

**Bellaire Village Council
Meeting Minutes
August 3, 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 Dan Bennett, Trish Drollinger, Eldon McPherson, David Ciganick, Bryan Hardy and Helen Schuckel.
 - Absent:** N/A
 - Staff Present:** Lori Lockett, Clerk, Cathy Odom, Treasurer, Chief Bill Drollinger & Ken Stead, DPW Supervisor.
 - Also Present:** Beth Lacy, Linda Gallagher, Ben Kladder, Kent Bermingham, Brad Keiser, Al Odom, Colette Standish, Sandy Baker, Edna Watrous, Tom Clement and Janis Priebe.

4. **Approval of Agenda:** The agenda for August 3, 2016 was approved. President Schulz, to be more efficient, explained that he would like any public comment on the cemetery to wait until Council has addressed the topic so if answers to questions have been resolved, time would be saved.

Motion by Schuckel, seconded by Bennett, to approve the agenda for August 3, 2016 with the additions of old business item g, Invasive Species, item h, Meadowbrook Meter, new business item e, CIP Saw grant and under new business item a, add bullet point of Public Comment Discussion. Motion carried by voice vote.

5. **Conflict of Interest:** None presented.
6. **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.

7. **Public Comment on Agenda Items:** None presented.
8. **Old Business:**

- a) **215 N. Maple-Habitat for Humanity:** President Schulz explained that we have had this property on and off the market for many years with no buyers. Council directed the clerk to see if this could be donated to Habitat for Humanity. According to our attorney we could not just donate the property. We would have to sell it for an amount that at least equals the costs we have into it. President Schulz said no action is needed at this time. The executive director for Habitat for Humanity, Jonathon Shield, will approach his board on the possibility of purchasing the lot.
- b) **DDA Boundaries:** Last month, Mrs. Unger presented potential difficulties in the event the Village and the DDA wanted to expand the DDA boundaries to include additional properties. Those properties are currently zoned Village Commons. We currently have one property that is zoned Village Commons in our DDA district. The attorney recommends that those additional properties not be added to the DDA boundaries at this time. The DDA is in receipt of the attorney letter. President Schulz would like Council to address having the DDA operate within the existing DDA boundaries. Trustee Ciganick verified the reason the DDA wanted to expand the boundaries with President Schulz stating that if expanded, TIF funds could be used in those areas for improvements. The second reason is that the size of the current boundaries is smaller than many other area DDA boundaries. President Schulz also noted that the DDA Development Plan is almost complete.

Motion by Bennett, seconded by Schuckel, to direct the DDA to operate within the existing boundaries. Motion carried by voice vote.

c) **Budget Amendments:**

- **Sewer Pond Curtain:** President Schulz explained that we received a quote from JPS Industries for the sewer pond baffles that we will need next year when the ponds are cleaned. The project will be completed next year, giving time to raise enough funds for the project. We currently have enough revenue coming in this year to purchase the baffles now, which will eliminate that expense for next year. The quote we received includes installation. President Schulz said we have been advised by Ben Kladder from Fleis & Vandenbrink that if we purchase the baffles with the entire project, there could be a cost savings, but stated that we have the funds available for their purchase this year. We are currently not aware of the amount of potential savings if purchased with the complete project. Mr. Kladder explained that in general, larger projects receive better pricing. Installing the baffles cannot be installed until the ponds are dredged.

Motion by Ciganick, seconded by Drollinger, to purchase 2 baffles including freight at a cost not to exceed \$43,900. Motion carried by voice vote.

- **Underwater Bridge Inspections:** The State of Michigan requires underwater bridge inspections. We received a quote from Ayres Associates in the amount of \$4,000. The budget amendment would be in major streets and come from fund balance.

Motion by Hardy, seconded by Ciganick, to approve the amendment to adjust the budget by \$4,000 for the underwater bridge inspections. Motion carried by voice vote.

- d) **Trees-903 Green Acres:** The resident at 903 Green Acres is asking Council if they would help with the cost of some dead trees in the Village right-of-way that were hanging over her shed. She was concerned they would fall on her shed. The cost is \$175.

Motion by Drollinger, seconded by Hardy, to pay \$175. Motion carried by voice vote.

- e) **Resolution #15 of 2016, Deficit Elimination Plan:** President Schulz explained that the maintenance on the cemetery almost always creates a deficit between revenues & expenses in the cemetery fund. We usually wait until the end of the fiscal year to determine what amount needs to be transferred in from the general fund. The auditors complete the financial statement for the amount of the deficit, and this is split between the Village of Bellaire and Forest Home Township, per agreement with the Township. Since we receive the funds for the previous fiscal year in the new fiscal year, a deficit was created in the previous year financial statement. In the future, we will invoice the Township when the Cemetery closes for the season and this shouldn't happen again. To meet the obligations of the State for this current deficit, a resolution must be approved showing how the deficit will be eliminated.

Motion by Schulz, seconded by Hardy, to approve Resolution #15 of 2016. Motion carried by roll call vote. Ayes: Hardy, Bennett, Ciganick, Drollinger, McPherson, Schuckel & Schulz.

- f) **Resolution #16 of 2016, Sewer Fund Payable to General Fund:** President Schulz explained that this is in relation to the rate study that is currently being completed. We are having the rate study look at potential increase in revenue and then looking at those results to determine what the sewer fund can afford to pay back to the general fund. President Schulz explained enterprise funds and how they work. President Schulz would like to table Resolution #16 of 2016 until the rate study could be reviewed by public works and they can make a recommendation.

Motion by Schulz, seconded by Bennett, to table Resolution #16 of 2016 until the Public Works Committee can review the rate study and make a recommendation. Motion carried by voice vote.

- g) **Invasive Species:** At the last meeting Council addressed an invasive species found at the Village compost pile. At this time, residents cannot use the compost pile as it is illegal to transport this invasive species. Tom Clement from CAKE (Charlevoix, Antrim, Kalkaska, Emmet County) and

they are funded by the state so a local presence can help with these kinds of things. The invasive species at the compost pile is included on a restrict species list, which is what makes it illegal to transmit from one spot to another. It will grow through roads, foundations & sidewalks. It is called Giant Knotweed and we also have a variegated species in that area. To eradicate this species, it will take multiple treatments but they are not sure how many, possibly 3-5 years. We received a quote for one year at the cost of \$300, which will be split with CAKE. The eradication process will be provided by GEI Consultants out of Grand Rapids. For next year, when they hopefully receive another grant, they will be back to have us approve another contract to continue the eradication process. The herbicide that will be used is called Garlock 3A, was discussed. Trustee McPherson said he would like to see the name of the chemical that will be used on the contract. Mr. Clement said that after treatment some of the compost can possibly be used. We can mark the area that is usable and the area that is not.

Motion by Schulz, seconded by Bennett, to authorize the Village President to sign the CAKE Invasive Species Cost Share Treatment Contract in the amount of \$150. Motion carried by voice vote.

- h) **Meadowbrook Meter:** Trustee McPherson updated Council on the status of this project. He said the contract is signed and work should begin shortly. Mr. Stead informed Council that the engineers spoke with him about a meter that uses a laser and will work in the current manhole. It's a new product and they are willing to try a free demo. Mr. Stead will review the paperwork on the meter, if it looks good, we can try it for 30 days to see if it works. If it doesn't we can proceed with the original project of installing the permanent meter.

9. New Business:

a. Cemetery Committee Recommendations:

- **Cemetery Project Update:** Kent Bermingham updated the Council on his progress of cleaning headstones. He has been working in the old section and has completed about 403 of the 750 headstones. They would like to complete the remainder of them before the end of the season. They are also removing broken pots. They have also been doing a little mowing and have raised some of the headstones. He explained that some of the walls that have been built around the lots have deteriorated and should be removed. He has spoken with community service representatives and would like to have them work at the cemetery. The Council would have to decide what projects the community service group could provide but raking could be one of them. The Boy Scouts have also expressed interest in working at the cemetery as part of their Eagle Scout project. Placing some kind of seed to develop a basis of grass, before trying to get rid of the weeds was suggested. There is a company that could potentially donate seed to grow grass. He will contact them to get details.
- **Mowing:** President Schulz informed everyone that the Cemetery Committee met on July 20, 2016 and are recommending to Council to put the mowing out for bids and have a contractor mow the cemetery biweekly. It is too late into the season to contract it out for this season but would do so for the 2017 season.

Motion by Schulz, seconded by Hardy, to publish a request for contract services for the cleanup and mowing, on a two week cycle, of Lakeview Cemetery starting the fiscal 2017-18 period. Motion carried by voice vote.

President Schulz stated that since our budgeting process is December & January we will need to complete the bid process by then so the amount needed can be placed in the budget. Trustee McPherson asked if Forest Home Township was going to share in this cost. President Schulz explained that the current contract states they will pay 50% of the balance above, but he would like another cemetery committee meeting scheduled so the contract can be discussed. President Schulz said he has also asked Mr. Stead to reprioritize the DPW staff projects list to pick up the pace on the number of times we mow, to the extent that we can. He said it currently takes a staff of 2 about 2 to 2 ½ days to mow the cemetery, which is time consuming.

- **Public Comment Discussion:** Trustee Bennett said he visited a family gravesite and was impressed with the cemetery he is in. Headstones were lined up the same creating a clear path to mow. Linda Gallagher informed Council that some small cemeteries have a Friend of the Cemetery group as well as Historical Societies that make donations that might help. Mrs. Baker would just like to see the grass cut. Janis Priebe asked about the cleanup of dead bushes. President Schulz noted that it would depend on the condition of them, since they could have been planted by the plot owners. If there is an abundance of dead bushes, then we will make the decision to take them out. Mrs. Lacy said she appreciates how hard the DPW staff work, but it's not just a cemetery, its where are loved ones are located and it's more personal. Mrs. Watrous asked if they could volunteer their labor to remove brush and rake pine cones and Council liked the idea. Trustee Schuckel mentioned seeking volunteers in the spring or fall. President Schulz said maybe this could become an annual event. Rick, who is helping Mr. Bermingham, said don't underestimate the grass problem that is at the cemetery. He said headstones are sinking with President Schulz noting that there is no root mass to help control that. President Schulz asked Clerk Luckett to contact MSU Extension and get information on turf management. Rick also asked about resources that could help restore the civil war headstones that are at the cemetery.
- **Eagle Scout Project:** President Schulz asked if an Eagle Project could be locating funding for restoration of the civil war headstones. Chief Drollinger noted his understanding of an Eagle Project would be more physical, but that this may be able to be a part of the project. President Schulz said this can be discussed in the office and no further action was taken.

- b. Bellaire Summer Ball League-Lock Invoice:** Mr. Stead explained the set up of the lock system at the park. They had a key that fit our lock, but lost it. The sanitation company also has a key so the porta john could be emptied and cleaned. Someone from BSBL did not properly lock the gate so we could still access the park for maintenance. Due to this, we cut their lock so we could get in. We cut one lock, but they purchased a set of three locks to replace it. They also purchased 12 keys for the lock. They also did not seek permission from us to pay for the replacement lock. They just sent in their player fees, minus the cost of the locks & keys. Trustee Ciganick said DPW took the appropriate action in lieu of needing to complete our maintenance of the park. Chief Drollinger noted that if there had been an emergency and we could not gain access to the area, it could have created a problem. Sending a letter of explanation along with the invoice was discussed.

Motion by Schulz, seconded by Hardy, to invoice the Bellaire Summer Ball League for the cost of the locks they deducted from the player fee. Motion carried by voice vote.

- c. Water/Sewer Rate Study:** President Schulz asked if there were any time constraints in implementation of the new rates and it was noted there is a little bit of time available, but with the CIP for the SAW Grant, the sooner we start planning for these expenses, the better. President Schulz would like to have the Public Works Committee review the rate study, the sewer fund payable to the general fund, which is included in the rate study, determine interest rate and terms, and bring their recommendation to the Council. No further action was taken.
- d. Zoning Fee Schedule:** Clerk Luckett explained this coincides with the new zoning ordinance and the potential changes. Trustee Drollinger asked why special meeting fees were raised with Clerk Luckett noting these fees also pay for the required publication and notices that have to be sent out.

Motion by Bennett, seconded by Hardy, to accept the new fee schedule as presented. Motion carried by voice vote. Ayes: 5-Bennett, Hardy, McPherson, Schuckel & Schulz Nays: 2-Drollinger & Ciganick.

- e. SAW Grant CIP:** Ben Kladder from Fleis & Vandenbrink explained that there is an abundance of detail to the CIP plan and he can get into as much of it as Council would like. President Schulz asked if this could be addressed at a future meeting when there are not as many things on the agenda. President Schulz explained that we did the SAW Grant, which identified the state of our infrastructure, at various levels, recommendations on repair, replacement of components in the

system and a timeline to address what was identified. This information will drive what is needed in the sewer fund budget over the next few years. The end result is the asset management plan in which the State wants to see that you have adequate funding to complete all of the necessary operational costs and capital improvements. President Schulz would like Public Works to come to Council next month with a recommendation of a rate approval, a resolution taking into account for the sewer fund payable to the general fund and the funds needed for the SAW Grant CIP portion. Having this information available will allow us to explain rate increases to our water customers. Mr. Kladder explained the progress with the grant. Treasurer Odom explained to Council that the grant allows for tablets to allow the DPW to work in the field, but there will be monthly data fees to use them. President Schulz said to obtain costs and present to Council at next meeting.

10. Discussion Items: None presented.

11. Department/Committee Reports:

- a) **Committee Reports:** Committee minutes were included in packets for review for those committees that met.
- b) **Clerk/Planner:** Nothing presented.
- c) **Treasurer/Deputy Clerk:** Nothing presented.
- d) **Department of Public Works:** A written report was presented.
- e) **Police Department:** Nothing presented.

12. Closing Member/Public Comment:

- **Trish Drollinger:** Trustee Drollinger thanked those that fixed the speed trailer. She also informed Council that the parks Committee met, showed off our parks and discussed the possibility of portage stations for kayaks. The people who attended used a check list which helps determine our potential for obtaining grants. Trustee Ciganick asked how much frontage we have on Ohio St. He stated that this is an access to get people downtown, but there are not signs or trash cans. This could be looked into.
- **Dan Bennett:** Trustee Bennett would like to schedule a public safety meeting to discuss a communication item he was just made aware of.
- **David Schulz:** President Schulz informed Council that the DDA Director, Tyler Bevier resigned from the DDA due to another job opportunity. He said the NLEA will provide their services since there are some time sensitive things the DDA is working on. It is a six month agreement at the same rate as the director's.

13. Adjourn: Meeting adjourned at 8:44 P.M.

Compiled by Cathy Odom
Minutes are subject to approval.

Approved: _____

Date: _____