

**EDMORE VILLAGE COUNCIL
REGULAR SESSION
APPROVED JOURNAL OF MINUTES**

JUNE 08, 2020

1. **CALL TO ORDER:** The regular session of the Village of Edmore Council was called to order on Monday, June 08, 2020 at 7:00 p.m. by **President Gloria Burr**.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL:** Members present – **Ashbaugh, Colburn, Guild, Hadley, Moore, Rasmussen, Burr**. Also present: **Sgt. Germain, Deputy Berry** – Montcalm County Sheriff's Dept., **Justin Lakamper** – Village Manager, **Shirley Drain** – Village Treasurer, **Kerri Peterson** – Village Clerk.
4. **APPROVAL OF THE AGENDA:** Motion by **Rasmussen** to approve the agenda as written. Supported by **Ashbaugh**. VOICE VOTE: ALL YES: MOTION PASSED 7-0.
5. **PUBLIC COMMENTS ON AGENDA ITEMS:** **Tom Ginster** spoke to the council. He is running for judge and explained his agenda. He is for Commonsense Reform and explained how that worked. He also complimented the board for incredible leadership in **Lakamper**.
6. **DEPARTMENT REPORTS:**
 - A. **POLICE:** **Sgt. Germain** introduced new hire, **Deputy Berry**. **Berry** reported. Highlights included May 4th, request for assistance by the Ingham County Sheriff's Office led to the recovery of a stolen Polaris Ranger out of Holly. The Ingham County Sheriff's Office gave a possible location of a 39-year-old Grand Rapids man to be in the 1100 block of East Main Street, Edmore. Contact was made and the Ranger was recovered. The man was taken to a local hospital for a mental evaluation. The prosecutor's office is reviewing the report for possible charges. Full report on file.
 - B. **FINANCE:** **Burr** reported for Tracy. In addition to regularly reoccurring work she has been working on getting item to the auditor since a field date has not yet been set due to COVID. Been working on tax bills and they will be going out by July 1st. Will also be working on the Consumer Confidence Report for water which will be going out with the tax bills. **Rasmussen** asked if the bag factory grant had been closed out. **Lakamper** responded that the grant has been closed out.
 - C. **DDA:** **Lakamper** reported for Phil. **Lakamper** stated he asked Phil to send updates to local Edmore Business owners about New Resource and Tools available for Placed – Based Small Businesses Impacted by Covid-19. There has been an upswing of inquires and new events being scheduled at the Market Place. **Lakamper** also asked Phil to switch his focus more toward economic development versus events. The first Farmers Market day is Friday June 12th. **Hadley** reported that they will be practicing social distancing where they can and have guidelines in place. **Lakamper** added there will be a Family Fun Day on June 26th. **Hadley** responded that he does not think they will be having the Family Fund Day. Michigan Farm Market Association has put out guidelines for farmer's markets and one of their parameters is that kind of event, music, etc., is not allowed. He is also not sure they are on track to do any events this year. Will have to see how things go. Events are all pending with state mandated Covid-19 guidelines that will need to be in place before events are held. **Drain** asked **Hadley** for an update on the Potato Festival for this year. **Hadley** responded that the Potato Festival

Committee was meeting Friday, June 12th and would be deciding the fate for this year festival and would update everyone soon.

- D. **DPW: Burr** reported for Andy. Finished cleaning and preparing the cemetery including flipping over all the urns and put the veteran's flags out. **Burr** stated she was extremely impressed with the great job they did in the cemetery on short notice with only two employees. They put the flags out downtown, put trash cans out downtown and in the park, cleaned and prepared the bathrooms, removed all the winterization measures on the well houses, mowed the villages lots, and began training new DPW employee Aaron Wilson. **Drain** asked if the park was completely open. **Lakamper** answered that yes, the park is open. Discussion ensued among the council about the tennis courts on Johnson St. **Burr** asked if there are people using the courts and if so, could we put a couple tables over there for them. Discussion then began about lights at the tennis courts. It used to have a paid timer system for the lights and not sure if they are still in working order. **Lakamper** will discuss it with Andy.
- E. **MANAGER: Lakamper** reported that the 3rd Street Sidewalk repairs are scheduled to be fixed by Petersheim's. Bag Factory Upstairs Bathrooms are still waiting for final inspections. With Casair, we are at a little bit of a stalemate again. We have determined that there are 5 lines that cannot be converted to a wireless connection, which is written into the agreement. Casair are supposed to give **Lakamper** an offer as to what to do about those five lines and they've also asked to increase the number of antennas allowed on the water tower from 12 to 36 in order to allow them to replace the standard antennas with three smaller antennas. All these changes will require amending the settlement agreement. He stated that it looks like at some point we are going to have to have the agreement formally changed. It looks like Casair is looking for some monetary reimbursement for not having those five lines installed. **Hadley** thinks it's ridiculous to even consider us paying for a service they can't provide. **Lakamper** replied that Casair can provide us with the service, but it's not functioning in the way we need it to function. They could put in five wireless connections for us and we could never use them. **Hadley** stated that either way we would have to pay Frontier. If we have to pay Frontier, why are we also paying Casair. Sometime during this agreement Casair felt they could get us what we needed. **Guild** agreed with **Hadley**. They can install it, it's wireless, but it isn't going to work. Discussion ensued about having to pay Frontier and Casair both. **Hadley** stated that what they are asking us to do is pay for a service for five years that they are not providing and also pay Frontier for five years of service they are providing. **Drain** replied everything with Casair is going to come down to dollars. **Lakamper** responded that he did ask Casair if it did come down to we did have to pay them for five lines of service, instead of just paying for nothing or paying for five lines we don't use, if we can find other services that could be beneficial to us, then we would buy that instead of those five lines. He's still waiting for a response. **Guild** asked how many dishes we agreed could be on the tower. **Burr** replied, 12. **Lakamper** stated that Casair wants the ability to put 36. **Guild** said we should charge them from 12 to 36. We used to get a lot of money off that tower. We agreed to 12 dishes on that tower. **Rasmussen** doesn't see anything wrong with bartering with them. **Lakamper** explained that Casair can use the 12 dishes they have now, but they prefer to use the other ones now because they're smaller. He went on to state that right now he sees their position in this is they are going to expect us to pay for those five lines or reimburse them in some way monetarily for the agreement. In Casair's view, the village is causing the agreement not to be enforced as it is written. There may be some truth to that but then you have the same thing the other way with increasing the number of antennas on the water tower as well. **Rasmussen**

asked if we had any idea how much it would cost. **Lakamper** responded no, but he has been asking for a price and keeping all options available open while talking to them and while also trying to narrow it down a little bit. **Colburn** stated we'd have to look at the contract a little bit better but yes, they're losing something but so are we. We both had a good faith agreement that we would be paying money and we would be getting services. So, we're losing something because they can't do something. They're losing something because of our situation over there. So, it's not just a one-way street here. We have to look and see how the contract is written. **Lakamper** stated the one thing in the contract that doesn't play well for us is that it says, Casair will be the exclusive telecommunications provider period. Then it goes on the list at these specific locations. If you were to take the language of exclusive provider, that's kind of clear. **Colburn** asked is the contract could be amended to show that they would be required to bear the expense of setting it up so we can use their service. **Lakamper** responded that we can't. According to the company that had installed all the signaling between all the pumps initially, they explained that some of the wiring cannot be changed. **Lakamper** asked them if there was a way to upgrade the system and they responded if we change the system, a system of our size would go to a radio system and wouldn't use any telephone lines anyway. An upgrade for us would be to not have any of it so Casair would not even be in the equation. We would have an antenna on the DPW roof, and it would be something like CB radios or something like that between the rest of them. **Lakamper** had them give him a quote for that and it was around \$15,000. In the future that is what we would be looking at in order to upgrade the system and not have any other fees. Discussion ensued about how much it is going to cost for five lines for five years. **Hadley** asked if it would be possible for Casair to contract Frontier, where they pay Frontier for the line and we pay Casair for the service. Discussion then ensued about how that would work between Casair, Frontier, and the village. **Lakamper** will suggest that to Casair as an option. **Burr** stated that whatever we do about this the lawyers will be involved, and we will not be doing it ourselves. **Lakamper** went on to report in Code Enforcement: Grass – we had 14 door tags for lawn mowing this week. Ten of them got mowed and four of them didn't so the village mowed them, and the property owners will be charged for it. He spoke to Tony about 1398 Industrial Drive and Tony asked what any other options might be. He informed him it is available to him to request rezoning or they have to move out and they have to stop using it for residential use. **Colburn** thinks the board needs to get together and come up with some options for that. **Lakamper** stated that Tony is willing to work with the village to try to resolve this issue. At 424 S. 5th Street, the flower shop has put up a greenhouse in the parking lot on Gilson. Our ordinance requires a permit for any building including temporary and they do not have one. **Lakamper** has been in contact with the owners about applying for a temporary permit and to date nobody has applied for one. **Guild** asked how long it has been since he talked to them. **Lakamper** stated it was a couple weeks ago. **Burr** stated it was shortly after our last meeting, so it's probably been more like three weeks now. **Guild** asked what our options are. **Lakamper** stated that we could require them to take it down. He thought by making it temporary then you have a set date as to when it has to come down by. **Lakamper** dropped a permit off at the place of business while the village offices were closed but has not received it back yet. He wonders if Steve thinks he gave him an authorized permit and not just a permit application. **Burr** said if he doesn't have a permit, he can't be open. **Hadley** responded that when he last talked to Steve, he indicated that **Lakamper** had approved it, so it could be a misunderstanding. **Lakamper** will get in touch with Steve. **Burr** asked if the council did give

the permit, how long would it be good for. **Lakamper** stated basically it would then end at the end of summer and it would be stipulated on the permit that he would have to take it down. He also wanted to make it contingent upon the Covid-19 restrictions which gives them a way to let people visit their business but outside more instead of inside with the social distancing guidelines. That would make it so if the request came again, it was a special temporary permit and not one that is guaranteed from year to year. Covid-19: **Lakamper** reported that Curtis Park is open. There are signs telling people that the equipment is not cleaned, and that people should adhere to social distancing rules. Village Office opened up today. Things have been set up to adhere to social distancing guidelines and we are still not shutting off any water for late or unpaid bills. We're not allowed to until the end of the state of emergency which is up at the end of June. At that point we can start doing that again in July. Discussion ensued about bills that are more than three months behind and those that were delinquent up to May 1st will be put on their taxes, because of the noticing guidelines for doing that. Discussion ensued on when they would be able to turn water off again and how the bill is to be caught back up to avoid shutoff. **Lakamper** reported the Curtis Park equipment grant was approved from the Glen Curtis Foundation. He has reached out to Miracle Midwest trying to get the order started and come up with a date they can deliver. It's going to be a community build with a Miracle Midwest representative overseeing and supervising. **Lakamper** does not have a date for delivery yet. **Lakamper** reported Aaron Wilson has joined the DPW as of May 26th and the DPW is happy to have the support of a third person again. EGLE did their annual inspection and everything passed. We have a list of recommendations but nothing deficient. The system is good. **Lakamper** went on to remind everyone that applications to be on the ballot for the election are due on July 21st and are available in the office. Marihuana Businesses: Edmore Provisionary, 202 E Main is very close to opening. They were expecting two to three weeks. Pinnacle Emporium, 413 E Main, they are working on separating the water system currently to have three separate services. They want to open in July. Not sure if that will happen but they are moving forward. **Lakamper** has spoken to Tony Costanzo about doing a legal review of the ordinances if the village was to codify them themselves. Tony believes he could perform the review for a lot less than Municode. **Lakamper** is looking into his options for codifying the ordinance himself to save at a least a few thousand dollars. **Lakamper** also reported the streetlight has been installed. **Guild** asked about the trees. **Lakamper** stated that he has tried to call Monte and he is waiting to hear back. Full report on file.

- F. **PRESIDENT: Burr** thanked the DPW and the office people for getting us back to work and getting things going. She thinks our town is coming together and things are going okay. We'll keep moving forward and she appreciates everything everyone has done. It's nice to have everybody back here.

7. **TREASURER'S REPORT: Drain**

- A. **TREASURER'S REPORT & COMMENTS: Drain** reported the books are closed and balanced for the month of May. All loans up-to-date and one loan paid in full. Lakeland Mills is paid in full. That's what economic development is all about. We are also keeping an eye on the street fund due to our gas tax is based on use of gas. We've been down everywhere this summer because of Covid. So far, it's holding pretty good although we expect it to go down. It could be a lot lower in the future due to not selling that much gas.
- B. **APPROVAL OF PAYMENT OF BILLS: Motion by Colburn.** Supported by **Moore**. ROLL CALL VOTE: **Ashbaugh, Colburn, Guild, Hadley, Moore, Rasmussen, Burr.** ALL YES: MOTION PASSED 7-0.

8. COMMITTEE REPORTS:

- A. **PERSONNEL COMMITTEE:** Moore reported on Lakamper's 1-year evaluation. They will have another meeting before July's council meeting. Burr stated that Lakamper's contract is up July 15th and we have a council meeting July 13th. Burr also thanked those who turned in their managers evaluation.

9. APPROVAL OF MINUTES:

- A. **REGULAR COUNCIL MEETING MAY 11, 2020:** Motion by Rasmussen to accept with amendment of 9.B. SETTING WATER RATES, addition of the word 'not'. Supported by Colburn. ROLL CALL VOTE: Ashbaugh, Colburn, Guild, Hadley, Moore, Rasmussen, Burr. ALL YES: MOTION PASSED 7-0.

10. NEW BUSINESS:

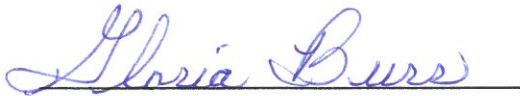
- A. **MOTION TO SET THE SUMMER TAX RATES AT 13.1907 MILS:** Motion by Hadley to set the summer tax rates for 2020 as General Operating at 10.9387 mils and a Rubbish Millage at 2.2520 mils for a total of 13.1907 mils. Supported by Rasmussen. ROLL CALL VOTE: Ashbaugh, Colburn, Guild, Hadley, Moore, Rasmussen, Burr. ALL YES: MOTION PASSED 7-0.
- B. **APPROVAL TO PAY HOME TOWNSHIP \$475 TO PRINT THE TAX ROLLS:** Motion by Moore to pay Home Township \$475 to print the tax rolls. Supported by Ashbaugh. ROLL CALL VOTE: Ashbaugh, Colburn, Guild, Hadley, Moore, Rasmussen, Burr. ALL YES: MOTION PASSED 7-0.
- C. **APPROVAL TO REFUND DEPOSITS FOR SUMMER PAVILLION RENTALS:** Lakamper reported he had one person ask for a refund of the \$50 non-refundable deposit citing it was due to Covid. Lakamper gave the board a few options and scenarios and discussion ensued as to how to handle it with Governor Whitmer's ever-changing executive orders. Motion by Hadley to refund \$50 park deposit if it has been requested by June 8, 2020. Supported by Colburn. ROLL CALL VOTE: Ashbaugh, Colburn, Guild, Hadley, Moore, Rasmussen, Burr. ALL YES: MOTION PASSED 7-0.
- D. **APPROVAL TO PURSUE A CIRCUIT COURT ABATEMENT OF NUISANCE AT 312 S. BROWN STREET:** Lakamper reported that after multiple attempts to work with the homeowner to become compliant with our ordinances, we have reached a point where pursuing a court order to abate these nuisances if necessary. Discussion ensued among members about the fence in question and who would be the ones to take the fence down if the homeowner does not comply within a certain amount of time. Lakamper stated upon authorization to pursue the court case, a letter will be submitted to the homeowner's attorney laying out our case and intentions. If no actions are taken on the part of the homeowner, we would then file the suit. Motion by Guild to pursue a circuit court abatement of Nuisance at 312 S. Brown Street. Supported by Rasmussen. ROLL CALL VOTE: Ashbaugh, Colburn, Guild, Hadley, Moore, Rasmussen, Burr. ALL YES: MOTION PASSED 7-0.

11. PUBLIC COMMENTS: None.

12. **COUNCIL COMMENTS:** Ashbaugh told Justin how much she appreciated him through these difficult times for our community, our council and our village employees. She also appreciates the little yellow tags on notes in our packets. She's also surprised how well the voices carry with distancing and with masks. It's better than when the tables were closer together. Good job everybody. Hadley asked for input from the council and reported on a food giveaway at Van's Auto on June 27th. They are planning to pack 200 boxes so potentially they could have 200 cars lining the street. He talked how he planned to route the cars. They would have volunteers to help direct traffic. Just wanted to let the village know that there is a possibly of 200 cars and possible congestion in town. Burr stated that the village will help in any way they can. Great idea. Burr

thanked everybody. It's been a rough few months. Justin and the girls did a great job getting the office set up. She appreciates everybody wearing their masks. We want to keep our people healthy.

13. **ADJOURNMENT:** Motion by **Rasmussen** to adjourn. Supported by **Burr**. **President Burr** adjourned the meeting at 8:35 p.m.



Village President

Approved for Publication



Village Clerk

NEXT MEETING: July 13, 2020