

**EDMORE VILLAGE COUNCIL
APPROVED JOURNAL OF MINUTES**

December 9, 2019

1. **CALL TO ORDER:** The regular session of the Village of Edmore Council was called to order on Monday, December 9, 2019 at 6:30 p.m. at the Curtis Community Building by **President Gloria Burr**.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL:** Members Present –**Ashbaugh, Colburn, Guild, Hadley, Moore, Rasmussen, Burr**. Also present were: **Justin Lakamper** – Village Manager, **Shirley Drain** – Village Treasurer, **Kerri Peterson** – Village Clerk, **Sgt Schafer** – Montcalm County Sheriff's Dept.
4. **APPROVAL OF AGENDA:** **Ashbaugh** moves to approve the agenda as presented. Supported by **Rasmussen**. VOICE VOTE – ALL YES - MOTION PASSES 7-0.

PRESIDENT BURR CLOSED THE REGULAR SESSION AT 6:37 PM AND OPENED THE PUBLIC HEARING: MARIHUANA ORDINANCES.

5. PUBLIC HEARING – MARIHUANA ORDINANCES

- a. **PUBLIC COMMENTS:** **President Burr** explained that this is the public hearing for the marihuana ordinances and we are looking for feedback from the community. She asked to state your name and address before commenting please. **David Overholt**, Sidney, spoke that he runs a fairly large operation in Sidney, helps people learn to grow, and he represents quite a few people who want to come into this community or surrounding communities and bring operations in. He asked if the community passed the recreational in the statewide vote to legalize marihuana. **Burr** stated that it passed in Montcalm County. **Overholt** stated that they only want to bring their businesses into communities that want them there. He explained that there is a multimillion-dollar operation right now that was an opportunity lost to Montcalm Township because they didn't want the operation in their community. He suggested setting up a community informational meeting at another time to give people time to digest the proposed ordinances. They may have some good input. He went on to explain that in the last 10 days, in the State of Michigan, recreational sales made \$1.6 million dollars in sales. The first day alone, in the 3 businesses that were open they generated \$40,000 dollars in tax revenue for the State of Michigan. That is then divided up between the municipalities. He stated that this is a huge opportunity for bringing money into your community, not only in sales, but in yearly fees to the village from the businesses. It will also bring in taxes and jobs. He suggested that about every few homes in several surrounding communities grows or possesses some sort of marihuana since recreational has become legal that is unregulated. This would be an opportunity to help regulate that as a business for the community. In his opinion you need to have both medical and recreational ordinances to make it work correctly so that tax incentives can be offered to the medical cardholders for lower tax and cheaper medicine prices. On the recreational side, as long as you are 21 years or older, you are a potential customer and taxpayer in the community, no matter where you live. He went on to say

that in this day, everybody here knows at least one person who uses some form marihuana or cbd for medication and it needs to be legally available to them and regulated in doing so. **Joelle Betts**, 212 S Fifth St., stated she is concerned that after the business downtown was broke into and they took mainly marihuana items, going down our street and all the items were dropped off next door to her. We need to have police in town before we pass an ordinance. There is already enough crime in town that the county cannot cover. **Carol Dodson**, 210 E Gilson., concerned about the amount of feet the sales establishments have to be away from a day care with elementary kids and preschoolers. Is the footage the same as schools? **Lakamper** answered that a daycare doesn't apply to the law. The law is just for schools. He stated that it is 500 feet from schools, but it doesn't include daycares. **Dodson** stated she was concerned about the kind of security that is going to be required for these establishments. **Lakamper** explained the law requires that the products need to be locked in separate rooms, they have to have security systems with cameras, and there are a couple of others. It is quite large what the business owners have to provide. **Dennis Smith**, S Second St., asked if the village is saying businesses can be downtown, not in residential areas. **Burr** answered there are stipulations where they can be done. Shops, processing plants, etc. All the information you can read in the proposed ordinances. **Lakamper** stated the proposed ordinances ban it from any residential area. Where they would be allowed would be written into the zoning ordinance. That is a future step. Essentially all the businesses would be in areas that have similar type businesses now. Never residential. These ordinances resonate the fact that they can never be in that area. **Overholt** responded with answers to some of the questions asked by the public. In medical, a daycare is counted as a school but, not under recreational. Also, in planning, you're allowed to created boundaries between your dispensaries, to keep them away from anything that's not designated as a school but relates to a school, such as a daycare. As far as security, these businesses have an unbelievable amount of state-of-the-art security and some even have guards. **Betts** reiterated her concern about past and present crime in the village with no town police. **Overholt** explained that allowing this to come into your community brings money into your local sheriff's department to put an officer on duty to monitor these locations. That would be a designated person similar to what you do with alcohol establishments with periodic inspections. **Dave Carter**, 5660 Faculty Dr. Home Township, is concerned about the links between marihuana use and some mental diseases. There are still a bunch of questions and research going on. That troubled him for our community and county. **Lakamper** commented regarding the police. He stated as far as he is aware, there is no designated money for the police for any one thing. It goes to the county and they do with it as they see fit. This does not mean that if we pass this, Edmore is going to get another deputy. **Dawn Kroll**, Cedar Lake Rd., asked if these ordinances will go to a vote in the town. **Burr** answered, no. **Kroll** stated that if they get passed by the council they would be? **Burr** stated, it's our village ordinances.

- b. **COUNCIL COMMENTS:** **Ashbaugh** stated she appreciated **David Overholt's** knowledge and information that he shared with us. She feels like this is a big deal for our community and we want to do what is right, as long as it is legal now. We need to deal with the guidelines for our community. **Colburn** was concerned that there was something in the medical end of things that does stipulate checking into the medical industry end of it as far as the police go and monitoring certain things. It wasn't clear with the law whether that's going to be the same on the recreational side. **Lakamper** added that the state has the right to inspect all the facilities, anytime that they wish to. **Colburn** stated that we're kind of assuming they will do the same thing on the

recreational side. They're not going to have extra patrols because of that, they're going to have a police presence to check out these places like the would liquor establishments.

- c. **ADJOURNMENT OF PUBLIC HEARING:** President Burr closed the public hearing on the recreational and medical marihuana ordinances at 6:54 p.m. and opened the Public Hearing; Zoning Board of Appeals.

6. PUBLIC HEARING: ZONING BOARD OF APPEALS

- a. **APPLICATION PRESENTATION:** Tom Shurlow is asking for a variance for 1454 E. Main Street to rebuild the house in the future if necessary.
- b. **PUBLIC COMMENTS:** None.
- c. **APPROVAL OF VARIANCE REQUEST FOR 1454 E. MAIN:** Motion by Rasmussen to approve the variance request for 1454 E. Main Street in Edmore from B2 to R1. Supported by Moore. ROLL CALL VOTE: YES – Ashbaugh, Colburn, Guild, Hadley, Moore, Rasmussen, Burr. MOTION PASSES 7-0
- d. **ADJOURNMENT OF PUBLIC HEARING:** President Burr closed the public hearing zoning board of appeals at 6:58 p.m. and reopened the regular public meeting.

7. PUBLIC COMMENTS: None

8. DEPARTMENTAL REPORTS:

- a. **POLICE REPORT:** Presented by Sgt Schafer. Highlights included on November 9th, a report of possible animal cruelty in the 500 block of South Second Street. Animal Control was contacted and took over the investigation. Also, on November 19th, an employee found a baggie of suspected drugs in the bathroom of a business in the 1100 block of East Main Street. The drugs were taken to the Sheriff's Office and have yet to be claimed. Drain asked Sgt. Schafer who to call to report a massive number of dogs running loose in our neighborhood. Sgt. Schafer responded to call Animal Control. They are 9 a.m. to 5 p.m. After hours they likely won't come out unless they are attacking. Report on file.
- b. **FINANCE REPORT:** Burr stated the finance report is on file. Highlights included an updated revenue/expenditure report through November, working on the projected budget for the 20-21 fiscal year, DDA made loan payment to the ELF fund, and Mustang Junction is now current with their ELF loan.
- c. **DDA:** None.
- d. **DPW:** Burr reported the DPW had one burial, plowed the streets once, and blew all of the sidewalks. We had one water leak on Home Street, rodded two sewer lines and finished leaf pickup and cleaning of the park and cemetery. We also separated the Second Mile store from the Phenix water line. The Phenix water line is turned off.
- e. **MANAGERS REPORT:** Lakamper reported Tracy has been working on the budget for the next fiscal year. The rough draft will be available at the next meeting. CVTRS reports were submitted on time. That should get us about \$125,000 dollars from the state for the next fiscal year. On January 1st we have to report all know lead and copper parts in our water system. This will be done. Unfortunately, our new DPW hire has left us quite quickly, so we'll be looking to fill that position again. The Sunrise sale was completed. The website was down for a few days due to a domain issue. It is all sorted out and working properly. Merry Christmas to everyone and have a Happy Holiday.
- f. **PRESIDENTS REPORT:** Burr reminded everyone that Consumer Energy will be tuning off the power on December 15, 2019 beginning at 12:00 a.m. for approximately four hours. They are

working on the sub station on Moore and Gilson. If the work is unable to be completed on this date; the work will be rescheduled for December 22, 2019 beginning at 12:00 a.m. for approximately four hours. Sewer systems and water will not be bothered by it due to our village generators. Lakamper stated if anybody has more questions about these ordinances, specific details, etc., please feel free to come talk to him or email him and he will sit down and go through it with them. We want everything to be clear.

9. COMMITTEE REPORTS:

- a. **ORDINANCE COMMITTEE: Tom Colburn** reported they have been working on a number of ordinances but, the two marihuana ordinances are quite extensive so they have taken precedence over the others a little bit. He had one clarification about his articles on the concern about the sidewalk issue in the village. Not on Main Street but, in the village. He made one mistake. It's not technically an ordinance, it's a policy and procedure. It is in the ordinance book and it has the same effect as an ordinance for all intents and purposes but, it is technically a policy and procedure. We will address that next month. **Guild** made a motion to abolish Operating Procedure No. 11, called Sidewalk Replacement and Maintenance, until the ordinance committee can rewrite and present a procedure more in keeping with the reality of this operation in the village. Supported by **Colburn**. **Hadley** asked what happens if they abolish the operating procedure. Is there nothing in line for snow removal for anyone then? How does it affect the village? **Guild** stated that we continue with the way it is has been operating. Discussion ensued on the snow removal ordinance that will cover it. VOICE VOTE: ALL YES – MOTION PASSES 7-0

10. TREASURERS REPORT: Shirley Drain

- a. **TREASURERS REPORT & COMMENTS: Drain** reported the books for November are balanced and match to the bank statements. She repeated **Lakamper's** statement that the first draft of the budget will be available at the next meeting and usually it's pretty close to what we end up accepting. All of the loan payments are current and up to date. She went on to say that she thinks that the office and the manager have done an absolutely great job. It's the first time all the loan payments have been current in a very long time. Every payment is current up to the first of January. Also, this month the revenues in every single cash fund have gone up. They are doing a good job. **Burr** stated things are coming together very well. She also touched on the fact that the DDA does have their own checking account now. **Drain** stated that is correct. The DDA is out of the village books. It will still be in our budget.
- b. **APPROVAL OF PAYMENT OF BILLS: Ashbaugh** moves to pay the bills as presented. Supported by **Colburn**. ROLL CALL VOTE: YES – **Ashbaugh, Colburn, Guild, Hadley, Moore, Rasmussen, Burr**. MOTION PASSES 7-0.

11. APPROVAL OF COUNCIL MEETING MINUTES: Minutes presented from the November 13, 2019 regular meeting for approval. Motion by **Rasmussen** to approve the minutes as written. Supported by **Ashbaugh**. VOICE VOTE: ALL YES - MOTION PASSES 7-0.

12. NEW BUSINESS:

- a. **APPROVAL OF CHRISTMAS BONUSES:** Discussion ensued between council members as to what amounts employees should receive. Motion by **Moore** to set 2019 Christmas Bonuses to \$150 dollars for full time employees and \$75 dollars for part time employees. Supported by **Rasmussen**. ROLL CALL VOTE: YES – **Ashbaugh, Colburn, Guild, Hadley, Moore, Rasmussen, Burr**. MOTION PASSES 7-0

- b. **APPROVAL OF COUNCIL POLICIES AND PROCEDURES:** Discussion ensued about who should be allowed to contact the village attorney. **Guild** stated that he doesn't agree that there should be such a wide array of people who can contact the village lawyer. **Guild** asked to change authorization to contact the village attorney to the village manager and/or the village president with the approval of the village council. **Colburn** stated he is uncomfortable having the village president a member of every committee, as it reduces the variety of people in the committee. One third of every committee having the same focus or perspective, isn't really good no matter who it is. Discussion ensued on VI. Miscellaneous, C.3. **Colburn** asked to remove VI. Miscellaneous C.3. The president shall hold a seat on all committees. Motion by **Colburn** to accept the policies and procedures with changes. Change authorization to contact the village attorney to the village manager; and to the village president with the approval of the village council. Also, remove VI. Miscellaneous C.3. The president shall hold a seat on all committees. Supported by **Guild**. ROLL CALL VOTE: YES – **Ashbaugh, Colburn, Guild, Hadley, Moore, Rasmussen, Burr**. MOTION PASSES 7-0.
- c. **APPROVAL OF COUNCIL MEETING SCHEDULE:** Motion by **Guild** to accept the approval of the 2020 village council meeting dates. Supported by **Rasmussen**. VOICE VOTE: ALL YES – MOTION PASSES 7-0.
- d. **APPROVAL OF DDA PLAN TO TRIM AND REMOVE DOWNTOWN TREES:**
Discussion ensued on the details of work to be done. Stump removal was in question on the work order estimates. **Lakamper** explained that since the trees are village property and this plan is different from the streetscape originally planned for, this new proposal has been brought to the council for approval. You are approving them to cut the trees down but the DDA will have to follow up with the contractors. The board is concerned with how it is going to look if the stumps aren't removed and if there are just a bunch of gaps with trees here and there downtown. More discussion ensued about the tree contractors. **Colburn, Guild** and others asked for more details on the overall plan for the trees. **Lakamper** stated that the DDA's plan is to also pave over the hole left from removing dead trees and remove the curbs. More discussion took place. Motion by **Guild** for the approval to the DDA to trim downtown Main Street trees and remove dead downtown Main Street trees, under the supervision of the village manager and the DPW supervisor. Not to be cemented over. Supported by **Moore**. ROLL CALL VOTE: YES – **Ashbaugh, Colburn, Guild, Hadley, Moore, Rasmussen, Burr**. MOTION PASSES 7-0.
- e. **APPROVAL OF EMPLOYEE WAGE INCREASES:** Discussion ensued as to why they are doing this wage increase now and not waiting until February. **Moore** explained that we are wanting to make the current and future DPW worker wages more competitive and that Laura's raise is based on her performance review. These three employees will not get a raise in February 2020. **Rasmussen** stated that this is basically so we can hire a new DPW worker at a more competitive rate. More discussion ensued on capabilities of employees to their specific jobs. Motion by **Moore** to approve the wage increase for Steve Stout from \$14.44 to \$16.00 per hour, start the new DPW hire from \$13.50 to \$16.00 per hour, and wage increase for Laura Greenhoe from \$13.08 to \$14.08 per hour. They will not be up for a raise in February 2020. Supported by **Rasmussen**. ROLL CALL VOTE: YES – **Ashbaugh, Colburn, Guild, Hadley, Moore, Rasmussen, Burr**. MOTION PASSES 7-0.

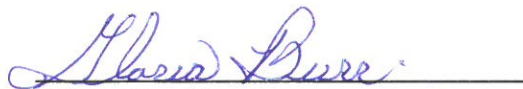
13. **PUBLIC COMMENTS:** **Dennis Smith** concerned about trucks delivering to businesses operating in residential district and the side streets having a 2-ton limit and is also concerned about the newly

constructed fence in his neighborhood being too tall for the ordinance. **Lakamper** explained they have a permit for the fence and it's still under construction. He will check into it further. **Carol Dodson** asked how many tons school buses weigh. **Dennis Smith** argued that is different than delivery trucks. **Joelle Betts** thanked the clerk for being at the meeting after dealing with her husband's medical emergency through the weekend. She also thanked the Potato Festival Committee for an awesome Christmas Ball. She really enjoyed it. **David Overholt** thanked **Gloria** and the village council for taking the time to look into all the ordinances. He appreciates the effort and hopes the community gets more involved. It's very important. Thank you for listening. **Dawn Kroll** stated she noticed the ordinances say draft. **Burr** replied, it is just a draft and the lawyer are involved, so there may be some tweaks. **Kroll** asked if there will be another public hearing in regard to the ordinances. **Lakamper** stated there will be a hearing for the zoning ordinance, which will involve this for the locations of the facilities. At the moment there is not one planned specifically for the ordinance. **Burr** stated right now you cannot do anything regarding the marihuana businesses. We are looking at these ordinances to regulate if we do want to let businesses come into Edmore within the village limits. **Kroll** has some reservations about recreational marihuana being in our community and what it means for our community. It doesn't bring the right kind of people you want to be here. TCH effects the brain negatively. **Burr** replied that the laws are very strict on that and ensures everyone that there has been an extreme amount of time been spent on these ordinances.

14. **COUNCIL COMMENTS:** **Ashbaugh** remarked on how cheery and twinkly the town holiday lights look.

15. **ADJOURNMENT:** Motion by **Rasmussen** to adjourn the regular council meeting at 8:21 p.m. Supported by **Moore**. VOICE VOTE: ALL YES – MOTION PASSES 7-0.


Village Clerk


Village President
Approved for Publication

NEXT MEETING: January 13, 2020

RESOLUTION 2020-1

A RESOLUTION TO CONSIDER AND ADOPT THE SET SPECIAL USE PERMIT FEES

VILLAGE OF EDMORE, MONTCALM COUNTY, MICHIGAN

At a regular meeting of the Village Council of the Village of Edmore, County of Montcalm, State of Michigan, held on the 13th day of January 2020 at 7:00 o'clock pm.,

PRESENT MEMBERS:

ABSENT MEMBERS:

The following resolution was **moved** by Council Member Colburn and **seconded by** Council Member Ashbaugh

WHEREAS, the Village Council sets fees for special use permits; and

WHEREAS, these fees help defray the administrative costs to the Village;

BE IT RESOLVED, that the special use permit fees of \$1,000 is adopted by the Village of Edmore Council.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED



Gloria Burr, Village President



Kerri Peterson, Village Clerk

Passed this 13th day of January, 2020.