

**Bellaire Village Council
Meeting Minutes
March 1, 2017**

1. **Call to Order:** President Schulz called the meeting to order at 7:03 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 Lockett, Clerk & Chief Bill Drollinger.

Also Present: Ed Niepoth, Mr. & Mrs. Cruse.

4. **Approval of Agenda:** The agenda was approved with the additions of new business item a-1, Tax Exemption Agreement, item n, Fleis & Vandenbrink, As Needed Plan Review and item o, Resolution #13 of 2017, Performance Resolution.

Motion by Ciganick, seconded by Bennett, to approve the agenda for March 1, 2017 with the additions of new business item a, Tax Exemption Agreement, item n, Fleis & Vandenbrink, As Needed Plan Review and item o, Resolution #13 of 2017, Performance Resolution. Motion carried by voice vote.

5. **Conflict of Interest:** Trustee Drollinger noted her conflict with the Chief of Police employment agreement and President Schulz noted his conflict with the metering manhole bid agenda item and he will pass the gavel to President Pro-tempore Bennett.

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:** None presented.

9. **New Business:**

a-1 Tax Exemption Agreement: This is an agreement between the Village of Bellaire and Crusecom Technology Consultants, LLC that is required to approve tax abatement requests. Council reviewed the agreement in its entirety, discussing details, filling in dates and filing any other required information resulting from the discussion. Clerk Lockett explained that reporting on the CRD has to be completed by October 15 annually. Due to this, Crusecom will have to provide an annual written report to the Village by September 15, certifying compliance with this agreement. Length of time for the personal property exemption was discussed. It was noted that if the maximum of ten (10) years is not granted by Council, the applicant can come back and request an extension prior to the expiration of the original granted request. Hannah Sanderson from the NLEA stated that both the CRD and IDD abatements cannot exceed more than ten (10) years. The total amount of personal property abatement has a value of \$33,638 for the ten year period. Trustee Ciganick asked if the amount acts as a 10 year cap that the total abatement couldn't exceed. Clerk Lockett explained that Crusecom will file a Personal Property Statement, send it to the State Tax Commission, and they will review it and supply numbers to the assessor. This is done annually and they will also have a depreciation schedule they will follow. It is 100% abatement but this will keep track not only of property already listed but also new property not previously reported. Based on this, the amount does not act as a cap, but can fluctuate with the amount of property claimed on the Statement that is filed annually. Clerk Lockett explained that if it does fluctuate the language in the agreement will have to be changed because the way it is currently written, it states it is the maximum amount of the exemption. Trustee Ciganick stated that the cap of \$33,638 over a ten year period is a reasonable number and gives us a conscious decision that we're making on behalf of the Village residents. And the amount is based on the

projections given. Council then discussed the length and percentage of abatement for real property taxes. Trustee Bennett said he is not comfortable with ten (10) year abatement. President Schulz said due to the ability for Mr. Cruse to come back and file for an extension, it would not be a problem having a lesser length of time for the abatement. Trustee Ciganick agreed. President Schulz noted that having a shorter period of time for the abatement will allow for Council to review and maintain the budget. If all is goes well during the lesser length of time, Council could then address an extension request with more knowledge on how it will affect the budget. Trustee Drollinger noted that if there are any concerns about the budget, we need to go with a five year limit and then after that an extension can be addressed. Trustee Ciganick asked how monitoring of the requirements for the abatement will take place, with President Schulz noting that the amount of employees for a company must be reported on a company's 941 payroll forms. Clerk Lockett noted that if an adjustment is made to the length of time for the personal property abatement, the maximum amount will also have to be amended as that is amount is set for a ten year period. For five year abatement, the amount would be approximately \$21,500.

Motion by Schulz, seconded by Hardy, regarding the personal property tax exemption that this is granted for a five year period with a maximum amount of \$21,500. Motion carried by voice vote.

Motion by Schulz, seconded by Hardy, that regarding the real property tax exemption request under PA 210 of 2005 that we insert a five year time frame with a 100% tax exemption for that period of time. Motion carried by voice vote.

Motion by Schulz, seconded by Hardy, regarding the agreement for tax exemption between the Village of Bellaire and Crusecom Technology Consultants, the date that this agreement is entered into shall be the first day of March 2017; with the facility scheduled to be completed by May 1, 2017 as specified by the Public Act which considers Certificate of Occupancy to be completion date; a change from the ninety (90) days of completion to one hundred eighty (180) days of completion with the number of employees to be 40: for the personal property tax exemption, the Village will grant a five year exemption period with a maximum amount of \$21,500; the Village will grant a five year real property 100% tax exemption under PA 210 of 2005; and finally, the resolution number will be #07 of 2017. Motion carried by voice vote.

- a. **Resolution #06 of 2017, CRD Tax Abatement Request:** This resolution is to approve a CRD tax exemption certificate under PA 210 of 2005, as amended. Council reviewed the resolution, made necessary changes in relation to abatement time frame, provided for stipulations that would keep the abatement certificate valid and to allow for any future extension requests. Changes include the deletion of a statement approving a 10 year abatement; adding the language "following the provision of the original agreement for tax exemption dated March 1, 2017 as necessary for extending the exemption"; adding in May 1, 2017 as the completion date of the facility; stating the reasonable likelihood that the facility will increase commercial activity, create employment, prevent a loss of employment and/or increase the number of residents in the community and adding the abatement period of five (5) years beginning December 31, 2017 and ending December 30, 2022.

Motion by Schulz, seconded by Hardy, to approve Resolution #06 of 2017, with the first whereas clause to state, whereas the completion was approved for less than ten (10) years and the provisions of the agreement for tax exemption dated March 1, 2017 as necessary for extending the exemption; then the whereas completion date to be filled in as May 1, 2017; the whereas on the bottom of the page to read whereas, completion of the qualified facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to increase commercial activity, create employment, prevent a loss of employment and potentially increase the number of residents in which the facility is situated; and on page 2, a period of five (5) years beginning December 31, 2017 and ending December 30, 2022. Motion carried by roll call vote. Ayes: Hardy, Bennett, Ciganick, Drollinger, McPherson, Schuckel & Schulz. Nays: None.

- b. **Resolution #07 of 2017, IDD Tax Abatement Request:** President Schulz noted the new personal property tax exemption when issued, shall remain in force and effective for a period of five (5) years, beginning December 31, 2017 and ending December 30, 2022.

Motion by Schulz, seconded by Hardy, that Village Council approves the Village of Bellaire Resolution #07 of 2017. Motion carried by roll call vote. Ayes: Hardy, Bennett, Ciganick, Drollinger, McPherson, Schuckel & Schulz. Nays: None.

- c. **Metering Manhole Bids-Meadowbrook:** President Schulz passed the meeting over to President Pro-tempore Bennett due to his conflict with this item. Treasurer Odom informed Council that we received one bid for the project from Matt's Underground at a cost of \$39,205. She said she had spoken to Mr. Kladder from Fleis & Vandenbrink and he is looking into why the numbers they researched for the project came in so much lower than the bids we are receiving. He said he will try to find an answer for us if we want to give him some time to look into it.

Motion by Bennett, seconded by Hardy to table this item until further information could be obtained. Motion carried by voice vote.

d. **Administration Committee Recommendations:**

- **Employee Resignation:** DPW employee, Al Odom, has turned in his resignation.

Motion by Schulz, seconded by Bennett, to regretfully accept Al Odom's resignation from the Village. Motion carried by voice vote.

- **DPW New Hire:** As a result of Al's resignation, the Administration Committee is recommending advertisement for his replacement. Trustee Drollinger asked how the selection process will work. President Schulz suggested that the chairs of the streets, public works and property & building committees be the people to interview and make a recommendation to the council for hire because those committees are mostly charged with DPW operations. President Schulz suggested that the committee look at the wage scale and to keep in mind that a qualified person doesn't have to begin at the start wage.

Motion by Schulz, seconded by Hardy, to place ads for interviewing candidates for the vacant DPW position. Motion carried by voice vote.

Motion by Schulz, seconded by Bennett, to have Trustee Hardy, Trustee McPherson and Trustee Ciganick in conjunction with the DPW Supervisor, review applications, select applicants for interview and make a recommendation to general council regarding individuals to extend a job offer to. Motion carried by voice vote.

- **Chief of Police Employment Agreement:** When Chief Drollinger assumed the position as Chief, his contract was for one year and it is now time to renew his contract. The Administration Committee is recommending that Council approve his new contract.

Motion by Schulz, seconded by Hardy, to extending a new employee contract to Bill Drollinger as Chief of Police, with a wage rate of \$20.62 with year two and three year wages determined by the approved wage scale for a period of three years from march 9, 2017 to March 9, 2020. Motion carried by voice vote with one abstention from Trustee Drollinger.

- **Employee's Wage-Mr. Keiser:** Past practice has been to initiate wage increases at the beginning of the fiscal year. With the implementation of the new wage scales, that changed to anniversary date. Due to this, Mr. Keiser didn't receive his wage increase on his anniversary date. Treasurer Odom determined the wages he should have received and it is the Admin Committee's recommendation that he be made whole based on anniversary date.

Motion by Schulz, seconded by Bennett, to approve the Administration Committee's recommendation that Mr. Keiser be made whole. Motion carried by voice vote.

- e. **Women's Resource Center Proclamation:** Last year Council passed this proclamation dealing with sexual awareness in support of the Women's Resource Center. They would like Council to consider passing it again this year.

Motion by Drollinger, seconded by McPherson, to endorse the proclamation presented by the Women's Resource Center. Motion carried by voice vote.

- f. **Resolution #08 of 2017, Bond Counsel:** This is an annual resolution naming the Village's bond counsel for the fiscal year.

Motion by Schulz, seconded by Schuckel, to approve Resolution #08 of 2017, naming Miller, Paddock, Canfield & Stone as the Village of Bellaire Bond Counsel for the FY2017-18. Motion carried by roll call vote. Ayes: Schuckel, Bennett, Ciganick, Drollinger, Hardy, McPherson & Schulz. Nays: None.

- g. **Resolution #09 of 2017, Financial Institutions:** This is an annual resolution naming the Village depositors for the fiscal year.

Motion by Schulz, seconded by Bennett, to approve Resolution #9 of 2017, naming, Alden State Bank, Huntington National Bank & 4Front Credit Union as the Village depositor's for the FY2017-18. Motion carried by roll call vote. Ayes: Bennett, Ciganick, Drollinger, Hardy, McPherson, Schuckel & Schulz. Nays: None

- h. **Resolution #10 of 2017, Street Administrator:** This is an annual resolution naming the Village street administrator for the fiscal year.

Motion by Schulz, seconded by Hardy, to approve Resolution #10 of 2017, naming Ken Stead as the Village Street Administrator for the FY2017-18. Motion carried by roll call vote. Ayes: Hardy, Bennett, Ciganick, Drollinger, McPherson, Schuckel & Schulz. Nays: None

- i. **Resolution #11 of 2017, 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 FY2017-18.

Motion by Schulz, seconded by Schuckel, to approve Resolution #11 of 2017, designating deposits into the cemetery perpetual care fund. Motion carried by roll call vote. Ayes: Schuckel, Bennett, Ciganick, Drollinger, Hardy, McPherson & Schulz. Nays: None.

- j. **Resolution #12 of 2017, Water Trail Map Addition:** Paddle Antrim had asked us to amend our previous resolution to include an access site at Richardi Park.

Motion by Schulz, seconded by Hardy, to approve Resolution #12 of 2017. Motion carried by roll call vote. Ayes: Hardy, Bennett, Ciganick, Drollinger, McPherson, Schuckel & Schulz. Nays: None.

- k. **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 Bennett, seconded by Schuckel, to approve the 2017-18 meeting date schedule as presented. Motion carried by voice vote.

- l. **Committee Schedule:** The committee roster was presented with no changes. President Schulz did mention that the wastewater asset management team is comprised of the public works committee and Chris Thompson.

Motion by Hardy, seconded by McPherson, to approve the roster for the committees for this fiscal year. Motion carried by voice vote.

- m. **Meeting Stipends:** At the last meeting we neglected to address counting the public hearing and Village Council meeting as one meeting. He also would like to count tonight's public hearings and Council meeting to count as one. Trustee McPherson asked about the schedule of fees that were put together to cover some of these costs of the public hearings. It was noted that the escrow that was set up for the IDD covers any required meetings.

Motion by Schulz, seconded by McPherson, to count the previous budget public hearing and meeting as one; and for the March 1, 2017 meetings, to count the CRD public hearing and Council meeting as one and to count the IDD public hearing as a separate meeting. Motion carried by voice vote.

- n. **Fleis & Vandenbrink-As Needed Plan Review:** There is a potential for the Planning Commission and zoning office to come across more complex plans and in some cases, the expertise to review such plans does not exist. There is a recommendation that we have this as needed agreement for services from Fleis & Vandenbrink for an engineering opinion in such cases.

Motion by Hardy, seconded by Bennett, to approve the Letter of Understanding for as needed plan review with Fleis & Vandenbrink. Motion carried by voice vote.

- o. **Resolution #13 of 2017, Performance:** This resolution is a required annual resolution that allows us to work in State trunkline right-of-ways.

Motion by Schuckel, seconded by Drollinger, to approve Resolution #13 of 2017, the performance resolution for governmental agencies. Motion carried by roll call vote. Ayes: Schuckel, Drollinger, Bennett, Ciganick, Hardy, McPherson & Schulz.

10. Discussion Items: None presented.

11. Department/Committee Reports:

- a) **Committee Reports:** Committee minutes were included in packets for review for those committees that have met.
- 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:

- **Eldon McPherson:** Mr. McPherson explained that the Glacial Hills Trails Board is going well. It was explained that a report is being worked on showing how the trails impact downtown.

13. Adjourn: Meeting adjourned at 8:42 P.M.

Compiled by Cathy Odom
Minutes are subject to approval.

Approved: _____

Date: _____