

COLON VILLAGE COUNCIL

Village Hall

REGULAR MEETING – December 14, 2021

Meeting Call to Order: at 7:00pm – Pledge of Allegiance was spoken.

S. Craun announced the meeting being live streamed on Facebook Live.

Present: Dick Delp, Jodi Gross, Eddie LeBoeuf, Marilyn McManus, Michael Malmborg, Linda Norton, Sharon Craun.

Also Present: Chief Mark Brinkert, Billi Farrand, Matt Barrett, David Senkewitz, Julie Dekker, Carl Thornton, Keith Stickley, Tamera Sterlini, Isaiah and Darla Danberry, Nathan Clipfell.

Approve Consent Agenda-

1. Approval of Agenda – E. LeBoeuf made a motion to approve the agenda with the following additions: *Old Business; 4. Public Hearing for the Marijuana Ordinance and New Business; 4. DDA – MSU Contract for SBEI (Sustainable Built Environment Initiative, 5. Curb by Design Invoice and 6. Julie Dekker.* Seconded by L. Norton. Motion passed.
2. November 09, 2021, Minutes.
 - a. E. LeBoeuf stated that he feels the minutes are really good these days.
 - b. B. Farrand said that her and M. McManus made some changes/corrections to the minutes. M. McManus stated she volunteered to edit them with B. Farrand. The edited minutes were not done in time to make it into the packets.
3. M. McManus made a motion to approve the November 2021 minutes with the changes, accept the financial report as presented. Approve payment of November 2021 bills in the amount of \$21,619.95 and payroll in the amount of \$55,659.58. Seconded by M. Malmborg. The motion passed

Public Comment:

1. Keith Stickley – He represents the buyer’s group who purchased the Lamb Knit Mill. There has been a lot of questions and updates about what is going on. Everyone is aware of the Lamb Knit and the grant that was funding the environmental and architectural studies was sort of a hybrid grant that was given to the Village. The buyers group allowed that to take place for the greater good of the community it has always been the goal and still is to try developing the Lamb Knit into something useful and beneficial for the community as a whole.
 - a. A couple of things during this process has transpired, that he wanted the council to be aware of and might need some future discussion soon down the road. When the project started out there was a lot of communication. It started out on a very positive note. We gave access to what needed access to. It was a little frustrating and little warning signs when they kept asking us if we had any past studies or information. We did not. Quite frankly the Village was awarded a significant chunk of money to have all that study done. The firm doing it was constantly trying to go back and basically co-opt what had already been done. Which obviously wasn’t significant, or we wouldn’t be where we were in the first place.
 - b. Since then, communication has ground almost to a complete halt as well as a lot of the work. There was a couple of zoom meetings. One being about three months ago, with State of Michigan officials from MEDC and Fleis & VandenBrink. Fleis was supposed to help us coordinate with the State to get a bunch of stuff done. Complete radio silence, nothing has happened whatsoever. Tyler Sutkowi (Fleis) and someone else in his group were somewhat chastised by the State. The topic of asbestos came up and they had inadequately bid out the job or obtain the grant in a way that did not allow them to complete

that portion of the study. They thought there might be too much asbestos to complete the study. Which the State of Michigan's response was "Why didn't you ask for an extension or more money so you could get this study done? All you had to do was ask.". Additionally, Fleis told the buyers group and the State. The State said they would coordinate the information through Fleis and put us in touch with various agencies responsible for Brownfield redevelopment. That kind of environmental stuff that would help push this along.

- c. Keith had sent multiple emails with no response. Until he received a response on December 8th. Basically, it said your study is over unless you have a commercial tenant who will occupy the space and give all this marketing stuff, they we could go back to the State and get more money. That was never brought up to begin with. The State told Fleis what they needed to do from my prospective and the owners prospective. It's not happening. Keith doesn't want to stand there and bad mouth the Council or Fleis & VandenBrink. Quite frankly it's not us writing the check, we agreed to help facilitate something that was awarded to the Village. But from my standpoint I think Fleis is screwing the council. Nobody may care a whole lot because it is found money or grant money. Quite frankly it is a lot more than found money or grant money. That is money that we know has to be spent and we know what has to be done to develop into something that will benefit the community, so I think you have a lot riding on having this completed and done properly. So, we all can move forward and do what we need to do.
 - d. Keith doesn't know where we go from here, but he wanted to take this opportunity during public comments to make sure the entire council aware and also put them on notice. I have been to some of these meeting and I know there has been some pointed questions and concerns with performance issues. As a business owner in this community, that starts sending up red flags and from my prospective Fleis is not doing what they need to be doing and they need to be held accountable. Obviously, I do not sit at this table you guys do. I would hope outside of this meeting we could foster some relationship or communication with some of you guys and get down to it. Quite frankly with Fleis saying we're stopping because we can't do anything else we don't have the funding we were supposed to have to begin with. You the Village is getting the shaft a lot harder than us. Keith just wanted to make the council aware.
 - i. E. LeBoeuf asked if it was possible to share some of the correspondence between you, Fleis and the State of Michigan with us (the council) so we can get a better ideal? Keith said that shouldn't be a problem. It's mostly a lot of unanswered timelines. E. LeBoeuf thanked him. S. Craun said she would call Keith the next day and provide him with emails of the council members.
2. Tamara Sterlini- Her and her husband John own Sterlini Magic. She is very angry at this point, and she doesn't get angry very easily, it takes a lot. She doesn't want an apology she wants to see results in the future. I want to encourage you all to work on your communication skills with the businesses downtown. What Tamara wants to talk about is the crazy noise that disrupted her livelihood Wednesday and Thursday last week to the point that I had to refund tuition to parents. I'm a private music teacher and if your child or grandchild is taking lessons from me and they cannot hear, I have to refund that money. I lost two days of work. I was not aware this was going on or how long this was going on. Furthermore, I had a show Saturday and student recital on Sunday. I am more upset about the student recital on Sunday. I have kids and I know this may not matter to some of you but to me it does. I know some of you have grandchildren and children. They work so hard to get these things down. They play the piano, they practice, and their parents pay me to teach them. I do a recital so the kids can show off. I had kids crying because their grandparents had no access to the handicap ramp because it was blocked off. They could not come to the recital. They pulled up and the access was blocked off because of the cement work that was going on. What is she supposed to do at this point? I have angry parents, I had to refund money, I have lost income. I don't care that you the council have a communication problem, you need to work on it and get it fixed. I am angry at this point. If this is an example of how you are supporting the businesses downtown, you're failing. I'm sorry, that's my comment on that. I do not get angry very often. I do a lot for the community; I really try and

be a giver and I'm pretty furious at this point. I would really like to encourage some change and some communication amongst you.

- a. S. Craun thanked Tamara for her comment.

Monthly Reports

1. Department of Public Works – report as presented
 - a. Leaf pick up will be coming to an end soon probably by the of this week.
 - b. Parrish send an update for the Lagoon 1 Influent Pipe Project estimate. We were not able to do a double surface discharge because of time period. We are discharging now but the amount of water we need to keep in Lagoon 1 that we cannot discharge to surface is two foot above slug. If we were to pump that back into Lagoon 2, we would not have enough room to operate over the winter. We are going to put it off to spring or fall.
 - c. Maintenance building reconstruction is done. The cost of the material increased which caused overage. I have included the new final invoice. It is in new business for approval.
 - d. In the Lagoon Powerhouse there is a switch gear, a heater, and some storage stuff we do not want to freeze. It is a little shack. The exterior is OSB, it is deteriorating and falling off leaving hole and exposing the inner wall to the weather I am getting quotes for repair. This is something we will need to look at next meeting or for the next budget year.
 - e. Christmas decorations are in poor condition, from the ground they look ok. Wire and sockets are breaking, bows are brittle and ripping. Ornaments are fading, breaking, and falling off. We can try and repair the best we can, but we really should start thinking about replacing. Christmas wreaths should be replaced, those are beyond our scope of the DPW time.
 - i. E. LeBoeuf asked if M. Barrett had the figures for the overages? M. Barrett said they should be in his packet. S. Craun said it wasn't in the packet, but here is one for you to look at. He took a picture of it. She also said we will be discussing it under new business. E. LeBoeuf said thanks.
 - f. M. Barrett said I hope you all have a Merry Christmas. The council thanked him. M. Brinkert said aw that was an afterthought. Everyone laughed.
2. Police – report as presented
 - a. M. Brinkert said you see my lengthy report. Really not much to report. Calls were busy, repair the 2014 squad car, we are in day 6 waiting for parts to come in. Other than that, I have nothing unless you have questions, comments, or concerns. If you notice I put Merry Christmas in my council report. Everyone laughed.
3. Office Manager – as presented
 - a. B. Farrand said you have my report in front of you. It's not very long. Looks like I haven't done anything, but I really have. Everyone laughed. I attended a CVTRS Webinar. Our CVTRS report and The Supplemental Special Assessment Report L4016 was filed on time so we will not be losing any funding. Paid out the Christmas Wage Enhancements, worked on minutes and the budget. Sent out annual sewer land rental to Sharp Farms.
 - b. B. Farrand included the IT-Right increase notice. There will be a \$200.00 increase effective January 2022.
 - c. B. Farrand also mentioned that we received the ARPA funding in the amount of \$60,603.00. This is half of the amount we were approved for. We will receive the remainder around this time 2022.
4. Fire board – presented by Marilyn McManus
 - a. The fireboard meeting was December 8th. We do not have any unapproved minutes. I will just read from my notes. We had a young person who wanted to become a member of the Fire & Rescue Squad. The board approved to appoint Brandon Broker upon successful passing of his drug and health physical test. Now we have 23 members.

- b. Matt Overholt, the Fire Chief will be working on the budget which will be due 12.31.2021. January 1, 2022, minimum wage will go up to \$9.87 per hour. Effective January 1, 2021, we approved payment to the EMT Officers \$11.00 per hour. Non EMT training officers' wages have not been set as of yet. We plan on doing that at our meeting in January 2022.
 - c. We have received more donations for the Jaws of Life. As of now we have collected in donations \$20,970.10. We are still around \$500.00 short to our goal.
 - d. The State is mandating that the officers have more training starting the first of the year. Firefighters have to have 36 hours for 3 years.
 - e. The air-packs passed inspection. However, the bottles we will have to replace by the end of next year. The air-packs bottles will cost approximately \$26,000.00 to replace.
 - f. The 911 truck needed a muffler, wait for the muffler to install. The 916 truck tank gage needs replaced. The board approved a cost not to exceed \$1,600.00 for the tank gage.
 - g. Everything is very expensive. The new truck is going to be delivered to Indianapolis. The Fire Chief Matt Overholt will be picking it up. We don't expect it soon.
5. Lake Board – Nothing to report
- a. There is nothing to report. M. McManus said we will need something from the Lake Board to authorize payment that Ed Bell said the Village was required to pay in 2022. M. McManus thinks he said \$1,500.00. We need some sort of documentation for our budget. S. Craun said that she would reach out to him (Ed Bell). The other concern M. McManus had was the Village is going to pay \$1,500.00 and as far as she could research what the homeowners pay now is \$100.00 for weed control. Nothing was paid in 2020 but 2019 they paid. B. Farrand said we pay the Township \$1,500.00 every year for weed control on the Township winter tax bill that the Village receives. M. McManus said "Really"? B. Farrand said yes. She was surprised as was the council. M. McManus said she didn't realize because she doesn't live on the lake. B. Farrand said she could get her a copy of the tax bill. M. McManus said who authorized that to be paid. B. Farrand said every year we get a bill, and it gets paid. M. McManus said someone has to authorized us to pay that. B. Farrand said she didn't know. It has been paid since 2017 before she started, and she doesn't know how far back it has gone. M. McManus said she would check on it later. E. LeBoeuf said that we should make a note of it for our budget workshop. We don't have a line item that says weed control. B. Farrand said its under Council Professional Services and or Council Professional Organizational Dues. M. McManus and E. LeBoeuf both said they were going to make a note on their working budgets and revisit it during the budget meeting.
 - b. You can find out more information on www.colontownshiplakeboard.com
6. Planning Commission – K. Kuhlmann
- a. E. LeBoeuf said that they had their meeting December 7th, in your packet you saw the letter that Kurt Kuhlmann had published in the Sturgis Journal. He also sent the same letter out to the entities that are checked off on the next page. Those are the steps that have to be followed for the publication of our Master Plan, which is an update of our 2014 Master Plan. We are making progress on that. Right now, we are nose to the grindstone and coming up with our definitions for the zones they have been working on. Not a lot of changes to the residential zones, commercial or industrial zones. Just updates that would keep us in compliance with the law. We are still working on compiling all that and making sure everything is tight and good. There are a few more questions for Doug Kuhlman before going any further. Waiting to get their stuff back from the County so they can have their map printed out and bring back to the public for a public hearing. Waiting on the county and plugging away on the definitions. Made really good progress the last few meetings.

- b. You have our minutes. We did publish in our minutes that we had this published in the paper on this date. S. Craun said she did see it. E. LeBoeuf said it exist now and we won't have any of those problems anymore. Merry Christmas.
7. Colon Community Park – nothing to present
- a. J. Gross said no meetings. S. Craun asked how often the meetings are? J. Gross responded April to September. M. McManus said one or two firemen are going to volunteer to be at Chelsea Wallen's candlelight vigil on Saturday December 18th, but not with the firetruck. They will have fire extinguishers.
8. DDA Committee – M. Malmborg presented an oral report
- a. M. Malmborg said they had the meeting the night before. He did not have the minutes ready as of yet.
 - i. The Mission Statement was approved
 - ii. Finishing up the website project with Circa. That will be launching soon. There is a final approval meeting with Circa this week to go over the final details and make sure that everything is on there that the DDA needs.
 - iii. Moving forward trying to figure out the budget that will be needed in the future. Coming up with fundraisers and campaign projects.
 - iv. Moving ahead with the MSUSBEI project. We will talk about the contracts I sent you during New Business. That is just for them to come in and we will start on that project. Funding is arranged for some of that, and we will be raising more funds to help cover that as well.
 - v. DDA's goal is to get back on track with RRC. We have fallen behind and we are trying to get caught back up and get everything into compliance with RRC so we can start doing grants and get funding for those things as well. Get us back on track with MEDC.
 - vi. M. Malmborg said that he mentioned before about Emily from Cass coming over to meet with us. Trying to come up with some dates that would work for everyone. He believes that we have talked about coming before a council meeting, so that we didn't have to have a special meeting.
 - 1. S. Craun said it would be a possibility but wasn't sure because of budget time. M. Malmborg said we can figure that out.
 - b. S. Craun said the sheds have been removed.
 - i. Keith Stickley asked where the sheds were because he thought that someone might have stolen them. He said the woke up in a panic driving to the courthouse when he noticed they were missing. He said he was legit going to call the police. M. Malmborg said yes that was supposed to happen (about the sheds being moved). M. Brinkert said he wished Keith had more confidence in the Colon Police that they would notice if someone was stealing three sheds. Everyone laughed. Keith said do you know who my clients are? Everyone laughed again.
 - ii. M. Malmborg said the sheds have been removed and Merry Christmas from the DDA.
 - iii. M. McManus asked if the DDA still owed money \$600.00 for the sheds? M. Malmborg said yes, they do, and it is in the budget. With the grant money they originally received. M. McManus said she thought it was all grant money. M. Malmborg said that is correct. We still have some of that grant money left. M. McManus was wondering why it has not been paid. M. Malmborg said because James Avery hasn't sent the bill in yet. When he does then it will get paid. M. McManus said thank you.
 - c. L. Norton said that she watched the live stream to see how it went. It was unclear on some of the things, she didn't know if it was because she was watching from her phone. If it would have been better to watch from a computer. Some of the stuff was hard to follow.
9. Blight Report – in packet.
- a. S. Craun said it looks like he is following up on some items. E. LeBoeuf said there was also a letter in the packets from Mike Hayden as well. S. Craun said his letter indicated that he had been sick half the

month of November. He was trying to catch up the other half of the month. If the council has any question to please contact him.

10. Zoning Report – as reported.

- a. S. Craun said John Dobberteen, Mechanical and Joe Wickey, Building Inspector also have their reports in the packets.

11. Other committee Reports

- a. Tyler Sutkowi from Fleis & VandenBrink indicated that he would not be here tonight.

Unfinished Business

1. Handbook Review-

- a. The old and the new handbook is at the attorney's office. Just waiting for him to get back with us. Rob Thall said that he is working on it. He does not have it quite finished. Hopefully next meeting we will have it. If S. Craun gets it before that she will forward it to all council members so they, have it before the next meeting. They will have a chance to review and if we have questions maybe we can get them resolved and next month have a handbook we can approve.
- b. E. LeBoeuf said it would be better if we send all of our question in one email. S. Craun said that's correct. This is literally the third request that I have asked for an update and finally I said this is the third request for an update and I still haven't heard anything from you. E. LeBoeuf said it was the same thing when we were doing Marijuana Ordinance. Finally, I was like Sharon can you harass this guy? S. Craun told Rob Thall she would really like an update. It is only fair to the council to have an update at this point, you have had it for a while. Rob Thall said he was working through it but wasn't done with it.
- c. E. LeBoeuf asked if we have received a bill. Answer was NO. It's been a while.

2. Budget Workshop-

- a. S. Craun met with department heads to talk about the budget. B. Farrand had put together a working budget sheet and S. Craun asked her to send it to the Council. That way the council can start reviewing it at home and make a list of questions. We all know that budgets are stressful for everyone. She did get it out and thanked B. Farrand for doing that.
- b. S. Craun knows that speaking with everyone that prices are going up. M. Barrett has a wish list. What she would like to happen is that each standing committee meets and goes over the budget with that department head individually so they can have a better understanding of these departments' budgets. When we are at the meeting discussing this, a representative from one of those committees can relay what has been said and what has been discussed and have some clarification on that.
- c. S. Craun would like the council to work on that before our next meeting. S. Craun asked if anyone had any questions, thoughts, suggestions?

3. Inlet Structure – Billi Farrand

- a. During the last meeting when Kathy Mieras, our auditor was talking about the water sewer bonds we have out and the one that was paid off we had to set money aside strictly for that bond for repairs. We could either leave it in the separate account or deposit back into water sewer. I wasn't sure if we would be able to use that extra money for the repair of the inlet structure or not. If we were able to use some of the saved funds, it would free up some of our ARPA money that we will be receiving.
 - i. M. McManus asked if B. Farrand knew off the top of her head how much money we had in the savings. B. Farrand said in one of the three is about \$38,000.00. There are roughly 3 different accounts for repairs. Some are just for water repair and maintenance, and some are for both.
 - ii. B. Farrand said that she could put together something for them by the next meeting.
- b. E. LeBoeuf said looking at the estimate that came from M. Barrett, from Parrish. We have roughly around the same number under scope of work and several exclusions. Are those additions for the

project that we got designs for? M. Barrett thinks the additions are what is not included in the original price. E. LeBoeuf said when Jim Weinberg was here, we were looking at replacing the pipe just like it was, now Fleis & VandenBrink came through and now we are doing the straight pipe and going through the side of the bank and not having that settlement build up around influent pipe that comes up on a 90-degree angle in the lagoon. This is what we have to look forward to pending they don't change that price next spring/fall.

- c. M. Barrett said he was leaning more towards fall. That way we can pump out as much as we could with Sharps irrigation and water the farm. E. LeBoeuf said he doesn't think they will lower the price, but it does give us a little bit of time to secure some more funding.
- d. M. Barrett said he hasn't seen the budget and he will get with B. Farrand to see where the money will be coming from. We have to get a bond for the two lift stations, and he will need to figure out what that bond amount will be for repairs. M. McManus said exactly. We will need to retain some of those savings for that. M. Barrett said he will get with B. Farrand, and they will figure it out. E. LeBoeuf said we probably should get with our engineers on what we will need for those lift stations and determine how much of the ARPA money we could possibly use. Maybe after the first of the year we could do a sewer/water committee meeting and meet with Tyler Sutkowi and see where we are at.

4. Marijuana Public Hearing-

- a. E. LeBoeuf made a motion to table the Marijuana Public hearing until next month. Seconded by M. McManus. Motion passed.

New Business

1. Communications-

- a. S. Craun stated as Mrs. Sterlini has voiced her frustrations, and duly so. We do need to communicate better. S. Craun said that she talked to M. Barrett about different ways to go about communicating with the residents and the business owners better. Different things were being discussed. Not all residents have social media or email. We all need to work together on how we can communicate better.
- b. E. LeBoeuf said can we take a step back and start where the problem occurred. Looking at minutes from last month in the DPW report it said this project was going to happen at the end of November to the beginning of December, no define dates. He knows how it is with contractors and things like that.
 - i. E. LeBoeuf asked when we find out when that construction was actually going to happen. M. Barrett thought maybe a week before.
 - ii. S. Craun said that is what she was saying about better communication from everyone, not just you or me but everyone. We all have to work together. If you know in advance, then it will still give us time to notify people. When something like this happens with late notice, we will not be able to get it on the water bill. There is some type of communication we can do. If it is in front of someone's business we could make a phone call, put a notice on the door. A weeks' time would have given Mrs. Sterlini time to reschedule.
 - iii. E. LeBoeuf was thinking. At Pfizer they have a protocol, it's basically a sheet, pretty standard, it says we will be working in this area, this is the scope of work and where we will be doing it. Something standard that is printed off. I understand that you didn't know until a week before it was going to happen, that happens. If we have something like this, we can just print it off and put it on someone's door or the effective area on where the work is being done. We can notify people as it happens. Maybe the personnel committee can come up with a policy or maybe M. Barrett who will be handling most of the construction projects could come up with something. He will be best to explain on what is going on during projects.

- iv. M. Barrett said we usually do with flushing hydrants and regular sidewalk work. We were just in transition (me and Jim). A lot was going on at this time and I hardly had any time, getting equipment serviced before getting that project done. It kind of snuck up on him and he didn't even think about it.
- v. E. LeBoeuf said that he spoke to Mr. Fisher and Mr. Sterlini, who both were pretty upset about it, explained a little bit about it and about personnel changes. Moving forward it would not be a bad ideal to have protocol for something like this. M. Barrett agreed.
- vi. S. Craun said just send out an email to all of us, that way we as a council know and we can start getting that out to the public. S. Craun said that she knows that Mrs. Sterlini does not want or expect an apology, but she still wanted to extend an apology to her.
 - 1. Mrs. Sterlini said she just want them, the council to do better. She hates being mean, but it's her livelihood and her students. Its really more about the kids that worked so hard for six months and their grandparents couldn't come because of the access ramp being blocked off.
- vii. S. Craun said everyone think of different ways we can improve how we get it out.

2. Sharp's Lease-

- a. Tyler Sutkowi needed an updated lease agreement signed. He just had Matt Sharp sign the existing agreement that was signed years ago. Legally you can not do that. S. Craun called him and told him that you can not legally do that. Our lease will end in September. What needs to be decided tonight is that if you want an amendment drawn up to the already existing lease or do, we want a new lease agreement drawn up and start the new five years.
- b. M. Brinkert said personally we have a great relationship with the Sharps. He would just have him sign a new contract. S. Craun said that is what she was thinking. Much discussion.
 - i. J. Dekker printed out an amended one. But Tyler decided to have Matt sign the original one. The amended one had a place for all three signatures. Didn't know if they wanted to renew for another five years or amend the current.
 - ii. M. McManus said if the Sharps are willing to do another agreement for five years is that the direction we should go in? S. Craun said she thinks so. I think we should just renew it for five years. E. LeBoeuf asked if he could get a copy of the original.
 - iii. M. McManus asked S. Craun to reach out to Sharps and get their thoughts on signing a five-year lease and not amending the current lease.
- c. L. Norton made a motion to table Sharps Lease until next month. Seconded by E. LeBoeuf. Motion passed

3. Additional Repairs – Silver Barn

- a. Manson Construction turned in a final invoice with a total of increases of \$9,944.39. S. Craun asked M. Barrett who approved Manson to go ahead with additional cost. M. Barrett said that he is pretty sure that the material prices increased from the original bid. M. Barrett also said Jim Weinberg was still in charge when this took place. Material went up during covid. During the project the cost of steel increase from the time it was ordered.
 - i. E. LeBoeuf said the original cost of the project was \$90,000.00 and after the increase. J. Gross said it's only an increase of \$10,000.00. E. LeBoeuf asked if the insurance was going to cover this? **Insurance paid everything but \$250.00 (our deductible).**
 - ii. M. McManus said the work has already been done.
 - iii. E. LeBoeuf made a motion to pay Mason Construction not to exceed \$9,944.39 for additional cost of construction materials. Seconded by D. Delp. Roll Call. M. McManus-Yes, D. Delp-Yes, M. Malmborg-Yes, E. LeBoeuf-Yes, J. Gross-Yes, L. Norton-Yes, S. Craun-Yes. Motion passed.

4. DDA- MSU Contracts for SBEI (Sustainable Built Environment Initiative)- Presented by M. Malmborg.
- a. M. Malmborg told D. Delp he would get a copy of the contracts that were emailed out. M. Malmborg emailed the two contracts that they have for the MSU project with a total cost of \$7,500.00. This would be paid in three installments. It will take roughly a year process to go through all of it. The initial payment is \$2,500.00, then \$2,500.00 halfway through and \$2,500.00 at the completion. These are the contracts to basically allow the DDA to move forward with the MSU project, for them to start working with us.
 - b. M. Malmborg asked if there were any questions about the contracts?
 - i. M. McManus asked where the funding was coming from? M. Malmborg said that the DDA was going to do another Capital Campaign Fund, they are also working with a couple of foundations that have verbally agreed to fund the first two installments for the MSU project, then the DDA has basically a year to come up the rest (\$2,500.00) of the funding. L. Norton said technically right now you do not have the funds. M. Malmborg said we have money in our DDA account. L. Norton said to cover this? M. Malmborg said that they have a meeting set up with one of the Foundations on January 13 via zoom to request the funds. The first initial payment isn't due until March 2022. E. LeBoeuf asked if this was Branch County Foundation? M. Malmborg said yes. E. LeBoeuf said yes, we have a really good relationship with them so when they strongly hinted that they are going to give us money, they have always come through. L. Norton said but you don't actually have the money. M. Malmborg said we have money in the account right now. We have some of the financing and we will be getting the rest from the foundation. L. Norton said hopefully.
 1. M. Malmborg reinstated that it was a verbal agreement. E. LeBoeuf wanted to make another comment on this. He stated after he went to the DDA meeting last night another community that participated in this program (MSUDBEI) was Cassopolis. E. LeBoeuf went through some of their budgets that were online, and you can see from when it started until now how their general fund has blown up. They are bringing in lots more money to the general fund. L. Norton said that you can not compare Cassopolis and Colon. They are two different sizes. E. LeBoeuf said there is only seven hundred people different in population. L. Norton said she has drove through Cassopolis and it is stretched out further then what Colon is, and we do not have the capacity to stretch out like they do.
 2. M. Malmborg said the other benefit is that MSU only selects 3-4 communities a year for this process and Colon was lucky enough to be selected for this. Colon will not get this opportunity again if we do not approve it. L. Norton said she doesn't understand why they want to keep comparing Cassopolis to Colon. When there is no comparison. E. LeBoeuf said they are pretty close. L. Norton said No its not, for small towns its not. M. Malmborg said regardless we have an opportunity here with MSU to pursue a project to help Colon look at some redevelopment things. MSU help us come up with some design ideals and look at our infrastructure and see what we can and cannot do for plans we can use in the future. We are 1 in 4 communities that have been selected. Again, if we don't take it, we will not be offered it again. E. LeBoeuf said it's a great program. M. Malmborg said we have the funding in place. Branch County Foundation is going to give us the funding. L. Norton said that M. Malmborg didn't actually say they would, but they hinted at the fact. M. Malmborg said they were going to give us the funding. L. Norton said one of you, M. Malmborg or E. LeBoeuf said "they hinted that they were going to give you the money". M. Malmborg said we have a verbal agreement. L. Norton said

which way is it. M. Malmborg said I'm telling you there is a verbal agreement in place that we will have the funding. L. Norton said can she finish and M. Malmborg said No! There is a verbal funding agreement in place. Hopefully that answers your question. L. Norton said no it does not, E. LeBoeuf just said they hinted and you're saying they verbally agreed. Which one is it? M. Malmborg said I just told you what it is.

- a. E. LeBoeuf said the board still has to vote on it. He said every time that he has talked to Erica on this, she is like the board still has to vote on it but your good. Just like the pop-up stuff, Erica was "like your good" we just have to run it by the board. It just has to be voted on for formality. And sure enough it was voted unanimously to give us the money. We have a good relationship with them. When they make a verbal agreement with us, we have always gotten the money. L. Norton said that is not what you said, you said it was hinted we were going to get it. E. LeBoeuf said M. Malmborg knows more than I do on this. He is the one who is actually doing this. When E. LeBoeuf talked to them about the pop-ups it was the same thing. "We are going to do this; we just need to have the board vote on it". We got the money.
 - b. M. McManus said if she remembers correctly, they assisted us with the Colon Community Park. E. LeBoeuf said they may have but that would have been under Tom Tenney. He is still a great resource we could call him and see what he says. Another great resource is Carol Campbell. She saved all her stuff from her packets. She has a lot of the documents from that as well.
3. E. LeBoeuf uses Cassopolis because they participated in this program. When he looks at their budget from before the start and now. They have seen vast improvements with the amount of money they have generated. M. Malmborg said he wasn't sure what company was brought into their industrial park, but it was a multi-million-dollar corporation that Cassopolis was able to bring in because of this program. It is not like MSU is coming in and doing a master plan for us, they are coming in and seeing what we have and what we can do as far as the infrastructure and space we have available. Giving us ideas, that's basically how it works. It's a yearlong process. S. Craun asked when the first payment was due? M. Malmborg said payment will not be due until they start which will be in the spring 2022. M. McManus said that the agreement appears to be drawn up by an attorney. Could you please explain #6 to me? M. Malmborg asked which one, the service agreement? M. McManus said yes. The export controls. M. Malmborg was not sure control data would be except that MSU would be handling it. M. McManus wasn't sure if we should sign something that we don't what it is. D. Delp said we shouldn't. M. Malmborg said again this is something they have been doing for years. Regardless, if it's the funding. We raised ten thousand dollars in two days. M. McManus said we can always terminate the agreement if we give them ten days' notice. M. McManus said that she thinks it would be good for the community to do this. M. Malmborg said funding is not an issue if that is what the council is worried about.
- ii. M. Malmborg made a motion to approve MSU contracts with the stipulation that we have funding available from the DDA to start the project in the spring of 2022. Seconded by E. LeBoeuf. 6 yah and 1 nay. Motion passed.

5. Invoice from Curbs by Design-

- a. S. Craun said we have an invoice from Curbs by Design. Its for \$1,400.00. S. Craun understanding is that sealing an existing curb at the park and 198' curbing around multiple trees. After speaking with J. Dekker

on this, it was approved. J. Dekker said that when the gentleman brought that in. He said Marie Fisher said it was ok to drop it here and that it would get paid. J. Dekker Called Edie Doenges (Park board chair) and she originally said the Garden Club was going to pay for it, or they were going to split it 50/50 with the park committee. Something happened and Garden Club is not going to pay half of it. Edie said it needed to be done. That was about all she said about it. I do not even remember that it was brought up to the council to be approved. S. Craun said it had not. J. Dekker said that quote unquote invoice is generic. When he gave it to me it wasn't even dated? I asked when the job was done, and he was like um, I'm guess around October 2021. Julie said she doesn't even know if there was a suggestion or approval by the park committee. M. McManus asked if J. Gross knew about it. J. Gross said no. J. Gross said if Edie and Marie had something going it was never brought up during meeting. E. LeBoeuf said we should learn more about what this \$1,400.00 was for and who approved and with what funding. If the Park committee, did it with their own funding and just looking for our approval, we should know that. If Edie can explain that with a letter or phone conversation. J. Dekker said it would have been half of that amount for approval. In the beginning the Garden Club was going to pay half. Edie would have only gotten half of the total amount approved. To her knowledge that never happened. S. Craun said she would take the copy of the "invoice" and have a conversation with Edie about it. Fourteen hundred dollars is fourteen hundred dollars. E. LeBoeuf agreed.

- i. M. McManus made a motion to table paying this invoice from Curb by Design until more discussion with Edie has happen. Seconded by M. Malmborg. Motion passed.

6. Julie Dekker-

- a. J. Dekker asked to be put on the agenda to discuss her recent Covid diagnosis. On the 29th of November for what she thought was a sinus infection. The Dr decided to do a rapid test while I was right there and within fifteen minutes it came back positive. The advice of that office to quarantine for fourteen days. Which meant that I would be out of work for two weeks. I emailed my return-to-work paper to B. Farrand. Later that afternoon I had sent her text message that I tested positive. I sent her another text asking her if I would be getting paid for my time off and at that point, she was unsure. There is a big break out in Colon and something about if I contacted at work or not? On the 30th I texted her and asked her if she heard anything back from S. Craun and she stated that she had not, and they were having personnel meeting that night and she would talk to her about it then. On Wednesday December 1st I sent another message to B. Farrand asking her if she had heard anything about being paid or not and she said that S. Craun was checking because of the Covid policy that was just put into place. At that time B. Farrand did not have an answer for me and she was sorry and as soon as she knew she would text. On Friday 1 week into quarantine B. Farrand sent me a text and said this is what S. Craun sent me, S. Craun said she sent the Covid policy to out attorney and he responded back no we do not have to pay the person while they are out. However, they can use their PTO and Sick time. Then B. Farrand said I don't know if they are going to pay you. B. Farrand stated she also asked S. Craun how she can prove or disprove she contacted it in the office. No response. B. Farrand had mentioned something about putting J. Weinberg's unused sick time in a pool so we could use in situation like this. On Monday when B. Farrand was doing payroll. I asked her how many sick days I had available, and she said 7.44 of sick time and 30 hours of vacation time. She was going to ask if I could go negative with my sick time so I could have a paycheck. I use my sick time when I'm sick or I have appointments. Which I will be having a lot of. In fact, Friday I will be off because I have an outpatient procedure done on Friday morning and I will be taking my 7.44 hour of sick pay. On the 6th S. Craun had asked B. Farrand if I wanted to negative 20hrs on my sick time. I have eighty hours of lost wages because of Covid 20 hours on the negative of my sick pay and I said no thank you. The first week I didn't get paid. On Wednesday day 9 I took a at home test, and it was negative. I texted B. Farrand and said Hey I took a at home Covid test, and it was negative can

I come back to work half day on Thursday and half day on Friday and she said no, they did not me come back to work when I had a negative test so probably not. In my reading this quote unquote policy, it really is quite very generic actually. S. Craun stated I could use my PTO and vacation time. Well, we all know that PTO and/or Comp time is nonexistent. I have none of that. The attorney says I can use PTO and sick time, again no PTO and 7.44 hours of sick time. Down at the bottom of this paper it says if you are required to quarantine you will need to use your vacation or PTO time nothing about sick time. There is a lot of confusion and I'm very confused. It says it will be presented to the personnel committee. I called in on the 29th and to my knowledge there was nothing discussed about my Covid pay. I am really confused, and I feel like I am being singled out. Looking back, there was a quote unquote discussion about Covid guidelines at the September meeting. At the October meeting there was a motion and a second to approve in my opinion with no date on it, doesn't specify that its our guidelines and there was no resolution to go along with this. Not even 100% sure there needs to be a resolution to go along with it. But there is nothing with a signature or anything stating that this is our adopted guideline procedure. I don't know how with that being said, I'm asking why I'm being denied my pay when another employee was off for the same amount of time, for the same reason and received pay? I think I deserve to know why I'm not being paid.

- b. S. Craun said first of all, I think this should be discussed in a closed session. E. LeBoeuf said it is a personnel issue and absolutely. Is this the last thing on the agenda? E. LeBoeuf asked J. Dekker if she would be alright with sticking around for closed session? J. Dekker said absolutely.

Public Comment

- a) Carl Thornton, Five Star Pizza. Nothing bad this time. Merry Christmas. A couple of really good positive things. First of all, nothing against J. Weinberg, he was a great guy, I think Matt Barrett is so kind, easy to work with all these years. I don't know how many people are aware of this, but he is super sharp. I bet he knows more about econ than anyone in this room so you might want to have him on the finance committee. Just give him more work to do.
- b) Second is the Stickley Family Farm new business. The DDA can do what they want. You know how I feel about that. The important thing to me is to get some young hungry entrepreneurs and then getting the hell out of their way. Nate is a little hard driven like me and I know we can have an edge. He is the right man to try and take that place (Magic Capital Grille) over. He had to jump over some hurdles that he shouldn't have had to get that open. The lights are great. You have Isiah Danberry back here. Don't now how may of you know Lee Eicher, 38-year-old Amish man. Lee is a sharp, sharp businessman. Keith Stickley with his position at the courthouse and the fair board, Michigan Festivals and Events Associations (MFEA). That just ties into Colon. I think we are making good progress. We just need to find a couple more hard-working guys. Stop giving out this free money. Isiah rules Yeatter Road along with his wife Darla who is also right beside him working.

Correspondence –

1. See attachment.
2. M. McManus said that if we had a recording secretary it would be nice to send a thank you letter to Maxtrol/Colmers for their Christmas trees downtown. They will be having mitten, scarfs, and hats on them. S. Craun asked if was going to be by the Police Station again. Answer yes. M. McManus also thinks a thank you letter should go to the Garden Club for the decorations in the downtown area.
3. J. Dekker asked Garden Club and Maxtrol correct? M. McManus said thank you Julie, are you going to be the recording secretary? J. Dekker said I don't know about all that.

Adjournment – L. Norton made motion to adjourn regular meeting at 8:50pm and go into Closed Session. Seconded by J. Gross. Motion Passed

L. Norton made a motion to reopen the regular meeting. Seconded by D. Delp. Motion passed. Regular meeting opened at 9:46 pm.

L. Norton made a motion to go ahead and pay Julie Dekker 80 hours of pay due to Covid November 29th thru December 13, 2021. Seconded by D. Delp. Roll Call vote E. LeBoeuf-Yes, M. Malmborg-Yes, D. Delp-Yes, L. Norton-Yes, M. McManus-Yes, S. Craun-Yes. Motion passed

J. Gross made a motion to rewrite the Covid Policy with proper corrections. Seconded by M. Malmborg. Motion passed

- S. Craun said she took the Covid policy off the website, so she is not sure what the proper wording would be. What should it cover? M. Malmborg said that he thinks that the part that says be proven whether it was contracted at work needs to be removed. L. Norton said she doesn't know how you can really prove that. M. Malmborg said you can not prove it. That part needs to be removed. L. Norton said maybe everyone needs to think about it and come up with something by the next meeting.
- S. Craun said if everyone could email her with suggestions. Her work email and personal. I will still be able to get my emails when I am off work.
 - Julie asked if she could volunteer to do some research. S. Craun said that would be great Julie if you would like to do that and put something together that would be perfect. She would appreciate that. That way we can all have some ideas and put it together to made sure it is solid.
 - S. Craun said Julie just so you know we really did spend time on this trying to figure out what the right decision was. We did not want someone to accuse us of not following the policy. We felt like we were in a no-win situation. Julie said she understands. We do appreciate you coming and talking to us. I just ask next time, talk to me Julie. I am happy to talk to you and I'm happy to work with you. Cut out the middleman. You going to Billi, Billi going to me, me going to Linda and Marilyn. Sometimes things get lost in translation. I want you to know, it was not personal whatsoever. I don't want you to feel that way.
 - Julie said she just felt powerless laying on her couch thinking about losing 80-hour worth of pay during the holidays and I just bought a new car. I don't have anybody else, it just me.

Adjournment number II –E. LeBoeuf made a motion to adjourn meeting. Seconded by D. Delp. Motion passed

Respectfully submitted,

Billi Farrand

Billi Farrand

