

REGULAR MEETING MINUTES

June 19, 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 7:04 p.m.

Pledge of Allegiance to the Flag

Roll Call:

Stan Nave	Ab	Paul Tunell	P	Ann Randall	P
Carrie Webster	P	Rosie Ferris	P	Jim Shattuck	P
Bernie Russell	P				
Also attending:		Jill Stilson	P	Linda Rairigh	P
Susan Craft	P	Steve Larson	P		
Guest Attending:		Robert Tunell			

Motion offered by Trustee Tunell, second by Trustee Shattuck to accept the agenda. Motion carried by voice vote.

PUBLIC COMMENT – None

GUEST SPEAKER – None

COUNCIL COMMENT –

Trustee Webster offered Thank-you to Susan and Steve for a job well done in assisting with the preparation for the Island Fest. Thank-you also goes to Trustee Shattuck for the donation to the games committee of eyes to be used on the “Pet Rocks”.

PRESIDENTS COMMENTS – Bernard Russell

The Island Fest Committee donated bench in memory of Elaine Nelson of Friday evening. The decision as to where to place it is still in question. Currently the bench is being stored at Bryon Bennett’s home until a decision has been reached.

APPROVAL OF MAY MINUTES – Motion offered by Trustee Tunell, second by Trustee Ferris to approve the May minutes as amended. Motion carried by voice vote.

APPROVAL OF MAY ACCOUNTS PAYABLES – Motion offered by Trustee Tunell, second by Trustee Randall to approve the accounts payables for May 2006. Motion carried by voice vote.

TREASURERS REPORT – Motion offered by Trustee Tunell, second by Trustee Shattuck to accept the May Treasurers report. Motion carried by voice vote.

Linda Rairigh will be meeting with Jason from BS&A Software to complete the work on adjustments made. Linda stated the accounts in Major Street look to be overdrawn, on paper and they are, at the bank, they are not. The dollar amount from taxes for the DDA has been reduced due to the sale of Arrow Shack to the Library. This loss of tax dollars to the Village is also a loss to the DDA.

Committee Reports;

Street Committee – Ann Randall, Chair

- Progress on the road project is going very well; the Village was able to put the asphalt millings on the following streets; Lyons, E. Isham, and John also at the boat landing off

Tabor St. and the alley off Elizabeth St. at a cost of Six Thousand Six Hundred Sixteen dollars (\$6616.).

- Youngstrom has agreed to remove the foundation located next to the Comfort Station for Five Hundred dollars (\$500.) an excellent price for the amount of work to be done.
- Two trees will be removed on Tabor and Bridge, also a tree fell on Hawley and Bridge, cost for trimming and removal will be Eight Hundred dollars (\$800.) by Melton Tree service.
- Road Progress meeting on Tuesday, June 13, 2006 on site, all storm sewers are in, and the edge drains are done. We also had Consumers mark where the gas line is located under stump in front of the DPW office. (Stump not removed by All American Tree Service)

Finance Committee – Carrie Webster, nothing at this time.

Personnel Committee – Ann Randall, Chair

Linda Rairigh has requested a status change from salary to hourly. She is finding she must ask for extra hours for any special projects, and tax season is coming up soon. We will need to amend the budget and change the ordinance to state the change. I am requesting to have this change made retro-active to June 1, 06 was also made. Recommendation by Council was to **TABLE TO NEXT MEETING**, until the ordinance has been changed.

Trustee Randall stated that many of the problems with communication between staff members is being worked out, and feels there has been a great improvement and appreciates the efforts made by everyone.

Fire, Water, & Sewer Committee – Paul Tunell, Chair, nothing at this time

Grants Committee – Jim Shattuck, Chair, nothing at this time

Ordinance Committee – Carrie Webster, Chair

Trustee Webster will email everyone the date for the next committee meeting. Webster will also send the Personnel Committee the changes she makes for the Treasurer pay when it is written. Jill is to send a copy of the current policy for her review.

Parks Committee – Rosie Ferris, Chair, Nothing at this time

Island Fest went well, Saturday's attendance was estimated to be about three hundred and fifty, and Sunday was pretty much a bust. The Street Dance had a medium attendance, both the Lyons Party Store and Lyons Bar business greatly improved for the evening. It was mutually agreed not to have the Fest on Sunday next year.

DPW Report – Susan Craft, DPW Superintendent

- The master meter between Lyons and Muir has been hit by lightning; projected repair will be about three to four thousand dollars. This has been turned into out insurance company for replacement.
- Walter Wiles has replaced Dan Bennett as the part-time employee for DPW.
- There were no reported problems with electric on the island during Fest this year.
- Other problems; Flower boxes by both the Fire Department and Village Office have been removed, over the weekend the flowers were pulled up and left to lay on the ground. Rather than lose these flowers, the DPW removed the boxes, and planted the flowers by the Comfort Station. Also, someone set a bail of straw to burn and availed themselves to some soda from a vendors supply during the night on Saturday.
- Gary Craft assisted the Fest Committee during the tractor pulls with his tractor and blade. He pulled the counter weight back to the start position for the entries after each pull. It was stated that the Fest Committee would pay Gary Craft for the cost of gasoline used.
- The Village Council and the Island Fest Committee would like thank both Susan and Steve for all of their assistance in getting the Island ready for this event. A Job Well Done.

Tabled Items;

Motion offered by Trustee Webster, second by Trustee Tunell to amend Ordinance Part 70.
Motion carried by voice vote.

Part 70

70.000 NUISANCES AND PUBLIC HEALTH
Adopted: February 3, 1915, Amended; June 19, 2006

An ordinance relating to nuisances and public health

70.001 Certain public nuisances defined and enumerated

Section 1.

Whatever annoys, injures or endangers the safety, health, comfort or repose of the public; offends public decency; interferes with, obstructs or renders dangerous any street, alley, highway, navigable lake or stream; or in any way renders the public insecure in life or property, is hereby declared to be a public nuisance. Public nuisances shall include, but not be limited to, whatever is forbidden by any provision of this Code. No person shall commit, create or maintain any nuisance.

"Person" is defined to mean individual, firm, partnership, association, corporation, company, organization, or any legal entity of any kind. In addition to those things which are elsewhere by provisions of this Code or any other ordinance of the Village declared to be nuisances, it shall be a public nuisance for a person to do any of the following:

- (8) No owner or occupant of any lot or parcel of land within the village shall allow or maintain on a portion of such lot or land any growth of rush, grass, or weeds or similar vegetation so as to create any unsightly, unhealthy, or unsafe condition. Brush, grass, or weed or similar vegetation in excess of six (6) inches in height shall be presumed in violation of this section. The Village shall have such lot or parcel of land mowed by an outside vendor at the vendors stated rate at the property owners' expense. (Amended: Ordinance Part 70, June 19, 2006 Published; June 24, 2006)**

70.003 Violation.

Section 3.

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Any person who refuses or neglects to obey the lawful order of the Village agent designated by the Village Council shall be guilty of a misdemeanor and punished as provided in Section 6 (70.006) of this ordinance. (Amended: Ordinance of 6-7-93)

70.006 Penalty.

Section 6.

Any person who violates any of the provisions of this Part shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail or Village prison not more than ninety (90) days, or both such fine and imprisonment. The convicted party may also be required to pay the Village's costs incurred in prosecution of the offense. (Amended: Ordinance of 6-7-93)

Assessable Cost - Lien upon property.

Assessable cost assessed against a responsible party not paid when due, including late payment fees, shall constitute a lien upon the real property of the responsible party in the village. Such lien shall be of the same character and effect as the lien created by General Law Village Act, for real property taxes and shall include accrued interest and penalties. The village treasurer shall prior to March 1 of each year, certify to the assessor the fact that such assessable cost is delinquent and unpaid. The assessor shall then enter the delinquent amount on the next general ad valorem tax roll as a charge against the affected property, and the lien thereon shall be enforced in the same manner as provided and allowed by law for delinquent and unpaid real property taxes.

In addition to the remedy set forth in section 700.06 above, the village shall be entitled to pursue any other remedy or may institute any appropriate action or proceeding in a court of competent jurisdiction as permitted by law to collect assessable costs from a responsible party.

(Amended: Ordinance Part 70 June 19, 2006 Published; June 24, 2006)

I hereby certify that the foregoing is a true and correct copy of Ordinance No. Part 70 duly adopted by the Common Council of the Village of Lyons at a Regular meeting held on June 19, 2006 at Seven o'clock p.m. in the Village Office of the Municipality of Lyons Village, 212 Water Street, Lyons, Michigan, and that said Ordinance No. Part 70 was on the 19 day of June, 2006, published in the Ionia County Shoppers Guide, a newspaper printed in Saranac, Michigan and circulated in the Village of Lyons Village.

Jill Stilson

Jill Stilson, Village Clerk

Motion offered by Trustee Webster, second by Trustee Ferris to accept the resolution "Slow Down to Get Around". Motion carried by voice vote.

SLOW DOWN TO GET AROUND RESOLUTION

WHEREAS, the residents of the Village of Lyons rely upon vehicles to provide basic essential services, including solid waste collection, and other public and private transportation services.

WHEREAS, it is necessary that such service vehicles utilized public roads and rights of way in order to provide these services, and, in the course of providing such services, there are occasions when these service vehicles must remain stopped for periods of time;

WHEREAS, there has recently been a significant number of accidents within the State of Michigan resulting from inattentive drivers causing rear-end collisions, resulting in property damage and /or personal injury and too often loss of life;

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WHEREAS, it is the policy of the Village of Lyons to promote public safety within the municipality, and to raise public awareness of potential public safety risks;

WHEREAS, the transportation service industry has developed the "SLOW DOWN TO GET AROUND" program, which encourages drivers be aware of stopped service vehicles and to pass such vehicles in a safe manner;

NOW, THEREFORE, the Village of Lyons supports the "SLOW DOWN TO GET AROUND" campaign, reflecting the aims of this life saving program.

BE IT FURTHER RESOLVED that the Village of Lyons encourages all persons driving within the municipality to operate their vehicles in a careful manner when both approaching and passing service vehicles;

BE IT FUTHER RESOLVED that copies of this Resolution shall be forwarded to the Village of Lyons' local law enforcement agency and shall be posted in a prominent location for a period of not less than thirty (30) days.

Certificate of Adoption

This resolution was adopted at a regularly adjourned meeting of the Village council members of the Village of Lyons, located in Lyons, County of Ionia, and State of Michigan.

Bernard C. Russell
Bernard C. Russell, President

Jill Stilson
Jill Stilson, Village Clerk

Linda Rairigh
Linda Rairigh, Witness

Skate Ramp was suggested by the DDA Committee to be put in the site next to the Comfort Station. **TABLED TO NEXT MEETING**

Council Comment: None

Motion to adjourn offered by Trustee Tunell. Adjournment and 8:00 p.m.

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 6, 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 positing at least eighteen (18) hours prior to the time set for said meeting.

Dated June 6, 2006

Jill Stilson
Jill Stilson, Village Clerk