EDWARDSBURG VILLAGE COUNCIL MINUTES

Special Board Meeting

May 28, 2019

The meeting of the Edwardsburg Village Council was called to order at 6:00 pm by President Scott Mackling, those in attendance were Paula Ralph (Clerk), Lisa Withers (Treasurer) and Trustees Jacque Tighe, Dennis Peak, Jay Penny, Laura Hughes, and Kellen VanHulle. Trustee Terry Bidwell joined the meeting at 6:30 after the public hearing.

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA: Motion made by VanHulle, seconded by Hughes to approve the agenda. All in favor. Motion carried.

PUBLIC HEARING TRUTH IN TAXATION: Motion by Tighe, seconded by Hughes to close the special meeting at 6:04 and open the public hearing for Truth in Taxation. All in favor. Motion carried. No public comment. After board discussion, motion by Tighe, seconded by Hughes to close the public hearing at 6:09 and reopen the special meeting. All in favor. Motion carried.

NEW BUSINESS:

RESOLUTION OF INTENT:

RESOLUTION OF INTENT
Village of Edwardsburg
Cass County, Michigan

WHEREAS, the council of the Village of Edwardsburg in order to maintain the operations of the Village of Edwardsburg, County of Cass, proposes to levy the maximum allowable of 7.6628 operating mills by holding a hearing, which will generate revenues of $174,439.00

WHEREAS, without a hearing due to the Truth in Taxation Rollback, 5.5704 operating mills would be levied, which would generate revenues of $126,807.00

THEREFORE, by passing the resolution of intent additional revenues of $47,632.00 will be generated.

NOW THEREFORE, BE IT RESOLVED, that this Council adopted the resolution and sent copies of the same to County Clerk's Office, Equalization Office, and the Ontwa Township Clerk's Office.

ADOPTED THE 28TH DAY OF MAY, 2019

Paula S. Ralph	Scott Mackling
Village Clerk	Village President

Motion by Tighe, supported by VanHulle to approve the Resolution of Intent dated May 28, 2019. All in favor. Motion carried.

RECREATIONAL MARIJUANA:

VILLAGE OF EDWARDSBURG

COUNTY OF CASS, STATE OF MICHIGAN

ORDINANCE NO. 2019-01

ADOPTED: 5/28/2019

EFFECTIVE: 7/6/2019

PROHIBITION OF RECREATIONAL MARIHUANA ESTABLISHMENTS ORDINANCE

An ordinance to provide a title for the ordinance; to define words; to prohibit marihuana establishments within the boundaries of The Village of Edwardsburg pursuant to Initiated Law 1 of 2018, MCL 333.27951, et *seq*., as may be amended; to provide penalties for violation of this ordinance; to provide for severability; to repeal all ordinances or parts of ordinances in conflict therewith; and to provide an effective date.

THE VILLAGE OF EDWARDSBURG, CASS COUNTY, MICHIGAN

ORDAINS:

SECTION I
TITLE

This ordinance shall be known as and may be cited as the Village of Edwardsburg Prohibition of Marihuana Establishments Ordinance.

SECTION II
DEFINITIONS

Words used herein shall have the definitions as provided for in Initiated Law 1 of 2018, MCL 333.27951, *et seq*., as may be amended.

SECTION III
NO MARIHUANA ESTABLISMENTS

The Village of Edwardsburg hereby prohibits all marihuana establishments within the boundaries of the Village pursuant to Initiated Law 1 of 2018, MCL 333.27951, et *seq*., as may be amended.

SECTION IV
VIOLATIONS AND PENALTIES

1. Any person who disobeys neglects or refuses to comply with any provision of this ordinance or who causes allows or consents to any of the same shall be deemed to be responsible for the violation of this ordinance. A violation of this ordinance is deemed to be a nuisance per se.

A violation of this ordinance is a municipal civil infraction, for which the fines shall not be less than $100 nor more than $500, in the discretion of the Court. The foregoing sanctions shall be in addition to the rights of the Village to proceed at law or equity with other appropriate and proper remedies. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Village incurs in connection with the municipal civil infraction.

2. Each day during which any violation continues shall be deemed a separate offense.

3. In addition, the Village may seek injunctive relief against persons alleged to be in violation of this ordinance, and such other relief as may be provided by law.

4. This ordinance shall be administered and enforced by the Ordinance Enforcement Officer of the Village of Edwardsburg or by such other person (s) as designated by the Village Council from time to time.

SECTION V
SEVERABLITY

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

SECTION VI
REPEAL

All ordinance or parts of ordinances in conflict herewith are hereby repealed.

SECTION VII
EFFECTIVE DATE

This ordinance shall become effective thirty (30) days after its publication as required by law.

Motion made by Bidwell seconded by Tighe to adopt the foregoing resolution. All in favor. Motion carried.

The President declared the motion carried and the resolution duly adopted.

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VILLAGE OF EDWARDSBURG
Paula S. Ralph, Clerk
26296 US Highway 12 Edwardsburg, Michigan 49112

CLERK'S CERTIFICATE

The undersigned, as the duly appointed and acting Clerk of the Village of Edwardsburg, herby certifies that Ordinance No. 2019-01 was duly adopted by the Edwardsburg Village Council at a Special Village Council Meeting, at which a quorum was present, held on May 28, 2019, and this Ordinance shall take effect 30 days after publication following approval of the Edwardsburg Village Council Trustees.

_____ _____
Paula S. Ralph, Edwardsburg Village Clerk Date

ADJOURNMENT: Motion made by Tighe, seconded by Bidwell to adjourn the special meeting at 6:43 p.m. All in favor, Motion carried.

Respectfully submitted,

Paula S. Ralph, Clerk
Village of Edwardsburg