

**Bellaire Village Council  
Meeting Minutes  
April 5, 2017**

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.
  - Also Present:** Ben Kladder, Mike Sizen and Linda Gallagher.
4. **Approval of Agenda:** The agenda was approved with the deletion of new business item l, SAW Grant Computer/Software Budget, due to duplication on the agenda, with the additions of new business item n, Shanty2Shorts Run and item o, Water Trail Agreement and discussion item c, Short Term Rentals.
5. **Motion by Schuckel, seconded by Bennett, to approve the agenda for April 5, 2017 with the deletion of new business item l, SAW Grant Computer/Software Budget, due to duplication on the agenda, the additions of new business item n, Shanty2Shorts Run, item o, Water Trail Agreement and discussion item c, Short Term Rentals. Motion carried by voice vote.**
6. **Conflict of Interest:** Trustee Drollinger noted her conflict with the PC Chairman Stipend and President Schulz noted his conflict with the metering manhole bid agenda item and he will pass the gavel to President Pro-tempore Bennett.
7. **Consent Agenda:** The consent agenda was approved.  
**Motion by Schuckel, seconded by Ciganick, to approve the consent agenda as presented. Motion carried by voice vote.**
8. **Public Comment on Agenda Items:** President Schulz asked if there were any comments or concerns, written or verbal, voiced over the USDA loan application being used for sewer and storm water repairs. It was noted that no public comment had been received nor was any expressed at the Council meeting.
9. **Old Business**
  - a) **Metering Manhole Bids-Meadowbrook:** This was tabled at the last meeting for further information. Mr. Stead said they relooked at the bids and found they could save some money by changing some of the items. They have also discussed going back to the laser type meter. Mr. Stead explained that a representative from the company will come out and physically look at the manhole to make sure it will work and once that is done, we will be allowed to try it for a thirty (30) day period to verify there won't be any unforeseen problems in proceeding with this type of meter. Mr. Kladder, from Fleis & Vandenbrink explained that there are two companies that supply this type of meter. Hesco is the original rep for the laser meter and there is no cost for installation. Midwest Municipal Instrumentation is the other company that could supply a similar type of meter, but they have an installation charge of \$4,850. Both would allow for the thirty (30) day trial period, but the one would charge to install it for the thirty (30) days. If we then found out it didn't suit our needs, we would be out the installation charge.  
**Motion by McPherson, seconded by Drollinger, to proceed with the no charge for installation unit, if it fits the manhole, then Council authorizes staff to proceed with the thirty day test run of the meter. Motion carried by voice vote with one abstention from President Schulz.**
9. **New Business:**
  - a. **4H-35<sup>th</sup> Year Anniversary Request:** The Fair Board is seeking permission to have a carnival at Craven Park during the Antrim County Fair to be held August 10-12, 2017. The rides would be supplied by Schmidt Amusements. The Fair Board will supply the Village with liability insurance.

The carnival will close at 10:00 pm every evening for the three nights. Parking, space & location for the carnival were addressed. Due to the addition of the carnival, it will affect the location previously approved for the trail class. Mr. Sizen stated that there is enough room for the trail class in another area of the park. He said they will tear down the carnival after they close on Saturday and should be gone early Sunday morning.

**Motion by Drollinger, seconded by Schuckel, to approve having the amusement rides at the fair in the appointed area by the old softball diamond. Motion carried by voice vote.**

Mr. Sizen updated the Council on the status of Zach Dennis' Eagle Scout project for the bleachers at the 4H section of Craven Park. He said the project has been approved by all entities. The cost should not exceed \$5,000 and Mr. Dennis has received some donations from lumber companies. They are now working on gathering all of the necessary permits.

- b. **USDA Loan Application Approval:** President Schulz reminded Council of the recent rate increase which was calculated to include the ability to do payments on a loan of a larger magnitude. This USDA loan will be used for repair and maintenance to our sewer and storm water systems, which were determined by the SAW Grant. There is an abundance of information provided by Fleis & Vandenbrink and it is available in the office if Council needs to review it. The application for the USDA loan is now ready for approval and processing.

**Motion by McPherson, seconded by Bennett, to authorize the Village President to sign the application for federal assistance. Motion carried by voice vote.**

- c. **USF Proposal-USDA Loan Services:** President Schulz explained that this company would be hired, if approved by Council, to work through the financial process of the USDA loan with Mr. Kladder stating that there is a lot of financial work with a loan of this type. Mr. Kladder explained that Bond Counsel will help with the process of selling the municipal bonds for the loan, but there will be rate structures and budgets to review. He said it is always a good idea to have an outside source for this type of project and they are very in depth during the financial process. When asked if there were other companies that would provide this same service, Mr. Kladder noted that there are other companies that could provide the same service. He said he has worked with Tom Traciak who is a representative from southeast Michigan. He also said USF has not worked on a USDA project as of yet. President Schulz asked if the timeline for the project would allow for obtaining competitive bids for this service and it was noted that there is time and doesn't have to be turned in with the application. There is a place holder in the project budget for this service so it can be authorized at a later date. This service doesn't create any additional cost to the Village because it is included in the USDA loan budget.

**Motion by Schulz, seconded by Bennett, to table any action on this item pending a competitive bid from an organization that Fleis & Vandenbrink has worked with. Motion carried by voice vote.**

- d. **SAW Grant-Computer/Software Budget:** The SAW Grant budget for computers and software has an excess. The original tablets that were purchased did not have the capability to be used in the field, which was the intent. Mr. Kladder explained that we can purchase the correct tablet and that there is also enough in the budget to purchase a main computer. This computer can act as a server that will hold the ArcGis software. His concern is the laptop that is currently used for the software could become outdated too quickly.

**Motion by Schulz, seconded by Hardy, to move forward with the purchase of the two computer items. Motion carried by voice vote.**

- e. **Ordinance #02 of 2017, Land Division Amendment:** During review of this ordinance, there are several things in it that are not permitted. The attorney reviewed, made the corrected changes and it is ready for approval.

**Motion by Hardy, seconded by Bennett, to approve Ordinance #02 of 2017, amending the land division chapter in the Village code book. Motion carried by roll call vote. Ayes: Hardy, Bennett, Ciganick, Drollinger, McPherson, Schuckel & Schulz.**

- f. **Council Rules of Procedure:** The Village Council Rules of Procedure are reviewed and approved annually. Types of conflict of interest items were discussed. There were no suggested changes for this year and the following motion was made.

**Motion by Bennett, seconded by McPherson, to approve the Village Council Rules of Procedure with no changes. Motion carried by voice vote.**

- g. **Budget Amendment-Underwater Bridge Inspection:** President Schulz explained that we previously did a budget amendment for the underwater bridge inspection at Craven Park. He also explained that we were not invoiced until this fiscal year. This is an unbudgeted item for this year so an amendment has to be reapproved so that this can be expensed in this fiscal year.

**Motion by Schulz, seconded by Bennett, to approve a budget amendment in the amount of \$4,000 to pay for the underwater bridge inspection invoicing. Motion carried by voice vote.**

- h. **Cemetery-Lawn Mower:** President Schulz reminded Council that they wanted to reapprove purchases for higher cost items even though they were already approved in the budget. This will allow us to have a better handle on the budget. The lawn mower for the cemetery approved during the budget process is a John Deere and the cost for it is \$4,919.18.

**Motion by Schulz, seconded by Hardy, to authorize the purchase of the John Deere Select Series X570 lawn mower from the Work n' Play Shop in the amount of \$4,919.18. Motion carried by voice vote.**

- i. **DPW Truck:** We have two bids for a new truck for the DPW. One is from Lafontaine for a cost of \$22,117. The other is a Ford truck for a cost of \$22,135. The current balance in the check book was reviewed. Treasurer Odom noted there is a CD that matures in December which could reimburse the general fund for part of the expense. Trustee Ciganick asked if there was an early withdrawal fee for the CD with Treasurer Odom noting that she will look into it. The quotes expire May 5, 2017 and we have a Council meeting on the 3<sup>rd</sup>. President Schulz suggested checking into the early withdrawal penalties for the CD and relook at this purchase at the next Council meeting. Council agreed.

- j. **Health Savings Account Dissolution:** The Village currently has an employee only contribution health savings plan; however, in a conversation with our insurance agent, we are not eligible to have this account. We need a qualified high deductible health plan in order to qualify for a health savings account and we do not have this type of plan. It was noted that there is currently no employee contributing to the account.

**Motion by Schulz, seconded by Bennett, to authorize the dissolution of the health savings account. Motion carried by voice vote.**

- k. **PC Chairman Stipend:** According to the Village codebook, the Planning Commission Chairman is supposed to receive a yearly stipend. Due to the length of time between the adoption of this ordinance and the time of the pay period, he was not paid and is due \$4,500. He would like this to be paid to his 457 deferred comp plan, but we would have to check to see if this is possible as it is usually paid through payroll. Treasurer Odom will look into it and bring this back to Council.

- l. **MMTP (MI Twp Participating Plan) Board of Directors:** The MMTP is looking for candidates to serve on the Board. There is an opening in the zone that covers our area. This company provides risk management services and grants for their clients. If anyone is interested in serving on the Board please fill out the forms provided and we will get them sent in.

- m. **SAW Grant-Computer/Software Budget:** This was removed from the agenda due to duplication.

- n. **Shanty2Shorts Run:** There are no changes to the race this year. The course and times are the same, with awards being handed out at Shorts after the race is complete. They will also be in contact with the police department concerning traffic issues.

**Motion by Schulz, seconded by McPherson, pursuant to previous years; approve the Shorts2Shanty run set for May 13, 2017 of this year. Motion carried by voice vote.**

- o. **Water Trail Agreement:** Paddle Antrim is seeking an agreement between them and the Village for the purpose of working together on the implementation and promotion of the Chain of Lakes Water Trail. Some questions to consider are about improving access sites and whether the budget can handle these types of improvement at this time and should this agreement be sent to the Parks Committee for review before Council takes action. This item was sent to Parks for review and recommendation.

**Motion by Schulz, seconded by Ciganick, to send the Water Trail Partnership Agreement to the Parks Committee for their review and recommendation. Motion carried by voice vote.**

**10. Discussion Items:**

- a) **DDA-2016 Annual Report:** The DDA has submitted an annual report for Council to review. President Schulz noted that the Antrim County Finance Committee is meeting to consider the tax sharing agreement.
- b) **Antrim County Master Plan:** The County is in the process of reviewing their Master Plan. If anyone would like to review it and offer comments, they are welcome to do so. Comments can be directed to the address, phone number or email address listed on the enclosed notice of intent.
- c) **Short Term Rentals:** Clerk Luckett is looking for Council direction about possible guidelines for short term rentals. The Planning Commission will be addressing the issue and she would like to provide them with Council's suggestions. There are some signs up in the Village notifying of the offer of short term rentals. Should they be allowed? President Schulz noted that we should not dictatorially regulate, but what makes good common sense is to regulate some minimum safety standards. Clerk Luckett would like Council input on how to define a short term rental because this is not currently addressed in the ordinance. Clerk Luckett said Elk Rapids allows them and stipulates time frames for short term rentals. Long term rentals were also discussed in relation to principal residence exemption and tax laws. Noise regulations may also have to be considered, especially with long term rental properties. These issues will be discussed at the Planning Commission and she will take Council suggestions to them if there is a need to define regulations. Clerk Luckett noted that she is not trying to over regulate, she is addressing issues that may come up and is trying to be proactive. These are just suggestions before something gets out of control and becomes a problem. Trustee Ciganick agreed that guidelines might need to be considered. She would like to send out letters to those that this may impact so their input is also considered.

**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:** Treasurer Odom informed Council that the Village audit is scheduled for April 13, 2017.
- d) **Department of Public Works:** A written report was presented.
- e) **Police Department:** None presented.

**12. Closing Member/Public Comment:** None presented.

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

Compiled by Cathy Odom  
Minutes are subject to approval.

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

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