

**Bellaire Village Council
Meeting Minutes
September 5, 2018**

1. **Call to Order:** President Schulz called the meeting to order at 7:00 PM.
2. **Roll Call Attendance:**
 - Present:** President David Schulz, Council Trustees David Ciganick, Bryan Hardy, Dan Bennett, 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 (7:35 PM).
 - Also Present:** Terry VanAlstine, Colette Stanish, Linda Gallagher, Bradley Keiser, Aaron Kirt, Chris Thompson, Don Hoyt, Amy Brown, Patti Savant, Steve Alger, Rachel Krino, Janet Koch, Eric Shumaker, Ray Mills, Don & Jean Seman.
3. **Approval of Agenda:** President Schulz added new business item k, crosswalk signs and item l, zoning question to the agenda.

Motion by Schuckel, seconded by McPherson, to approve the agenda with the additions of new business item k, crosswalk signs and item l, zoning question. Motion carried by voice vote.
4. **Conflict of Interest:** Trustee McPherson noted a conflict with the hiring of the DPW Director and Trustee Drollinger noted a conflict with Alerus retirement changes.
5. **Consent Agenda:** The consent agenda was approved.

Motion by Hardy, seconded by Schuckel, to approve the consent agenda as presented. Motion carried by voice vote.
6. **Public Comment on Agenda Items:** None presented.
7. **Old Business**
 - a) **DPW Supervisor Interviews:** President Schulz stated that Mr. Stead has turned in his resignation and thanked him for his service and wished him well. He explained that we posted internally and externally for the position. He informed Council that there were multiple external interests but there was only one with the qualifications for the position. We reached out to that person and did not hear back. We did receive three internal applications with the administration committee recommending that all three come before the entire Council so any questions they may have can be answered. Council interviewed each of the applicants separately. Council discussed qualifications required for the position. President Schulz explained the importance of a small group working well together. His concern is how well going from a peer to a supervisor is handled. It can or cannot be successful. He offered assistance, education or anything else that might be needed from Council to make the transition run smoothly. He reminded the applicants that if selected for the Director position, they will be awarded a one year contract and their current position will have to be filled. After that year, if Council chooses not to reinstate the contract for whatever reason, they would no longer have a position with the Village. Trustee Drollinger said in her experience anyone can be trained to do a job, so as far as water and sewer training, it can be done. It may not be as easy to train a person to lead due to differing personalities. Trustee Ciganick asked the timeline for hiring. President Schulz explained that if the position is filled tonight, there will be a small transition period as Mr. Stead is not leaving until September 17th. He explained that if a decision is not made tonight, Council can appoint an acting Director and continue to search for other candidates.

Motion by Schulz, seconded by Hardy, to extend a one (1) year contract to Bradley Keiser for the DPW Director position with the provision that he obtain his water license within that first year. Motion carried by voice vote with one abstention from Trustee McPherson.

Council discussed the beginning wage scale for Mr. Keiser, taking into consideration that he still needs to obtain his water license. Trustee Drollinger suggested setting his wage at the first year rate and review it when it's time to renew the agreement.

Motion by Schulz, seconded by Bennett, that the one year agreement that will be crafted for Mr. Keiser will call out the one year wage rate with an effective date of September 18, 2018. Motion carried by voice vote with one abstention by Trustee McPherson.

Motion by Schulz, seconded by Hardy, to authorize the Administration Committee to pursue filling the DPW vacancy and to advertise externally. Motion carried by voice vote.

- b) **Historical Society-Sign Request:** Mr. Seman asked permission to place the words Bellaire Historical Museum where the former township offices were listed. Clerk Luckett informed Council that she has asked for a quote from the same person who painted the spring toys at the park. She is still waiting for the quote. She also said the museum has offered to pay for the work as long as it was in their budget to do so. It was noted that since fall is coming and the work may not be able to be completed until spring, we should table this until we receive the quote. No further action was taken.
- c) **Cemetery Committee Recommendations-Flags:** The Friends of the Veterans would like to place American flags along the old fence line at the cemetery on some of the special holidays. Donations for the flags are accepted and dog tags will be placed on the flags naming the donor. The Cemetery Committee is recommending that this be allowed.

Motion by Schuckel, seconded by Schulz, to approve the request from the Friends of the Veterans to place flags at Lakeview Cemetery on various holidays and only for the day.

Trustee Drollinger asked if the motion could be amended to include placing them at Richardi Park along the fence line. The Friends of the Veteran attended the Parks Committee meeting to seek permission and the committee is recommending that this also be allowed. The above motion was amended to include Richardi Park.

Motion by Schuckel, seconded by Schulz, to approve the request from the Friends of the Veterans to place flags at Lakeview Cemetery and at Richardi Park on various holidays and only for the day. Motion carried by voice vote.

The Cemetery Committee also addressed the removal of an urn from one gravesite. The urn was empty of flowers and therefore removed. The Smith family was asking for it to be replaced at the site. Discussion occurred and the committee made a recommendation noting that once the rules change, it may not be allowed to remain in that location.

Motion by Schuckel, seconded by Bennett, to place the Smith urn at the original location for the remainder of this year until the changing of the rules. Motion carried by voice vote.

The Schoof family also raised concerns for an urn and flowers at their family plot. After discussion the following motion was recommended to the Village Council.

Motion by Schuckel, seconded by Schulz, to allow the Schoof family to move the flowers to the original location and to remove the urn pending finalization of new cemetery rules and regulations. Motion carried by voice vote.

8. New Business:

- a. **Health Dept of NW MI Request-Amy Brown:** Amy Brown from the Northwest Michigan Health Department is seeking support from Council to begin making parks and beaches a smoke free environment. She explained that Otsego County has started to develop tobacco free areas in their parks and is hoping the Village of Bellaire will frontier this project in Antrim County. She said she understands the challenges of enforcement, but that once signs are in place, in many cases it is policed by society. She also added that the Health Department may help with the purchase of the signs. This idea is supported by the youth groups and mom's groups. She also said she worked with the Bellaire Public School system, which enhanced their school policy on the issue. If Council moves forward, she supplied a sample resolution that could be approved to show support of this idea. Discussion of cigarette butt stations occurred.

Motion by Schulz, seconded by McPherson, to send this issue to the Parks Committee for their review and consideration. Motion carried by voice vote.

- b. **Sand & Salt Barn:** Mr. Stead explained that after last winter there is some needed repairs to the sand and salt barn. Posts have to be replaced and rafters need repair. The estimated cost is \$8,000 plus wages at

approximately 60 hours. Treasurer Odom noted that this has not been placed in the budget. Trustee Ciganick asked where the funds will come from. Mr. Stead said \$6,000 can come from the funds budgeted for the fuel enclosure that was recommended by risk management. He said this project will not get completed at this time.

Motion by Drollinger, seconded by Schulz, to complete the repairs. Motion carried by voice vote.

- c. **CAKE-Invasive Species Agreement:** This agreement will be for the eradication of the Japanese Knotweed plants at the Village leaf pile at a cost of \$70.00 a year for a period of three years. The coordinator of invasive species explained that the weed is aggressive and difficult to eliminate. He said it will take multiple treatments to fully eradicate.

Motion by Schulz, seconded by Bennett, to authorize the Village President to sign the Charlevoix, Antrim, Kalkaska and Emmet County Invasive Species Cost Share Treatment Contract. Motion carried by voice vote.

d. **Parks Committee:**

- **Skate Park:** Trustee Drollinger explained that Rachel Krino is seeking permission to investigate the possibility and to start raising funds for a skate park in Richardi Park. Mrs. Krino said they are looking at a potential location in the park and are creating a plan in conjunction with the Master Plan. They are looking at a redevelopment of the entire area, keeping the ice rink and producing the skate park. The idea of a splash pad was also discussed.

Motions by Drollinger, seconded by Hardy, to have the Parks Committee explore the development of a skate park within Richardi Park.

- **Tennis Court Repairs:** Trustee Drollinger explained that the net and backboard at the tennis courts are in need of repair. Cost for the materials will be about \$400 and there are volunteers that will do the work.

Motion by Drollinger, seconded by Schuckel, to approve up to \$400 for the purchase of materials and for the volunteers to replace the backboard and the net at the tennis court. Motion carried by voice vote.

- **Flags:** Discussed earlier in the meeting. See motion under old business item c, cemetery recommendations.

- e. **Bellaire Public School-Park Use Contract:** This contract is for the use of the village parks by Bellaire Public School. There are no changes to the contract except for the dates.

Motion by Bennett, seconded by Ciganick, to authorize the Village President to sign the contract between the Village and Bellaire Public Schools. Motion carried by voice vote.

- f. **Medical Marijuana Act Zoning Regulations:** We received a memo from the attorney about a recent court of appeals case regarding zoning and the Act. Clerk Luckett explained that we currently have an ordinance in place that is not enforceable due to this court of appeals decision. She explained that there are two ways to handle the changes according to the attorney and he is currently monitoring this case to see if an appeal is filed with the Supreme Court. If the Supreme Court doesn't take the case, then the appeal stands and we can amend the ordinance as necessary or we can amend the ordinance right now in anticipation of the changes. Council discussed waiting for an appeal so no further action was taken.

- g. **Alerus Retirement-Cost Changes:** The employee retirement plan has an updated the fee schedule that will lower costs for plan services by approximately \$2,000. However, if we approve the implementation of the cost changes, Council will no longer have to approve the investment funds that are included in the plan. Previously, if Alerus did not like how a fund was performing, they would ask Council to approve changing that fund to allow employees to receive a better return on their investment. With the approval of the new fees, they would be allowed to change the fund without seeking Council approval. Seeking employee input on these changes was discussed. President Schulz said we could table this for further detail.

Motion by Schulz, seconded by Hardy, to table for more detail and staff input. Motion carried by voice vote with one abstention by Trustee Drollinger.

- h. **Elevator Load Test:** We are required to have a load test on the elevator every five years. The cost is \$2,740 and is not currently in the budget.

Motion by Hardy, seconded by McPherson, to authorize a representative to sign and execute the proposal for the five (5) year safety load test. Motion carried by voice vote.

- i. **Antrim County Campus-NLEA Janet Koch:** President Schulz explained that there was much public input at that last County Commissioner meeting about the new potential County campus. As a result, the County hired Byce Associates to look at placing the public safety and possibly the court house campus offsite. The Commissioners said they would be interested in hearing the opinion of the Village and the Village DDA in terms of a proposal. He said he believes the County would like to vote on how to proceed by the end of the year. Mrs. Koch met with the DDA and presented another opinion. She explained that there may be a problematic issue with the County's campus plans due to comments against the location of the potential new law enforcement center made at the meeting held at Meadowbrook by the County. With this potential problem, Mrs. Koch approached the DDA and the Village in hopes of collaborating other possible options that will bridge the gap between all entities and better serve everyone that will be affected. She presented the findings of Byce Associates. There are three different structures that are affected by the changes the County wants to make. One option, which puts the new law enforcement building outside of the downtown area, seems to be the option most favored by residents. She explained which options were being considered and the costs to implement them, which is extremely expensive. The remote jail option comes in at the lowest cost. She presented another option not previously thought of. Court St. used to be open to the north. The option moves the law enforcement center out of the downtown area; it moves the administration building east of the courthouse and opens up a full block for commercial development. Using the numbers already presented by Byce, she determined that this option comes in lower than any of the other options. She said it seems very reasonable that the County would want to look at this option, however, this is not confirmed as of yet. Before she spends too much time on this, she needs to know if Council would like to move forward, spend the political capital and time to present this option, with no guaranties of the County's direction. She said to keep in mind that if they don't have this in front them they will never think about it. President Schulz explained the idea of opening up Court St. for development. It could be a two story structure, mixed use, retail on the first floor and affordable housing on the second floor. The NLEA could possibly determine what this would cost to construct. He has spoken with the County Treasurer about the tax base and she can help us determine the increase in tax revenue it could generate. This option will solve the problem with the addition of more commercial development and housing. It will also have them building their law enforcement center on property already removed from the tax roll eliminating the need to remove additional tax base. He said this potentially solves their space problems and our decrease in tax revenue. Trustee Ciganick asked who would build this building with President Schulz saying private enterprise. President Schulz also noted that if Court St. is open, closing Grove St. can be considered. Mrs. Koch explained that if the Village wants to proceed with this, there will be some work that has to be done. She presented the steps needed to proceed. First step will be to get approval from the County Commissioners that they will wait to move forward so this option can be presented. Another step could be to present this idea to the public.

Motion by Schulz, seconded by Bennett, to adopt the next steps in principle, for working with and communicating with Antrim County regarding the Bellaire Master Plan. Motion carried by voice vote.

Mrs. Koch informed Council that she spoke with the MEDC and they are excited to be working on this project and she will be meeting with them on Monday.

- j. **DDA Matters:** Mr. Irwin explained that they have received the report from the engineer about the restoration of the community hall with overall positive results. He also informed Council that they will be pursuing another grant for \$150,000, which will be for design of the project. An estimated cost for the complete restoration is expected to be approximately \$2,000,000.
- k. **Crosswalk Signs:** President Schulz explained that we are now allowed to place crosswalk signs on the pavement by crosswalks. Chief Drollinger would like to purchase three signs at a cost of \$300 a piece. Due

to the summer coming to a close, holding off on the signs until the funds can be placed into the budget for next year was discussed. Chief Drollinger noted that would be fine.

1. **Zoning Question:** Clerk Luckett explained that she has received a change of use request for a building in the CBD that is very straightforward for the Planning Commission (PC) to approve when they meet in November. She said the PC will be discussing the option of allowing her more authority in decision making at that meeting. She would like Council's permission to authorize this change of use request so the person can start her new business. It will not affect the water and sewer system or parking. There are no exterior changes or interior modifications that she is aware of. This will be a compromise so they can get started. She explained that the PC is also involved in Master Plan meetings so this would be in lieu of creating a special meeting. She will make sure they meet all of the criteria to meet site plan review and the PC can rubber stamp it at the November meeting.

Motion by Schulz, seconded by Bennett, to allow Clerk Luckett to notify the tenant that they may proceed with the Planning Commission basically doing a subsequent approval of the application. Motion carried by voice vote.

9. **Discussion Items:** None presented.

10. 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.

10. Closing Member/Public Comment:

- **Trish Drollinger:** Trustee Drollinger asked about painting parking T's on the parking spots downtown.
- **David Schulz:** President Schulz thanked Mr. Stead for his years of service and wished him well on his retirement.

12. Adjourn: Meeting adjourned at 9:37 P.M.

Compiled by Cathy Odom
Minutes are subject to approval.

Approved: _____

Date: _____