EDMORE VILLAGE COUNCIL
PUBLIC HEARING AND REGULAR MEETING
APPROVED JOURNAL OF MINUTES
April 8th, 2019

1. **CALL TO ORDER**: The regular session of the Village of Edmore Council was called to order on Monday, April 8th, 2019 at 7:00 p.m. at the Curtis Community Building by **President Gloria Burr**.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**: Members Present –**Ashbaugh, Burr, Colburn, Guild, Hadley, Moore, Rasmussen**. Also present were: **Shirley Drain** – Village Treasurer, **Tracy Sanchez** – Village Deputy Clerk, **Sgt Snyder** – Montcalm County Sheriff's Dept.

4. **APPROVAL OF AGENDA**: Motion by **Rasmussen**, supported by **Guild** to accept the agenda with the additions to add to Old Business item 11 b. Litigation and to New Business item 12 f. DPW Mowing of ball fields and Curtis Park. ROLL CALL VOTE: YES – **Ashbaugh, Burr, Colburn, Guild, Hadley, Moore, Rasmussen**. MOTION PASSES 7-0.

5. **PUBLIC HEARING**: **Ordinance 2019-1 Prohibition of Marihuana Businesses or Establishments**.

    a. **Burr** opened the public hearing at 7:03 pm, before the regular meeting.
    b. **Roll Call**: **Ashbaugh, Burr, Colburn, Guild, Hadley, Moore, Rasmussen**.
    c. **Open hearing**: Colburn explained reasons to establish Ordinance, if we don't do this, we basically do not have an option later on. This buys time, if decide later on want to have commercial establishments, than we can do that. This gives us the option, without it, it does not.
    d. **Public Comments**: Michelle Leak Rensland-Any data on how breakdown was with votes, Monroe-Did law pass? Frank-Does this mean going to be grandfathered for medical. Michelle-Does this cover growing?
    e. **Council Comments**: Colburn-This is a vote for Commercial establishments, not medical. Medical is legalized; also this is within Village limits.
    f. **Public Hearing Closed: Motion by Ashbaugh** supported by Moore to **close** public hearing at 7:10 PM. Motion passed 7-0.

6. **PUBLIC COMMENTS ON AGENDA ITEMS**: **Michelle Leak-Rensland**-Item #6 DDA Tax Capture before was 100% if cut back to 50% that money can't go back into General Fund. The DDA chose to share with Library and other areas. **Drain**-We are only discussing General Fund. **Jason Hunt**-Position of DDA is to undertake public improvements that have greatest impact. Reducing capture strangles DDA, limit projects on helping downtown Edmore. Putting fear into everyone about shutting down, thank goodness for Arts Council with floors, they have been amazing. Requested council come to DDA with concerns, didn't notify any member of DDA regarding what was on agenda. It is time to work together between DDA and council. DDA Funds are earmarked for DDA projects only.

7. **PRESENTATION: JIM VANAS (Potato Festival) Planning** on hosting festival, tentative dates are September 12th-15th, 2019. We are looking to bring back to downtown. We are working with council on doing that with street closures and permits. Also, looking for DPW and Police assistance. Have a committee put together. Edmore Potato Festival is now a registered Non-Profit and working on a 501C3.

8. **DEPARTMENTAL REPORTS**:
   a. **POLICE REPORT**: Presented by **Sgt Snyder**. Report on file.
   b. **DPW REPORT**: Patched pot holes, took tables and trash cans down to park, had one water service leak, cleaning up from plowing streets, rust repair on Truck #1..put new fenders and door on and both cab corners replaced and painted entire truck. All street lights are in for M-46, Edmore Electric will get installed. Spring cleanup is May 14th, 2019. **Ashbaugh** would like information regarding the water PFAA's . Guild wondered why we don't have an extra street light...**Burr** will look into, knows that DDA is doing a streetscape.
   c. **FINANCIAL REPORT**: **Drain** reported books are closed for March and balanced. The bank is over $23.90, showing more cash than we are showing in cash balances. All loans are current except for Mustang Junction is showing past due since missed first few payments, hoping they can catch-up. They have been paying every month. Reports on file regarding DDA tax capture and concerns if don't reduce need to double water rates.

9. **COMMITTEE REPORTS:**
   a. **PERSONNEL**: **Moore** reported no meeting this month. **Burr** stated we did receive two resumes regarding manager's position. **Moore** stated if do not get anymore, **Colburn** has new proposal we have been talking about. **Colburn** talked with other communities and lucky to get someone with amount offered. We can get someone if offer more with more experience saving money. **Burr** requested to give ad information to personnel committee and will look at. **Guild** would like in paper now. **Motion** by **Guild**, supported by **Moore** to go with ad DISCUSSION: Colburn has written up offering full time at $54,000 to $60,000 with benefits and run for 30 days. Ashbaugh questioned amount being offered versus what was previously decided, Colburn if can accomplish with what want then will save money. Ashbaugh-we had previous manager who was qualified and maybe if offered more hours could have accomplished more, ROLL CALL VOTE: YES –**Colburn, Guild, Hadley, Rasmussen, Moore, Burr**. NO – **Ashbaugh.** MOTION PASSES 6-1
   b. **POLICE**: **Colburn**-Expanding search, talked with township, which is one option, other options would be other municipalities or starting from scratch here. There is large manual about establishing own police force and what's available. Nothing definitive at this time regarding a new force.

10. **PRESIDENT REPORT**: **Gloria Burr**-Just a few things that will be discussed later on.

11. **APPROVAL OF COUNCIL MEETING MINUTES**: Minutes presented from the March 11th, 2019 regular meeting for approval. Motion by **Rasmussen** to accept as printed, supported by **Colburn**. MOTION APPROVED unanimously.

12. **OLD BUSINESS**:
   a. **PHENIX PARKING LOT**: Motion by **Colburn**, supported by **Rasmussen**, to allow **Guild** to present new agreement with the one change "municipal to public parking" to owners of Phenix. ROLL CALL VOTE: YES – **Hadley, Colburn, Guild**, **Rasmussen, Moore, Ashbaugh, Burr**. MOTION PASSES 7-0. DISCUSSION: **Guild**-previous contract expired two years ago, in updated one removed item 7 from old contract, "that village shall assume all responsibility" and removed "village shall maintain parking lot with commercial standings". Do we want to continue with maintenance, there currently is a sink hole? **Rasmussen**-reason that wall previously fixed was due to liability on the village's part. **Guild**-Phenix did pay for half of wall repairs. **Guild**-maybe put something in contract that share costs. **Moore**-whoever does the salting of parking lot would be held liable if something happened. **Guild** stated Travis would be willing to sign the same contract as before. **Colburn** suggested put in something that

absolves village's liability occurring over and above salting and snow removal. **Hadley**-Put clause in there as stated by **Colburn** and have attorney look at. **Burr**-would like to see attorney look over once something is decided. **Hadley**-We are offering to use as municipal parking lot that makes it our parking lot. Other problem if doctor's office sells and someone going into that office falls, that isn't the Phenix's problem. Moore-village will get sued regardless. **Colburn** reads as Phenix is still owners. The exchange is that village is going to pay for all of winter upkeep and Phenix is allowing lot to be used for municipality. Phenix is still owner, should go to attorney. **Guild**-Do we want to continue with maintenance, not sure what commercial standards are referring to in old contract. **Colburn**-new one only pertains to winter maintenance. **Drain**-going to be used for municipal parking. **Moore**-No problem with the 10 years, we can terminate anytime. **Guild**-can see if Travis would agree with this one. **Colburn**-change item number 1 from "municipal parking to public parking". **Guild-**Not sure of owners, needs to get with Travis on what actual name and owner of business is.

b. **LITIGATION:** Motion by **Guild** supported by **Rasmussen** to have **Burr** call attorney and get date for mediation. ROLL CALL VOTE: YES-**Ashbaugh, Colburn, Guild, Hadley, Moore, Rasmussen, Burr**. MOTION PASSES 7-0

13. **NEW BUSINESS**:

a. **PAYMENT OF MARCH AND APRIL BILLS**: Motion by Rasmussen, supported by Guild to approve payment of presented bills. ROLL CALL VOTE: YES – **Ashbaugh, Colburn, Guild, Hadley, Moore, Rasmussen, Burr**. MOTION PASSES: 7-0

b. **LETTER OF RESIGNATION OF CLERK, KRIS CALLOW**: Motion by **Guild**, supported by **Ashbaugh** to accept the resignation of **KRIS CALLOW** as Clerk, with regret. **Burr**: She did a fantastic job and sorry to see her go. MOTION APPROVED-Unanimously.

c. **ORDINANCE 2019-1 (PROHIBITION OF MARIHUANA BUSINESS OR ESTABLISHMENTS):** MOTION BY **Colburn**, supported by **Moore** to approve ordinance as written and public hearing was held immediately before tonight's regular meeting. ROLL CALL VOTE: YES – **Ashbaugh, Colburn, Guild, Hadley, Moore, Rasmussen, Burr**. MOTION PASSES 7-0.

d. **DDA MANAGER CONTRACT**: Motion by **Colburn**, supported by **Rasmussen** to extend current contract until a village manager is hired at the current rate of pay and contract would terminate 14 days after hiring of a village manager. DISCUSSION: **Burr**-DDA Board approved wage at 20.00 per hour and approved contract. **Colburn**-clarification needs made that DDA cannot unilaterally hire. Phil has no training, nice guy, certain requirements made, no business in there yet. Appreciates floor being done by Arts Council. Hiring fulltime village manager can handle aspect of getting businesses in there. **Hadley**-has municipality done any performance review? DDA Board did do this and felt deserved raise. **Rasmussen**-talked to person who handles permits at county and stated permit was done by Griffiths and not County. Under impression Phil was going to get paperwork regarding permits and legalities. Not cut out to do job. Not aware of any occupancy permit. **Guild**-who will take over what Phil has started regarding rentals? Hasn't seen a performance appraisal. DDA Board and Council should come together on what expectations are on building. **Hadley**-has current contract in front of him and he is fulfilling the duties of his contract regarding managing the Edmore Marketplace. **Colburn**-I do not feel he has managed it well. **Hadley**-He meets and shows building, plans events, providing contracts with events, unlock door when needed, all it says is he has to manage bag building. **Colburn-**I don't feel he has been doing well and that's not the primary focus of the building. ROLL CALL VOTE: YES – **Ashbaugh, Colburn, Guild, Rasmussen**. NO-**Burr, Hadley, Moore**. MOTION PASSES 4-3.

e. **DDA TAX CAPTURE**: Motion by **Colburn**, supported by **Guild** to hold a public hearing at next meeting to adjusting tax capture. Motion died. Motion by **Ashbaugh**, supported by

Rasmussen to table until next month's council meeting when more information gathered. DISCUSSION: **Hadley** would like to see something in writing on what we are voting for. Are we changing or repealing an ordinance? What is current ordinance and how can we make a decision with no ordinance. **Colburn**-Why do we need anything more than what is on the floor? **Hadley**-previously repealed original ordinance. **Burr**-Suggested to table and bring back at next month's meeting. MOTION APPROVED unanimously.

f. **DPW MOWING BALL FIELD AND CURTIS PARK**: Motion by **Guild**, supported by **Rasmussen** to have DPW takeover moving the ball field and Curtis Park starting with the 2019 moving season. DISCUSSION: **Ashbaugh**-when previously did cost comparison, it was more financially efficient to have a contractor do this. Wondered if new cost comparison done. **Burr**-No a new one hasn't been done and DPW had stated they have time to do now. **Moore-**Who mows Sunrise? **Burr**-Johnsons do this mowing. ROLL CALL VOTE: YES – **Ashbaugh, Burr, Colburn, Guild, Hadley, Moore, Rasmussen**. MOTION PASSES 7-0.

14. **PUBLIC COMMENTS**: **Carol Dodson**-Thanked Scheurer, Kinsey, and Colburn for accurately reporting the out of control display of certain council member. **Michelle Leak-Rensland**-Where has village manager position been placed? **Dennis Smith**-Has issue regarding sidewalk and responsibility. **Frank Leak**-Snow removal, requested to be put on agenda next month. **Dana Macklin**-Bill of rights allows us to attend meetings freely, should be able to attend meetings at anytime without bullying. He asked for resignation of certain council member. Section 14 of Bag Factory-proposal was to renovate so can provide revenue for businesses year round. **Elaine Leak**-Council member in question tried, but was interrupted several times by various council members. Every time tried to present something was interrupted therefore had to raise voice. Very disappointed in council. **Nicole Hadley**-Expressed disappointment in council, specifically to comments to Jason Hunt and communication between council and DDA when he was told the communication would be there and knew nothing about tonight. Regarding Garcia employee review, reviewing on article from 2 years ago. Didn't verify information with him and wasn't Garcia's responsibility regarding any numbers on rentals.

15. **COUNCIL COMMENTS**: **Colburn** – Kris did excellent job. Wish Potato Festival committee well and thank the past committee for excellent job. **Guild**-Girls did wonderful job on past Potato Festival and hope the new committee does as well as they did. **Hadley**-A certain person has keys to all buildings, passwords, alone on weekends in office, concern of accountability.

16. **ADJOURNMENT**: Motion by **Moore** to adjourn, supported by **Rasmussen**. **Burr** adjourned the meeting at 9:11 P.M.

Tracy Sanchez
Village Deputy Clerk

Gloria L Burr
Village President
Approved for Publication

NEXT MEETING: May 13, 2019