

**Bellaire Village Council
Meeting Minutes
November 1, 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, David Ciganick, Bryan Hardy, Eldon McPherson, Trish Drollinger and Helen Schuckel.

Absent: N/A

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

Also Present: Colette Stanish, Steve & Lisa Hayes, Eileen Moran, Steve Rhue, Jane MacKenzie, Ray & Rosemarie Mills, Dean Johnson, Ben Kladder, LuAnn Christie, M. Lee, M. Smith, Dean Crandall & Patty Savant.

4. **Approval of Agenda:** The agenda was approved with the additions of new business item k, Ripple Effect Grant, item l, Boiler Repair and discussion item d, Christmas Party.

Motion by Schuckel, seconded by Bennett, to approve the agenda with the additions of new business item k, Ripple Effect Grant, item l, Boiler Repair and discussion item d, Christmas Party. Motion carried by voice vote.

5. **Conflict of Interest:** Trustee Hardy noted a conflict with the PILOT extension item and Trustee Drollinger noted her conflict with the cemetery committee recommendation for a headstone location request.

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

Motion by McPherson, 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**

a) **Ordinance #04 of 2017, Firearm Discharge Amendment:** This pertains to the limited use of air guns for the purpose of eradicating pests. Chief Drollinger met with the attorney to discuss the amendment and made the necessary changes to allow. President Schulz made note of one change in the language adding the word “days” to Section 4, C (2) stating the permit shall be valid for a period of sixty (60) days. Permit fees was discussed, noting that currently Council has not, at this time, set up any fee for this permit. Permit length was also discussed, noting that, if approved, it will be valid for 60 days with one allowable extension for 30 days upon written request and approval.

Motion by Bennett, seconded by McPherson, to approve Ordinance #04 of 2017, Firearm Discharge Amendment. Motion carried by roll call vote. Ayes: Bennett, McPherson, Ciganick, Drollinger, Hardy, Schuckel & Schulz. Nays: None.

b) **USDA:**

- **Pre-Closing Costs:** President Schulz explained the SAW grant, allowing for a firm to review the state of our sanitary sewer and storm water systems. They inventoried, photographed, videoed and GPS'd all of the components of the systems. From this information they completed an analysis of repairs that are needed. Council decided to pursue a low interest, 40 year loan from the USDA to make these repairs. With the pursuit of this loan, there are pre closing costs that Council will have to determine how to fund. Treasurer Odom explained to Council that we will need to fund \$201,000 in pre-closing costs. She explained that she spoke with the attorney and the engineering firm to determine the potential amount needed for this fiscal year and what could be budgeted for next fiscal year. The engineering firm gave an estimate of needed costs for this fiscal year at around \$25,000.

The attorney said about 80% of their fees would be needed this fiscal year. Mr. Kladder, from the engineering firm, said one possible option for these costs would be a loan that they would take out to cover their pre-closing costs. This option is not confirmed, he would have to verify this could be done. We would be responsible for the interest and the principal for the loan would be reimbursed to them once closing took place. She noted that all of these expenses would be reimbursed once the village closes on the loan. This was tabled until the next meeting to allow time to review the budget and for Mr. Kladder to check into the possible loan, which could help avoid a potential cash flow issue.

- **Engineering Agreement:** Council members were given a draft of the engineer agreement to review. Since then, the attorney and the engineer have worked through it and have made changes agreeable to both parties. A copy was presented to Council along with correspondence outlining the suggested changes. Treasurer Odom stated that this is one of the documents needed for the USDA loan process, but there is some time if Council would like to review it with the changes before approving it. Council chose to table this for further review until the next meeting.
- c) **Glacial Hills Agreement-Renewal:** The BLI committee at the County reviewed suggested changes to the Glacial Hills agreement and is recommending approval to the Board of Commissioners. This agreement, between Forest Home Township, the Village of Bellaire and the County will have to be approved by all three entities. President Schulz explained the suggested changes to the Council. Mr. Crandall, a member of the Glacial Hills Board, said he will get with the Township and County to obtain an official copy of the agreement for signatures.

Motion by Schulz, seconded by Bennett, to approve draft #2 of the intergovernmental agreement for Glacial Hills. Motion carried by voice vote.

9. New Business:

- a. **Chamber Request:** Ms. Savant from the Chamber of Commerce thanked the Village for their support of the events that they provide for the community. She explained that the Chamber will not be doing the barrels and pots of flowers any longer; this was turned over to the DDA. She then explained the 2018 summer calendar of events being presented for approval. She said all was the same except for the addition of a Model T Jamboree to be held on August 24, 2018 from 4-8, in which, the owners of these vehicles would like to come downtown and park their vehicles along Broad St. while visiting the area. It was noted that there may be limited parking along Broad St. as the County offices are open until 5:00 pm. Ms. Savant said she will make any necessary changes needed to the place and/or schedule for the event.

Motion by McPherson, seconded by Schuckel, to approve the Chamber's request for 2018 events. Motion carried by voice vote.

b. Cemetery Committee:

- **Cook/Crittenden Family Request:** We received a request from the family to place a headstone at the north end and a bench at the south end of their four plots. This is currently against the cemetery rules that state headstones must be on the west side of the plots and anything on the east must be flush with the ground. This is for the ease of maintaining the cemetery. President Schulz explained their plots are on the very north end of the cemetery bordering the property line. He said the family will just be using this as a memorial; no one will be buried there. He explained that there are already three sites with north side headstones in that same area, one to the east and two to the west. Due to the others that have it this way, mowing would not be hindered and the looks would be consistent with the others in that same area. The recommendation from the cemetery committee is to permit the placement of the headstone on the north end of the lot and the placement of the bench would be at the discretion of the cemetery sexton. The family is aware that the corner markers of the lot must be flush with the ground.

Motion by Schulz, seconded by Hardy, to permit the placement of the headstone on the northern most boundary of the northern most plot and to work with the Village cemetery sexton on the placement of the bench. Motion carried by voice vote with one abstention from Trustee Drollinger.

- **Ordinance #05 of 2017, Cemetery Amendment:** The cemetery committee also reviewed some recommendations presented by the seasonal employee responsible for cemetery maintenance. Based on these recommendations, an ordinance to amend the village code to reflect some of his recommendations was presented. President Schulz informed Council of the recommended changes. Trustee Drollinger stated that they placed rocks around a family's headstone because their flowers kept getting trimmed off. It stopped when the rocks were placed there. She also said she understands, for maintenance purposes, why it would be in the rules, but disagrees with it. Ms. Savant noted that she has many flowers at her family's site and edges it out and has not lost any. President Schulz said a possible solution would be to inform the maintenance employee not to whip to close to the flowers. Mr. Stead stated he was sure it wasn't done purposely.

The Cemetery Committee moves the approval of Ordinance #05 of 2017, as amended. Motion seconded by Schuckel. Motion carried by roll call vote. Ayes: Schuckel, Bennett, Ciganick, Hardy, McPherson & Schulz. Nays: Drollinger.

- c. **Ordinance #06 of 2017, PILOT Extension Request:** Jane MacKenzie from Northern Homes thanked the Area Seniors and the Village for their support of the senior housing project. Northern Homes, which holds the loan on the senior apartments, is requesting an extension of the "payment in lieu of taxes (PILOT)" that expires in 2018. The PILOT was approved for 15 years. She explained the lengthy process by which a project like this takes place. During the development of this process, they found that they needed a 20 year mortgage instead of a 15 year mortgage. They are requesting an extension of the PILOT for another five years giving them time to get the mortgage paid off. They would then be able to have the funds to pay the full amount of the taxes. She also noted that due to changing priorities at the state level, this project could not be done today. President Schulz asked about subsidies. Ms. MacKenzie explained how they work. Trustee Drollinger asked about the subsidies once the mortgage is paid off. Ms. Mackenzie noted that they actually stay in place for up to 30 years. Trustee Ciganick asked what they would do if the extension did not get approved. Ms. MacKenzie stated that she would have to consider refinancing the loan to be able to make ends meet.

Motion by Drollinger, seconded by McPherson, to approve Ordinance #06 of 2017, which extends the PILOT for senior housing. Motion carried by roll call vote. Ayes: Drollinger, McPherson, Bennett, Ciganick, Schuckel & Schulz. Nays: None. Abstention: Hardy.

- d. **Roller Skates:** The village was approached by Peggy Hunter about our interest in selling some of the skates that are located in the stage area. She was not able to attend the meeting so this was tabled until she is able to attend.

e. **DDA:**

- **Name Walkway:** The walkway between the bar and the chiropractor's office now has lighting and is nicely landscaped. The DDA would like to propose naming the walkway Emma's Way. This is based on a woman named Emma Nixon, married to Richard Nixon, who owned the Bellaire Bar building years ago. She was said to be a very strong woman and loved to garden. Ms. Savant also explained that she fought for her daughter to go to college in a time when that didn't happen. She would sell her vegetables from her garden to pay for her tuition. Trustee Ciganick asked if there would be a dedication or presentation to make people aware of this. President Schulz explained that something will be done at the Chamber "Light up the Night" event.

Motion by McPherson, seconded by Ciganick, to name the walkway Emma's Way. Motion carried by voice vote.

- **Resignation/Open Seat:** Ken Fifelski serving on the DDA Board has tendered his resignation. This will leave one open seat. There is a business owner who currently out of town and has expressed interest in serving on the Board, but we have not yet received her interest form.

Motion by Bennett, seconded by Hardy, to regretfully accept Ken Fifelski's resignation from the DDA Board. Motion carried by voice vote.

- f. **CVT Revenue Sharing (EVIP):** The CVT documents, formerly known as EVIP, are ready for approval to be sent in to the State. President Schulz asked about the difference in tax revenue from previous years to this year. Clerk Luckett will check into it and make the necessary change if one is needed. He also noted that we have been able to pay off a couple of loans early so our debt ratio is in good standing.

Motion by Hardy, seconded by McPherson, to authorize the Village President to sign the document titled City, Village and Township Revenue Sharing and County Incentive Program Certification. Motion carried by voice vote.

- g. **Tree-Removal-N. Genessee:** We received correspondence from Monica Hale who lives at 108 N. Genessee has some safety concerns about a maple tree near her home. Ken Stead says it is in the village right of way. He also stated that the tree has been in the same condition for many years. We received a bid from Northern Tree in the amount of \$650. The County forester also checked out the tree and feels that it should come down.

Motion by McPherson, seconded by Bennett, to take the tree down. Motion carried by voice vote.

- h. **Rename Hickory Lane:** Hickory Lane runs behind the village hall, post office, Lunch Box and goes to Eureka St. Trustee Drollinger said she was approached prior to the last meeting to discuss changing the name to Red Dog Lane in honor of Stan Sexton, Bellaire High School's long time and successful basketball coach. The new name reflects one of his basketball plays he taught the athlete's. It was tabled at the last meeting to verify any potential address changes that may need to occur. Trustee Drollinger noted that there is one possible address and that is to Mr. Sexton's rental apartment. She said Mrs. Sexton informed her about the apartment and that she would not have a problem with the address change. Trustee Drollinger said he is currently unaware this is happening and we should somehow let him know. President Schulz suggested having them come to the next meeting.

Motion by Drollinger, seconded by McPherson, to rename Hickory Lane to Red Dog Lane. Motion carried by voice vote.

- i. **Japanese Knotweed:** The invasive species at the compost pile was treated in 2016, but did not get treated in 2017. Tom from the Conservation District said their plan is to approach the Village during the winter months and set up a plan to begin the eradication process during the summer of 2018. Trustee McPherson said he thought we already addressed this and that it was supposed to be taken care of over a period of several years. It was noted that treatment was approved for the first year. Trustee Ciganick said that because we missed this year we are back to square one and when we are approached again we need to make sure a multiyear plan is in place if needed. President Schulz would like to review the minutes for 2016 to confirm the decision Council made because if treatment was supposed to be for three years, we want to make sure it is considered in the new cost.
- j. **Water/Sewer Service-Credit Request:** A hose was left on at the WWTP, which created a large sewer bill. Council's policy, if a large credit is considered, is to approve that credit. The credit would be in the amount of \$264.32.

Motion by Hardy, seconded by McPherson, to approve a credit for the WWTP sewer account in the amount of \$264.32. Motion carried by voice vote.

- k. **Ripple Effect Grant:** Clerk Luckett informed Council that the second phase of the Ripple Effect Grant is available. Deadline for the grant is November 10th, 2017. She is presenting this to see if Council wants to proceed with this second phase grant. This would provide some funding for the

development of construction plans for a launch site. We did receive a quote from Fleis & Vandenbrink for this phase of the project at a cost of \$4,800. This doesn't include soil borings that may be necessary for stabilization. We would also need a DEQ permit to clear anything at the shoreline. It would have to be a joint application with the Army Corp of Engineers because it is considered navigable water. Soil borings may be needed to make sure the ground will withstand the launch that may be put in. Soil borings are about \$2,500 each. She has the application ready to go, but we would have to explore other grant or funding opportunities to cover all of the cost. President Schulz discussed community based crowd funding opportunities. Trustee Ciganick asked if the grant and crowd funding would cover costs without affecting the budget and it was noted that it would. Clerk Luckett did state the Village may have to cover permitting fees. Treasurer Odom asked for the total cost of the project. Luckett said the construction plans are \$4,800, soil borings, if needed, are \$2,500 each and this ripple effect grant maximum is \$3,000. The third phase would then cover pre-application meetings, permit fees, application assistance from the engineer if needed at a cost of \$1,600 and the cost for the shore station stabilization material that will be needed.

Motion by Schulz, seconded by Schuckel, to authorize the Village Clerk to submit the Ripple Effect Grant request. Motion carried by voice vote.

- l. Boiler Repair:** The boiler went down this past week. It is up and running but we do need a new igniter at a cost of \$1,100. This cost is not available in the budget so a budget amendment is needed.

Motion by Bennett, seconded by Hardy, to approve a budget amendment in the amount of \$1,100 for repair of the boiler igniter. Motion carried by voice vote.

10. Discussion Items:

- a) Committee Budgets:** It is time to begin the budget process. If committees have specific items they would like to see in the budget now would be the time to set up meetings to review and discuss. President Schulz said categorizing items in a must do, should do and want to do way, is a good start to begin the budget process. This will help Council know that if all items cannot be afforded, at least the critical components needed are being addressed.
- b) Annual Reviews:** It is also time for the annual review process. Due to trying to complete the budget process by January, Admin likes to take care of wages and benefits in December. To meet the deadline Council asked that reviews go out to staff on November 10th with a return date of November 24th. Admin will schedule a meeting in December to review.
- c) Antrim County Vacancy Interest:** The County has several openings on several boards if anyone is interested in serving. Completed interest forms should be returned to the County Administration Office no later than November 17, 2017.
- d) Christmas Party:** The date of the Village Christmas Party was set for December 12, 2017, to begin at 6:00 pm at Shorts.

11. Department/Committee Reports:

- a) Committee Reports:** Committee minutes were included in packets for review for those committees that have met.
- b) Clerk/Planner:** Clerk Luckett reminded Council of the Public Hearing on the Recreation Plan before the regular meeting in December. It is available online for review. The Planning Commission will also be meeting next Tuesday and will be addressing a potential amendment to the zoning ordinance, which if accepted, Council will approve at the December meeting.
- c) Treasurer/Deputy Clerk:** The Antrim Conservation District is having their annual meeting on Monday, November 13th from 7-9 pm if anyone is interested in attending. We received a letter from Paddle Antrim thanking us for our continued support for their event. Additionally, the performance audit required this past year from MDOT is not providing the information they were seeking, so this is not required any longer. They are also reimbursing the cost of this

special audit so I will be sending in the information they requested for that reimbursement. Cost for the audit was \$1,000.

- d) **Department of Public Works:** Mr. Stead informed Council of the results of the testing done at the Transportation Station noting that all is good.
- e) **Police Department:** Chief Drollinger will be taking a vacation. He also informed Council of a significant problem with semi traffic in the alley behind the smokehouse. He is requesting that the Streets and Motor Pool Committee meet to discuss.

12. Closing Member/Public Comment:

- **Leann Christie:** Ms. Christie lives on Park St. and informed Council of some trees she is concerned about. She explained that there are trees along the alley marked with an orange band. She has been trying to determine who is responsible for the orange band and has been unsuccessful. She then noticed that another tree that was banded with the same color was removed and thought the others might be next. She had spoken with Chief Drollinger who said the Village had removed the tree. She explained that she contacted the Village and had received a letter from the DPW Supervisor stating that we were not aware of who put the bands on the trees and that they were not in the Village right of way, making them the responsibility of the homeowner. She wondered about this because her trees are closer to the road than the one that was removed. She said that if these trees aren't removed and end up falling, there could be significant damage to power lines. President Schulz set up a meeting with the Supervisor during office hours the next day. Ms. Christie said she can send pictures if given his email. Trustee Ciganick said those trees are dead and thinks the banding was done by the pastor of the Methodist Church because he was hoping to help get them removed. He is not sure if any further steps have been taken. He said the pine tree is on church property. President Schulz provided his email and will meet with Ken Stead on Thursday.

13. Adjourn: Meeting adjourned at 8:20 P.M.

Compiled by Cathy Odom
Minutes are subject to approval.

Approved: _____

Date: _____

