

EDMORE VILLAGE COUNCIL
APPROVED JOURNAL OF MINUTES
August 13, 2018

1. **CALL TO ORDER:** The regular session of the Village of Edmore Council was called to order on Monday, August 13, 2018, at 7:00 p.m. in the Curtis Community Building by **President Pro-Tem Aaron Hadley**.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL:** Members Present –**Ashbaugh, Burr, Davis, Deja, Hadley, Kohn**. Also present were: **Elaine Leak** – Village Treasurer, **Michelle Leak-Rensland** – Village Clerk, **Neil Rankin** – Village Manager, **Deputy Mitch Chapin** – Sheriff Deputy, Bob Wilcox – Fleis & Vanderbrink, Jon Apelgren – PCA, Rob Sophr – The Right Place/MCC.

4. **APPROVAL OF AGENDA:** Motion by **Ashbaugh** to accept the agenda as presented, supported by **Deja**. MOTION PASSES 6-0.

5. **PUBLIC HEARING: Noise Ordinance 260-95 Amendment**

Hadley opened a public hearing concerning a noise ordinance amendment at 7:03 P.M.

Members Present: **Ashbaugh, Burr, Davis, Deja, Hadley, Kohn**.

Public Comments: No comments.

Hadley closed the public hearing at 7:04 P.M.

6. **PRESENTATIONS:**

- a. John Apelgren from PCA – Would like Council to move forward on the 10th Street project. PCA needs the road fixed, and Village needs easement to wellhouse. Easement will not be granted if Village does not do the project. PCA will pave the needed area, access to the wellhouse may be blocked.
- b. Bob Wilcox from Fleis & Vanderbrink –
 - i. Repeated request from Apelgren to move forward on street project as the bids are only good for a limited time.
 - ii. SAW Grant Update – Grant total was \$674, 950 (includes \$30,683 local match). Wastewater and collection: Observed and rated all equipment/systems. Created prioritized improvement/repair/replace plan. In 1-5 years, cost of \$577,000 to capital improvement plan. In 6-20 years, cost of \$1,394,00 to capital improvement plan. Stormwater: Observed and rated all equipment/systems. Completed capacity study. In 1-5 years, cost of \$764,000 to capital improvement plan. In 6-20 years,

cost of \$638,000 to capital improvement plan. F&V will create reports to be submitted to DEQ in November.

- c. Rob Spohr from Montcalm Economic Alliance/The Right Place – Communities need to build infrastructure for businesses to thrive, create environment to lure businesses to area. The Right Place helps businesses find viable locations in Montcalm County. Kathy Jo is our county contact.

7. PUBLIC COMMENTS:

- a. Ms. Dodson asked for clarification concerning PCA's statements about allowing an easement in relation to the 10th Street Project.
- b. Mr. Allen wondered if the Village had investigated reclaiming the 10th Street property as it never should have been sold in the first place, PCA cannot create a landlock property at end of street.
- c. Mr. Macklin suggested creating an alternative access to the wellhouse through the woods, eliminating the need for said easement.
- d. Mr. Rasmussen addressed the Planning Committee, stating that past Manager Karl Kluwe was disappointed with work from the Spicer company when creating the Parks and Recreation Master Plan (only a one-page document). Has their work improved to be worth the \$14,900 bid for the current project?

8. DEPARTMENTAL REPORTS:

- a. **POLICE REPORT:** Presented by **Deputy Mitch Chapin**. Report on file.
- b. **FINANCE REPORT:** USDA has reimbursed \$90,000 for installation of elevator at Marketplace Building. Report on file.
- c. **DPW REPORT:** Recoated cemetery roof, new water service on First Street, mowing in Village.
- d. **CLERK REPORT:** No report.
- e. **TREASURER REPORT:** **Elaine Leak** presented accounts balanced for May and June. 3 loans are current, DDA loan has been added to list. Report on file.

9. COMMITTEE REPORTS: None

10. MANAGER REPORT: Neil Rankin – On vacation this week. Report on file.

11. OLD BUSINESS:

- a. 10TH STREET PROJECT – Motion by **Davis** to accept the bid from Isabella Corporation at the cost of \$164,408.60 for the 10th Street project, including paving to the well house, supported by **Ashbaugh**. Discussion: **Rankin** – Need to make decision on this project. Money is in budget, engineering is in place. DEQ will not allow projects to go forward if we don't have control of property with an easement. **Davis** –

It will cost more to complete the road later. DPW should not do work on well house road, may not have ability to do correctly. **Kohn** – The road is already there, in use since well house was built. **Hadley** – Is in favor of progress, should build up the community, get the project done all at once. **Kohn** – What is our priority to pave this? Will we be paving to lift station? **Hadley** – Our priority is to help PCA and get road fixed. **Ashbaugh** – Local road funding comes from state level. **Rankin** – Act 51, must forfeit road funds if not doing any projects. **Ashbaugh** – We are addressing a problem that can be done as part of another project. **Hadley** – Andy would like to see pavement of road. **Kohn** – Would this \$30,000 be better spent on another area? **Rankin** – No other projects are planned until approval of Capital Improvement Plan for next year. **Burr** – We should pave to PCA and do rest ourselves. **Kohn** – This would be the cheapest time to do paving. ROLL CALL VOTE: YES – **Ashbaugh, Burr, Davis, Deja, Hadley, Kohn**. MOTION PASSES ~~6-0~~. No – Burr Motion passes 5-1 mdr

- b. NOISE ORDINANCE AMENDMENT - Motion by **Deja** to approve the amendments to Ordinance 265-95, supported by **Burr**. Discussion: **Hadley** – We are amending current ordinance. **Burr** – Need a few more wording changes, replace “variance/variances” with “permit/permits” in sections I.B.5, II.A and III.A.2. In section III.B, it should read “There will be a fee” (to be set by zoning board). **Hadley** – Sees many problems with amendments, 25-foot range is too small, hours are not reasonable. At 7:01 am, could make noise with no violation. We cannot make changes after the hearing tonight and still approve. Must hold another hearing with final wording. How many times have police been called to deal with problem? **Burr** – Has not personally spoken to law enforcement, many complaints with nothing being done. **Hadley** – Council members have no power to enforce ordinances, must contact authorities. Citizens must take concerns to the police, not the council. **Kohn** – Is there something they would be violating in old wording that would not be in new wording? Is there a legal loophole? **Burr** – It is not being enforced. **Rankin** – Committee can revise, attorney can review and give recommendations. Council could then look at other options. **Hadley** – Having no listed enforcement hours makes it a violation with any excessive noise. **Burr** – Changes were submitted, but were not updated by the manager. ROLL CALL VOTE: YES – **Burr, Deja**. NO – **Ashbaugh, Davis, Hadley, Kohn**. MOTION DEFEATED 2-4.

12. NEW BUSINESS:

- a. APPROVAL OF JULY 9, 2018 REGULAR MEETING MINUTES – Motion by **Ashbaugh** to approve July 9 Regular Council Meeting minutes as presented, supported by **Kohn**. MOTION PASSES 6-0.
- b. APPROVAL OF JULY 23, 2018 SPECIAL MEETING MINUTES *There was no motion to approve July 23 minutes. It will be postponed until next meeting so corrections can be made and council has more time to review.*

- c. PAYMENT OF BILLS – Motion by **Deja** to approve July/August bills, supported by **Ashbaugh**. Discussion: **Burr** – Lease payments to John Deere? **Rankin** – One payment per year, is a 6-year lease. **Burr** – Curtis Foundation received 2 payments, are we behind? **Rankin** – Was just the timing of when payment was made and deposited. MOTION PASSES 6-0.
- d. VARIANCE TO ZONING ORDINANCE FOR 109 W. MAIN - Motion by **Davis** to set a hearing date for the Zoning Board of Appeals on September 10th at 6:30 pm concerning the property at 109 W. Main, supported by **Kohn**. Discussion: **Rankin** – Property owners want to close business and sell as a residential, currently zoned as commercial. Everyone within 300 feet of the property needs to be notified of the hearing. Prospective buyers need zoning changed to assist as they obtain financing. ROLL CALL VOTE: YES – **Ashbaugh, Burr, Davis, Deja, Hadley, Kohn**. MOTION PASSES 6-0.
- e. VILLAGE MASTER PLAN BID PROPOSALS –
 - i. Motion by **Ashbaugh** to accept the Master Plan Bid to Spicer for \$14,900, supported by **Deja**. Discussion: **Hadley** – The Master Plan will be a long-term road map for the Village. Received bids from Spicer (\$14,900) and Wade Trim (\$20,000). Planning Commission recommends Spicer bid. **Ashbaugh** – Spicer provided the master plan for the park, one page of worthless material received. Cannot support using this company again. Wade Trim plan is all inclusive. Spicer plan has extra items added for the additional cost of \$6000. **Deja** – We didn't get what we paid for last time, who ultimately pays? The village residents. **Kohn** – How does having a plan get us extra grant money? **Rankin** – Most grants ask for master plan. Want to see if long term vision is consistent with current projects. It is a guiding document to be sure we are providing what residents need. **Hadley** – Spicer proposal seems more user friendly. **Kohn** – Cannot vote for Spicer in good conscience. ROLL CALL VOTE: NO – **Ashbaugh, Burr, Davis, Deja, Hadley, Kohn**. MOTION DEFEATED 0-6.
 - ii. Motion by **Burr** to publish another Request for Proposals (RFP) for Master Plan, supported by **Ashbaugh**. Discussion: **Ashbaugh** – Could we ask Wade Trim to revise? **Rankin** – Have to cover certain items in the RFP. If we don't want something, we can refine RFP before sending out. ROLL CALL VOTE: YES – **Ashbaugh, Burr, Davis, Deja, Hadley, Kohn**. MOTION PASSES 6-0.

13. PUBLIC COMMENTS:


- a. Ms. Dodson asked if the DDA will be contributing to the 10th Street project. She would like to see accounting of how the DDA money is being used.
- b. Mr. Allen stated the Village should reclaim 10th Street as part of village infrastructure.
- c. Mrs. Ebright thanked the council for setting a hearing concerning the 109 W. Main zoning variance. She and her husband are hoping to have foster children at that address.

- d. Mr. Macklin –
 - i. Questioned about the old Eagle Realty building at Main and 2nd. He has heard it is being rented as residential but is a listed commercial property. Is that building not held to the same zoning ordinances as 109 W. Main?
 - ii. Is also concerned that families are living in campers behind businesses on Main Street.
 - iii. Marketplace was originally supposed to open in August 2017. Project is still not completed and has no income to show yet.
- e. Mr. Colburn feels Council was trying to request the manager ask Wade Trim to match Spicer offer to compare costs of equal proposals.


14. COUNCIL COMMENTS:

- a. **Ashbaugh** – Town looks nice as we prepare for Potato Festival.
- b. **Deja** – Have fun at Festival activities.
- c. **Kohn** – In September or October he would like to see an accounting/update of the Marketplace project.
- d. **Burr** – Supports Mr. Kohn’s idea concerning Marketplace. She would like to see money we have and where we are at on completing project. She is requesting regular DDA updates. Wants to check Zoning ordinances as some things are not done in same way for all properties.
- e. **Hadley** – DDA is working on creating a Food Hub for local farmers. Would like to be located in Marketplace building. Need to submit a feasibility grant.

15. MOTION TO ADJOURN: Hadley adjourned the meeting at 9:49 p.m.



Village Clerk



Village President
Approved for Publication

NEXT MEETING: Monday, September 10, 2017

Zoning Board Hearing – 6:30 pm

Regular Council Meeting – 7:00 pm