EDWARDSBURG VILLAGE COUNCIL MINUTES

August 20, 2018

The meeting of the Edwardsburg Village Council was called to order at 7:00 pm by President Scott Mackling, those in attendance were Paula Ralph (Clerk), Lisa Withers (Treasurer) and Trustees Jacque Tighe, Dennis Peak, Terry Bidwell, Jim Meltinos, Laura Hughes and Suellen Hawks.

Pledge of Allegiance:

Approval of Agenda: Motion made by Meltinos, seconded by Bidwell to approve the agenda. All in favor. Motion carried

Public Comments:

County Commissioner Roseann Marchetti provided the board with topics of interest within the county.

- Budget work has been completed and the Board approved a two year budget by a vote of four to two. The parking lot of the Law & Courts building had some big problems and work has begun to take care of the problems before winter. The Board is looking for someone to design a new website, and there is a request for proposal on the county website for that job. The Board is also in discussion with two companies to perform a wage and compensation study. The last one was completed more than ten years ago. The EDC held a very successful Business Roundtable and there are plans for another this fall and in the early spring. As with the last one, if there is any interest here, we are glad to include anyone from Ontwa, Mason, and the Village.

- The state has proposed some huge changes to the local assessing and the county and Ontwa Township boards passed resolutions opposing the changes which will impact all of us. There was a meeting in northern Michigan with Nick Khouri of the Michigan State Treasury Department and one of two legislators, Sen. Jim Stamas, Midland and James Lower of Montcalm County who are sponsoring the bill to make the changes. MAC, Michigan Association of Counties, as well as the MTA are very much opposed to the changes. I requested that MAC hold a meeting in the southwest part of the state to get our input and I sent a presentation done by the county equalization director, Tami Stewart, to MAC for their information. Two more meetings have been scheduled, one at Gaines Charter Township in Kent County (Grand Rapids) and one in Novi. We have to fight this and make our voices heard.

- On a very sad note, I believe you all know that our treasurer, Linda Pruett passed away on Sunday, July 29, 2018. Not only did she do an excellent job as treasurer but she was a friend to many and my friend as well. Currently the deputy treasurer, Diane Klapchuk, is performing the duties of treasurer. The position of treasurer has been posted and we hope to fill the position in the next few weeks. By statute, the county prosecutor, clerk-register and chief judge select the next treasurer who will serve until December 31, 2020. The position will be on the 2020 ballot as it is a four year position.

Approval of Minutes: Motion made by Bidwell, seconded by Peak to approve the minutes of the 7/16/18 Regular board meeting. All in favor. Motion carried.

Approval of Revenue/Expenditure Report: Motion made by Peak, seconded by Meltinos to approve the Revenue/Expenditure Report for the period of 04/01/18 to 6/30/18 as presented. Roll call vote. All in favor. Motion carried.

Approval of Check Register Report: Motion made by Bidwell, seconded by Peak to approve the Check Register Report checks #32419-32470. Roll call vote. All in favor. Motion carried.

Treasurer's Report: The July 2018 (unaudited) report indicated that for the month receipts totaled $93,342.57, and the status of the certificates of deposit and savings accounts.

UNFINISHED BUSINESS

COMMITTEE REPORTS

Presidents Report: None

Cemetery Board: None

Enforcement Officer/Zoning Administrator: Mr. Krempec gave an update on current and previous violations, what has been done and what further action is being taken.

Building/Electrical/Plumbing/Mechanical Reports: Building Permits: 1 permit issued, $340.00 fees collected. Zoning Permits: 1 permit issued, $25.00 fees collected.

Police Board: Representative Meltinos provided the statistics for the month of July 2018 within the village, they are as follows: Calls for Service totaled 135, total Traffic Crashes 7. Year-to-date figures, Calls for Service 1,150 and Traffic Crashes 67, with the remaining stats 0. A complete transcript of the police board minutes can be found at www.edwardsburg.net

Fire Board: None

Ambulance Board: Representative Hughes provided the Agency Activity Summary report for the month of July 2018. Total number of incidents was 96. Edwardsburg 14, Ontwa 43, Milton 1, Mason 3, Jefferson 5, Dowagiac 1, South Bend 1, Niles Twp. 4, Cassopolis 5, Penn Twp. 1, Howard Twp. 1, City of Niles 8, Buchanan 1, and Bremen 8. A complete transcript of the ambulance board minutes can be found at www.edwardsburgambulance.org

Parks Administrator: None

Water Commissioner: The following invoices were presented by commissioner Mackling for approval:

- Motion made by Bidwell, seconded by Peak to pay Peerless Midwest Inc. $550.00 for annual service & testing (591-553-818). Roll call vote. All in favor. Motion carried.

- Motion made by Bidwell, seconded by Meltinos to pay ETNA Supply $356.10 for 6 main valve boxes (591-552-930). Roll call vote. All in favor. Motion carried.

- Motion made by Peak, seconded by Hughes to pay Concrete Man $500.00 for removal & replacement of concrete (591-552-818). Roll call vote. All in favor. Motion carried.

- Motion made by Hughes, seconded by Meltinos to pay Eurofins Eaton $400.00 for testing & analysis (591-205-925). Roll call vote. All in favor. Motion carried.

- Motion made by Peak, seconded by Bidwell to pay Herrman & Goetz, Inc. $950.00 for testing generator hook up (591-553-930). Roll call vote. All in favor. Motion carried.

Street Administrator: The following invoices were presented by administrator Peak for approval:

- Motion made by Peak, seconded by Meltinos to pay Concrete Man $6,412.00 for sidewalks (202-448-818 & 203-448-818). Roll call vote. All in favor. Motion carried.

- Motion made by Peak, seconded by Bidwell to pay Michiana Tool Rental $1,113.00 for renting a mini excavator for a week (202-448-943 & 203-448-943). Roll call vote. 5 yes, 1 no. Motion carried.

Building & Grounds: The following invoices were presented by council member Bidwell for approval:

- Motion made by Bidwell, seconded by Hughes to pay Adams Remco $243.60 for annual service contract on copy machine (101-215-778 & 591-552-930). Roll call vote. All in favor. Motion carried.

- Motion made by Bidwell, seconded by Peak to pay Squarespace $216.00 for annual website contract (101-215-853.100 & 591-205-853.100). Roll call vote. All in favor. Motion carried.

Equipment Supervisor: Motion made by Meltinos to purchase a new gas power washer for $300.00. After discussion and no second to the motion, no action was taken. Meltinos reported that the leaf vac is going to need work before "leaf season".

Recycling/Refuse Administrator: Covered under New Business.

Planning Commission: Met on Tuesday July 31, 2018 and approved unanimously to recommend the Village council adopt the 2015 International Property Maintenance Code. Covered under New Business.

Chamber of Commerce: None

NEW BUSINESS

Recycling/Refuse Bids: Bid packets were sent to 5 companies. Borden Waste-Away Service, Inc. and Republic Services submitted bids. Motion made by Hawks, supported by Bidwell to continue/renew our contract with Borden. Roll call vote. All in favor. Motion carried.

PC Resolution:

Village of Edwardsburg
Cass County, Michigan

Resolution to Adopt the IPMC
(International Property Maintenance Code
Resolution Number 2018-02

A resolution adopting the 2015 edition of the International Property Maintenance Code, regulating and governing the conditions and maintenance of all property, building and structures to provide minimum requirements and standards for premises structures, equipment and facilities for light, ventilation, space, heating, sanitation, maintenance, and protection from the elements; to define the responsibility of owners and occupants; to provide sanctions for violation(s) thereof; and to repeal all Ordinances or parts of Ordinances in conflict herewith.

THE VILLAGE of EDWARDSBURG
Cass County, Michigan

ORDAINS:
Section I:
Purpose:
ADOPTED:
EFFECTIVE: _____

SEACTION II:
ADOPTION of CODE

A certain document, three (3) copies of which are on file in the office of the Village Clerk, being marked and designated as the International Property Maintenance Code, 2015 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of Village of Edwardsburg, Cass County, Michigan. All of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Village Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section III this ordinance.

SECTION III
ADOPTION TO AMENDED CODE

The following sections of the adopted code are hereby amended as follows:
Section 101.1 Remove "[Name of jurisdiction]" and insert "Village of Edwardsburg".
Section 103.5 Remove the paragraph and replace it with the following: "Fees shall be set in amounts approximating the costs to the Village thereof via resolution which shall be adopted by the Village Board and may be amended from time to time as the Board sees fit".
Section 302.4 replace it with "EIGHT (8) INCHES in ll zoning districts.
Section 304.14 Remove the first instance of the phrase "[DATE]" and replace it with "May 30". Remove the second instance of the phrase "[DATE]" and replace it with "September 30".
Section 602.3 remove the first instance of the phrase "[DATE]" and replace it with "October 15". Remove the second instance of the phrase [DATE] and replace it with "May 15".
Section 602.4 remove the first instance of the phrase "[DATE]" and replace it with "October 15". Remove the second instance of the phrase [DATE] and replace it with "May 15".
Remove Section 106.2 and replace it with "This section reserved for future expansion".

Remove Section 106.4 and replace it with the following:

"106.4 Violation and Penalties. Any person, firm, association, partnership, corporation or governmental entity that violates any of the provisions of this Ordinance, shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
-1st Offense	$ 150.00	$ 500.00
-2nd Offense*	$ 300.00	$ 500.00
-3rd Offense*	$ 425.00	$ 500.00
-4th or More Offense*	$ 500.00	$ 500.00

*within 3-year period determined on the basis of the date of commission of the offense(s).

An owner, tenant, occupant, land contract vendor or vendee who causes allows or permits a violation to exist or continue shall be liable as a principal.

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which Village of Edwardsburg has incurred in connection with the municipal civil infraction. In no case, however, shall costs of less than $9.00 or more than $500 be ordered. In addition, the Village shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, compliance order or other appropriate remedy to compel compliance with this ordinance. Each day that a violation of this ordinance exists shall constitute a separate violation of this ordinance."

Section 107 is hereby eliminated in its entirety and replaced with the phrase "Section 107 reserved for future expansion".

A new Section 106.6 is hereby added to read "**106.5 Unauthorized tampering.** Signs, tags or seals posted or affixed by the Code Official shall not be mutilated, destroyed or tampered with, or removed without authorization from the Code Official.

SECTION IV

SEVERABILITY

Should any section, clause or provision of this Ordinance be declared to be invalid by a court of competent jurisdiction, the same shall not affect the validity of the Ordinance as a whole or any other part thereof other than the parts so declared to be invalid.

SECTION V

REPEAL OF CONFLICTING ORDINANCES

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed. Any proceedings pending, including prosecutions for violations, under any previous ordinance provision being repealed hereby shall not be affected by this Ordinance and may be continued pursuant to said previous Ordinance provisions.

SECTION VI
EFFECTIVE DATE

This ordinance shall take effect 30 days following publication of a summary thereof, following adoption.

VILLAGE OF EDWARDSBURG
Paula Ralph – Clerk

Motion made by Peak, supported by Hawks to pass Resolution Number 2018-02, a resolution to adopt the International Property Maintenance Code. All in favor. Motion carried.

Credit Union Account: Motion made by Tighe, supported by Meltinos to add Paula S. Ralph, Village Clerk to the bank account at Greater Niles Federal Credit Union. All in favor. Motion carried.

New Checking Account at Chemical: Due to the old checking account being compromised in July the bank closed the account and a new one has been opened. Treasurer Withers made the suggestion of opening a second account that would be a zero balance account. The clerk would call the bank each week and transfer money to cover any checks written for the week. Motion made by Bidwell, supported by Hughes to open a zero balance account at Chemical. All in favor. Motion carried.

Adjournment: Motion made by Hughes, seconded by Peak to adjourn the regular meeting at 8:44 p.m. All in favor, Motion carried.

ANNOUNCEMENTS

- The office will be closed Labor Day, Monday, September 3rd
- Chamber Discovery Expo, Thursday, September 27th from 3:00 – 7:00

Respectfully submitted,

Paula S. Ralph, Clerk
Village of Edwardsburg