ of the cost.

Motion by Drollinger, seconded by Sexton, that we install a permanent meter at Meadowbrook to meter their sewage and unless they can fix all of the issues by

August 1, 2014, we install the meter and charge them for ½ of it. Motion failed due to lack of a vote.

David Schulz, Administrative Services Director for Meadowbrook, informed the Council they receive their funding from Medicaid and if we charged them for ½ the cost, the Village would have to attend a meeting and explain this cost. He said they are working on the final phase of the facility and a part of this phase includes a thorough analysis of the old drain area and to make repairs as necessary. This is where they feel the problems are coming from. Trustee Drollinger said by installing a permanent meter, we will be able to read the meter the same as we do any other. We currently have to go through a process of deductions from other meters to get the actual reading to base their charges on. Mr. Stead stated that it may be in our best interest to install the meter at our cost and to table this until we can get a firm meter cost. Mr. Schulz said this phase is supposed to be completed by November and their top priority is to find the leak.

Motion by Drollinger, seconded by McPherson, that if Meadowbrook doesn't have the leak identified and fixed by August 1, 2014, the village will install a permanent meter and charge Meadowbrook for half of the cost. Motion carried by voice vote. Schulz abstained.

Mr. Schulz informed the Council that the next Meadowbrook board meeting is set for July 24, 2014 at 9:00 am. He said to contact Rhonda Montgomery at 231-533-8661, ext 118 to be added to the agenda.

- **Plume/Shanty Creek:** Trustee McPherson said the committee met with representatives from Shanty Creek to discuss the plume that exists. They discussed the possibility of working together on a grant proposal that would benefit our aging system and Shanty Creek. Shanty Creek thinks they will have to hook up to a different water system within 10 years. Trustee Drollinger said Shanty wanted to know where the closest Village water line was located and in this discussion it was noted that we do not have a big enough water line to accommodate them. The committee thought it might be something to pursue. Shanty is in the beginning stages of exploring other water options. Council agreed this is something to watch. President Schulz noted that there has been some contact with Jan Kellogg from the NLEA about possible funding sources.
- **Run Water Notice Recommendations:** Council has recently asked the Public Works Committee to look at other ways to inform the residents of a run water notice if we have another winter like the last one. Trustee McPherson said the committee discussed sending out a letter to all residents in October and include instructions on what to do if a run water notice is implemented. This would be in addition to the other notices we already do.

Motion by McPherson, seconded by Schulz, to send instructional letters with the October billing and still keep the rest of the notification program in place. Motion carried by voice vote.

- **Shorts-Additional Taps:** Short's Brewing added additional water taps and the committee wanted to inform Council that they will be charged for ready to serve fees for each line. Discussion of the locations of the buildings current water meters and the new taps occurred.

k. New Employee Decisions:

- Mr. Ramsey passed the physical standards to be enrolled into the academy that starts on July 7, 2014. Discussion of a meal allowance and how to pay him for it was

discussed. Chief Rowe would like to write him a check for \$2,000 for meals, in hopes that Mr. Ramsey would not have to save every receipt for reimbursement.

Motion by Dewey, seconded by Sexton, to pay \$2,000 for the total education period for the student for meals contingent on the auditor's approval of not providing receipts. Motion was amended below.

President Schulz suggested paying him \$125 a week for 16 weeks instead of the upfront amount in case he doesn't complete the course for whatever reason. Trustee Dewey amended his motion to reflect this change. The only question would be if the auditors would require receipts.

Motion by Dewey, seconded by Sexton to pay \$125 a week for 16 weeks for the total education period for student meals contingent upon auditor's approval of not providing receipts. Motion carried by voice vote.

- Chief Rowe would like permission to keep Zack Light on the schedule two days a week for July & August if the schedule allows. Council agreed.

9. Discussion Items:

- Ohio St. Launch:** Treasurer Odom informed Council that she has received a couple calls for permission to park boats at the Ohio St. launch overnight. I told him no because it has been discussed in the past, but could not find anything in writing that prohibited it. Discussion of not having room for others to park if we allow it occurred. A few hours for lunch or to visit downtown is allowed but not overnight. Council suggested directing them to the marina to see if they have any spots available. Trustee McPherson stated that maybe we need a sign that says no overnight parking allowed.
- Shorts Anniversary Celebration:** President Schulz said that Joe Short approached him to see if the Village has any interest in either the Village or the DDA co-sponsoring the same level of anniversary celebration that they had this past April every year. Joe Short said he thought that making this a community event that they do the work for, but as long as everybody agrees with what they are doing, then they can make it lucrative for the community. If we agree to support this every year, he said that planning would be easier, we will figure out what we have to do with the State and they would be willing to split the profits with the Village or the DDA, which could be fueled for special projects like portage stations or bike racks. He would like to be able to build up the funds for future projects for the community. The Council agreed that this is something to look into.

10. Department/Committee Reports

- Committee Reports:** None presented.
- Clerk/Planner:** None presented.
- Deputy Clerk/Treasurer:** None presented.
- Department of Public Works:** They will soon be starting the paving on Derenzy/Cayuga. We are having loader problems and are looking at options. It's a 1977 with about 18,000 hours on it. We have done repairs. Used ones are hard to find and we are looking into the cost of a new one. President Schulz informed Mr. Stead that Meadowbrook has a compressor for sale for \$500 if we need one. Mr. Stead will look into it.
- Police Department:** A written report was presented.

f) *Planning Commission*: None presented.

11. Closing Member/Public Comment:

- *David Schulz*: Reminded members of the petition deadline for the next election for those members whose terms are ending.
- *Julie Budas*: Mrs. Budas explained that she ordered an awning for her business and was informed that it couldn't be less than 13' high if it was going to also be a sign. She said she was told that if it wasn't going to be a sign it could be placed anywhere. Because of this, she had the letters on the awning covered and had the existing sign repainted. Once installed, Clerk Luckett informed her that she would have to take the awning down in the winter because the snow machine couldn't get past it. Mrs. Budas told her to have the snow machine go around it because she would be more than happy to shovel her own walk. She said she was then told that it would still have to come down because the snow machine would not go between the light pole and the awning. So, Mrs. Budas said she basically can't have an awning because of a light pole, and since there is nothing in the books that says she can't have one, she's not taking it down. Trustee Dewey said that when the road is plowed, that snow gets pushed onto the sidewalk and asked her if she realized how much snow that is. He said the snow machine goes through there at 6:00 am after the plow has their run through on the street. He also mentioned snow removal from the sidewalk. She said she did know how much snow get pushed up there because it hits her window and she shovels the sidewalk in front of her business all the time. She said her and her staff are willing to shovel but says if this was the case she should have been told this. She stated that there is nothing in the books that says she can't have the awning, but now we are telling her that it's a inconvenience and the awning cost her a fortune. Trustee Dewey noted the importance of a cleared sidewalk and Mrs. Budas stated that she understood this but it was important that her awning stay up. Raising it up was discussed. Mr. Stead said that if we don't plow that part of the sidewalk, it will affect the other area walks as well.

12. Adjourn: Meeting adjourned at 8:51 P.M.

Compiled by Cathy Odom
Minutes are subject to approval.

Approved: _____

Date: _____