

**EDMORE VILLAGE COUNCIL  
APPROVED JOURNAL OF MINUTES**

**October 14, 2019**

**CALL TO ORDER:** By **President Gloria Burr** at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** **Members Present:** Ashbaugh, Colburn, Guild, Hadley, Rasmussen, Burr. **Absent:** Moore.

Also present: **Justin Lakamper:** Village Manager, **Shirley Drain:** Village Treasurer, **Kerri Peterson:** Village Clerk, **Sgt Schafer:** Montcalm County Sheriff's Dept.

**APPROVAL OF AGENDA:** Ashbaugh moves to approve the agenda. Supported by Rasmussen. **VOICE VOTE:** All YES, **MOTION PASSES 6-0.**

**PUBLIC COMMENTS ON AGENDA ITEMS:** None

**DEPARTMENTAL REPORTS: POLICE REPORT:** **Sgt. Schafer** reports that he and K9 Ronin are scheduled to the Edmore assignment for the remainder of the year. He also reported that on September 10<sup>th</sup>, a report of an individual attempting to pass fraudulent prescriptions at local pharmacies was reported. A 29-year-old female from Chicago was apprehended as she left Countryside Pharmacy. The woman remains in the Montcalm County Jail. She will be charged in Montcalm county. Full report on file.

**FINANCE:** **Drain** reports the books for September are closed and balanced to the penny. The loan payments are all current. The legal fees that were paid to Casair, out of the water fund, have all been repaid to the water fund, by the general fund. The general fund still has an outgoing bill to the DDA, for a little over \$40,000. The cash in the bank is what we have. The equipment pool still shows a negative balance, but it is about \$8000 less negative than it was last month. It is coming up now that the leases are paid. The leases were for a tractor and a truck. **Burr** states she believes there is one more big payment due in about a year on the water tower and that will drop. We will be really good after that. Highlights from **Tracy:** I have completed balancing of both tax books and everything balanced. One tax book was delivered to the county. **Laura** generated all the October utility bills and she is picking up on this job quickly. I am quite pleased. The Investment Reporting and the Asset management Reporting required by the State of Michigan has been completed. I am now working on all quarterly reports for the village. The DDA now has their own Federal ID number so they have to have their own insurance policy for work comp and liability. The MML is sending the application to begin this process. Full report on file.

**DPW:** **Burr** reported for **Andy** that the following were completed. In addition to regularly reoccurring work we have also, patched streets, had two full burials and one cremains burial at the cemetery, finished street trimming, trimmed cedar bushes in the right of way for the sidewalk work on 3<sup>rd</sup> Street, and rebuilt the leaf vac. Report on file.

**MANAGER:** **Lakamper** reports the 3<sup>rd</sup> Street sidewalk is finished. The cement looks great. If the ground along the sides doesn't lay down good, Dan Petersheim will come back out and address it. All the loans are in order. The forbearance agreement was signed with Mustang Junction and they are on track with becoming current. The Japanese Knotweed within the village was treated last Thursday. But will probably have to come back and spray again in the spring. **Guild** asked if they sprayed everywhere in the village and got all of it. Discussion ensued about areas that may or may not have been sprayed. **Burr** states that the company requests that people stay out of it after spraying for a certain time period. **Guild** asked if we should put up No Trespassing signs. **Lakamper** and **Burr** agree that it would be a good idea. **Burr** states that if they missed even a small portion of the plant, it will regrow and if people walk through it, they can spread it to other areas. **Lakamper** reports further we had our first Master Plan session this week with the Planning Commission and it went very well. Fleis and Vandenbrink planners were present to outline the process and the vision for the whole project, which will be led by the Planning Commission. We suggested putting together a working group, out of relevant stakeholders moving forward, to work on the Master Plan together. I will keep everyone updated, but that process will take about 12 to 15 months. At the end we should have a very usable planning document for the village. I also attended the MML Conference the end of September. One highlight that they pointed out there for smaller municipalities to take advantage of is that the MEDC has a grant currently out for

crowd funded projects. It is available to the public and the municipality or other local groups. **Lakamper** goes on to explain the website used call Patronicity and how it works. **Lakamper** and **Sgt. Schafer** have discussed some ordinance enforcement. **Sgt. Schafer** will be searching the area for cars without plates and getting those cars registered properly. **Lakamper** has also looked into codifying our ordinance book, which is something that the Ordinance Committee will discuss moving forward. The Ordinance Committee will continue to work through the ordinance book. **Sgt. Schafer** also suggested that we change our punishment for ordinance infractions from misdemeanors to civil infractions. Under Personnel, DPW employee Tim Shinabargar submitted his two weeks notice on October 3<sup>rd</sup>. We are currently searching for a new replacement for him. We will be cutting trees down throughout the village the next couple weeks. On our website, **Lakamper** states he has added an events button and also linked Facebook to the website. This opens up more communication with the village residents. Lastly, the Zoning Board of Appeals is set for Friday, October 25<sup>th</sup> at noon to hear a variance request from Randall's Old Mill Enterprises LLC. Randall's owns a piece of property currently zoned partially B-2 District and partially Industrial District. They are asking for a variance to allow B-2 and industrial uses on the entire parcel. Report on file.

**COMMITTEE REPORTS: ORDINANCE COMMITTEE:** **Colburn** reports that they went through the entire book but, some things not in detail. We need to keep working on it. Justin is still working through the legalities of the ordinances. The Ordinance Committee will meet on Wednesday, October 23<sup>rd</sup> at 2pm. Discussion ensued on some of the ordinances missing signature pages and where we are going to have to look to find all the information needed. **Burr** says that they would be in the minutes if they were passed. **Colburn** states that you just don't want a hassle later on, if anything gets challenged. We will continue reviewing. **Ashbaugh** commends **Colburn** for going through the whole book and being prepared for the meeting with suggestions for it. That was a big undertaking and appreciated. **Burr** suggests that some ordinances get looked at first priority. For example, the Fireworks ordinance, because the law has changed and our ordinance does not match the current law. There are a few other ordinances also that need updated quicker. Report on file.

**TREASURER'S REPORT:** Report on file.

**APPROVAL OF PAYMENT OF BILLS:** **Ashbaugh** moves to pay the bills for September. Supported by **Rasmussen** ROLL CALL VOTE: **Ashbaugh, Colburn, Guild, Hadley, Rasmussen, Burr** All YES. MOTION PASSES 6-0

**APPROVAL OF MINUTES SEPTEMBER 9th REGULAR COUNCIL MEETING/ZBA PUBLIC HEARING:** Motion by **Rasmussen** to accept the minutes. Supported by **Colburn**. VOICE VOTE: All YES. MOTION PASSES 6-0.

**OLD BUSINESS: NONE.**

**NEW BUSINESS: SALES AGREEMENT FOR SALE OF SUNRISE LOTS TO RYAN'S EQUIPMENT:** **Lakamper** explains that the village has received two separate offers. The first being \$35,000 for lots 3, 4, and 11. The second being \$45,000 for all of the lots on Jones Street, including lots 3, 4, and 11. We also received a competing offer from Terry Stevens for the Jones Street lots, for \$30,000. Stevens intends on keeping the property as personal recreational. **Lakamper** goes on to explain the details of the offers and that other offers have fallen through due to the restrictions on the property. The back 10 lots do not have the restrictions but are completely undeveloped and zoned industrial. I suggest countering Ryan's offer and keeping it zoned industrial. Motion by **Guild** to sell lots 3, 4, and 11 at the Sunrise Properties to Ryan's Equipment for \$35,000. Supported by **Colburn**. ROLL CALL VOTE: **Ashbaugh, Colburn, Guild, Hadley, Rasmussen, Burr** ALL YES – MOTION PASSES 6-0

**SALES AGREEMENT FOR SALE OF SUNRISE LOTS TO TERRY STEVENS:** **Guild** and **Burr** both agree that they would like to see the property stay as industrial. **Guild** says that is what it was intended for. **Hadley** suggests going into closed session to discuss real estate negotiations. Motion by **Guild** to go into closed session to discuss the counter offer on Jones Street lots at Sunrise Properties. Supported by **Rasmussen**. VOICE VOTE: **Ashbaugh, Colburn, Guild, Hadley, Rasmussen, Burr** ALL YES – MOTION PASSES 6-0

**Burr adjourns regular meeting @7:33pm for closed session. Regular meeting re-opened @7:55pm.**

Motion by **Guild** to allow **Justin Lakamper** to enter into negotiations with Ryan's Equipment within the parameters of the discussion during closed session for lots 12, 13, 19, 20, 21, 22, 23, 24, 25, 26 Jones



Street at the Sunrise Properties. Supported by **Ashbaugh**. ROLL CALL VOTE: **Ashbaugh, Colburn, Guild, Hadley, Rasmussen, Burr**. ALL YES – MOTION PASSES 6-0.

**APPROVAL TO RAISE DPW STARTING WAGE TO \$13.50 PER HOUR:** **Lakamper** states that raising our starting wage puts us more competitive with surrounding municipalities. Discussion ensued among the board about the wages of other municipalities. **Guild** questions why we can't hire someone with the proper qualifications needed at the \$17.00 rate. **Lakamper** explains that \$13.50 is the base and then with licensing you get an extra \$1 raise for each which puts you at the \$15.50 rate. After that there are automatic 50 cent steps after the first and second years for anybody in DPW. **Colburn** asks if **Lakamper** has the ability to hire at the wage commensurate to abilities and qualifications. **Ashbaugh** asks if the surrounding communities also have benefits comparable to ours. **Lakamper** states that they all have comparable benefits. More discussion about wages and benefits ensued among the board. **Rasmussen** states that \$13.50 per hour is a very low wage and if we get a candidate that comes in with all the qualifications, the board can always have a meeting to discuss changing their wage accordingly.

**Lakamper** says he put the ad for the DPW position in for a range of \$12.50 to \$15.50. **Hadley** explains that the problem is if we started someone at for example \$16 per hour, who did not have their water and sewer certifications, they would instantly go to \$18 and in two years they would get 50 cents each year, so they would be at \$19 in two years. **Drain** asks what the other employees make. **Burr** replies, not that much. **Lakamper** explains that pretty much all municipalities do the same with their certifications at \$1 each. The certifications make you quite valuable to other municipalities who pay larger amounts for consultants because they have nobody with certifications. **Colburn** states that we should give them the extra \$2 right off if they have their certifications. More discussion ensued among the board about the qualifications versus starting wage. **Lakamper** reassures the board that we have received some good applications. Motion by **Hadley** to raise DPW starting wage to \$13.50 per hour. Supported by **Ashbaugh**. ROLL CALL VOTE: **Ashbaugh, Colburn, Guild, Hadley, Rasmussen, Burr** ALL YES – MOTION PASSES 6-0

**APPROVAL TO PURCHASE FIRE HYDRANT:** The DPW needs to install a hydrant at the road before the shut off valve at the old Medical Building on M-46 in order to flush the water lines that also supply water to the dentist office and the Home Township offices. They have no access to the old medical building property. **Guild** asks if Andy can install the hydrant. **Lakamper** explains that yes **Andy** can do the work and he will keep the section of pipe so that if someone were to buy that building and make those hydrants on the property available again, we would be able to take that hydrant out and reuse it somewhere else. **Burr** states it's a permanent/temporary fix. Motion by **Rasmussen** to approve the purchase of the East Jordan fire hydrant. Supported by **Ashbaugh**. ROLL CALL **Ashbaugh, Colburn, Guild, Hadley, Rasmussen, Burr** VOTE: ALL YES – MOTION PASSES 6-0

**DISCUSS THE AMENDING OF THE MARIJUANA BUSINESS ORDINANCE:** **Lakamper** explains the village opted out of the MRTMA, the recreational marijuana law that was passed. In order for anyone to open a recreational marijuana business, we would have to either repeal that or amend it to have the village's stipulations for those businesses. **Lakamper** is asking for the approval to delve into the process of writing a new ordinance. **Hadley** is in favor of that but thinks that it should go through the planning commission. **Lakamper** asks if that is what everyone wants before he spends a lot of time on it.

Discussion ensued between **Hadley** and **Lakamper** on what boards or committees handle what jobs. **Colburn** expresses that ultimately the decision should be the councils. There needs to be an ordinance drafted and a hearing on it. Motion by **Guild** to allow **Lakamper** to begin the process of researching all the regulatory options available to the Village for allowing marijuana businesses, and to work with our lawyer, council and ordinance committee on writing a new ordinance. Supported by **Hadley**. Roll CALL VOTE: **Ashbaugh, Colburn, Guild, Hadley, Rasmussen, Burr** ALL YES – MOTION PASSES 6-0

**APPROVAL OF PAYMENT TO FISHBECK FOR PREVIOUS ENGINEERING WORK:** **Lakamper** reports that Fishbeck employee, Roman Wilson, contacted me to inform me about the environmental status of the Sunrise Properties, but also to ask that an outstanding bill for these services be paid by the Village. I asked for anything in writing to substantiate that and the only thing he was able to produce was the sales addendum that in which it says that the Village would pay up all the sale's proceeds for environmental work. The sale didn't happen so, they weren't paid. That addendum that he gave me is

unsigned. I have gone through previous minutes and was unable to find that addendum being discussed at some time. I could not substantiate to him that it had ever been signed. I don't recommend that this bill be paid at this time. **Guild** asks if they billed Stonemill Properties LLC. **Hadley** states that if he recalls, that was the discussion. If we hired this guy to get it done and when the sale goes through, we'll pay for it out of the proceeds of the sale. But there was the question of what if the sale doesn't go through. My recollection was the person would be off the hook for that. The question is do we get the benefit of this? Does he have any sort of report or anything that he's giving us, any paperwork or anything that he's giving us, that he's produced as a result of the work he did out there? **Lakamper** stated that he asked for paperwork from him but has not heard anything back from him. **Colburn** asks if **Lakamper** suggests tabling this matter. **Burr** states until they can produce something, we're not going to pay a bill. **Hadley** says if he comes back and says he has a whole file and that will help you with the next sale. I understand he did put a lot of time into it. Someone should be paid for that. **Burr** states that he should have something to show for what he did, also. **Tabled Indefinite**

**APPROVAL OF EDMORE AREA TRANSPORTATION VAN SALE:** **Lakamper** reports that the Village would like to sell the van to the Edmore Area Transportation for \$1 dollar. The van was bought with grant money. It ended up titled to the Village. The grant money was to the Edmore Area Transportation non-profit. We would like to get the title in the proper hands for which the money was originally intended. **Ashbaugh** moves to sell the van to the Edmore Area Transportation for \$1 dollar. Supported by **Rasmussen**. ROLL CALL VOTE: **Ashbaugh, Colburn, Guild, Hadley, Rasmussen, Burr** ALL YES – MOTION PASSES 6-0

**PUBLIC COMMENTS:** **Edmore Area Transportation** thanks the board for the sale of the van.

**COUNCIL COMMENTS:** **Ashbaugh** asks, if the public wants to get any of this information on our agenda that's on file, how would they get that? The DPW, finance, and police reports. **Burr** states you can get them in the office. **Ashbaugh** wants to publicly thank **Aaron Hadley** and his Potato Festival crew for stepping up at the last minute and putting together a Potato Festival for Edmore. It was a great day. **Burr** states it turned out very well. Job well done. **Ashbaugh** would like to thank the Mid-Michigan Arts Council for their decorating of the street downtown and for all the work they have done for the bag factory and for doing that. I wonder if we couldn't send them a letter of thank you and appreciation from the council for doing that. **Burr** agrees they did a good job. **Drain** agrees with **Ashbaugh** that given the short notice the Potato Festival turned out great. Good job. **Rasmussen** agrees that downtown with all the decorations looks pretty great. **Guild** thanks the ladies for all the hard work they've done with the van transporting senior citizens. It's greatly appreciated. **Burr** agrees that the Potato Festival went over very well. The response from it was very good. Also, thanks everyone for the decorating downtown.

**ADJOURNMENT:** Motion to adjourn by **Rasmussen**. Supported by **Colburn**. VOICE VOTE: All Yes: PASSED 6-0. Meeting adjourned at 8:33 p.m.

Village Clerk *Kerri Puterson*

Village President

Approved for Publication

*Gloria Burr*

**NEXT MEETING:** November ~~12~~<sup>13</sup>, 2019 @ 7p.m.

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