

**Bellaire Village Council  
Meeting Minutes  
December 6, 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 Lockett, Clerk, Ken Stead, DPW Supervisor & Bill Drollinger, Chief of Police.

**Also Present:** Andrew Turner, Brad Keiser, Christy Wilson and Ben Kladder.

4. **Approval of Agenda:** The agenda was approved with the additions of new business item e, Resolution #19 of 2017, Opt Out and item f, Meeting Stipend; the deletion of new business item c, budget amendments and old business item a, Street Presentation will be tabled.

**Motion by Schuckel, seconded by Ciganick, to approve the agenda with the additions of new business item e, Resolution #19 of 2017, Opt Out and item f, Meeting Stipend; the deletion of new business item c, budget amendments and old business item a, Street Presentation will be tabled. Motion carried by voice vote.**

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

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

**Motion by Hardy, 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) **Street Presentation:** This item was tabled.

b) **Ordinance #07 of 2017, Street Name Amendment:** Due to Hickory Lane's name change, the village code has to be amended.

**Motion by Drollinger, seconded by Schuckel, to approve Ordinance #07 of 2017, amending Chapter 108 of the Village code. Motion carried by roll call vote. Ayes: Drollinger, Schuckel, Bennett, Ciganick, Hardy, McPherson & Schulz. Nays: None.**

c) **Resolution #18 of 2017, 2018-2022 Recreation Plan:** The plan was amended to correctly reflect the actual number of pavilions and bathhouses at Richardi Park. With this change the following motion was made.

**Motion by Hardy, seconded by McPherson, to approve Resolution #18 of 2017, the Village of Bellaire Recreation Plan. Motion carried by roll call vote. Ayes: Hardy, McPherson, Bennett, Ciganick, Drollinger, Schuckel & Schulz. Nays: None.**

d) **USDA Loan-Pre-Closing Costs:** With the USDA Loan project, there are costs associated with the application process and these costs will be needed prior to closing. They will be reimbursed to us when we close on the loan. One option previously discussed was the engineers taking out a loan for pre-closing costs and we would in turn pay them the interest on the loan until we were reimbursed at closing. However, this option was not available through the engineers due to issues with previous loans. In speaking with Umbaugh, their fees and bond counsel fees will not be invoiced until after closing so these would not have to be available before hand. Another option would be to place these

repairs in normal budget cycles and not go through the USDA loan process at all. However, with Council discussion, it would be effective to get all of the repairs completed at once. Treasurer Odom explained that the estimated pre-closing costs would be about \$162,000. Another option to pay for these costs is to take out a bond anticipation note. The cost for this bond would be an additional \$7,000 between bond counsel and Umbaugh. This would also require a resolution or notice of intent providing for a 45-day referendum which would allow 45 days for residents to respond to the bond issue. This would have to be completed as soon as possible. This notice of intent will be required for the bond issue anyway; it will just have to be completed sooner if we move forward with the anticipation note. Mr. Kladder said he would have to check but believes the fees for this note would be covered by the loan if there is room in the loan budget. Mr. Kladder explained that part of the pre-closing procedures requires us to receive bids for the projects prior to closing. This will allow us to know how much we will need to borrow. Mr. Stead would like to see more detail of the costs associated with each of the repairs. With more detail we will be able to see what is actually being covered and the costs associated with it.

**Motion by Schulz, seconded by Bennett, to pursue acquisition of a bond anticipation note with the related time frames as noted in the email to cover the pre-closing costs of the USDA loan with funds available to pay off the bond anticipation note upon closing and receipt of the funds for the loan. Motion carried by voice vote.**

- e) **Engineering Agreement-USDA Loan:** This agreement, between the Village of Bellaire and the engineers for the sewer project, has been reviewed by legal counsel and the suggested changes have been put in place.

**Motion by Schulz, seconded by Hardy, to have the Village Council approve the Village President to sign the engineering agreement associated with the USDA Loan. Motion carried by voice vote.**

- f) **DDA Appointment:** With Mr. Fifelski's resignation, a seat on the DDA board needs to be filled and President Schulz would like Council to approve the appointment of Christy Wilson. Her term would expire February 14, 2021.

**Motion by Bennett, seconded by McPherson, to approve the appointment of Christy Wilson to the DDA Board. Motion carried by voice vote.**

- g) **ZO #2 of 2017, Zoning Ordinance Amendment:** This is an amendment to the zoning ordinance to allow personal services to be located in the manufacturing district and to decrease the acreage requirement for that. President Schulz noted one correction in language changing the word "us" to "use" in Section 1 of the amended ordinance.

**Motion by Hardy, seconded by Schuckel, to approve zoning ordinance #2 of 2017. Motion carried by roll call vote. Ayes: Hardy, Schuckel, Bennett, Ciganick, Drollinger, McPherson & Schulz. Nays: None.**

## 9. New Business:

- a. **Overnight Parking Enforcement:** Mr. Stead explained that drivers are not parking their vehicles in the parking lot behind the Bellaire Bar in the designated spaces allowed, making it difficult to plow when it snows. He would like permission for the DPW staff to take care of these vehicles. He said they get to that lot about 5:00 am. He said by the time we contact an officer and he gets them removed, it doesn't allow for enough time to plow before drivers can park there again at 6:00 am. It was noted that most of the violators are random vehicles and not the tenants in the apartments above the businesses. Chief Drollinger agreed that there needs to be some avenue to take care of these vehicles. We have two officers, and neither one is on duty at this time of the morning. Chief Drollinger, with Council permission, would like to take the ordinance to legal counsel, to see what options we have available. Trustee Drollinger asked about using the reserve officers, but it was noted that they are not certified. Chief Drollinger noted that it doesn't say vehicles will be towed, which we may have to consider some signage to that effect. The sign would post which tow company is used so drivers would know where to locate their vehicles if towed. Towing them to the DPW grounds was

discussed, but it was noted that some people will use a second set up keys, pick up their vehicle and not pay the towing bill. The Chief noted that it might be better to use a specific company. He also noted that it will be a short-lived problem once a few vehicles get towed.

**Motion by Schulz, seconded by Ciganick, authorizing the DPW Supervisor and the Chief of Police to talk with legal counsel about this issue. Motion carried by voice vote.**

- b. **DDA Lease Agreement:** It is time to renew the lease agreement between the DDA and the Village. There are no changes except the dates.
- c. **Motion by Bennett, seconded by McPherson, to approve the lease agreement between the Village of Bellaire and the Bellaire Downtown Development Authority. Motion carried by voice vote.**
- d. **Budget Amendments:** This was deleted from the agenda
- e. **New Construction Addressing:** Bantry Bay Development is building a two-unit structure facing W. Cayuga St. There will be garage access on S. Genessee. The owner would prefer a W. Cayuga St. address. Chief Drollinger noted that emergency services (911) uses guidelines that address new construction based on driveway access. Discussion occurred about whether this is an absolute requirement with Chief Drollinger stating that there is an ordinance. Trustee Drollinger said that in cases of an emergency, you do not want any confusion in finding a location. Chief Drollinger noted the ordinance was #1 of 1991 and titled, Antrim County Street and Road Numbering Ordinance. Council reviewed the ordinance online. Clerk Luckett noted that according to Julie Weston, we are the only Village that still addresses our properties exclusively. With the other Villages, depending on who the Treasurer is, she has been tasked with assigning addresses. Treasurer Odom informed Council that she spoke with the Chief, Officer Gank at the County and Julie Weston from Equalization and all said the same, access should be on S. Genessee. Other addressing hypotheticals were discussed.

**Motion by Drollinger, seconded by McPherson, to deny his request to have a W. Cayuga St. address and that he needs a S. Genessee address if that is where his driveway will be located. Motion carried by voice vote.**

Currently we are the only Village that addresses our own properties. Does Council want to continue to do this or do we want to allow equalization to provide the addressing? Trustee Drollinger wondered if we were charged fees to receive an address. President Schulz noted that if we allow the County to provide this service for us their ordinance would have to be amended. No further action was taken.

- f. **Resolution #19 of 2017, Opt Out:** President Schulz explained this is an annual resolution in response to PA 152 of 2011, allowing the Village Council to exercise our option to opt out under the act and to make our own decisions in providing employee health care.

**Motion by Schulz, seconded by Bennett, to approve Resolution #19 of 2017, opting out of PA 152 of 2011. Motion carried by roll call vote with one abstention from Trustee Drollinger. Ayes: Bennett, Ciganick, Hardy, McPherson, Schuckel & Schulz. Nays: None. Abstention: Drollinger.**

- g. **Meeting Stipend:** We have had two meetings tonight and are entitled to two stipends. In the interest of being fiscally responsible, this is added to the agenda each time for Council to consider the public hearing and the regular meeting as one.

**Motion by Schulz, seconded by Drollinger, to consider the two meetings tonight as one and receive one stipend. Motion carried by voice vote.**

#### 10. Discussion Items:

- a) **Community In Action-Scoreboard Status:** The CIA provided an update about the scoreboards at Craven Park. They did receive a \$2,500 grant from the Great Lakes Energy People Fund. The Tribal Grant process has been delayed and they will update that as soon as they hear something.
- b) **DOT Drug Testing Changes:** The DOT is making some guideline changes to our testing by adding the opiates class. The company who does our testing will inform the Village if these additional testing

requirements create an issue during normal testing procedures. Treasurer Odom noted that if an employee is prescribed these, they should technically not be driving with Trustee Drollinger noting that they should not even be working.

- c) **TCE Plume Information:** There is an informational meeting at Shanty Creek Resort on December 7, 2017 at 7:00 pm. that will provide an update on the status of the plume for anyone who is interested in attending.
- d) **Budgets:** This is a reminder that it is budget time and if committees need to meet to discuss this year's needs and wants, now is the time to schedule those meetings.

**11. Department/Committee Reports:**

- a) **Committee Reports:** Committee minutes were included in packets for review for those committees that have met. Trustee Ciganick noted the Streets and Motor Pool committee met to discuss budget items, noting that the biggest thing was to save funds for the resurfacing of Broad St. The other thing they addressed was the alley behind the smokehouse and the use of it by bigger trucks. The committee agreed that we would ask the smokehouse to provide delivery from M-88. If that could not be done, then any issues from drivers hitting telephone poles are an issue for the drivers and are technically not a concern for the Village.
- 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:**

- **Trustee Bennett:** Trustee Bennett said he was approached by the 4H Group who asked about using some of the fence we took down at the cemetery for use at the park. He explained that they had to provide insurance, which was quite costly, because they didn't have a fence down by the river during the County Fair event. Trustee Drollinger stated that she would not like to see a fence by the river. She said that a white picket fence might look nice but suggested if they want to discuss further, they can bring it to the Parks Committee.

**13. Adjourn:** Meeting adjourned at 8:02 P.M.

Compiled by Cathy Odom  
Minutes are subject to approval.

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

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