EDWARDSBURG VILLAGE COUNCIL MINUTES
August 15, 2022

The meeting of the Edwardsburg Village Council was called to order at 7:00 pm by President Dennis Peak, those in attendance were Paula Ralph (Clerk) and Trustees Sam Garwood, Nancy Stoner, Terry Bidwell, Jay Penny, Laura Hughes and Kellen Van Hulle.
Absent: Meryl Christensen (Treasurer)

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

Public Comments:

- Josh Hivley, 68790 Cass Street, brought to the attention of the council a dangerous tree along the tree line on Cass Street as well as a row of mailboxes. The DPW will have Lonnie Brown look at the tree but said the mailbox issue is out of our control and must be delt with through the post office.
- Pat Bellaire, 26903 Main Street, brought up concerns with the municipal parking lot. Jason's Auto is taking up too much parking space with vehicles waiting for parts. There are not enough spaces left for others to park.
- County Commissioner Roseann Marchetti provided the board with topics of interest within the county. A complete transcript of the minutes can be found at www.casscountymi.org.

Approval of Minutes: Motion made by Bidwell, seconded by Stoner to approve the minutes of the 07/18/22 Regular board meeting. All in favor. Motion carried.

Approval of Revenue/Expenditure Report: Motion made by Penny, seconded by Bidwell to approve the Revenue/Expenditure Report for the period of 04/01/2022 to 07/31/22 as presented. Roll call vote. All in favor. Motion carried.

Approval of Check Register Report: Motion made by Van Hulle, seconded by Bidwell to approve the Check Register Report checks #35960-36032, grand total of $82,293.14. Roll call vote. All in favor. Motion carried.

Treasurer's Report: The July 2022 (unaudited) report indicated that for the month receipts totaled $2,586,299.28 and the status of the certificates of deposit and savings accounts.

UNFINISHED BUSINESS

COMMITTEE REPORTS

Presidents Report: President Peak brought up the Scheduled Wage Increase for Staff (Resolution 2021-02). He suggested the council add a 50-cent per/hour increase for the person assuming the responsibility of Cemetery Coordinator and DPW Coordinator at the time they take over that role. Motion made by Van Hulle, supported by Garwood to amend the resolution to include these two changes. Roll call vote. All in favor. Motion carried.

Invoices for Approval: Motion made by Stoner, supported by Van Hulle to pay Kotz Sangster Wysocki P.C. $451.50 (101-104-826) for legal fees. Roll call vote. All in favor. Motion carried.

DPW Report: Rich Low submitted a report, read by President Peak:

Sidewalks: Sidewalks are complete on Maple St. we have a few drives to remove and pour yet.

Iron Plant: Pilot study has been completed, information gained is being processed and the permit application will be submitted to EGLE soon.

Survey work is in the process of being completed. We should have drawings soon.

Roads: Paving is scheduled for the end of this month on the roads and the middle of September for Village Hall

Tower: We only received 1 bid for the tower repairs and that bid was incomplete, so NTEC had me reject the bid and put it up for bid again. I am currently waiting for NTEC to send me the new bid packet to send out.

Park: Carroll would like to remove the volleyball net posts.

Split rail fence at the west side of the park is falling apart and should be removed and replaced. Our suggestion is to use bigger posts and cable to fill the gap still allowing access.

Cemetery Board: None

Enforcement Officer/Zoning Administrator: None

Building/Electrical/Plumbing/Mechanical Reports: Building Permits: 1 permit issued; $895.00 fees collected. Electrical Permits: 1 permit issued; $176.00 fees collected. Plumbing & Mechanical Permits: 3 permits issued; $503.00 fees collected.

Police Board: Police Chief Doug Westrick provided the statistics for the month of July 2022 within the village, they are as follows: Calls for Service totaled 163, total Traffic Crashes 2.

Ambulance Board: Ambulance Administrator Dennis Closson provided the Agency Activity Summary report for the month of July 2022. Total number of incidents was 108. Edwardsburg 22, Ontwa 54, Mason 2, Jefferson 5, Porter 4, Dowagiac 3, Niles Twp. 1, Cassopolis 6, Penn Twp. 1, Howard Twp. 1, Niles City 2, Sturgis 1, other 3 and Watervliet 3.

Fire Board: Fire Board Representative Jackie Tighe provided stats for runs. June had 12 runs and July had 32.

Parks Administrator: Continued discussion from last month when Bryce Wentz approached the council in regard to using Gunn Park for EYSA 5-U soccer. EYSA will mark the fields and parking area, pick up trash following their games and pay for an extra joy john for September and October. Motion was made by Bidwell, supported by Hughes to allow EYSA to use the park for eight (8) weeks this fall as a trial. All in favor. Motion carried.

Water Commissioner: Frank Williams, Peerless Midwest, Inc. reported that a meeting was held with Peerless Midwest, and Kevin Marks, Wightman and Ontwa Township to get the townships approval to move forward with the iron filtration plant.

Street Administrator: Motion made by Bidwell, seconded by Hughes to pay Brown's Tree Service $1,800.00 (202-448-818) to grind the stumps and take down one tree on Maple Street. Roll call vote. All in favor. Motion carried.

Building & Grounds: None

Equipment Supervisor: None

Recycling/Refuse Administrator: None

Planning Commission: The Planning Commission met on Tuesday July 26th at which time they completed Ordinance No. 2022-02 – An ordinance to replace Chapter 2 of The Village Ordinances dated May 3, 1948, as well as the amended dated August 19, 1974 (Appendix A). They also amended Section 9.03 Accessory Building or Structure in the Zoning Book (Appendix B).

Chamber of Commerce: The Fall Festival/Business Expo will be held on Saturday, September 17th at the Fire Station from 10:00 a.m. to 3:00 p.m.

NEW BUSINESS

Budget Amendments: Motion made by Van Hulle, supported by Stoner to approve the budget adjustments for Fiscal Year 2022-2023 dated August 15, 2022, as submitted. Roll call vote. All in favor. Motion carried.

Ordinance 2022-02: Motion made by Stoner, supported by Garwood to adopt Ordinance No. 2022-02 – An ordinance to replace Chapter 2 of The Village Ordinances dated May 3, 1948, as well as the amended dated August 19, 1974 (Appendix A). Roll call vote. All in favor. Motion carried.

Ordinance Amendments: Motion made by Bidwell, supported by Stoner to adopt amended Section 9.03 Accessory Building or Structure in the Zoning Book (Appendix B). Roll call vote. All in favor. Motion carried.

Adjournment: With no objection President Peak adjourned the meeting at 8:10 p.m.

ANNOUNCEMENTS:

- **Next board meeting will be on Monday, September 19, 2022, at 7:00 p.m.**

Respectfully submitted,

Paula S. Ralph, Clerk
Village of Edwardsburg

Appendix A

VILLAGE OF EDWARDSBURG

COUNTY OF CASS, STATE OF MICHIGAN

ORDINANCE NO. 2022-02

RELATIVE TO PERMITS ORDINANCE

An ordinance to replace Chapter 2 of The Village Ordinances dated May 3, 1948, as well as the amended dated August 19, 1974.

THE VILLAGE OF EDWARDSBURG, CASS COUNTY, MICHIGAN ORDAINS:

It shall be unlawful to travel throughout the Village or go door to door selling any merchandise, medicine, remedies, or manufactured goods by vehicle, on foot or from stand or tent without a peddler's permit. Permits issued under this section shall be charged and paid for, at the time of the applications is filed. The fee is $25.00.

It shall be unlawful to exhibit any menagerie, show, circus, game, or performance to which an admission fee is charged within the Village without a permit. Permits issued under this section shall be charged and paid for, at the time of the applications is filed. The fee is $25.00.

An auction by a resident of their own personal property or real estate will be allowed. Garage sales are limited to three (3) days and two (2) at the same address per year. Permits issued under this section shall be issued at the time of the applications is filed. No fee required.

All permits issued under the provisions of this chapter shall expire on the 31st day of December each year.

EFFECTIVE DATE

This ordinance shall take effect 30 days after publication. The President declared the motion carried and the resolution duly adopted the 08/15/2022.

Paula S. Ralph, Village Clerk 26296 US Highway 12 Edwardsburg, Michigan 49112

Adopted and signed this 15th day of August, 2022.

Dennis Peak
Village President

Paula S. Ralph
Village Clerk

Village of
EDWARDSBURG
26296 U.S. Highway 12, PO Box 596
Edwardsburg, Michigan 49112
Phone (269)663-8484 * Fax (269)663-8688
Villageofedwardsburg.org

Yard Sale Permit

I hereby make application to conduct a yard sale on the dates below:

Dates: _____

Location: _____

General Provisions

- The applicant hereby assumes all responsibility for any damage to property or persons caused directly or indirectly through the exercise of this permit.
- The permit will be displayed in a conspicuous place during the course of the sale.
- The permit will be granted for a period not to exceed three (3) days and two (2) at the same address per year.
- All placards, signs, or other advertisements relative to the sale must be removed within 24 hours following the expiration of the permit.
- Special Conditions: _____

_____ _____

Applicants Signature **Today's Date**

Village Approval:

Village of

EDWARDSBURG

26296 U.S. Highway 12, PO Box 596
Edwardsburg, Michigan 49112
Phone (269)663-8484 * Fax (269)663-8688
Villageofedwardsburg.org

PEDDLER/SOLICITATION PERMIT APPLICATION

Business information

Name:_____

Address:_____

Type of business:_____

Date:_____Telephone:_____

Manner solicitation is made:_____

_____

Sales person/driver information:

Name:_____Telephone:_____

Address:_____

D.O.B.:__/__/__ D.L.#_____

Vehicle information

Year_____Make _____Model_____Reg. #_____

V.I.N._____ Insurance Company_____Policy #_____

Village Approval:

Village Clerk:_____ Date:_____

Fee: $25.00 check # cash Date Received:_____

ARTICLE IX
SPECIAL PROVISIONS

Section 9.01 PURPOSE

There are certain conditions concerning land uses that warrant specific regulations and standards in addition to the requirements of the zoning districts in which they are located.

Section 9.02 DWELLING PER LOT

Every dwelling hereafter erected shall be located on a lot or premises, the description of the boundaries of which are on record at the Register of Deeds Office, or in the case of a Land Contract shall be on record with the Zoning Administrator as adequately descriptive.

Section 9.03 ACCESSORY BUILDING OR STRUCTURE

A. All accessory buildings and structures not attached to the main building shall be located in the rear, and not less than five (5) feet from the sideline of the premises on which located. All accessory buildings attached to the main building, including breezeways, shall be considered a part -0f the main building in determining yard requirements.

B. No accessory building shall project into any front yard.

C. No accessory building shall occupy more than thirty (30) percent of the area of any rear yard.

D. On a comer lot, no accessory building shall be located nearer to the side street lot line than the side yard setback of the principal building on said lot.

E. No trailers, shipping containers, RVs and similar non-permanent structures shall be used as accessory buildings in any residential district.

Section 9.04 SUBSTANDARD DWELLINGS

For the express purpose of promoting the health, safety, and general welfare of the inhabitants of the Village, and of reducing hazards to health, life, and property, no basement dwelling, cellar dwelling, tent, garage-house, or other substandard structure shall hereinafter be erected or moved upon any premises and used for dwelling purposes.

Section 9.05 REQUIRED WATER SUPPLY AND SANITARY SEWER FACILITIES

In addition to the requirements established by the State and County Health Departments, no structure for human occupancy or use shall hereafter be erected, altered, or moved unless it shall be properly connected to the Village water system and wastewater system. Wastewater system permits must be obtained prior to the issuance of the building permit.

Section 9.06 ACCESS TO A STREET

No lot of record shall be occupied except where access to a public street or way is provided by a public or private easement or other right-of-way no less than twenty (20) feet in width. Public access to commercial, industrial, or recreational uses shall not be designed so as to pass through the residential neighborhoods.

Section 9.07 STREET CLOSURES

Whenever any street, alley, or other public way is vacated by official action, the zoning district adjoining each side of such public way shall automatically be extended to the center of such vacation, and all area