

**Bellaire Village Council
Meeting Minutes
November 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 Dan Bennett, Eldon McPherson, David Ciganick, Bryan Hardy, Trish Drollinger and Helen Schuckel.

Absent: None

Staff Present: Cathy Odom, Treasurer, Lori Luckett, Clerk, Ken Stead, DPW Supervisor & Chief Bill Drollinger.

Also Present: Colette Stanish, John Fleet, Tim & Sherry Comben, Rachel Krino, Ed Niepoth, Ron Robinson, Bradley Keiser, Ben Kladder, Peter Garwood & Sara Christensen.

4. **Approval of Agenda:** The agenda was approved with the addition of new business item d, Ron Robinson Request and item e, meeting stipend.

Motion by Ciganick, seconded by Schuckel, to approve the agenda for November 2, 2016 with the addition of new business item d, Ron Robinson Request and item e, Meeting Stipend. Motion carried by voice vote.

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

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

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

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

8. **Old Business:**

a) **DDA TIF Plan:** President Schulz stated with the completion of the public hearing, there is some revision to the Development and TIF Plan that the DDA will have to address. Revision items discussed at the public hearing were reviewed and the plan was directed back to the DDA to amend.

Motion by Schulz, seconded by McPherson, to have the development plan and letter sent back to the DDA for completion of the revisions in such a time for the second public hearing. Motion carried by voice vote.

b) **Tax Abatement Request-CRD & IDD:** We have received requests from Mr. Cruse to establish a Commercial Rehabilitation District (CRD) and an Industrial Development District (IDD) that will include four parcels. Mr. Cruse would eventually like to request tax abatements for these parcels. President Schulz thanked the NLEA for the information they provided on the development of these districts at a previous meeting. He explained that an abatement request cannot be considered until the districts are in place. He explained that a public hearing must be held and a resolution adopted. In the case of the CRD, if approved at the local level, it must then go to the County for their approval. In the case of the IDD, it is only approved at the local level. It was noted that the Township does not have to approve the development of the districts. The Township and the County can voice their opinions for or against at the public hearings. President Schulz also explained that if an abatement request is considered, the current taxable value is frozen and the abatement is given on any additional increase in taxable value above that frozen amount. We received a copy of the purchase agreement and in reviewing it; President Schulz noted the agreement doesn't show that the purchase is contingent on receiving the abatement. He also stated that if approved, this could financially impact local unit budgets. He explained that he understands they are looking at hiring many people, but that also raises concerns about being able to find the

amount of employees he needs and about affordable housing for those employees. Sara Christensen from the NLEA stated that the requests for districts and abatements are time framed. We will have to decide whether to move forward with the development of the districts.

Motion by Drollinger, seconded by Schulz, to explore the process and move forward with the next step to see where it takes us. Motion carried with one nay vote by Trustee Bennett.

Trustee Bennett stated he would like to see an impact study completed and wants to tread lightly until everyone is informed. He made a motion to this effect, but the motion was dropped due to receiving no support. Trustee Ciganick said he is not thinking that the parcel is a blighted area so why should it be considered a rehabilitation district. Trustee McPherson wondered if we should gather information from the other entities this will affect before we move forward. Trustee Bennett also stated that we are considered a distressed community only because we are the County seat and he doesn't like that status. Clerk Luckett was directed to look at what the next step will be and to open dialogue with the other entities.

- c) **Glacial Hills-Plowing Parking Lots:** This was tabled from the last meeting until the Council could obtain cost information for plowing from the DPW. The cost to plow Orchard Hill and Eckhardt Road for Glacial Hills would be approximately \$180.03 each time it had to be plowed. This cost is also based on regular time, which doesn't cover overtime expense if plowed on the weekend. Trustee McPherson asked if plowing these lots would have an impact on our roads and Mr. Stead said the plowing of our roads would be done first. Mr. Stead also stated that providing this service on weekends could also be an issue because when staff does come in, they are only doing main streets so overtime is limited. Trustee Drollinger suggested only offering the service on weekdays and not on weekends. The following motion was made.

Motion by Drollinger, seconded by McPherson, to plow Glacial Hill parking lots on weekdays only and inform them that we will not plow on weekends or holidays and that we will only plow the lots after the plowing of our roads is complete. Motion was withdrawn after discussion and before going to a vote.

Trustee Ciganick asked why we will go outside the Village when the County drives right by the lots on their routes. He also said he would like to know how often Mr. Crandall plowed to know the estimated costs. He suggested offering a specific amount of money for this service to go towards contracting it out. Trustee McPherson said he would get clarification of the costs and the amount of times he actually plowed from Mr. Crandall. No further action was taken.

- d) **CVTRS-EVIP:** The CVTRS was completed and presented to Council at the last meeting for review. No changes were requested so the following motion was made.

Motion by Hardy, seconded by Schuckel, to authorize the Village President to sign the CVTRS and have it transmitted to the State. Motion carried by voice vote.

- e) **Sewer Authority Information:** Per last meetings request, Clerk Luckett researched the possibility of developing a sewer authority for our sewer system. According to her research we would not qualify to proceed with an authority because they are generally formed to provide services to multiple jurisdictions. No further action was taken.
- f) **USDA Loan Application:** The SAW grant is almost complete and with that completion repairs that are needed on the sewer and sanitary sewer systems were determined. At the last meeting Council approved moving forward with filing the USDA loan application to be able to lock in the low interest rate for these repairs. Not discussed at the last meeting, however, were Fleis & Vandenbrink's fees that are associated with filing the application. In the original repair budget, \$30,000 was quoted for filing the application, however, Mr. Kladder from Fleis & Vandenbrink informed Council that they could cut that fee in half and could delay billing until the application is turned in and approved.

Motion by Schulz, seconded by Bennett, to have Fleis & Vandenbrink begin the application process for the USDA loan for a fee of \$15,000 and to have them delay the billing until the application is complete and approved. Motion carried by voice vote.

9. New Business:

a. Admin recommendations:

- **DOL New Overtime Pay Rules:** Due to new Department of Labor regulations the Clerk & Treasurer positions do not meet the qualifications to remain salaried. The Administration Committee has reviewed compensatory time off and flexible scheduling options for office staff and are recommending Council approve these options. The following motion was made.

Motion by Schulz, seconded by Hardy, to adopt a combination of offering compensatory time off, along with the ability for staff to adjust work schedules, in lieu of overtime pay. Motion carried by voice vote.

- **Blood Borne Pathogen Policy:** The Administration Committee has been reviewing a blood borne pathogen policy first brought to them by Chief Drollinger. They have reviewed it, contacted the Village worker's compensation group for their input and made changes to suit the needs of the Village. President Schulz explained the policy and informed Council that Hepatitis B shots would be administered to the police department and DPW staff who would like it due to the parameters of their job. This would be for the safety of the staff. The Administration Committee is recommending that the policy be included as an addendum to the employee personnel policy.

Motion by Schulz, seconded by Bennett, to adopt the blood borne pathogen policy as part of the employee handbook. Motion carried by voice vote.

- **Handbook Amendments:** President Schulz informed Council that the Administration Committee has been working on some changes, additions and deletions to the handbook. This would include some addendums. The Administration Committee is recommending the approval of these changes. Treasurer Odom informed Council of a few formatting and grammar errors, which were corrected. The corrections were discussed. She also asked Council to review the section dealing with inclement weather, particularly with loss of time if an employee could not get to work due to weather conditions. Council discussed and amended the language in this section.

Motion by Schulz, seconded by Bennett, to adopt the Village of Bellaire Personnel Policy with all of the effected changes, deletions and additions, including Addendum A, Addendum B and Addendum D. Motion carried by voice vote.

- b. **Fixed Asset Sale-Tractor/Old Plow:** Mr. Stead explained that we have an old tractor and the very oldest of our plow trucks that can be sold. He is seeking permission to post them on craigslist.

Motion by Bennett, seconded by Schulz, to put the tractor and old plow up for sale on craigslist. Motion withdrawn.

Trustee Drollinger asked if we could put them on Craigslist or do we have to put them out for bid. It was noted that we didn't have any policy in place for minor things such as this. Discussion of previous items that Council wanted posted in the paper, such as basketball hoops, was discussed. President Schulz suggested posting it once in the paper and then posting it elsewhere. Trustee Ciganick suggested looking into what we are required to do before we make this decision. Motion was withdrawn until requirements for the sale of fixed assets could be determined.

- c. **Richardi Park Request-Ice Rink Warming Station:** Mr. Lockwood is going to try and develop the ice rink again this year in Richardi park and is asking permission to use the fireplace in the pavilion as a warming station. There is a group of adults that will be responsible for it when it is open. It will not be open every day, just at certain times they might be available. Discussion of park rental fees occurred and it was noted that they will not be renting the pavilion during this time. Trustee Drollinger said she would like to send this to the Parks Committee because she would like more information from him about this.

Motion by Schulz, seconded by Drollinger, to send this request to the Parks Committee for their consideration & discussion with a future motion. Motion carried by voice vote.

- d. **Ron Robinson Request:** Mr. Robinson will be crushing concrete in the spring and is concerned about the possible noise level. President Schulz noted that if the crushing takes place during the day, there shouldn't be a problem with the noise. Chief Drollinger noted that he could deal with it at the time if it creates a problem. Mr. Robinson is also seeking a burning permit because of an abundance of old logs that need to be cleaned up. He said he wouldn't burn anything until snow is on the ground. It was noted that there is no burning allowed in the Village. Chief Drollinger said he thinks he may be able to give permission for this type of thing, but he would have to review the ordinance to be sure and will let him know. Mr. Robinson also said he is planning on contacting the fire department to see if this would create a training session for them.
- e. **Meeting Stipend:** President Schulz would like Council to consider the stipend of the public hearing and regular meeting as one.

Motion by Schulz, seconded by Bennett, for the public hearing and regular meeting to be treated as one meeting and therefore one stipend. Motion carried by voice vote.

10. Discussion Items:

- a) **Attorney Correspondence-Medical Marijuana Facilities Licensing Act:** We received correspondence from the attorney about a new Medical Marijuana Facility Licensing Act. If we ever want to allow a marijuana facility within our jurisdiction, we cannot do so without an ordinance in place authorizing it. The attorney wanted Council to be aware of the new Act.
- b) **SB 960:** We received correspondence concerning changing the requirements that organizations need to meet in order to be exempt from property taxes. If passed, this bill could open up a large number of uses to tax exemption, thus harming some communities. This is presented in case anyone would like to contact their representative.

11. Department/Committee Reports:

- a) **Committee Reports:** Committee minutes were included in packets for review for those committees that have met.
- b) **Clerk/Planner:** Nothing presented.
- c) **Treasurer/Deputy Clerk:** None presented.
- d) **Department of Public Works:** A written report was presented. Mr. Stead informed Council that during routine sampling, we received a positive result for e-coli in one of our wells. Samples from our distribution system came back good. We shut down well #3 and chlorinated the system as a precautionary measure. Since then, two more distribution samples were taken with good results and we have just turned in a sample of the well. We have no idea where it came from except from somewhere in the well. He also informed Council that all the materials for the repair of Richardi Park bathhouse are in and they hope to have it complete before winter hits.
- e) **Police Department:** Chief Drollinger said he asked Mr. Crandall how many times he plowed the lots for Glacial Hills. Mr. Crandall said he plowed them 12-21 times over a 3-4 year period. Chief Drollinger also informed Council of a pedestrian/car accident that killed the pedestrian.

12. Closing Member/Public Comment:

- **David Schulz:** President Schulz reminded Council that budget time was approaching and committees will need to start considering their budget items for next fiscal year.

- **Helen Schuckel:** Trustee Schuckel would like to know if Council is considering a Christmas get together. She would need to know soon so she can adjust her work schedule. Dates and times were discussed with December 13, 2016 at Shorts Brewing being chosen.

13. Adjourn: Meeting adjourned at 8:17 P.M.

Compiled by Cathy Odom
Minutes are subject to approval.

Approved: _____

Date: _____