

**Bellaire Village Council
Meeting Minutes
August 6, 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 (7:30 pm), Butch Dewey, Helen Schuckel, Laura Sexton, Dan Bennett & Eldon McPherson.
 - Absent:** None
 - Staff Present:** Lori Lockett, Clerk, Cathy Odom, Treasurer, Brad Rowe, Chief of Police & Ken Stead, DPW Supervisor.
 - Also Present:** Roger Rainey, Colette Stanish, Janet Koch, Al Odom & Linda Gallagher.
3. **Approval of Agenda:** The agenda was approved.
 - Motion by Schuckel, seconded by Bennett, to approve the agenda as presented.**
 - Motion carried by voice vote.**
4. **Conflict of Interest: Trustee:** President Schulz noted his conflict with old business item a, the Meadowbrook meter.
5. **Consent Agenda:** The consent agenda was approved.
 - Motion by Sexton, 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) **Meadowbrook Meter:** Trustee McPherson informed the Council that he and Lori attended a Meadowbrook Board meeting and reviewed the situation with the leak and with the billing for their usage. The problem continues and it may have continued for a long time had it not been noticed during our normal servicing. Trustee McPherson voiced the Village's concerns about accurate meter reads and reviewed the offer that the Village discussed earlier about paying half the cost of installing a meter if the problem wasn't fixed by August 1, 2014. Meadowbrook stated that they have a goal to have the repair completed by November when the rest of the Meadowbrook project is complete. Trustee McPherson explained the importance of installing a new meter. Currently the meter sometimes get clogged up causing inaccurate reads and estimating the reading when this happens was discussed. He also noted that the Village spends more time on this particular meter because of how the current system is set up. He suggested the Council discuss billing them based on the procedure we are currently using and average it when something blocks the pipe, at least until November when the problem is expected to be repaired. Mr. Stead informed the Board that Fleis and Vandenbrink said they could incorporate engineering fees for the installation of the meter into other work they will perform for us. David Schulz, Meadowbrook Admin Director, explained that they are working on costs for sleeving the leak and it may be repaired sooner than November. Once fixed, they will invite the Village to a complete shutdown of their system to make sure the problem areas are fixed which should also help with accurate reads. If the affluent leak persists once this is done, then MMCF will entertain the installation of the metering device. He said the facility would read the meters on the irrigation meters to help save the Village time if we would like them to. He is asking for the Village to be patient while they try to resolve the problem. He also noted that if a meter is installed, permission from the County might be needed because where it will be installed may be on County owned land. Mr. Schulz explained that the Village should have a plan of action for when things like this might happen with residents and businesses.

Motion by McPherson, seconded by Bennett, to wait to install any other metering devices at this time, until the fix is complete in November and when an accurate read is unavailable, meter readings are taken based on an average if some defect is found in the current temporary meter. Motion carried by voice vote with David Schulz abstaining.

- b) **Plume Update:** An update of the plume area was presented. Janet Koch from the Antrim County Planners office explained that the offer from MDEQ was a commitment of \$500,000 for the high pressure water main to connect the existing Mancelona water system up to the other part of Schuss. An additional offer from MDEQ is for another \$250,000 if \$250,000 could be raised from the community. President Schulz said that it was suggested that the County provide the additional \$250,000. The County civil counsel suggested not to offer anything until a direct letter from MAWSA is received. President Schulz stated that due to the negative impact of tax revenues, the County should be financially proactive.

8. New Business:

- a) **Village Property Use-Pet Crisis Center:** Jenna Minish from the Pet Crisis Center would like permission to set up a table on village property by the Antrim Review on the Tuesday or Wednesday before Rubber Duck weekend to advertise a pet walk they are sponsoring that will be held on Thursday of that week.

Motion by McPherson, seconded by Schuckel, to allow the Pet Crisis Center to set up a table on village property by the Antrim Review to distribute pet walk material. Motion carried by voice vote.

- b) **Cemetery Maintenance:** We received a couple of complaints on the condition of the cemetery, which came in the same week that it was mowed. It was noted unfortunately that with the weather, the weeds are growing and not the grass. No further action was taken.
- c) **Tree Replacement-Short's Brewery:** The tree in front of Short's Brewery has been planted and replaced several times because it has died. Short's would prefer not to have it replaced. Staff believes that it is not a coincidence that they have not made it. It was noted that the planted trees were a part of the downtown streetscape. Mr. Stead said that he had the soil tested and may not have tested for the right chemicals. He said if we want to find out what caused its demise, they should test for copper sulfate. Trustee Bennett stated that if our goal was to beautify downtown, then we will set precedence if we do not replace it. Mr. Stead stated that he could talk to the County tree guy and see what can be done. This was tabled until costs for testing are obtained and for further research with the County tree guy.
- d) **Audit Contract:** The firm providing our auditing service for the last several years is looking to renew a three to five year contract for our future auditing needs. The bid process was discussed.

Motion by Dewey, seconded by Sexton, to approve the auditing engagement letter from Berthiaume & Company for their services for the next five years. Motion carried by voice vote.

- e) **Credit Card Processing Company:** We received a quote for credit card processing charges from a company who would like to provide this service for us. We currently charge a 3% convenience fee to cover processing costs and as of right now that amount doesn't cover costs. This quote provides for a cost reduction in the processing fees.

Motion by Schulz, seconded by Dewey, to change from NPC to Premier for our credit card processing. Motion withdrawn for further research.

Trustee Drollinger asked if we have checked other companies for their rates. Tabled for further research.

- f. **Proposed Updated Fee Schedule:** An updated fee schedule was presented. It is presented in a more user friendly format. Clerk Luckett compared rates with other communities. She also noted that this should be reviewed annually, possibly around budget time.

Motion by Dewey, seconded by Schulz, to approve the updated fee schedule as presented. Motion carried by voice vote.

- g. **Glacial Hills Co-Operative Agreement:** Forest Home Township, the County and the Village have property that make up the trails. Janet Koch from the County Planners office stated at this point there is not an management agreement on paper between these entities and she is looking for the direction the Council would like to take in regards to trail maintenance. She stated the Village of Bellaire owns a very small piece of land that encompasses the trails. She said the current idea is to have the Land Conservancy stay on board as the management entity, they will hold events, trail clearing, etc. with Forest Home and the County. She also noted that it is hoped that the endowments will eventually be sufficient to pay for all of the operations. We could provide an easement for the small portion of Village land that they are using, which, depending on the type of easement, would exempt the Village from any building or maintenance costs. It would be covered on the County liability insurance with us as an additional insured. However, this would allow them to use our land and we would not have a say in what they do. There are two types of easements, a blanket easement, which would encompass the entire piece of property or a defined trail easement. A defined easement would require a survey. She noted that there may be possible funding through the Conservancy for a survey. Trustee Sexton stated that she would object to being a silent partner because the activities that could take place there, we might want to be involved in. President Schulz stated that he would not be in favor of a blanket easement. The defined easement would cover the current trail, it would not allow them to forge any new trail on our property without consulting us. If we are a signed partner then we would incur costs. Trustee Sexton noted that she would hope that if something is being planned that we be included whether we are a silent partner or not. Koch stated that we could try to figure out how to word it and possibly include something in the agreement. President Schulz noted that no action is needed at this time but informed Koch that we are supportive of the more narrowed survey and trail easement.

h. Parks Committee Recommendations:

- a. Trustee Drollinger informed Council that the Parks Committee is recommending that we allow alcohol in the park but only by local permit approved by the police department. How to do this has still yet to be determined and it will only be allowed under the pavilion. Council reviewed park rental documents that were amended to accommodate this. Treasurer Odom suggested that a separate permit be issued for this and that guidelines be drawn up so that the approval process is the same for everyone. Trustee Drollinger is asking for the direction Council would like take. Chief Rowe suggested that we base approval on an interview and merit, not by paper. He stated that the applicant can explain their purpose and plan for the event, but if we get rigid on the rules for approval, every case would be different, which could then eliminate some events from being allowed. If we leave are approval process a little more open, it would allow us to accommodate different groups and events. Elk Rapids allows this and they have had very little problems. President Schulz suggested some possible general guidelines. Chief Rowe stated that it should be more difficult to get a permit and should only be allowed if it benefits the community, not for every family event. Requiring liability insurance was also discussed. No action was taken.
- b. The Parks Committee also reviewed the rules for the park. Parks would like to change the rules about bikes and pets being allowed in the park. They also discussed changing the rules for special events based on vehicles not being allowed in the park. No action was taken. This will be addressed when the alcohol in the park issue is

complete. Trustee Bennett asked if the rules at the campground have been reviewed and it was noted that they have not. Mr. Stead said the staff has discussed several things and would like to meet with the committee. The Michigan Campground Act of 1990 was discussed.

i. Streets & Motor Pool Committee Recommendations:

- **Loader:** Trustee Sexton explained that there have been some changes since the meeting. We received another proposal for a loader from AIS. The original loader was from MI CAT for \$107,067. The proposal from AIS is for about \$2,900 more but there are some advantages to it. Mr. Stead explained that there is a longer warranty and we were able to test drive this one. The CAT loader would take weeks to get and we could not test drive it because it is not yet available and it only has a one year warranty. Trustee Sexton stated that this is an expensive piece of equipment and we will purchase this through MiDeal, which allows governmental entities to get discounts. We will receive a \$12,500 trade in for our old loader. She also noted that this is being purchased through a purchase program with John Deere.

Motion by Dewey, seconded by McPherson, that we take the steps to purchase the John Deere 344K Wheel Loader. Motion carried by voice vote.

Financing the loader was discussed. Treasurer Odom explained that because municipalities cannot just borrow money. it has to be done through a program based on Act 99. Alden will charge is 2.375% interest rate. A contract is drawn up by the attorney to purchase the loader through John Deere. Once that is complete then Alden Bank will purchase the contract from John Deere. Mr. Stead stated, according to the AIS representative, the interest rate for the John Deere is just below 3%.

Motion by Drollinger, seconded by Sexton, to authorize legal counsel to draft a contract between the Village and John Deere for the purchase of the 2014 Deere 344K Wheel Loader. Motion carried by voice vote.

- **Sidewalk:** Trustee Sexton said the committee would also like to recommend that the sidewalk in front of the lunchbox not be plowed with the village equipment in the winter. Trustee Drollinger stated that she feels we should talk to her. It was noted that she seemed pretty clear that she would shovel it herself. Trustee Dewey said the issue is that with the holder we cannot drive through it. We have to back down that sidewalk and when you get to the end of the sidewalk there is a curb that forces us out into the street and it is a safety issue. Mrs. Budas, in a public meeting, stated that she would shovel the sidewalk. Trustee Sexton said that Chief Rowe did speak with her. Chief Rowe mentioned that due to the facade the awning could not be moved. Trustee Drollinger said her concern is that Mrs. Budas will only shovel in front of her store so that leaves the resale store and the toy store to shovel in front of theirs. Trustee McPherson said we may have to do this for one winter and see how it goes. The shops are owned by the same person and maybe they will come up with some proposals for next winter. Trustee Sexton said we seem to be at an impasse, we can't plow because of the awning and we have no alternatives. President Schulz also said that currently in the ordinance the businesses are responsible for their own store front sidewalks, however, we currently plow them as a courtesy.

Motion by Sexton, seconded by Dewey, to not plow the sidewalk in front of the lunchbox with village equipment in the winter. Motion carried by voice vote.
Ayes: Sexton, Dewey, Drollinger, McPherson, Schuckel & Schulz Nays: Bennett

9. Discussion Items: None presented.

10. Department/Committee Reports

- a) *Committee Reports:* None presented.
- b) *Clerk/Planner:* Clerk Luckett reminded Council that the portaging station would have to be addressed by September 30, 2014.
- c) *Deputy Clerk/Treasurer:* None presented.
- d) *Department of Public Works:* A written report was presented.
- e) *Police Department:* A written report was presented.
- f) *Planning Commission:* None presented.

11. Closing Member/Public Comment:

- *Laura Sexton:* commended Clerk Luckett on her notes for the ACUTE meeting and for the Meadowbrook meeting. Trustee Dewey also mentioned her good work on the fee schedule.

12. Adjourn: Meeting adjourned at 8:25 P.M.

Compiled by Cathy Odom
Minutes are subject to approval.

Approved: _____

Date: _____