

**Bellaire Village Council  
Meeting Minutes  
March 2, 2016**

1. **Call to Order:** President Schulz called the meeting to order at 7:00 PM.
2. **Pledge of Allegiance**
3. **Roll Call Attendance:**
  - Present:** President David Schulz, Council Trustees Bryan Hardy, David Ciganick, Trish Drollinger, Eldon McPherson and Helen Schuckel.
  - Absent:** Trustee Dean Bennett.
  - Staff Present:** Lori Lockett, Clerk, Cathy Odom, Treasurer & Brad Rowe, Chief of Police.
  - Also Present:** Mark Fleet, Chuck Shumaker, Annie Rowe, Bill Drollinger, & Tyler Bevier.
4. **Approval of Agenda:** The agenda for March 2, 2016 was approved.

**Motion by Schuckel, seconded by Hardy, to approve the agenda for March 2, 2016 as presented. Motion carried by voice vote.**
5. **Conflict of Interest:** Trustee McPherson noted a conflict with new business, item e, the Bellaire Historical Museum Lease.
6. **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.**
7. **Public Comment on Agenda Items:** None presented.
8. **Old Business:**
  - a) **Peddlers-Chapter 114, Vehicles & Traffic:** The Streets Committee met to discuss concerns by Officer Drollinger about the newly adopted peddler's ordinance. Officer Drollinger didn't think this ordinance was necessary and hoped to get it rescinded. Trustee Ciganick first clarified that the ordinance included vendors not just food trucks. He said they are not against vendors, but wants to protect the parking we have available. It is the committee's recommendation that we leave the ordinance in place as written.
  - b) **One Way Streets-Chapter 108, Traffic Control:** Trustee Ciganick stated the committee reviewed the one way streets and is recommending some changes. He stated the committee would like to see Ann St. between Victory Lane and Forest Homes Ave. be changed to a two way, Hickory Lane from East Cayuga to the Library stay a one way, but from the Library to State St. be two way and the small section on the side by Toonie's, leave as is due to how tight it is by Toonie's and the Theatre. Trustee Drollinger agrees with the exception that Hickory Lane by the Library stay a one way because coming in from the south and going north exits drivers onto private property. She recommends Hickory Lane remain one way from East Cayuga to State Street. President Schulz noted that this will have to be amended by ordinance so the changes will be made and addressed at the next council meeting.

**Motion by Ciganick, seconded by McPherson, that Ann Street become two-way from Victory Lane to West Forest Home Ave., and that Hickory Lane from L & R Hardware to State Street remain one way. Motion carried by voice vote.**
  - c) **Water/Sewer Rates Non-Taxing Entities:** President Schulz explained the results of the research completed by Clerk Lockett about what other municipalities charge non taxing entities for municipal water & sewer service. It was noted that the Village of Kalkaska, the Village of Suttons Bay and the City of Traverse City charge different rates for tax exempt

entities. Two of the entities charge 1 1/2 times the rate for customers outside their respective limits. He stated this is consistent with how we bill for our services.

- d) **BCBS Health Insurance-Elected Officials:** At the last meeting, a council member asked if the Trustees were eligible for the Village health care plan. The first research showed they were not eligible due to the low amount of hours worked by trustees. However, upon further research, it was found they are eligible for as long as they are elected and serving on the Board. It was noted that they would have to cover the cost of the insurance if they elected to receive it.
- e) **Basketball Hoop Purchases:** We had put out a notice for the sale of the basketball hoops that we are no longer using and have received no response. Now that we have followed procedure, if the resident who originally wanted to purchase one of the hoops may do so.

**Motion by Ciganick, seconded by Drollinger, to approve the sale of one of the basketball hoops at a cost of \$30.00. Motion carried by voice vote.**

## 9. New Business:

- a. **Reserve Officer Resignation-Charles Shumaker:** Reserve Officer, Charles Shumaker, has turned in his letter of resignation. He was presented a plaque thanking him for his years of service. Council regrettably accepted his resignation.

**Motion by Drollinger, seconded by Schulz, to regrettably accept Reserve Officer Charles Shumaker's letter of resignation. Motion carried by voice vote.**

- b. **DDA-Way Finding Sign Request:** Tyler Bevier from the DDA presented their ideas for "Walk Your City" way finding signs to be put up around downtown. They are low cost, the average size is 12 x12 and they are installed with zip ties, which allow them to be removed easily when necessary. They have been approved by MDOT and can be placed on the Village yearly permit. He explained where they could or couldn't be installed. They will install 12 signs in four different locations. Visitors can use their cell phones to scan the signs, which will then provide them with information to locations that are outlined by the signs. The Streets Committee has reviewed this request and is recommending that Council approve the DDA signage program.

**Motion by Ciganick, seconded by McPherson, to accept and approve the DDA signage program as presented. Motion carried by voice vote.**

- c. **Bottled Water Request-Mark Fleet:** Mr. Fleet explained that he wants to get into the bottled water business and would like to bottle the Village water. This idea came to him due to friends telling him that we have great tasting water. He has contacted Pete Edmunds, the State Senior Health Inspector for bottled water concerning requirements. He has spoken with Mr. Stead and discussed how this might affect the aquifer. He explained that he will be doing this more as a novelty. It will be called Northern Michigan Bottled Drinking Water. He explained there are many restrictions that he will be required to provide to be allowed to bottle the water. He explained how many gallons of water it will take to fill a certain amount of bottles to give the Council an idea of what he will be using. We are not talking about thousands of gallons. He explained how he will get the water and what he has to do to be able to sell it. He didn't want to proceed without Council having knowledge of what is going on. He said he will probably produce 1000 bottles to start. President Schulz said that he touched on any concerns he had pertaining to the labeling and the health department requirements. He did tell Mr. Fleet that he will have to discuss the home based business zoning requirements with the Village zoning administrator during the planning stages of this venture. Trustee Drollinger asked about potential liability if something happens to the water, for example, a broken pipe causing contamination. Mr. Fleet explained that with every run of bottling he has to send it to the state or a certified lab and have it tested before it can be sold. No further action was taken.

- d. **Shanty2Shorts 5K Run:** We received an email from Josh Todd at Shanty Creek requesting the use of Broad St. again for their annual Shanty2Shorts 5K run. It will be held on May 7, 2016 with a start time of 10:00 am. There are no changes to the route, they will close a portion of Broad St. for the finish line and the awards ceremony will be at Shorts approximately at 11:15 am.

**Motion by Hardy, seconded by Schulz, to allow the Shanty2Shorts 5K Run to be held on May 7, 2016 starting 10:00 am at Shanty Creek followed by completion and awards at 11:15 am. Motion carried by voice vote.**

- e. **Bellaire Historical Museum Lease:** This is a two year renewal with no changes except for the dates.

**Motion by Schuckel, seconded by Ciganick, to authorize the Village Clerk and Village President to sign the new lease between the Village of Bellaire and the Bellaire Historical Society. Motion carried by voice vote with McPherson abstaining.**

- f. **Forest Home Township-Cemetery Agreement:** This is a two year renewal with no changes except for the dates and has to do with the maintenance of the cemetery.

**Motion by Schuckel, seconded by McPherson, to authorize the Village President and Village Clerk to sign the new agreement between the Village of Bellaire and Forest Home Township. Motion carried by voice vote.**

- g. **Mortensen Funeral Homes-Cemetery Agreement:** This is an annual renewal with Mortensen Funeral Homes for grave opening services. The date of the contract was discussed and changed from a calendar year to the fiscal year.

**Motion by Schuckel, seconded by Ciganick, to authorize the Village President to sign the cemetery contract with Mortensen Funeral Homes. Motion carried by voice vote.**

- h. **Treasurer/Deputy Clerk Reappointment:** This is a bi-annual appointment and it is time to reappoint.

**Motion by Schulz, seconded by Hardy, to reappoint Cathy Odom as the Village of Bellaire Treasurer/Deputy Clerk. Motion carried by voice vote.**

- i. **Clerk/Zoning Administrator Reappointment:** This is a bi-annual appointment and it is time to reappoint.

**Motion by Schulz, seconded by Hardy, to reappoint Lori Luckett as the Village of Bellaire Clerk/Zoning Administrator. Motion carried by voice vote.**

Trustee Drollinger noted that they have a two year appointment and we should change the contract to two years instead of three so the contract and appointment run together.

- j. **Meeting Dates:** Village Council meeting dates are adopted annually and then posted. Council meetings are held on the first Wednesday of every month. The Village Council may occasionally have to change the date of a regular meeting but sufficient notice is given.

**Motion by Schuckel, seconded by Drollinger, to approve the 2016-17 meeting dates as presented. Motion carried by voice vote.**

- k. **Res #09 of 2016, Bond Counsel:** This is an annual resolution naming the Village's bond counsel for the fiscal year.

**Motion by Hardy, seconded by McPherson, to approve Resolution #09 of 2016, naming Miller, Paddock, Canfield & Stone as the Village of Bellaire Bond Counsel for the FY2016-17. Motion carried by roll call vote. Ayes: Hardy, McPherson, Ciganick, Drollinger, Schuckel & Schulz. Absent: Bennett.**

- l. Res #10 of 2016, Depositors:** This is an annual resolution naming the Village depositors for the fiscal year.

**Motion by Ciganick, seconded by Schulz, to approve Resolution #10 of 2016, naming, Alden State Bank, First Merit Bank, Huntington National Bank & 4Front Credit Union as the Village depositor's for the FY2016-17. Motion carried by roll call vote. Ayes: Ciganick, Drollinger, Hardy, McPherson, Schuckel & Schulz. Absent: Bennett.**

- m. Res #11 of 2016, Street Administrator:** This is an annual resolution naming the Village street administrator for the fiscal year.

**Motion by Ciganick, seconded by Drollinger, to approve Resolution #11 of 2016, naming Ken Stead as the Village Street Administrator for the FY2016-17. Motion carried by roll call vote. Ayes: Ciganick, Drollinger, Hardy, McPherson, Schuckel & Schulz. Absent: Bennett.**

- n. Res #12 of 2016, Cemetery PC:** This is an annual resolution stating the dollar amount of grave sales that will be placed into the perpetual care fund for maintenance for FY2016-17.

**Motion by Schuckel, seconded by McPherson, to approve Resolution #12 of 2016, designating deposits into the cemetery perpetual care fund. Motion carried by roll call vote. Ayes: Schuckel, McPherson, Ciganick, Drollinger, Hardy & Schulz. Absent: Bennett.**

#### **10. Discussion Items:**

- a) **Rules of Procedure Annual Review:** Council Rules of Procedure are required to be reviewed annually. Council will review and bring any changes to the next Council meeting.
- b) There was information presented by Chief Rowe pertaining to crosswalk laws. Chief Rowe said they are confusing and he interpreted the law incorrectly. He explained the correct crosswalk regulations. Pedestrians actually do not have the right of way on mid block crosswalks by walking out into the roadway. MDOT can provide signs that will show this if we would like them. Different scenarios were discussed. President Schulz stated that if MDOT supplies the signs, we may want to look at getting them.

#### **11. Department/Committee Reports:**

- a) **Committee Reports:** Administration will be meeting twice next week for the purpose of completing the process of the performance reviews.
- b) **Clerk/Planner:** None presented.
- c) **Treasurer/Deputy Clerk:** None presented.
- d) **Department of Public Works:** None presented.
- e) **Police Department:** None presented.

#### **12. Closing Member/Public Comment:**

- Mr. Drollinger said this is Chief Rowe's last meeting and President Schulz stated on behalf of the Village, we all wished him the best.

#### **13. Adjourn:** Meeting adjourned at 8:02 P.M.

Compiled by Cathy Odom  
Minutes are subject to approval.

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

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