

REGULAR MEETING MINUTES

May 15, 2006

VILLAGE OF LYONS

212 Water Street, P.O. Box 175
Lyons, Michigan 48851
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villageoflyons@lyonsvillage.org

Meeting called to order by President Bernard Russell at 7:02 p.m.

Pledge of Allegiance to the Flag

Roll Call:

Paul Tunell	AB	Jim Shattuck	P	Ann Randall	P
Stan Nave	P	Rosie Ferris	P	Carrie Webster	P
Bernie Russell	P				

Also attending:

Jill Stilson	P	Linda Rairigh	P
Susan Craft	P	Steve Larson	P

Approval of Agenda – Add or Delete Items, Motion offered by Trustee Webster, second by Trustee Randall to approve the May 15, 2006 Meeting Agenda. Motion carried by voice vote.

Guests Attending: Tammy Wiles, Charles Cook from Sentinel-Standard

Guest Speaker: None

Public Comments: Tammy Wiles,

- Donations for the Island Fest are still coming in most will be in on the last day before event.
- Crafters are registering slowly, and registration is down from last year.
- Car Show attendees will register the day of the show,
- 50/50, does the Village want to set a limit for this? Jill will call and get the details concerning this.

Presidents Comments:

1. Spring Clean-up went well with help from Muir’s council. Both Villages picked up the tab for breakfast, our share was \$125.00.
2. Factory – we have been approved to inspect the factory. A letter was sent by Ionia County Health Department requesting admittance. Jim McEwan of DEQ, Brian Rice of Fleis & Vandenbrink, Paul Lewis of Ionia County Health Department, Susan Craft, Steve Larson, Ann Randall, and Bernie Russell are planning on doing a tour on Friday, May 19, 2006 at 9:30 am
3. Recreation Plan Update from Dave Bee not to exceed \$1,600.00.
Motion offered by Trustee Webster, second by Trustee Randall to hire Dave Bee of the West Michigan Regional Planning Commission to update our current Recreation Plan cost not to exceed \$1,600.00 Motion carried by voice vote.
4. Skate Ramp – would the Village like to put in a skate ramp? **TABLED** If the construction is not more than three feet high, there will not be a change in our liability. The location would be next to the Comfort Station. Trustee Shattuck mentioned Saranac does have one that is used often, while still in good repair, the changing table does have a few scratches on it. Is it that much of a problem to have the kids in this area? Trustee Nave asked isn’t the idea to get the kids away from main street? Why not put it in Robinson Park? Susan commented she would ask Youngstrom if they would pull the concrete from this area. Trustee Ferris asked about the fencing, won’t we have to put one in anyway? Will look into this question.
5. Part 70, the grass ordinance, and the Slow Down to Get Around resolution – **TABLED** to next month.
6. NIMS meeting May 16, 06 at 6:00 pm. Attendance is mandatory for all Council Members and staff.

Acceptance of April 17, 2006 Minutes Motion offered by Trustee Webster, second by Trustee Ferris to accept the April 17, 2006 minutes as amended. Yeas: Ann Randall, Rosie Ferris, Jim Shattuck, Carrie Webster, Paul Tunell, Bernie Russell Nays: Stan Nave. Motion carried by Roll Call vote 5 to 1.

Trustee Nave asked if the water problem on Atwater had been fixed. This problem has been brought to the Council by DPW for the last three years. We were hoping that extra money left from bond project be used to fix this area. Linda stated that ninety thousand from general fund earmarked for street projects can be used as we need it, but bond money can only be used for the current street project.

Trustee Nave asked about the speed signs, and what were the computer read outs for Higbee St. and Tabor St. Susan commented that when the speed sign was on Higbee St., the computer had not been turned on, so she did not have any results for that location. However, Tabor St. readings showed that 1487 cars traveled there, how fast and the time of day traveled. Susan does have the charts for the time on Tabor for anyone who may be interested. Trustee Nave has given Jill a list of residents who had asked him to bring to the council their concerns of speeding and had asked for a stop sign on Higbee and Wager Rd. Trustee Randall explained that all residents with a complaint concerning this stop sign issue will need to fill out a complaint form with the Village Office. A copy of the uniform traffic code book is currently in the office for their review. There are several steps to getting a sign in the area.

Trustee Shattuck gave the Council a copy of the complaint report he had filed concerning his neighbors. Jill had sent a letter concerning the noise. It has been quieter so far. He will wait and see what happens.

Approval of Accounts Payable – Motion to approve the Accounts Payable report offered by Trustee Webster, second by Trustee Randall. Motion carried by voice vote.

Susan questioned the Visa billings Jill responded that part of her invoices came on the March statement and part of her invoices came on the April statement. She also questioned where the Stoney Creek invoice of \$70.00 was. Trustee Webster asked if we pay half of the recycle billing with Muir. Yes.

Treasurers Report – Linda Rairigh,

Motion to accept the Treasurers report offered by Trustee Webster, second by Trustee Randall. Motion carried by voice vote.

Motion to accept Depository of Village Moneys offered by Trustee Webster, second by Trustee Shattuck. Motion carried by voice vote.

**Resolution Authorizing the
Depository of Village Moneys**

WHEREAS, Act 40 of 1932 (1st extra session), as amended requires a municipality to adopt a resolution designating and providing for the deposit of public moneys in accordance with that statute,

WHEREAS, it is the policy of the Village of Lyons to deposit money in a manner which will provide the highest return with the maximum security while meeting the daily cash flow needs of the Village.

NOW THEREFORE BE IT RESOLVED that the Village of Lyons authorizes the Village Treasurer to deposit and invest all public money including tax money coming into the Treasurer's possession. This money may be invested in one or more financial institutions as determined by the Treasurer. The Treasurer shall deposit this money in a manner which will provide the highest return with maximum security while meeting the daily cash flow needs of the Village. All other factors being equal, the Treasurer shall give preference to financial institutions located in the Village of Lyons and in Ionia County.

The Village President, Village Treasurer and Village Clerk shall each be authorized signers on all Village accounts. All checking accounts shall require two (2) signatures.

Meeting Minutes

No person may engage in an investment transaction except as provided under the terms of this resolution and any procedures that may be established by the Village Council. The Village President, Village Treasurer and Village Clerk shall be responsible for all financial transactions undertaken and shall establish a system of controls to regulate the financial activities of the Village.

STATE OF MICHIGAN)
) ss.
COUNTY OF IONIA)

I, Jill Stilson, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Village Council at a Regular meeting held on May 15, 2006 and that public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, including, in the case of a special or rescheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have affixed my official signature this 15th day of May, 2006.

Jill Stilson
Jill Stilson, Village Clerk

1. Certificate of Deposit rates were better at Ionia County National Bank, therefore a transfer was done for the amount on \$183,000.00.
2. Note, some checking accounts may show a negative balance due to changing of the checking accounts. We are expecting this to be cleared up by next month.
3. Bond Closing will be May 24th, at 11:00 am. Attending will be Jill Stilson, Linda Rairigh, and Bernie Russell to sign the documents. Meeting should only be fifteen to twenty minutes.
4. We have moved the (\$60,000.) Sixty Thousand dollars from Major Streets and placed it into a Road Project Fund. This is to open the account, the money from General Fund, will only be moved as needed.
5. DDA captured taxes has been reduced from last year. This is due to the Library purchasing Arrow Shack.

A review of the fund reports showed pages were missing. Trustee Randall will get with the Office to review reports, and invoices.

Street Report – Ann Randall, Chair

Trustee Randall noted that due to the road project, Susan Craft has an additional 10.5 hours this past payroll. Susan day ends at 3:30 pm, and the road crew work well past this time. Would like approval of additional hours for Susan as needed during this project. Trustee Shattuck agreed that additional hours for Susan will be as needed.

1. East Bridge Street Road closing May 16, 2006, 7:00 am. Road crew will be working six days a week to complete the project on time.
2. Isham Street to be fixed,
 - a) 2 dead trees have been found on Tabor, one at Grobels, and one at Eavey's. Council decision is to have Ann Randall and Susan Craft review the bids and choose the best contractor for the job.

Finance Committee – Carrie Webster, Chair

Nothing at this time.

Personnel Committee – Ann Randall, Chair

Trustee Randall submitted for approval the listed changes in the Personnel Policy.

Motion offered by Trustee Randall, second by Trustee Shattuck to approve these changes to the Personnel Policy. Motion carried by voice vote.

The changes made are as follows;

303 Vacation Benefits

Effective Date: 6/26/2003

Revision Date: 05/15/2006

"The Village" offers vacation time off with pay to eligible employees. Employees in the following employment classifications are eligible for paid vacation time:

- * Regular full-time employees

The amount of paid vacation time you receive each year depends on how long you have been working with the Village. **Vacations time will start at the beginning of each fiscal year (March 1st) and time used will be deducted as it is used.**

- *Upon initial eligibility the employee is entitled to 5 vacation days each year,
- *After 2 years of eligible service the employee is entitled to 10 vacation days each year.
- *After 6 years of eligible service the employee is entitled to 15 vacation days each year
- *After 11 years of eligible service the employee is entitled to 20 vacation days each year
- *After 20 years of eligible service the employee is entitled to 25 vacation days each year

We calculate the length of your eligible service on the basis of a "benefit year." A "benefit year" is the 12-month period that begins **March 1, at the beginning of each fiscal year**. Your benefit year may be extended for any significant leave of absence except military leave of absence. (Military leaves do not affect the benefit year calculation.) See the leave of absence policies in this handbook for information on how each type of leave affects vacation.

Once you enter an eligible employment classification, you begin to earn paid vacation time according to the schedule in this policy. However, before you can use vacation time, you must complete a waiting period of 365 calendar days. After the waiting period, you can request to use your earned vacation time, including the vacation time that earned the waiting period.

You may take one **half** day vacation at a time. To schedule your vacation time, you should first ask for advance approval from your supervisor or **Village President**. Each request will be reviewed based on a number of factors, including our business needs and staffing requirements.

You will be paid for vacation time off at your base pay rate as of the time of the vacation. Vacation pay does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

We encourage you to use your available paid vacation time for rest and relaxation. If you do not use your available vacation by the end of a benefit year, you will lose the unused vacation time.

If your employment terminates, you will be paid a **prorated rate** for any unused vacation time that has been earned through your last day of work.

307 Sick Leave Benefits

Effective Date: 6/26/2003

Revision Date: 05/15/2006

"The Village" provides paid sick leave benefits to eligible employees who are temporarily absent due to illness or injury. Employees in the following employment classifications are eligible for sick leave:

- * Regular full-time employees

If you are eligible, you will accrue sick leave benefits at the rate of **4** days per year, to **accrue at the beginning of each fiscal year. New Hires accrual will be prorated after a 90 day waiting period** from the date you become eligible to accrue sick leave benefits.

You may not take less than one half day sick leave. You may **only** use sick leave benefits to be absent because you are ill or injured.

If you cannot report to work because of an illness or injury, you should notify your supervisor before the scheduled start of your workday, if possible. Your supervisor must also be contacted on each additional day of absence.

If you are absent for three or more consecutive days due to illness or injury, you must give us a doctor's statement that states you are ill or injured, when it began, and when you should be able to return to work. We may also request a similar statement for other sick leave absences of less than three days.

Your sick leave benefits will be calculated based on your base pay rate at the time of your absence. Sick leave benefits do not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

Unused sick leave benefits will be allowed to accumulate until you have accrued 44 calendar days of sick leave. If your unused sick leave reaches this maximum, you will stop accruing sick leave **until March 1st of the next fiscal year. On March 1st sick days will be added to each employee payroll leave balance if their time is below the maximum of 44 days as of March 1.**

Sick leave benefits are meant to provide income protection in the case you are ill or injured. They may not be used for any other absence. You will not be paid for unused sick leave benefits while you are employed and you will also not be paid for unused sick leave benefits when your employment terminates.

315 Paid Time Off (PTO)

Effective Date: 6/27/2003

Revision Date: 8/20/2003

"The Village" provides Paid Time Off (PTO) to eligible employees. PTO is an all-purpose time-off policy. You can use PTO for vacation, illness or injury, and personal business. PTO combines traditional vacation and sick leave plans into one flexible, paid time-off policy.

Employees in the following employment classifications are eligible for PTO:

- * Regular full-time employees

Once you enter an eligible employment classification, you begin to earn PTO according to the following schedule. You can use earned PTO time in the year after it is accrued.

- *Upon initial eligibility the employee is entitled to 2 PTO days each year, **starting at the beginning of each fiscal year.**

We calculate the length of your eligible service on the basis of a "benefit year." A "benefit year" is the 12-month period that begins when you start earning PTO. Your benefit year may be extended for any significant leave of absence except military leave of absence. (Military leaves do not affect the benefit year calculation.) See the leave of absence policies in this handbook for information on how each leave affects PTO accruals.

You may **take time off as needed.** If you need to be absent from work unexpectedly, you should tell your supervisor before the scheduled start of your workday, if possible. Your supervisor must also be contacted on each additional day of an unexpected absence.

To schedule planned PTO, you should first ask for advance approval from your supervisor. Each request will be reviewed based on a number of factors, including our business needs and staffing requirements. You will be paid for PTO at your base pay rate as of the time of the absence. PTO pay does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

If you do not use your available PTO by the end of the benefit year, you will lose the unused PTO.

If your employment terminates, you will be paid for any unused PTO that has been earned through your last day of work. However, if "The Village", in its sole discretion, terminates your employment for cause, you may lose any remaining unused PTO and will not be paid for it.

401 Timekeeping

Effective Date: 6/27/2003

Revision Date:

Nonexempt employees are responsible for accurately recording the hours they work. The law requires "The Village" to keep accurate records of "time worked" in order to correctly calculate employee pay and benefits. "Time worked" means all the time that nonexempt employees spend performing their assigned work.

If you are a nonexempt employee, you must accurately record the time you start and stop work, when you start and end any meal periods or split shifts, and when you leave the workplace for personal reasons. Before you work any overtime, you must always get advance approval.

Falsifying time records is a serious matter. You may not change time after it is already recorded, enter a false time on purpose, tamper with time records, or record other employees' time for them. If you do any of these actions, you may be subject to disciplinary action, up to and including termination.

Nonexempt employees must sign their time records to say they are accurate. Each supervisor will review and initial the time record before submitting it for payroll processing. In addition, if corrections or changes are made to the time record, both you and your supervisor must initial the changes on the time record.

403 Paydays

Effective Date: 6/27/2003

Revision Date: 05/15/2006

All employees are paid bi-weekly **on** Fridays. Each paycheck includes pay for all work performed through the end of the previous payroll period.

If a payday falls on a weekend or holiday, you will be paid on the last work day before that payday.

If you are going to be on vacation on a payday, you can get your earned pay before you leave. You must first ask your supervisor in writing at least one week before you leave.

COUNCIL MEETINGS

The DPW Superintendent is required to attend the monthly Village Council meetings. Other DPW employees may attend the monthly meetings; however, it is not a requirement of their job unless requested by the President/Council. DPW employees attending the monthly Village council meetings will be compensated at the same rate as Council Members.

598 Personnel Safety Equipment

Effective Date: 6/30/2003

Revision Date: 05/15/2006

- * **Regular Full Time DPW Employee**

Both steel-toe safety shoes and ANSI glasses are required for many jobs by MIOSHA. Regular- full time employees are eligible for steel-toe shoe reimbursement of \$100.00 per year. Those same employees are also eligible for reimbursement of one eye exam every other budget year. Eligible employees may additionally request safety glasses every other budget year not to exceed \$200.00. All other employees will be furnished with goggles.

599 Office Employee Vision Care

Effective Date: 05/15/2006

Revision Date:

Employees in the following employment classifications are eligible to request employee vision care after they have completed 90 calendar days of service.

*** Regular Full Time Office Employee**

Eligible employees may request reimbursement for one eye exam every other budget year. Eligible employees may additionally request one pair of eye glasses every other budget year not to exceed \$ 200.00.

NIMS Training, May 15, 2006 @ 6:00 pm, all council members required to attend

Fire, Water, & Sewer – Paul Tunell, Chair

Susan reviewed the DPW Water and Sewer report. Disinfection By-products Stage 2 impacting in 2008. (See DPW Report May 2006). Lift Station motor repair, still waiting for parts.

Grants – Jim Shattuck, Chair

Nothing at this time

Ordinance Committee – Carrie Webster, Chair

Committee is still working on the ordinance book, have several ordinances we will propose to be rescinded, we have asked Susan to review what has been completed to date and note any additional changes we should make. Next meeting date will be Monday, June 5th at 5:30 pm we will need a complete copy of the 1972 Water Bond. Trustee Webster stated we have two burned out houses in town, the Council should decide what to do with these. Should we implement the ordinance and send letters, or rescind the ordinance? **Tabled**

Parks & Recreation – Rosie Ferris, Chair

Nothing at this time.

DPW Report – Susan Craft, DPW Superintendent

1. Electric improvements in park have been completed
2. Youngstrom Contracting was contacted to remove old foundation next to Comfort Station
3. Vandals are removing signs again
4. Easement agreement, material cost was escalating, so the Village purchased this and Youngstrom will bill for labor and equipment. (See May DPW Report)
5. Goose Creek agreed to hold pricing of one hundred twenty-five dollars until fall for tree purchase.

New Business

Trustee Randall asked to purchase a DPW cell phone for department use, and for all on call weekends. Motion offered by Trustee Webster, second by Trustee Ferris to purchase a single Verizon cell phone with a 450 minute per month package for the DPW use. Motion carried by voice vote.

Council Comment:

Trustee Webster asked if we had heard from the Attorney General yet, *nothing so far*. Also, did we have our Lawyer rewrite the letter to the AG? Clerk Stilson talked with Nick Coutsos of Miller, Johnson and Nick advised that a second letter would not be necessary.

President Russell has been contacting people concerning the Village census and ended up with the first person he started with, Steven Willibee.

Linda Rairigh asked if the NIMS meeting is mandatory and will we be paid. If it is a required meeting, all council members and staff will be paid. Yes

Motion to adjourn offered by Trustee Webster, second by Trustee Shattuck Motion carried by voice vote Adjournment at 8:58 pm

Submitted for approval by

Jill Stilson,
Village Clerk

CERTIFICATION

I, Jill Stilson, hereby certify that the foregoing is a true and complete copy of village regular meeting minutes adopted by the Village Council of the Village of Lyons, County of Ionia, and the State of Michigan, at a meeting held on June 19, 2006. Public notice of said meeting was given pursuant to and in compliance with the Open meetings Act, Act no. 267 of the Public Acts of Michigan 1976, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

Dated June 21, 2006

Jill Stilson

Jill Stilson, Village Clerk