

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

Meeting held virtually in compliance with executive order 2020-154

August 10, 2020

1. **CALL TO ORDER:** The regular session of the Village of Edmore Council was called to order on Monday, August 10, 2020 at 7:15 p.m. by **President Gloria Burr**.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL:** Members present – **Ashbaugh, Colburn, Guild, Hadley, Rasmussen, Burr**. Absent- **Moore**. Also, present **Sgt. Germain & Deputy Wyma** – Montcalm County Sheriff's Dept., **Justin Lakamper** – Village Manager, **Shirley Drain** – Village Treasurer, **Kerri Peterson** – Village Clerk.
4. **APPROVAL OF THE AGENDA:** Motion by **Guild**. Supported by **Colburn**. VOICE VOTE: ALL YES: MOTION PASSED 6-0.
5. **PUBLIC COMMENTS ON AGENDA ITEMS:** None.
6. **DEPARTMENT REPORTS:**
 - A. **POLICE:** **Deputy Wyma** reported. Highlights included the month of July was quiet for the Village. Even the 4th of July was quiet as there were no dispatched calls for service. The animal related call was concerning aggressive dogs near the intersection of Pine and Lewis that had gotten out of their fenced in enclosure. It appears to be an ongoing issue. The owner was contacted, and animal control has been notified as well. **Sgt. Germain** introduced and gave a little background on Deputy Wyma to Lakamper and the board. Deputy Wyma will be taking over for Sgt. Germain permanently on September 1st. Full report on file.
 - B. **FINANCE:** Tracy's report. In addition to regular reoccurring work we have attended to the following: Continue tax collection. There is a copy of the annual audit from Berthiaume and Company in this meeting packet. Per the State of Michigan Executive Order, we are not able to do water shutoffs through the end of the year. We have approximately 5-10 accounts that will be several hundred dollars by then if they continue to not pay. Accounts that were past due 2 plus months at the time of the tax bill mailing, that balance was added to the taxes and accounts were adjusted accordingly per our ordinance.
 - C. **DDA:** Phil's report. Along with regular occurring work for the DDA, the following was completed: Completed and earned by certificate from the MEDC for the successful completion of the RRC Best Practice Training Series. Had multiple meetings with the Mid Michigan Arts Council and their President Alyx Halsey and Art Council trustees in collaboration with the Village manager guidance and completed the draft template to be used for a commercial lease agreement between the Village/DDA and Mid-Michigan Art Council, to rent the Market Place space and implement a Mercantile at that location beginning in September. Worked and guided DDA partnerships and volunteers for a Covid-19 safe September Art Festival for the Village of Edmore. Began meeting with community partners to see what we can implement for a safe Covid-19 Halloween event for the Edmore Community families as well as what kind of Edmore's Christmas in the Village we might be able to have with possible Covid-19 restrictions. Worked in harmony with potential customers on rentals in the area for events, rental of the pavilions, Curtis Building Community Hall, VFW, Endeavor Center and

Market Place, plus all the vendors in town who help make customer events complete and successful. Met and rescheduled events for renters in August for the Market Place due to executive orders by the Governor's office.

- D. **DPW:** Andy's report. In addition to regularly occurring work: Painted parking lines on M46, DDA parking lot downtown, and at the Bag Building. Sprayed curbs, ballfields, lots and sewer ponds. Did yearly monitoring samples on the water system. Currently working on lead and copper samples for the water system. Prepared Greenfield, 11th, 4th, Pine and Juniper streets for chip sealing. Painted the eaves, fascia, and doors on well 4 and 5. Painted the doors on well 3 and 6. We had 1 cremains at the cemetery. Replaced rotten boards on the blue storage building as well as repainted the bottom boards and fascia.
- E. **MANAGER:** Highlights included Bag Factory: Upstairs Bathrooms: Still waiting on the final install of the fire alarms; Potential Renters: Will be meeting with Alyx Halsey and Phil Garcia next week to go over the details of the lease agreement between the DDA and the Arts Council. Casair: Currently discussing the option of replacing the phone services at the Bag Building to Casair to make up for the well houses that we cannot provide wireless service to. This would require the DDA to agree to this but if it works out, would solve our current issues with implementing the settlement agreement. Chip Sealing: The County has completed the chip sealing without issue. Have received multiple comments that the newly chip sealed streets look nice. Code Enforcement: 312 S. Brown Street: Paperwork requesting permission for us to abate the nuisance was submitted to the Circuit Court on July 17th. Our attorney received true copies of the summons and complaint from the Circuit Court on Monday, August 3rd. They have now given this paperwork to a process server who will need to serve the homeowner. Once that occurs that homeowner has 21 days to file an answer to the complaint. If the homeowner fails to answer we can move to default the homeowner, which means the homeowner will not be able to contest the allegations in our complaint and we will schedule a hearing for the judge to fashion a remedy to abate the nuisance. If the homeowner files and answer, we will litigate the matter. A code enforcement spreadsheet on properties currently being worked on was included in the packet. Crack Sealing: Industrial, E. Home, Brown, Sheldon streets will be crack sealed in the coming month. We decided to crack seal these streets this year and have them chip sealed over the top of the crack seal next year to get the best sealing results between these two methods. Curtis Park: The park equipment has been ordered. The installation date is still uncertain as it is dictated by the manufacturing of the equipment. DDA: Next meeting will be held virtually on Zoom at noon on Wednesday, August 19th. Election: Two petitions were filed for President, and one for Trustee. This leaves two seats open for write in candidates or appointments after the election. Marihuana Industry: Prospective Parties: Have had serious interest from two separate growers looking to set up facilities. The first one is prequalified for a class A recreational grower license and is currently in talks to purchase a building. The other is prequalified for a class C medical grower license. He will be meeting with me next week to look at our sunrise properties. He has plans to build a purpose-built building for growing. If they do come through, this would be a solid next step in growing this industry in Edmore. Edmore Provisionary Owner Greg maki has contacted me to ask where they could donate funds in the community. I would like to leverage his potential donation with a matching grant from the MEDC through the fundraising platform, Patronicity. If you have any ideas or thoughts of a project that could benefit from this, please let me know. Police: Myself and the police have begun to meet with the Township to discuss the possibility of working together again for police coverage. These meetings were

held to gauge an overall willingness of all parties. Once this has been established, a memorandum of understanding will be drafted and agreed upon by both parties. This will be the basis for any further discussions or negotiations. Water Bills/Shutoffs: We are still legally unable to shutoff water service until the end of the year. Rentals: Executive Orders 160 and 161, which went into effect July 31st, have once again lowered the number of indoor gathers to 10 people. In August, we had 3 events scheduled at the Curtis Building and 2 at the Bag Factory. We have extended refunds or rescheduling to all the parties. There was a wedding scheduled on August 1st, for which we offered to rent the party a tent for outside so that they could use the building for food and restrooms but hold the event outside to comply with the orders. This worked well, but all future events will be rescheduled or cancelled. RRC: The resolution has been sent to the MEDC. Gloria and Phil have both finished the online training. I am still in the process of finishing this up. I will also need to finish the self-assessment for the Village. Once this is finished, we should qualify to be RRC engaged. Signature Associates: Joe has reported that there has been no interest in the land, but he has received several calls on the building. His report was attached to the meeting packet. Trail Easement: A portion of the sidewalk on the north side of the Curtis Pond, which is also part of the heartland Trail, is located on a privately owned parcel. The owner has requested to install a fence on the perimeter of the property, which would cut through the trail. I currently have the County researching the record of easements on this parcel. If there are no easements registered, I will check into the option of continuing the public use of the sidewalk through adverse possession due to the length of time that is has been present on the property. If none of this is an option and no other arrangement can be found with the property owner, it might be the case that the trail would be closed at that portion and we would need to consider re-routing the sidewalk. **Ashbaugh** asked if **Lakamper** had an update on the easement. **Lakamper** stated that there is not an easement and he is currently talking with the owner about options. Vacation: I will be taking the week of the 17th – 21st of August off. I am always still available to reach by phone or email. If you need something, please feel free to be in touch. Zoning Changes / Planning Commission: The planning commission will hold a meeting at noon at the Curtis Building on August 13th to discuss amendments to the zoning ordinance. Attached to the meeting packet was a draft of the zoning ordinances amendments that they will be discussing. The main goal of these changes is to include residential uses in the B1 and B2 districts, but also to update the uses for those districts to be in line with the needs of today, and to cover uses that are already widely in existence here in Edmore. All zoning amendments would go through the planning commission with a public hearing and then be referred to the council for another public hearing. The meeting on the 13th is to begin discussing this topic.

F. PRESIDENT: None.

7. TREASURER'S REPORT: Drain

A. TREASURER'S REPORT & COMMENTS: Drain reported the books are closed and balanced for the month of July. All economic loans are paid and up to date. We have 4 loans outstanding.

B. APPROVAL OF PAYMENT OF BILLS: Motion by **Colburn**. Supported by **Guild**. ROLL CALL VOTE: **Ashbaugh, Colburn, Guild, Hadley, Rasmussen, Burr**. ALL YES: MOTION PASSED 6-0.

8. COMMITTEE REPORTS:

A. POLICE COMMITTEE: **Guild** reported not much to report on. Should know more tonight. Meeting again soon, I hope.

9. APPROVAL OF MINUTES:

- A. **REGULAR COUNCIL MEETING July 13, 2020:** Motion by **Colburn** to approve minutes with corrections. Supported by **Guild**. Discussion ensued between **Colburn** and **Peterson** on #5 PUBLIC COMMENTS. **Colburn** stated that he read the paragraph as factual information when actually it was Maxfield's views and not a statement of fact. (Maxfield was indeed speaking from his opinion and point of view on the situation with 1398 Industrial Drive). **Peterson** also commented that the police report was given by Sgt. Germain and not Deputy Berry. ROLL CALL VOTE: **Ashbaugh, Colburn, Guild, Hadley, Rasmussen, Burr**. ALL YES: MOTION PASSED 6-0.

10. NEW BUSINESS:

- A. **DISCUSSION - PROPOSED ZONING AMENDMENTS:** **Lakamper's** report: We have been discussing amending the zoning ordinance to allow for various residential uses in the B1 and B2 districts for a while. The purpose is to bring current properties that are being used as residences into compliance with the ordinance, and to promote the use of the upstairs apartments in the downtown area. Additionally, I have identified other uses that are currently being used in those districts but are not technically allowed per the zoning ordinance. Adding these uses to the ordinance will prevent any conflict that those businesses might have moving forward. These zoning amendments must first go through the planning commission. They will need to hold a public hearing and make their recommendation for the amendments, and then they will come to the council, who will also hold a public hearing before voting on them. The planning commission will meet on the 13th to bring discussion and suggestions for the amendments. This will not be a public hearing, but the first official discussion on their end for these amendments. **Lakamper's** analysis: Attached to the meeting packet are proposed amendments that **Lakamper** has come up with. They include creating the new "mixed use" designation for the B1 district. This is a great step towards filling in and revitalizing the downtown. The added revenue or option for an owner to live above their shop, should make those properties more valuable to new investors and current business owners alike. There are currently two owners who live in both the upstairs and downstairs of their downtown buildings. I don't think it would be ideal for all of the downtown to do this, but a few wouldn't hurt anything. However, these uses should be reviewed on an individual basis and therefore they have been added as special uses amendment in the B1 district. In the B2 district, all of the residential uses for existing buildings have been added and only one multi-family (apartment complex) for new builds. The thought behind this was that we still have room in the residential districts to build new homes, but we have existing buildings in the B2 that are being used as rentals, or could be, but we don't need more new structures for residential in that district. Again, the goal here is to fill in open spaces and give the maximum amount of opportunity for investors to use these buildings. The planning commission will receive my same suggestions at which point they can start this process.
- B. **APPROVAL OF AUDITING SERVICES CONTRACT – Berthiaume and Company:** **Drain** commented that in the past we used to change auditors periodically and I was all for that and kind of still am, but I did have the occasion to talk to the Treasury Department, the local Audit Division man about a year ago. We went over the audit report and he said **Berthiaume and Company** are doing an excellent job for us. They're very familiar with local government, probably as good as you're going to get with local government, and he said the audit was good, there was no problem with it and so my recommendation would be to stay with them at this point. **Colburn** asked **Drain** if she was familiar with the cost of these type of things and if the cost was comparable. **Drain** responded that this is in line. If we went to another

company, we would definitely pay more than this. They've kept their price down because they're familiar. They did it without even coming here this time, all by phone, email, and mail. We changed a couple of times and it takes a new company at least a week to do the audit here and this company does it in a couple days, aside from the mailings and emails. I felt if the local audit division was happy with what he was doing then we should be too, and I know his price is fair. **Colburn** asked **Drain** if she was concerned about not having another set of eyes look at it. **Drain** responded, not at this point. I went over the audit carefully and I do every audit report, in fact I've gone over the last 4 or 5 audit reports very carefully and I think they're doing a good job, too. I have full confidence in them. Motion by **Guild** to accept the auditing services contract with Berthiaume and Company for the next five years at the rates posted. Supported by **Hadley**. ROLL CALL VOTE: Ashbaugh, Colburn, Guild, Hadley, Rasmussen, Burr. ALL YES: MOTION PASSED 6-0.

C. **APPROVAL OF REAL ESTATE SERVICES AGREEMENT EXTENSION – Signature Associates:** Motion by **Hadley** to approve the real estate services agreement extension with Signature Associates. Supported by **Ashbaugh**. **Guild** asked **Lakamper** if the village can take our sign down on the Sunrise properties and let Signature Associates put a sign up. **Lakamper** responded that yes, we can do that. VOICE VOTE: ALL YES: MOTION PASSED 6-0.

D. **APPOINTMENT OF JERALD BROWN TO THE DDA BOARD:** Motion by **Colburn** to appoint Jerald Brown to the DDA board. Supported by **Hadley**. ROLL CALL VOTE: **Ashbaugh, Colburn, Guild, Hadley, Rasmussen, Burr**. ALL YES: MOTION PASSED 6-0.

E. **DISCUSSION – ANNUAL AUDIT:** Report included that we have received the annual audit from Berthiaume and Company. This year Darcie will not be coming to do an in-person report. The council entered into a separate agreement with Berthiaume to have their representative come to a meeting every other year, for which they separately charge each time. This year since Darcie will not be coming, we can discuss it amongst ourselves. Analysis: After reviewing the audit, **Lakamper** and **Tracy** have not found any abnormalities. No comments, no discussion.

11. **PUBLIC COMMENTS:** None.

12. **COUNCIL COMMENTS:** **Ashbaugh** is sorry to hear about Bonnie Gray's passing. She will be missed. **Burr** is also sad to hear of her passing. **Burr** went on to apologize for the technical difficulties during our meeting. **Drain:** This sucks!

13. **ADJOURNMENT:** Motion by **Hadley**. Supported by **Rasmussen**. VOICE VOTE: ALL YES: MOTION PASSED 6-0

President Burr adjourned the meeting at 7:55 p.m.

As a side note, this meeting was held virtually via Zoom, with technical difficulties. Therefore, these minutes include all reports from our meeting packet to the council with manager and council comments and questions that were audible being included.



Village President



Village Clerk

Approved for Publication

NEXT MEETING: September 14, 2020