

# Village of Bellaire

## PUBLIC SAFETY COMMITTEE

Dan Bennett, Chairman

Butch Dewey

David Schulz

**MEETING MINUTES**  
January 10, 2013 at 3:00 p.m.

1. **Call to Order:** Chairman Dan Bennett called the meeting to order at 3:00 p.m.
2. **Roll Call Attendance**
  - Present:** Chairman Bennett, Butch Dewey & David Schulz
  - Absent:** None
  - Staff Present:** Chief of Police Brad Rowe, Janet Koch, Clerk
  - Also Present:** Colette Stanish
3. **Approval of Agenda:** The agenda was approved.
  - Motion by Dewey, seconded by Schulz, to approve the agenda as presented. Motion carried by unanimous voice vote.**
4. **Approval of Minutes:** The minutes were approved.
  - Motion by Dewey, seconded by Schulz, to approve the minutes of November 7, 2012 as presented. Motion carried by unanimous voice vote.**
5. **Public Comment on Agenda Items:** None presented.
6. **Old Business:** None presented.
7. **New Business**
  - a) **Proposed Open Container Ordinance** – Chief Rowe said he'd located an open container ordinance that he thought would work for the village, the Mount Pleasant ordinance. He said it was up to the committee and council to make a final decision regarding the necessity of passing an open container ordinance.

Dewey said he thought an open container ordinance is needed. Schulz said that due to the increasing popularity of the village, that passing an open container ordinance could prevent future problems. Schulz also said the chamber of commerce and Short's Brewing Company are working toward beer garden-type events and that having an open container ordinance would be of benefit.

Chairman Bennett went through each section of the Mount Pleasant open container ordinance, asking Chief Rowe if he would like to see any changes. Chief Rowe saw no reason to change anything. The committee agreed.

The committee discussed the penalties section.

    - Motion by Schulz, seconded by Dewey, to table further discussion regarding an open container ordinance pending legal counsel's recommendation on an appropriate penalties section. Motion carried by unanimous voice vote.**

- b) **Proposed Amendment to Nuisance Ordinance** – Chief Rowe said the first three sections of 70-2(R) regarding potential dangerous buildings are sections he doesn't feel he has the qualifications to judge. He said Koch had provided the dangerous structures ordinance used by Elk Rapids as possible model for adoption by the village.

Koch said the Elk Rapids ordinance provides for a hearing officer who makes the determination regarding a structure, and that the hearing officer is an engineer, architect, builder, or another credentialed professional.

Schulz asked Koch about Elk Rapid's experiences regarding the ordinance. Koch said she would contact the village and ask. Schulz said if Elk Rapids has named a hearing officer, that Bellaire could make use of that.

Koch said the Antrim County Building Department doesn't deal with dangerous structures, that it's up to individual municipalities. Dewey said he thought the village should adopt the ordinance.

Chairman Bennett asked Koch what she recommended. She said she'd like a chance to talk to Elk Rapids regarding the ordinance.

Bennett asked who would bear the costs of hiring a hearing officer. Schulz proposed that if a structure is deemed unsafe then the property owner would pay for the inspection costs, and if the structure is deemed safe, the village would cover the costs.

**Motion by Schulz, seconded by Dewey, to table further discussion pending legal counsel regarding the concerns of the committee regarding a dangerous structures ordinance.**

**Motion carried by unanimous voice vote.**

The committee discussed removing the first three sections 70-2(R) from the nuisance ordinance, leaving the remaining sections of 70-2(R), and creating a new ordinance regarding dangerous structures.

- c) **FY 2013-14 Budget** – Chief Rowe presented the current public safety budget, its expenditures and revenues to date, and the proposed budget for the next fiscal year. Chief Rowe told the committee that the budget is projected to be \$171,000 to \$172,000 but that he can't change approximately 91% of the budget since that much goes to wages, insurance, social security, workman's compensation, and other items he can't control.

Chief Rowe indicated that it was his preference to not change the budget line items from the previous year if the committee was comfortable with that.

Schulz asked about the purchase of a new police vehicle. Chief Rowe said the budget would include a \$35,000 line item for the purchase and outfitting of a new police vehicle. The village puts aside \$7000 per year for this purpose.

Chairman Bennett asked about the 1% administrative fee on property tax bills. Koch said the Village Treasurer would be the person to ask.

Koch asked Chief Rowe if Officer Light, the village's part time officer, would be available next summer for full time work. Chief Rowe said yes, and asked the committee if he could add hours to Officer Light's schedule outside of the summer. The committee saw no problem with adding 72 hours of Officer Light's time to the budget.

Chairman Bennett asked Chief Rowe if there were any expense line items on the budget that have been under-budget for the last few years. Chief Rowe said yes, but only very low dollar line items such as printing and postage.

**8. Discussion**

- a) **Fireworks Ordinance** – Koch said that if council thought it was in the best interest of the village to pass an ordinance restricting the use of fireworks, that now would be the time to consider the issue. She reminded the committee that state law states that the use of fireworks cannot be restricted by municipalities the day before, the day of, and the day after the Fourth of July, in addition to other major holidays.

Chairman Bennett asked if there had been any fire issues. Koch said that there had not been in the village, but she'd heard of fire damage in areas that hadn't received rain in the days preceding the Fourth of July.

Schulz asked if Koch could contact other municipalities and get copies of their fireworks ordinances. She said she had a number of them available. Chief Rowe said the third, fourth, and fifth of July are exempt and that those are the days when there is the highest use of fireworks.

Dewey said he'd like to see what other municipalities are doing, if they have any ideas of what could help. Koch said she would talk to local municipalities and see what issues they've had.

- 9. **Communication/Informational:** Chief Rowe said Antrim County law enforcement has been awarded a \$45,000 Homeland Security grant for a "Shoot/Don't Shoot" simulation training. He said it's excellent training and, after conferring with other local law enforcement officials, that the best place to set up and hold the training would be in the north portion of the community hall. Chief Rowe said it's a regional grant and the Antrim County sheriff's office, corrections officers, and Charlevoix, Emmet County, and Traverse City Police Departments will have an opportunity to train on the simulator. The simulator will be set up for at least a week to allow all the officers to train. Koch said she would work with Parkside Arts Council to make sure there are no conflicts with using the space.

Chairman Bennett told the committee that Antrim County has signed an agreement with the Chain O' Lakes Sportsman's Club to use the club's facility to train.

- 10. **Closing Member/Public Comments:** Colette Stanish asked the committee to pass a fireworks ordinance, saying that people have used fireworks in her neighborhood extensively throughout the summer. The Chairman thanked her for her comment.

- 11. **Adjourn:** Meeting adjourned at 3:49 p.m.

Compiled by Janet Koch, Clerk

Approved: \_\_\_\_\_  
Daniel Bennett, Chair

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