

**Bellaire Village Council  
Meeting Minutes  
June 7, 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, Bill Drollinger, Chief & Ken Stead, DPW Supervisor.

**Also Present:** Colette Stanish, Kent Birmingham, Andrew Dennis, Christina Dennis, Brad Keiser, Terry & Janice Smith, Margie Boyd, Melissa Casillas, Neil Trumble, Mrs. Trumble, Kristi Wilson & Linda Gallagher.

4. **Approval of Agenda:** The agenda was approved with the additions of new business item k, Eagle Scout Project, moving it to item a with the rest of the items following, item l, Resolution #16 of 2017, LCC & item m, Cemetery Request.

**Motion by Schuckel, seconded by Ciganick, to approve the agenda for June 7, 2017 with the additions of Eagle Scout Project, which was moved to item a, item l, Resolution #16 of 2017, LCC & item m, Cemetery Request. 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) **Overnight Parking:** This was tabled at the last meeting to see if an amendment needed to be made to an ordinance. It was determined that an amendment is needed. President Schulz explained that this would allow overnight parking at the Richardi parking lot, on public property at the boat launch on Ohio St. and on the road adjacent to the boat launch on River St. from May 1 to October 30. A draft ordinance was completed and presented. Council was informed by Treasurer Odom that it has not been seen by the attorney.

**Motion by Drollinger, seconded by McPherson, to approve Ordinance #03 of 2017, overnight parking. Motion carried by roll call vote. Ayes: Drollinger, McPherson, Bennett, Ciganick, Hardy, Schuckel & Schulz.**

b) **Cemetery Monument Replacement:** This was tabled at the last meeting to see if the two plates to be replaced would fall under one deductible. Because the damage was done at different times, they cannot be included under one deductible. The replacement cost of each is \$2,092. It is recommended that this be sent to committee for review. Council agreed. No further action was taken.

c) **USDA Loan Financial Services:** This was tabled at the last meeting in hopes to obtain more than one quote for the USDA loan financial services. We now have two quotes. One from UFS for \$12,500 and one from Umbaugh & Associates for \$9,500. This was tabled for further review of the services that each company provides.

d) **Thayer Lane Repair:** This was under discussion from the last meeting. We received a letter from the Area Seniors asking Council to look at repaving Thayer Lane. Council directed Mr. Stead to contact Reith Riley and obtain cost estimates to fix an area of the road. Mr. Stead informed Council that he

spoke with Reith Riley and they are expected to be out to look at it at the end of this week or the first part of next week.

- e) **Cemetery Lawn Mower:** President Schulz explained that the cost of the mower was \$120 more than what was approved due to the timeline of the order. It has been purchased and paid for, but he would like to pass this along to the Cemetery Committee to make them aware, as the original recommendation came from them.

## 9. New Business:

- a. **Eagle Scout Project:** Andrew Dennis is seeking permission from Council to work on the walking path boardwalk by the little league fields as his Eagle Scout project. He would like to power wash it, possibly repair any boards that are in need and maybe stain it if necessary. He also asked if there were any funds available to be used toward this project if approved. Trustee Drollinger said there are no funds available with Mr. Stead stating that the DPW does have some material at the DPW that could be used. He was also informed that he may want to speak with Heidi Shafer from the Conservation District to discuss any wetland permits he may need.

**Motion by Ciganick, seconded by Drollinger, to approve Mr. Dennis' request pending permission from Heidi Shafer and plan approval. Motion carried by voice vote.**

- b. **Community in Action (CIA)-Margie Boyd:** Mrs. Boyd explained that the CIA group would like permission to place electronic scoreboards at the fields in Craven Park. They would also like permission to relocate the concession stand so it would be easier to serve both fields. To help with the cost of this project they are asking the Village to provide a letter of support and to apply for a tribe grant on their behalf. The grant application is due by June 30, 2017. Trustee Drollinger said she would like to know their thoughts on the location of the concession stand, but likes the idea of the project. There was discussion about keeping the two projects separate and Council agreed. Mrs. Boyd will remove the concession stand project from the grant application. Trustee Drollinger asked when the project to relocate the concession is expected to start. Mrs. Boyd explained that they were hoping to have the entire project completed by the beginning of the next ball season. Trustee McPherson asked if the funds from the grant will cover installation. Mrs. Boyd said that it will cover some, but they do have some volunteers lined up to help. Trustee Drollinger suggested approving the grant application, but before the project starts she would like parks Committee to meet and review the scope of the projects.

**Motion by Schulz, seconded by Hardy, to approve the Village President to sign the application form for the tribal council 2% grant, the creation of a letter of support for the project and to approve the project upon review of the project plan. Motion carried by voice vote.**

- b. **Glacial Hills/FHT Gift-Terry Smith:** Terry Smith, representing Forest Home Township and Friends of Glacial Hills presented the gift of a beautiful picture of the Glacial Hills Trail System to the Village of Bellaire. He explained the successful economic impact the trail system has had for our area, generating 1.45 million dollars with users of the trail system reaching 27,000. Mr. Smith will provide a copy of the report when he receives it. President Schulz thanked the Township and Friends of Glacial Hills for the picture and explained that the agreement between the three entities for this project expires in December and encouraged everyone to contact their Commissioner to show support of its renewal.
- c. **Cemetery Fence-Mr. Bermingham:** Mr. Bermingham also presented a gift of an 1884 map showing a portion of the plat additions to the Village. He said he will begin power washing more of the headstones soon and expressed his interest, with permission from the Village, to remove the fence in the front of the cemetery. He provided two pictures, one with the fence and one without for comparison. He explained that the cost to remove the fence would be minimal and he could raise any funds that might be needed. He also noted that the cemetery might be easier to maintain without the fence. He said the fence is not there for any security reason as the gates are not locked and you can get into the cemetery by walking around it. This request was directed to the cemetery committee.
- d. **Railroad Corridor Property Matter:** The Village acquired railroad property in 1986 for development of the walking path by E. Broad St. There is a survey showing the location of the abandoned railroad. Some of the parcels affected by this property include an exception for the

railroad/walking path right of way in their deed and other parcels, Lots 31-34, do not contain the exception. It is referenced in the survey, but is not included in the deed. The property at 309 E. Broad is for sale but they are not aware of this right of way. The title company will not issue insurance until this issue is resolved. Clerk Lockett explained that the property had previously been sold a couple of times without reference to the exception and it would appear that the right of way goes directly through the house. The attorney reviewed and because the lots have been developed, he would assume that the Village has no interest in maintaining those areas of the railroad corridor. The title company would be willing to prepare quit claim deeds from the Village to the current owners conveying all of the Village's rights to the corridor located within the various developed lots. He will review the deeds when complete and make any changes that may be needed. The sale of the property on 33-34 could then proceed. He also stated that the Village would have to decide whether there is a benefit to them for maintaining the corridor on the properties that have not been developed. He is recommending a survey be conducted to locate the existing trail and railroad corridor on Lots 24-34, Block B, to help assist in making this decision. President Schulz explained that the Village will have to decide to handle the issue of Lots 33-34 by quit claiming our rights to the property owner so the sale of their property can go through and a larger issue is to actually have a survey completed of the walking path overlay to show what properties are impacted. Trustee Drollinger asked why we would quit claim any property without completing a survey first. Clerk Lockett noted that without the deed they would not be able to sell their property. Cost of the survey is unknown at this time, but previous surveys were \$700-\$900. Clerk Lockett could contact Ferguson & Chamberlain as they did another property in that area. Surveying both sides of the right of way was discussed because it looks like it affects properties on both sides. Mr. Stead suggested contacting Art Lennox because he believes that is who did some previous work in this area. Clerk Lockett noted that the Register of Deeds office has no records. Discussion of surveying the right of way or the walking path or both occurred. Trustee Ciganick said he is comfortable with the idea that we will have access to the walking path for maintenance whether surveyed or not and wonders if the funds need to be spent. President Schulz suggested that we survey both sides of the right of way as the sale of any properties on the other side may also be affected. Mr. Stead suggested just surveying Elm St., which will give you the information you need.

**Motion by McPherson, seconded by Drollinger, authorizing Lori to engage Ferguson and Chamberlain in the surveying of the unimproved platted Elm St. Motion carried by voice vote with one abstention from Trustee Ciganick.**

- e. **Property First Right of Refusal-Antrim County:** We received correspondence from Antrim County about property 05-41-375-016-00 located at 204 N. Division St. It is up for sale and we have first rights of refusal if interested in owning it. Council discussed and did not want to pursue the purchase of this property. Staff will inform the County that the Village chooses not to exercise its first rights.
- f. **Resolution #15 of 2017, Millage Rates:** This resolution will approve the millage rates to support this year's budget. The general fund will be set at 10.8359, the street fund at 3.1375 and the sewer bond at 1.4800.

**Motion by Drollinger, seconded by Hardy, to approve Resolution #15 of 2017, setting the millage rates for 2017-18. Motion carried by roll call vote. Ayes: Drollinger, Hardy, Bennett, Ciganick, McPherson, Schuckel & Schulz.**

- g. **Risk Control Review-Results & Recommendations:** Michigan Township Participating Plan reviewed the departments of the Village for any potential risk factors and has provided some recommendations. One thing discussed was to have storage for onsite flammables. Mr. Stead noted that gathered some cost information for this and it would be just under \$6,000. It was noted that these are just recommendations, they are not a requirement. President Schulz said given the extent of the different recommendations, he would like to send these to the various committees for review and consideration for the 2018-19 budgets.
- h. **Water/Sewer Meter Program:** Treasurer Odom explained when the new auto read meters were installed back in 06-07; sewer was in a position to cover most of the cost. The auditors had placed this due from water/due to sewer on the books. It is still on record and the auditors would like Council direction on how get it removed from the books. The auditors show the amount to be \$28,830. Treasurer Odom reviewed the invoices and the total she had owing to sewer was \$10,868.61. She said

she is not sure why the discrepancy in the amounts occurred, but because it was completed so long ago, it's hard to know which figure is the correct one. She said that water is now in a position to pay these funds back, but she needs to know which amount Council would like reimbursed. She noted that either amount could be reimbursed, however, if Council chose to reimburse the \$10,868.61, then the balance of 17,961.39 would be written off.

**Motion by Schulz, seconded by Bennett, to have the water fund repay the sewer fund the amount of \$10,868.61 with the balance of \$17,961.39 removed from the books. Motion carried by voice vote.**

- i. **Campground Matter:** Several weeks ago we had an issue with someone staying with a camper at the park who was found reaching into the money box and pulling out envelopes. The problem with the box has been fixed, but the camper said he had paid, but we found no record of the payment. They have since left the campground. We also cannot prove that he didn't pay. When they left, the Chief explained that he would have to go the office and pay for the site. He did come to the office, but again stated that he did pay. Staff is looking for direction from Council on how they would like this handled. Chief Drollinger suggested we place cameras at both parks to help with issues like this. Council discussed and chose not to make him pay.
- j. **ZBA Resignation:** Mr. Tracey is moving to Mancelona and he is resigning the from the Zoning Board of Appeals (ZBA).

**Motion by Schulz, seconded by Hardy, to accept, with regrets, Mr. Tracey's resignation from the ZBA and to place an ad in the Antrim Review soliciting a replacement for another alternate member. Motion carried by voice vote.**

- k. **Resolution #16 of 2017, LCC Request:** Kristi Wilson has a new business in town called Hello Vino and they would like to sell bottled wine. To do so, they need approval by resolution from the local governing body. Chief Drollinger said he has no problem with the license.

**Motion by Ciganick, seconded by McPherson, to approve Resolution #16 of 2017 and authorize Clerk Luckett to sign the local government approval form. Motion carried by roll call vote. Ayes: Ciganick, McPherson, Bennett, Drollinger, Hardy, Schuckel & Schulz.**

- l. **Cemetery Request:** There was a rose bush that was destroyed at the cemetery during mowing and to replace it the cost will be \$18.00.

**Motion by Bennett, seconded by Hardy, to authorize reimbursement of the rose bush at the cost of \$18.00. Motion carried by voice vote.**

## 9. Discussion Items:

- a) **Microbrewery/Distillery:** This is intended to let you know that the Planning Commission is moving forward with the public hearing to amend the zoning ordinance to allow /microbreweries/distilleries in the Village Commons District and the Commercial District by special use permit. This was prompted by a variance request from Short's Brewing so they can build a larger building for brew storage. The meeting is scheduled for August 1, 2017 at 5:00 pm.

## 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 she has a copy of the final SAW grant documents if anyone is interested in reviewing them.
- d) **Department of Public Works:** A written report was presented.

- e) **Police Department:** Chief Drollinger has some signage that he would like to discuss with the Streets Committee. Short's Brewing and Sunset Video has come to an agreement so the problem voiced at the last meeting has been resolved.

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

- **Trustee Bennett:** Trustee Bennett commented that the cemetery looks great. He also said that a neighbor dumped trash out front of a residence with Chief Drollinger noting that he is dealing with that issue.
- **Trustee Drollinger:** Trustee Drollinger noted that Crusecom was supposed to open May 1 and as of now it is still not open. Ms. Gallagher from the newspaper noted that there will be an article in the paper tomorrow stating they opened for business last week. Clerk Luckett said they were supposed to provide a certificate of occupancy, she had checked a while ago and they were only on their rough inspections at that time. Clerk Luckett said she will check into it.
- **Neil Trumble:** Mr. Trumble explained to Council that he completed his Eagle Scout project at the cemetery which consisted of cleaning up the areas around veteran's gravesites, placing flags and holders. He gave details of the project. He explained that they cleaned up 147 grave markers and replaced 121 flag holders. Council thanked him for his work.

**13. Adjourn:** Meeting adjourned at 8:32 P.M.

Compiled by Cathy Odom  
Minutes are subject to approval.

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

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

