

**Bellaire Village Council
Meeting Minutes
February 4, 2015**

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 Bryan Hardy, Dan Bennett, Trish Drollinger, Helen Schuckel, David Ciganick & Eldon McPherson.

Absent: N/A

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

Also Present: Dan Novak, ACUTE Group

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

Motion by Schuckel, seconded by McPherson, to approve the agenda with the additions of old business item b, Employee Handbook, new business item d, Administration Committee Recommendations with bullet points of employee contracts, wages and benefits, item k, 4 Way Stop, item l, Women's Resource Center Request, item m, Glacial Hills Website Approval and discussion item b, MI Travel Counts. Motion carried by voice vote.

4. **Conflict of Interest: Trustee:** Trustee Drollinger noted a conflict with wages & benefits. She also noted since her husband Bill Drollinger is an employee of the Village, his wages are included in the 2015-16 budget and she indirectly has access to his wages, so she must, therefore, state that she has a conflict in the approval of the 2015-16 Public Safety Budget that will be approved at the budget meeting later this month.

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

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

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

7. **Old Business:**

a) **Banners:** We received a quote to replace the Village banners that hang on the streetlights. The new banners will be the same as we currently have. The cost of the banners, including one sponsor banner, is \$73.72 a piece and we need 54 of them. President Schulz proposes to budget an amount for the banners subject to the spring when we can assess the status and condition of our current banners and at that time put in a request for any top portions that need replacing. Trustee Drollinger stated that if we just replace the sponsor portion of the banner, the colors may not match the bottom portion due to the age of the banners. She also suggested having those that want a sponsor banner pay the cost for both portions. It was noted the cost of a sponsor banner was \$35.00 when originally purchased years ago. President Schulz suggested that we try to get a color swatch to see how much the current banner have faded. He also suggested trying to find out who or how many people may be interested in purchasing a banner with the sponsor portion.

Motion by Schulz, seconded by Bennett, to direct the Administration Committee to budget \$2,470 for the purchase of new banners. Motion carried by voice vote.

b) **Employee Handbook:** The Administration Committee has been working on updating the employee handbook. A table of contents has been added, they are discussing removing the drug testing section and developing a separate policy and we have also obtained a cost of

approximately \$300 for legal counsel to review the changes before its approval. The Administration Committee will meet for one final review. Trustee Bennett would like Clerk Luckett to ask legal counsel if we should have two separate handbooks, one for hourly and one for salaried employees.

Motion by Schulz, seconded by Schuckel, to authorize the Clerk to send the employee handbook to legal counsel for their review with suggestions, corrections and possible additions. Motion carried by voice vote.

8. New Business:

- a. **RaceTC Request:** Daniel Novak from Traverse City would like to use Richardi Park for a sports event to be held on October 3, 2015. The concept of the race will be a 3 person relay event with one member running approximately 6 miles, another member mountain biking and the third member paddling. He has also been in contact with Shorts Brewing Co. seeking their support for the event. President Schulz said the County Building & Lands Committee is recommending its approval to the Commissioners who are meeting next week. Forest Home Township is also going to be considering this at their meeting.

Motion by Schulz, seconded by Bennett, to allow RaceTC to reserve October 3, 2015 as a date for their team biking, running and paddling event at Glacial Hills and Richardi Park. Motion carried by voice vote.

Trustee Ciganick asked about set up, tear down and clean up. Mr. Novak said there would be no cost to the Village. They will provide all of these things and will cover costs for any damage that may occur. He said they may start set up the evening before the event. They are expecting approximately 60 people with male, female and co-ed categories. They will provide liability insurance. They have not addressed parking and road crossings but will check into that before the event. Chief Rowe asked about the number of volunteers he will have, some of which can help them direct traffic. Mr. Novak said that if he gets a number of how many are needed he can work on making sure there is enough help. Trustee Drollinger asked who benefits from this event. RaceTC is a for profit organization, but for every race they have done, some of the proceeds have gone towards something. Mr. Novak stated that they will usually give some of the proceeds to the organization/s that helps out. In this case, Glacial Hills could benefit since they are using the trails. Trustee Drollinger said she asked because we generally only allow non profit events in our parks.

- b. **ACUTE Update:** President Schulz explained that County meetings about the plume have been scheduled, but then cancelled so it can be opened up to a larger group. No date has yet been set. He explained that we met with Fleis & Vandenbrink to discuss potential sub projects to go along with a new well that we are working on. Depending on where the plume projects over the years, we may need to look at assisting with water being delivered outside of Village limits. ACUTE (Antrim County United Through Ecology) members Dean Branson, Steve Grill from the homeowners association at Shanty Creek and Randy Rothe from the DEQ presented information about the plume. The DEQ has committed \$500,000 to fund proposed water system improvements and in the event another \$250,000 is contributed, the DEQ will commit to an additional \$250,000 for the \$1,253,000 project that will address the risks due to the plume. The next step is to secure local support, which needs to happen fairly quickly to make sure the original commitment of \$750,000 doesn't deplete. ACUTE is presently seeking these matching funds from Antrim County. The County Administration Committee is meeting tomorrow, March 5, 2015, and ACUTE would like the Committee to take it before the Board of Commissioners on February 12, 2015 for an up or down vote. The County's opinion is that providing these funds is not a legal expense, but are checking into it. It was noted that an opinion from the Attorney General's office explains that it would be a legal expense. An attorney, hired by MAWSA, will attend tomorrow's meeting to offer advice. They would like to see as many people as possible attend the meeting on the 12th to express their concerns. President Schulz stated that taxable revenues could potentially be

affected in this area if this is not addressed. Those entities that have county wide millages could also be affected. Mr. Branson stated that if this is voted down, the next step is undetermined. If approved, there are things that would happen quickly. The next step, after the initial fix, is approximately 5 or 6 years out when the Summit Village wells could be affected. The DEQ is pursuing funding to address the rest of the plume issue before the wells become affected. If they cannot find the funding, it will be difficult to support this issue. Trustee Ciganick asked about the distance between the Cedar River wells and the front line of the plume. It was noted that as of last year it was about 2100 feet, but new information shows the plume is moving faster than in the past, it is a little wider and is moving further west. They do expect it to move a little quicker once it passes the hard clay material that it is currently traveling through. The Shanty Creek wells are set at the same depth as the plume. The plume itself is three levels, is 6 miles long, a mile wide and 500 feet deep. It was noted that the only threat of TCE is drinking water. TCE likes to be in a gaseous form and when it hits surface water, it basically dissolves. They have used it for years in dry cleaning because it's a great degreaser. How much was put into the ground is undeterminable. It happened between 1947 and the 1960's when Mt. Clemens Industry was located here and there are no records of how much they used. If this all goes through, ACUTE wants to provide classes on how professionals (ex: realtors) can explain this to people.

- c. **Resolution #02 of 2015, PA 152 Opt Out:** Governmental entities are required each year to choose one of three options pertaining to health insurance for their employees. They must choose between opting out, an 80/20 option or a hard cap option. The Village has chosen the opt out option in the past so Council can decide the employee health benefit plan to offer their employees and how much of the premium to cover. Resolution #02 of 2015 is the Village's right to exercise the opt out option.

Motion by Bennett, seconded by McPherson, to approve Resolution #02 of 2015, opting out of Public Act 152 of 2011. Motion carried by roll call vote. Ayes: Bennett, McPherson, Ciganick, Hardy, Schuckel & Schulz. Nays: None. Abstention: Drollinger.

d. **Administration Committee Recommendations:**

- **Employee Contracts:** A thorough review of the contracts was completed by staff and all of them now seem to be consistent. Trustee Drollinger's request to change the language under the health benefit section was completed. Language changes were reviewed. Paid leave time was also discussed. Ken Stead is requesting a raise in his paid leave to 240 hours. Administration discussed and decided to bring the request to Council. President Schulz stated that salaried employees do not receive comp time and he would like Council to take a look at the definition they would like to adopt for a salaried employee because these positions are different among companies. He explained that his position at Meadowbrook operates a little differently than here at the Village so the salaried position should be more defined. Stead asked the committee to look at past contracts and address the time period when sick time was changed to paid leave, but not lost, and everyone had 3 days of personal time. In 2007, already employed hourly staff kept the personal days, but new employees didn't receive it. This was also the case for the sick time. Treasurer Odom said the handbook states that the maximum amount of paid leave is 20 days. The employees that were here prior to 2007 received 40 hours of paid leave in lieu of the sick time. Based on his length of employment, Ken Stead is asking for an additional 40 hours of paid leave, giving him 6 weeks. Trustee Drollinger stated that he has been here almost 40 years and thinks this makes sense. She stated that we should consider putting in the handbook that after 30 years, employees receive 6 weeks of paid leave. President Schulz stated that the Admin Committee, when finishing up the review of the handbook, can place this in the handbook for approval with the rest of the amendments. Trustee Drollinger stated that as far as his contract goes, she would like to see us place the 240 hours into his contract. President Schulz

noted that putting it in the handbook would do the same, but that the contract will come due before the handbook amendments are approved.

Motion by Drollinger, seconded by Bennett, to amend Mr. Stead's contract to 240 hours of paid leave time and to amend the employee handbook that after 30 years of service you get 6 weeks or 240 hours of paid leave time. Motion carried by voice vote.

- **Wages:** The wage projection sheet presented shows a 2% increase across the board for employees. The recommended increase to Officer Light's and Mr. Keiser's wages were discussed and will be revisited. Trustee Ciganick wanted some history pertaining to wage increases and President Schulz explained. President Schulz stated Administration will apply the 2% across the board with the exception of revisiting Mr. Keiser's and Officer Light's wages. He stated the cost of living is about 1.4%.

Motion by Bennett, seconded by Hardy, to direct the Administration Committee to look at the 2% and the other additions on the salary schedule. Motion carried by voice vote with Trustee Drollinger abstaining.

Trustee Ciganick noted that he has always struggled with the concept of wondering if Mr. Stead feels that everyone of his employees has performed to exactly the same level of merit increase across the board. President Schulz stated that if you give a higher increase to those that perform at a higher level, then there is nothing left to give the other employees that are still contributing.

- **Benefits:** President Schulz reviewed the proposed plans for employee health benefits. He stated that he would like to maintain as close to our current policy as possible. The current plan is a PPO Platinum Plan. There were a few changes to the plan, which he explained, and the increase in premium is approximately 5.15%. He also explained the process of figuring premiums due to the Affordable Care Act.

Motion by Bennett, seconded by Hardy, to accept the PPO Platinum 250 health plan for the 2015-16 fiscal year. Motion carried by voice vote with Trustee Drollinger abstaining.

- e. **Shorts Request-Craven Parking Lot:** We received a email request from Short's Brewing to utilize the parking lots at Craven Park during their anniversary party on Saturday April 25, 2015. The event runs from 4:00-10:00 pm. Mr. Ciganick questioned the use of the park for a for profit company, which in the past we have not allowed and asked if there were any legal ramifications for allowing it. President Schulz commented that it isn't any different than allowing them to shut down the sidewalks for their event. Ciganick stated that anyone could just park in the lots, it's an open lot, like the rest of our parks. Do we even have to grant them the right to use the parking lots? Treasurer Odom noted that they are probably just being courteous by seeking permission. Trustee McPherson asked if they were still considering giving a portion of the revenue to the DDA and President Schulz said he spoke with Mr. Short who said it would either be to the DDA or to the Village. There is nothing in writing that he will do this at this time. President Schulz said he plans on putting canisters out seeking donations with an explanation of what the donations will be used for. Chief Rowe said they were hopeful that the ticket price to get in would cover their expenses to hold the party and the profit would come from beer sales. Trustee McPherson noted that their intent to give some of the proceeds to the DDA was one factor in allowing them to hold the event.

Motion by Schulz, seconded Hardy, to approve the use of the parking lots at Carven Park for their event. Motion carried by voice vote.

- f. **Ordinance ZO 2015-1, Sign Amendment:** The Planning Commission is recommending this ordinance amendment be approved. This will amend the sign section of the zoning ordinance and deals mostly with sign setbacks, but includes some changes to sign size.

Motion by Bennett, seconded by Hardy, to approve Ordinance #ZO 2015-1, amending Article III, Section 3.23 of the zoning ordinance concerning business and informational signs. Motion carried by roll call vote. Ayes: Bennett, Hardy, Ciganick, Drollinger, McPherson, Schuckel & Schulz.

- g. **TruGreen Contract-Soccer Park:** We received an invoice from TruGreen for the cost of maintenance for the soccer park. It does include \$1,000 for aeration that hasn't been included in the past. There was a discussion about whether aeration was needed.

Motion by Hardy, seconded by Schulz, to have the Administration Committee budget the \$3113 for the maintenance of the soccer park. Motion died due to lack of vote.

It was noted that this was discussed a few months back because we received an invoice from them to have it done, but Council decided not to do the aeration at that time. Trustee McPherson asked if we didn't want it then why do we now. Mr. Stead stated currently there are not any bald or thinning spots in the terrain. President Schulz said to call them and get a quote without the aeration cost included.

- h. **ZBA Appointment:** With Dave Ciganick's resignation, a vacant seat on the ZBA became available. We have advertised for the vacancy and received an application from Kevin Keiser. President Schulz would like to appoint Kevin Keiser to the Zoning Board of Appeals with a term expiration of November 15, 2016.

Motion by Schuckel, seconded by Bennett, to appoint Kevin Keiser to fill the seat on the Zoning Board of Appeals with a term expiration of November 15, 2016. Motion carried by voice vote.

- i. **Glacial Hills Agreement:** A draft agreement has been written between the entities pertaining to the Glacial Hills trail system. It outlines the roles and responsibilities of each entity involved, including the Friends of Glacial Hills group. There is a scheduled meeting on Friday with the Conservancy, stemming from a meeting held last October with the Conservancy where a very rough draft of a memo of understanding was developed. This should have done before they cut the first trail, but everything at the time was done verbally. This agreement will decide how we all want things completed. President Schulz read the section that outlines the Village's responsibilities. He stated that whoever the three entities decide to do the maintenance of the trails will be responsible for the 8 foot wide, 31-1/2 miles of trails. Anything outside of that will need approval from the entities. The three entities have also said they have no desire to fund the maintenance so the organizations providing the maintenance will have to provide fundraising to raise maintenance costs.

Motion by Schulz, seconded by McPherson, that Village Council recommend to approve the documents submitted by the Glacial Hills Work Group and send the document to civil counsel to be rewritten in legal form. Motion carried by voice vote.

Treasurer Odom said that it was presented to Council for review and to present any changes Council wanted to see back to them. She also noted that it had been passed by the County Building and Land Committee with no changes. Trustee Ciganick asked where they will receive the funds for maintenance. It was noted that it could be earned by ads, race events and other events.

- j. **Downtown Snow Removal:** We received an email from Mr. Short asking if the Village could come up with a better way to remove snow from the downtown area. Mr. Stead said he is asking for an immediate removal after a snowfall. Trustee McPherson said he does see a possible issue due to the buildup of the snow between the sidewalk and the street. He said if there is anything we can do it would be helpful. It was noted the DPW starts at 4:00 am when

they do remove the snow from downtown because there is no traffic parked along the road. Mr. Stead said this week they are going to try to make at least one path, the banks still might be high near the sidewalk, but we will open it up a little for the traffic. When we have time to get the rest of it, we will do the other side. Downtown parking hours were mentioned. Mr. Stead said it takes about 8 hours to remove the snow from downtown. It was noted that Elk Rapids, mentioned in his letter, has a downtown that is not on a major street. East Jordan is the same. They can block the road while removing snow. Mr. Stead said they bring it to the center of the road and haul it away. He also said that they have more employees. Due to limited resources we will remove snow as the DPW is able.

- k. 4-Way Stop:** MDOT met with the Streets & Motor Pool Committee to discuss a 4 way stop at the downtown intersection where the traffic light is located. They provided results from studies that were completed. These studies prove that a 4 way stop in that intersection would be possible. They can do it as early as May if it's what we want. The general feeling of the committee is to proceed with it and are recommending that Council approve. Trustee Ciganick noted there will be a time of adjustment which happens every time there is change. He said there will be times where vehicles are backed up. A sign designating a 3 way stop was mentioned. Trustee McPherson said that they will place full stop bars at each road, crosswalks at each corner, stop signs and a flashing stop light. He said they did a very nice animated graphic showing the results of the study and how the traffic will be moving through the intersection. Chief Rowe explained that what they are proposing could potentially have 7 vehicles stopped at the intersection at the same time. Mr. Stead and Chief Rowe noted that this could be a potential problem. President Schulz also noted a potential issue with the amount of traffic on E. Cayuga and N. Bridge St. in the summer, causing a backup in the alley from cars wanting to turn left out of the alley. He said he would like MDOT to make a presentation to the entire Council before a decision is made. Council requested to set up a presentation for the March or April Council meeting.
- l. Women's Resource Center Request:** The Women's Resource Center is requesting the Council approve a proclamation naming April 2015 as sexual assault awareness month.
Motion by Bennett, seconded by Hardy, to authorize the Village President to sign a proclamation naming April 2015 at sexual assault awareness month. Motion carried by voice vote.
- m. Glacial Hills Website Approval:** Rather than Council take this on, President Schulz recommends that the group that put the website together meet with the Parks Committee so that Parks can look at it and make their recommendations to Council. He will have the representative get with the committee.

10. Discussion Items

- a) Budget & Proposed Wages:** Wages were already discussed. The proposed budget was reviewed. Along with line items, the totals of revenues and expenses were discussed with the Administration Committee. The public hearing and the special meeting was scheduled for February 25, 2015 with the public hearing beginning at 6:00 pm and the special meeting to start at 7:00 pm.
- b) Michigan Travel Counts Correspondence:** MDOT in cooperation with the Southwest Michigan Council of Governments (SEMCOG) will administer a travel survey program called MI Travel Counts. They wanted to inform the Council of this survey so we could confirm the validity of the survey if residents called with concerns.

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. Chief Rowe said the numbers look high, but reminded the Council that some calls do not mean that the crime actually occurred.
- f) **Planning Commission:** None presented.

11. Closing Member/Public Comment:

- **David Schulz:** reminded everyone that the meeting at the County is at 9:00 am in Room 211 of the County building.
- **Dan Bennett:** said his wife wanted to compliment the Village on how well the roads are taken care of this winter.
- **Dave Ciganick:** noted that with the Village getting busier, we may want to look into future parking. It was noted that there is parking at different places around the downtown area. Mr. Ciganick discussed signage that directs people to those parking areas.

12. Adjourn: Meeting adjourned at 9:22 P.M.

Compiled by Cathy Odom
Minutes are subject to approval.

Approved: _____

Date: _____