



VILLAGE OF STOCKBRIDGE

305 W. Elizabeth Street
Room #112
Stockbridge, MI 49285
(517) 851-7435

VILLAGE COUNCIL REGULAR MEETING

AGENDA

Monday, August 1, 2022

7:00 PM

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. APPROVAL OF PREVIOUS MEETING MINUTES
 - a. Minutes of Regular Meeting of July 11, 2022
 - b. Minutes of Work Session Meeting of July 13, 2022
 - c. Minutes of Special Meeting of July 20, 2022
6. PUBLIC COMMENT (*agenda items only*)
 - a. Faith and Other Community Leaders (FOCL)
7. FINANCIAL REPORTS
 - a. Check Register Report for July 1, 2022, through July 31, 2022
 - b. Cash Summary by Account Report for All Funds for July 1, 2022, through July 31, 2022
8. COMMUNICATIONS
9. DEPARTMENT REPORTS AND MINUTES OF OTHER BODIES
10. PUBLIC HEARINGS
11. COMMITTEE REPORTS



VILLAGE OF STOCKBRIDGE

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12. UNFINISHED BUSINESS

- a. Amendment to Personnel Policies Manual – Clothing Allowance for Public Works Employees
- b. Village Manager Goals and Priorities for FY 2022-23

13. NEW BUSINESS

- a. Appointment Process – Village Council Vacancy
- b. Planning Commission Membership Composition
- c. Request for Qualifications (RFQ) – Engineering Consulting Services (to be provided)
- d. MERS Annual Conference Delegate Selection

14. PUBLIC COMMENT (*open forum; 3-minute limit*)

15. COUNCIL MEMBER COMMENTS

16. ATTORNEY COMMENTS

17. VILLAGE MANAGER COMMENTS

18. CLOSED SESSION MEETING

- a. Consider Attorney-Client Privileged Communication - Casket and Grave Vault Damage Claim – Caskey-Mitchell Funeral Home – Michigan Open Meetings Act, Public Act 267 of 1976, Sec. 8(1)(h), as amended, being MCL 15.268(1)(h)

19. ACTION FROM CLOSED SESSION

20. ADJOURNMENT

Check Date	Check	Vendor Name	Description	Amount
Bank INDEP				
07/01/2022	19646	CANON FINANCIAL SERVICES	OFFICER COPIER	259.63
07/01/2022	19647	CARD MEMBERSHIP SERVICES	5/18-6/14/2022 CREDIT CARD PURCHASES	258.00
07/01/2022	19648	CIVICPLUS	MUNICODE ADMIN SUPPORT FEE 6/1/2022-5/31	225.00
07/01/2022	19649	COHL, STOKER & TOSKEY, P.C.	ATONREY FEES	311.00
07/01/2022	19650	CONSUMERS ENERGY	5/17-6/14/2022 ELECTRIC BILL	22.15
07/01/2022	19651	FRONTIER COMMUNICATIONS	5/20-6/19/2022 LIFT STATIONS	516.04
07/01/2022	19652	GEE FARMS	CEMETERY POTS/ANNUALS/SEEDS	310.69
07/01/2022	19653	INFRASTRUCTURE ALTERNATIVES	WATER/WASTEWATER	4,030.00
07/01/2022	19654	LITCHFIELD FIELD MOWING BRUSH TRIMM	LAGOON MOWING (JUNE 13TH)	900.00
07/01/2022	19655	M&K JETTING AND TELEVISIONING, INC.	MAINT.CLEANING LIFT STATION	1,457.50
07/01/2022	19656	MEEKHOF TIRE OF LANSING	IRRIGATION TIRES	5,506.50
07/01/2022	19657	MICHIGAN PIPE AND VALVE, INC.	CTS INSERT	25.14
07/01/2022	19658	PRINTER SOURCE PLUS	OFFICE PAPER	140.97
07/01/2022	19659	THE WATER STORE	OFFICE WATER (519925)DPW	34.75
07/01/2022	19660	VERIZON WIRELESS	OFFICE CELL PHONES 5/20-6/19/2022	292.92
07/06/2022	19661	MICHIGAN RURAL WATER ASSOCIATION	SAFTEY TRAINING	75.00
07/06/2022	19662	MOLLY HOWLETT	POST OFFICE REIMBURSEMENT	26.95
07/06/2022	19663	SIMBECK & ASSOCIATES	KIT: 1000SF OF 40MIL PVC/GALLON OF ADHES	1,370.90
07/06/2022	19664	STOCKBRIDGE ACE HARDWARE	JUNE 2022 SUPPLIES	1,049.10
07/06/2022	19665	WEX BANK	JUNE 2022 GAS	1,161.61
07/06/2022	19666	WOW! BUSINESS	DPW OFFICE PHONE/INTERNET	124.87
07/06/2022	19667	WOW! BUSINESS	6/23-7/22/2022 OFFICE PHONE	330.93
07/13/2022	19669	DAVID DILLARD	REIMBURSEMENT FOR USING PERSONNAL CREDIT	133.32
07/29/2022	19672	BLUE CROSS BLUE SHIELD OF MI	AUGUST 2022 HEALTH INSURANCE	8,450.01
07/29/2022	19673	CANON FINANCIAL SERVICES	OFFICER COPIER	256.07
07/29/2022	19674	CARD MEMBERSHIP SERVICES	JUNE 2022 PURCHASES	952.89
07/29/2022	19675	CLASSIC EMBROIDERY	UNIFORM SHIRTS	150.00
07/29/2022	19676	CONSUMERS ENERGY	6/15-7/16/2022 ELECTRIC BILLS	3,831.90
07/29/2022	19677	CONSUMERS ENERGY	6/1-6/30/2022 ELECTRIC BILLS	142.79
07/29/2022	19678	ELHORN ENGINEERING CO	EL-CHLOR 30 GAL DRUM	621.00
07/29/2022	19679	FRONTIER COMMUNICATIONS	6/20-7/19/2022 LIFT STATIONS	171.41
07/29/2022	19680	GORMLEY AND JOHNSON LAW OFFICES	MAY - JULY 2022	9,477.53
07/29/2022	19681	GRANGER	JUNE 2022 GARBAGE	8,206.27
07/29/2022	19682	GRANGER	6 YARD DUMPSTER SERVICE DPW	202.00
07/29/2022	19683	SIMBECK & ASSOCIATES	KIT: 1000SF OF 40MIL PVC/GALLON OF ADHES	270.00
07/29/2022	19684	USA TODAY NETWORK	ADVERTISEMENT: LEGAL AD	92.00
07/29/2022	19685	VERIZON WIRELESS	OFFICE CELL PHONES 6/20-7/19/2022	293.28
07/29/2022	19686	WATER TECH	ANALYSIS WATER TESTS	1,831.00
07/29/2022	19687	WEINGARTZ	MOWER EQUIPMENT	25.24
07/29/2022	19688	WOW! BUSINESS	7/21-8/20/2022 DPW BARN	124.86
07/29/2022	19689	WEX BANK	JULY 2022 GAS	1,454.92
07/29/2022	19690	WOW! BUSINESS	7/23-8/22/2022 OFFICE PHONE	330.85

INDEP TOTALS:

Total of 42 Checks:
Less 0 Void Checks:55,446.99
0.00

Total of 42 Disbursements:

55,446.99

CASH SUMMARY BY ACCOUNT FOR VILLAGE OF STOCKBRIDGE
 FROM 07/01/2022 TO 07/31/2022
 FUND: ALL FUNDS
 CASH AND INVESTMENT ACCOUNTS

Fund Account	Description	Beginning Balance 07/01/2022	Total Debits	Total Credits	Ending Balance 07/31/2022
Fund 101	GENERAL FUND				
001.001	INDEPENDENT BANK CASH	(237,359.12)	95,777.24	14,976.26	(156,558.14)
001.002	SWEEP ACCOUNT INDEP. BANK	656,543.23	0.00	0.00	656,543.23
001.100	OVERFLOW CASH	250,524.21	0.00	0.00	250,524.21
	GENERAL FUND	<u>669,708.32</u>	<u>95,777.24</u>	<u>14,976.26</u>	<u>750,509.30</u>
Fund 202	MAJOR STREETS FUND				
001.001	INDEPENDENT BANK CASH	412,837.22	8,022.57	607.38	420,252.41
Fund 203	LOCAL STREETS FUND				
001.001	INDEPENDENT BANK CASH	167,163.25	23,451.44	1,761.64	188,853.05
Fund 207	MEMORIAL BRICK FUND				
001.001	INDEPENDENT BANK CASH	60.00	0.00	0.00	60.00
014.000	MEMORIAL BRICK CASH	(60.00)	0.00	0.00	(60.00)
	MEMORIAL BRICK FUND	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Fund 208	CEMETERY FLOWER FUND				
001.001	INDEPENDENT BANK CASH	11,165.69	0.00	0.00	11,165.69
Fund 209	CEMETERY PERPETUAL CARE FUND				
001.001	INDEPENDENT BANK CASH	25,565.95	1,200.00	0.00	26,765.95
004.000	CERTIFICATE OF DEPOSIT	81,246.14	0.00	0.00	81,246.14
	CEMETERY PERPETUAL CARE FUND	<u>106,812.09</u>	<u>1,200.00</u>	<u>0.00</u>	<u>108,012.09</u>
Fund 211					
001.001	INDEPENDENT BANK CASH	(27,965.03)	9,698.00	1,845.46	(20,112.49)
Fund 248	DOWNTOWN DEVELOPMENT AUTHORITY				
001.000	CASH	138,663.37	0.00	0.00	138,663.37
Fund 265	DRUG LAW ENFORCEMENT FUND				
001.001	INDEPENDENT BANK CASH	1,742.07	0.00	0.00	1,742.07
002.001	RETAINAGE	94.13	0.00	0.00	94.13
	DRUG LAW ENFORCEMENT FUND	<u>1,836.20</u>	<u>0.00</u>	<u>0.00</u>	<u>1,836.20</u>
Fund 542	BUILDING FUND				
001.001	INDEPENDENT BANK CASH	18,424.67	2,703.09	0.00	21,127.76
Fund 590	SEWER FUND				
001.001	INDEPENDENT BANK CASH	(418,245.72)	293,013.19	19,839.25	(145,071.78)
007.001	INDEPENDENT BANK BOND	19,035.64	0.00	0.00	19,035.64
008.001	INDEPENDENT BANK IMPROV CASH	33,004.14	0.00	0.00	33,004.14
010.001	INDEPENDENT BANK REPLACE CASH	59,155.33	0.00	0.00	59,155.33
718.000	GASB 68 PENSION	(4,004.00)	0.00	0.00	(4,004.00)
	SEWER FUND	<u>(311,054.61)</u>	<u>293,013.19</u>	<u>19,839.25</u>	<u>(37,880.67)</u>
Fund 591	WATER FUND				
001.001	INDEPENDENT BANK CASH	182,683.64	32,229.08	254,661.68	(39,748.96)
010.001	INDEPENDENT BANK REPLACE CASH	37,004.65	0.00	0.00	37,004.65
718.000	GASB 68 PENSION	(4,343.00)	0.00	0.00	(4,343.00)
	WATER FUND	<u>215,345.29</u>	<u>32,229.08</u>	<u>254,661.68</u>	<u>(7,087.31)</u>
	TOTAL - ALL FUNDS	<u>1,402,936.46</u>	<u>466,094.61</u>	<u>293,691.67</u>	<u>1,575,339.40</u>



BOARD ACTION SUMMARY SHEET

BOARD MEETING: Council
MEETING DATE: 8/1/2022
AGENDA ITEM TITLE: *Approval of Clothing Allowance - Public Works Employees*
RESOLUTION NO.:
SUBMITTED BY: Darwin McClary
DEPARTMENT: Manager

BACKGROUND SUMMARY:

Village Manager McClary is requesting that council adopt a resolution amending the Village of Stockbridge Personnel Policies Manual to provide for the payment of an annual clothing allowance for certain public works employees on a reimbursement basis for work clothing and work boots.

On May 9, council discussed providing an allowance of \$300 annually but wanted more information to determine if that amount was adequate. Village Manager McClary has obtained information from the MME listserv indicating that the average annual allowance for public works clothing and work boots is approximately \$400 combined and is recommending this amount.

ALTERNATIVES ANALYSIS:

APPROVE THE AMENDMENTS TO THE PERSONNEL POLICIES MANUAL AS RECOMMENDED OR IN ANOTHER AMOUNT PROVIDING FOR THE DPW CLOTHING ALLOWANCE.

If council adopts the policy changes, the village will provide an annual clothing allowance to each full time regular employee and each part-time employee regularly working at least 20 hours on a reimbursement or direct purchase basis.

DENY THE REQUEST OR TAKE NO ACTION.

If council denies the request or takes no action, then employees will not be reimbursed for clothing replacement costs.

PREVIOUS BOARD ACTION:

05/09/2022 - Council discussed establishing a clothing allowance of \$300 annually per public works employee; tabled action until it could be determined whether a \$300 allowance was adequate.

FINANCIAL IMPACT:

The cost to the village would be \$400 annually for each public works employee.

RECOMMENDED MOTION:

To adopt the resolution amending the Village of Stockbridge Personnel Policies Manual to add a new Section 5.03 - Public Works Clothing Allowance.

ATTACHMENTS:

**VILLAGE OF STOCKBRIDGE
COUNTY OF INGHAM
STATE OF MICHIGAN**

VILLAGE COUNCIL RESOLUTION NO. ____

A RESOLUTION TO AMEND THE VILLAGE OF STOCKBRIDGE PERSONNEL POLICIES MANUAL TO ADD A NEW SECTION 5.03 – PUBLIC WORKS CLOTHING ALLOWANCE.

WHEREAS, presenting a professional image of its employees to the public is an important consideration for the Village of Stockbridge; and

WHEREAS, due to the unique nature of the work performed by the Department of Public Works employees, the wear and tear such work imposes on the work clothes, and the need for adequate safety resulting from such work, the village deems it necessary to provide a clothing allowance for public works employees;

NOW, THEREFORE, BE IT RESOLVED that the Village Council of the Village of Stockbridge does hereby amend the Village of Stockbridge Personnel Policies Manual to add Section 5.03 to read as follows:

5. CLASSIFICATION AND COMPENSATION

5.03 Public Works Clothing Allowance

The village will provide an annual clothing allowance of four hundred dollars (\$400.00) per fiscal year on a reimbursement basis to all Department of Public Works full time regular employees and part-time employees regularly scheduled to work at least twenty (20) hours per week to be used for the purchase, maintenance, cleaning, and replacement of work clothing and safety boots. Work clothing is defined as shirts, hats or caps, pants, windbreakers, jackets, coats, and similar clothing items appropriate to the types of work performed as approved by the Village Manager. Such clothing will comply with any standards established by the Village Manager for professionalism in appearance and for functionality and safety. Work boots will be standard steel-toed work boots commonly used in the construction industry. Employees are required to submit receipts for purchases or, alternatively, may arrange for the village to order clothing items and to pay directly for such items. Any unused portion of the annual clothing allowance will not be carried over to the next fiscal year.

BE IT FURTHER RESOLVED that the Village Clerk is hereby directed to immediately update the Village of Stockbridge Personnel Policies Manual to incorporate this change.

THIS RESOLUTION WAS DULY ADOPTED BY THE STOCKBRIDGE VILLAGE COUNCIL
AT ITS REGULAR MEETING HELD ON _____, 2022.

Debbie Nogle
Village Clerk



BOARD ACTION SUMMARY SHEET

BOARD MEETING: Council

MEETING DATE: 8/1/2022

AGENDA ITEM TITLE: *Village Manager Goals and Priorities for FY 2022-23*

RESOLUTION NO.:

SUBMITTED BY: Darwin McClary

DEPARTMENT: Manager

BACKGROUND SUMMARY:

Council is scheduled to consider establishing goals and priorities for the Village Manager for the remainder of FY 2022-23 (July 2022 - February 2023). Sec. 3.1 of the Village Manager Employment Agreement addresses the need to establish annual performance goals for the manager. The Village Manager is seeking guidance and direction from the council on its priorities for the next year, as well as council's expectations of the Village Manager in the performance of his duties. Establishing clear guidance and direction will assist the Village Manager in successfully carrying out his duties and responsibilities in a manner that is sensitive to the needs, desires, and priorities of the council as a body.

To assist with facilitation of the discussion, Village Manager McClary prepared a list of village needs, and the list is attached.

ALTERNATIVES ANALYSIS:

CONSIDER VILLAGE MANAGER GOALS AND PRIORITIES AS REQUESTED.

If council establishes goals and priorities for the Village Manager for the current fiscal year, the council will have the opportunity to clearly communicate its expectations for the Village Manager's performance to help insure administrative effectiveness and success and adherence to the policy and program priorities of the village council. This action would implement the provisions of Sec. 3.1 of the Village Manager Employment Agreement relating to "Annual Evaluation".

TAKE NO ACTION.

If the council takes no action on the request, the village council and Village Manager will not have an opportunity to properly establish the direction of council for the manager in the performance of his duties and will impede the manager's ability to prioritize and focus on those areas that are of most importance and priority to the council.

PREVIOUS BOARD ACTION:

06/27/2022 - Council scheduled a work session of the Village Council for Wednesday, July 13, 2022, at 5:30 PM, for the purposes of considering Village Manager performance goals and objectives for FY 2022-23 and to discuss water and sewer infrastructure concerns.

07/13/2022 - Council held a work session to discuss Village Manager goals and priorities for the remainder of FY 2022-23; reviewed manager's list of potential priorities; concurred with each council member

bringing his or her top five or seven priorities to the August 1 meeting for discussion and finalization of list of priorities. Council will then identify performance measures.

FINANCIAL IMPACT:

None

RECOMMENDED MOTION:

To adopt the following as the top goals and priorities for the Village Manager for the remainder of FY 2022-23: (1) _____; (2) _____; (3) _____; (4) _____; (5) _____.

ATTACHMENTS:

- Village Manager List of Possible Goals and Priorities
- Council Member Priority Lists

Village Manager Goals and Priorities 2022-23

Wednesday, July 13, 2022 10:04 AM

INFRASTRUCTURE

- Sanitary sewage treatment facility upgrades
- Sewer collection system upgrades
- Water Treatment Plant upgrades
- Water distribution system and storage tower upgrades
- Storm sewer system upgrades
- Street Improvements
- Sidewalk repair/replacement
- Parking lot improvements
- Village Hall
- Obtain consulting engineering services (added by council 7/13/22)

MUNICIPAL OPERATIONS

- Computer hardware and peripherals inventory and upgrade
- Computer software inventory and upgrades
- Copier lease renewal 2023
- Fleet Management (police vehicles, DPW vehicles)
- Staffing
- Budget, Capital Improvement Plan, comprehensive fee schedule
- Cemetery - maintenance, burial coordination, BS&A database management
- Employee training and professional development
- Citizen complaint response management
- Code enforcement
- Correct utility billing system to ensure that all customers are being properly billed for water and sewer usage
- Utilities (water/sewer) rates study
- Lakewood Apartments water service and metering issues
- Village Hall
- DPW garage repairs
- DPW building repairs and upgrades
- DPW vehicle and equipment needs
- Efficient and effective DPW work order system
- Police vehicle and equipment needs
- Records management, retention, and safekeeping
- Forms creation and implementation (special events, permits, etc.)
- Resolution of DDA services billing for FY 2021-22 and new agreement for services for FY 2022-23 and beyond
- Implementation of remote village council meetings

ECONOMIC DEVELOPMENT

PARKS AND RECREATION

- Skate Ramp Replacement Project
- Pump Track Construction Project
- Lakelands Trail Management
- Veterans Memorial Park Facilities Improvement Project (grant)
- Veterans Memorial Park maintenance (mowing and trimming, facility inspection program, building and play equipment repairs)

COMMUNITY ENGAGEMENT

INTERGOVERNMENTAL RELATIONS AND COLLABORATION

Darwin McClary

From: Kim Morehouse <kmorehouse@vosmi.org>
Sent: Friday, July 29, 2022 12:40 PM
To: manager@vosmi.org
Subject: RE: Potential Village Manager Goals and Priorities List - Revised

1. Number one item for my review of your performance would be if you've found efficiencies (monies) that offset your salary WITHOUT raising taxes or levies against Village residents. We can't keep increasing taxes and utility rates on residents! For example, stop the late fees and penalties ... and save a "free" \$6300 per year (as disclosed in last year's audit). What other bad business practices are causing us to needlessly waste money?
2. Staffing
 - a. DPW Supervisor with proper certifications
 - b. Permanent Police Chief and/or possible back-fill for full-time officer (if Matt Bartus were to be selected).
 - c. Treasurer and/or combined job description for office personnel. Must have competent personnel to bill utilities, collect funds, and pay bills without penalties and/or late fees. We're wasting money now.
3. Correct utility billing system to ensure that all customers are being properly billed for water and sewer usage. We're wasting money now.
4. Obtain consulting engineering services. Can't take corrective infrastructure actions without an engineer.
5. Budget, Capital Improvement Plan, comprehensive fee schedule. Can't take corrective actions if we don't have a plan in place (based on engineering recommendations).
6. Water Treatment Plant upgrades. It's my understanding the filtration / medium tank has failed. Critical repairs (of this and other items) needed.
7. Sanitary sewage treatment facility upgrades. It's my understanding that the liner has failed in two lagoons. Critical repairs (of this and other items) needed.
8. Village Hall. Either purchase and renovate, build new, or upgrade current location. But it must be done at a justifiable cost. Better have a good story to convince residents that office operations have improved to warrant this new expense. Want a new Village Hall? Then earn it with improvements to operations. If residents don't trust Village operations, then it would be insult to injury.

----- Original Message -----

From: Darwin McClary [<mailto:manager@vosmi.org>]
To: "Chad Quintanilla" <cquintanilla@vosmi.org>, "Fred Cattell" <fcattell@vosmi.org>, "Greg Uihlein" <guihlein@vosmi.org>, "Kim Morehouse" <kmorehouse@vosmi.org>, "Molly Howlett" <president@vosmi.org>, "Richard Mullins" <rmullins@vosmi.org>
Sent: Fri, 29 Jul 2022 11:41:30 -0400
Subject: Potential Village Manager Goals and Priorities List - Revised

Council:

In response to the request from Trustee Morehouse, attached please find the list of potential village manager goals and priorities for your information. I hope this helps!



Darwin D. P. McClary

Village Manager

305 West Elizabeth Street, Room 107

PO Box 155

Stockbridge, MI 49285

(517) 851-7435 - Main

(517) 851-7055 – Direct

(517) 851-2631 - Mobile

www.vosmi.org

Darwin McClary

From: Richard Mullins <rmullins@vosmi.org>
Sent: Thursday, July 28, 2022 6:45 PM
To: manager@vosmi.org
Subject: Priority list

1. Water bills and reads
2. Qualified employees
3. Infrastructure- water and sewer, wells
4. Employee training
5. Building for village office
6. Grants
7. Village Communications

Hope this helps.

Sincerely, Richard Mullins



BOARD ACTION SUMMARY SHEET

BOARD MEETING: Council

MEETING DATE: 8/1/2022

AGENDA ITEM TITLE: *Appointment Process - Village Council Vacancy*

RESOLUTION NO.:

SUBMITTED BY: Darwin McClary

DEPARTMENT: Manager

BACKGROUND SUMMARY:

Council is scheduled to consider establishing the process to be used in the selection and appointment to fill the unexpired term of office due to the passing of Trustee Anne Mocerri. The term of office for this position expires on November 20, 2022. Village Manager McClary recommends that the village council adopt a policy establishing a formal procedure for the recruitment, selection, and appointment to village council vacancies. Adopting a formal policy would provide a fair, uniform, and consistent process for such appointments.

Section 13 of the Michigan General Law Village Act, Public Act 3 of 1895, as amended, sets forth the process for filling council vacancies and states as follows:

62.13 Vacancies; filling; special elections; procedure; expenses.

Sec. 13. A vacancy occurring in the office of president, trustee, or any other elective office shall be filled by appointment by the council, and the appointee shall hold office until the next regular village election. All vacancies in any other office shall be filled by the president, by and with the consent of the council. If by reason of removal, death, resignation, or otherwise, the membership of the council is reduced to less than a quorum, the remaining council members shall call a special election for the purpose of filling all vacancies in the office of trustee, if a petition signed by not less than 10% of the qualified voters of the village is filed with

the village clerk within 10 days after the vacancy or vacancies occur. If a petition is not filed within the time stated, then the remaining council members may either call a special election, or may appoint a sufficient number of trustees to constitute with the members in office a quorum of the council, who shall then fill the remaining vacancies as provided in this section. If all the officers and trustees of a village have died or moved

from the village, and no successors have been elected or appointed to fill the vacancies, the township clerk of

the township within which the village is situated shall, upon petition of 10% of the qualified voters residing in

the village, call a special election for the election of the officers and trustees of the village to be held on a regular election date as established under section 641 of the Michigan election law, 1954 PA 116, MCL 168.641. The township shall perform all of the other duties with respect to the election as the village might have done had the vacancies not existed, including the preparation of ballots, the appointment of election inspectors, the counting and canvassing of the ballots, and the certification of the persons elected to the offices for which the election was held. The expenses of the election shall be paid by the village as provided

in section 642 of the Michigan election law, 1954 PA 116, MCL 168.642.

Attached is an application for the council trustee position that was submitted previously to Village President Howlett by resident Linda Dyer, 4005 Eastbridge Circle Road.

ALTERNATIVES ANALYSIS:

ESTABLISH A FORMAL PROCESS FOR RECRUITMENT AND SELECTION OF CANDIDATES FOR VILLAGE COUNCIL POSITIONS AND PROCEED WITH THE PROCESS TO FILL THE VACANT POSITION.

If council establishes a formal process, this process would apply fairly, uniformly, and consistently for all village electors interested in being considered for vacant village trustee positions; would provide adequate opportunity for residents to be informed of the vacancy and to submit an application for consideration.

TAKE NO ACTION.

If council takes no action on establishing a formal process, the method of selecting a person to fill a council vacancy would be handled on a case-by-case basis and would not necessarily provide for a fair, uniform, and consistent process that provides adequate opportunity for consideration by all interested electors.

PREVIOUS BOARD ACTION:

None

FINANCIAL IMPACT:

None

RECOMMENDED MOTION:

To be provided

ATTACHMENTS:



BOARD ACTION SUMMARY SHEET

BOARD MEETING Council
MEETING DATE: 8/1/2022
AGENDA ITEM TITLE: *Planning Commission Membership Composition*
RESOLUTION NO.:
SUBMITTED BY: John Gormley
DEPARTMENT: Attorney

BACKGROUND SUMMARY:

Village Attorney Gormley is requesting direction from the village council as to whether the council desires to amend the ordinance creating the planning commission to permit members of the commission to serve on other boards and commissions of the village. Currently, village code prohibits planning commissioners from serving on other boards and commission, with the exception that one member of the commission may also serve on the Zoning Board of Appeals. At least one member of the planning commission is serving on other boards and commissions in violation of village code.

Attached is a copy of the E-mail correspondence between the Village Attorney and Village Manager regarding this matter for the information of council.

ALTERNATIVES ANALYSIS:

DIRECT THE VILLAGE ATTORNEY TO DRAFT AN AMENDMENT TO PERMIT PLANNING COMMISSION MEMBERS TO SIMULANTEOUSLY SERVE ON OTHER BOARDS AND COMMISSIONS.

If council directs the Village Attorney to draft such an amendment, an amendatory ordinance will be drafted by the Village Attorney and submitted to council for consideration for adoptions. Amending the village code would cure the current ordinance violation.

TAKE NO ACTION.

If council opts to take no action, the current ordinance language would remain in effect, and any planning commissioner serving on other boards and commissions, other than the BZA, would need to decide whether they wish to continue serving on the planning commission and resign from other boards and commissions or resign from the planning commission and retain their positions on other boards or commissions.

PREVIOUS BOARD ACTION:

None

FINANCIAL IMPACT:

If council directs the drafting of an amendatory ordinance, the village would incur legal costs for the drafting of the ordinance.

RECOMMENDED MOTION:

To be provided

ATTACHMENTS:

Email Correspondence dated July 5, 2022 - Village Attorney and Village Manager

Darwin McClary

From: Darwin McClary <manager@vosmi.org>
Sent: Tuesday, July 5, 2022 2:01 PM
To: 'John Gormley'
Subject: RE: Planning Commission Makeup

John:

You may wish to present this to the village council for consultation as to whether they desire to change the ordinance. If they indicate that they do, we can work to prepare an amendatory ordinance. Did you want this on the July 11 meeting agenda for discussion?



Darwin D. P. McClary

Village Manager

305 West Elizabeth Street, Room 107
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From: John Gormley <john@gormleylaw.onmicrosoft.com>
Sent: Tuesday, June 14, 2022 4:17 PM
To: Darwin McClary <manager@vosmi.org>
Subject: Planning Commission Makeup

Darwin:

Looking at 2-245 about composition of planning commission. We are not following the Ordinance, as Daryl sits on Planning Commission and DDA. I think we need to fix the Ordinance, which was done in 2005. The Ordinance reads:

Sec. 2-245. - Composition.

The commission shall consist of five members who shall be appointed by the chairperson of the village council subject to approval by a majority vote of the members of the village council. **All members of the commission shall hold no other municipal office except that one of the commission members may be a member of the zoning board of appeals.** The term of each member shall be three years. All members shall hold office until their successors are appointed. A member may, after a public hearing, be removed by the chairperson for inefficiency, neglect of duty, or malfeasance in office. Vacancies occurring otherwise than through the

expiration of a term, shall be filled for the unexpired term by the chairperson subject to approval by a majority vote of the village council.

(Ord. No. 05-09-05, § 2, 9-6-2005)

MCL 125.3815 controls the makeup of the board of a planning commission and does not require the highlighted info above. We should consider amending this Ordinance.

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BOARD ACTION SUMMARY SHEET

BOARD MEETING: Council
MEETING DATE: 8/1/2022
AGENDA ITEM TITLE: *MERS Annual Conference Delegate Selection*
RESOLUTION NO.:
SUBMITTED BY: Darwin McClary
DEPARTMENT: Manager

BACKGROUND SUMMARY:

Council is being requested by the Municipal Employees' Retirement System (MERS) to certify the village's officer and employee delegates to the MERS Annual Conference, if an officer and employee will be attending the conference. If no one is attending, no selection of delegates is necessary. The annual conference is being held on September 26-27, 2022, at Grand Traverse Resort, Traverse City, Michigan.

Attached is the information provided by MERS regarding the conference and the selection of delegates.

ALTERNATIVES ANALYSIS:

SELECT THE OFFICER AND EMPLOYEE DELEGATES TO THE MERS CONFERENCE.

If council determines that it wishes to have delegates attend the conference, council should provide direction to the Village Manager to conduct an election for the employee delegate in accordance with MERS rules. The council would then certify the municipal delegate and employee delegate at council's September regular meeting. If council selects delegates, the delegates will have authority to vote at the MERS annual business meeting on matters coming before the membership. The village council would need to determine if the village will cover the costs for these delegates to attend.

TAKE NO ACTION.

If council takes no action on this matter, the village will have no delegates authorized to vote at the MERS annual business meeting.

PREVIOUS BOARD ACTION:

None

FINANCIAL IMPACT:

Please refer to the attached materials for the conference registration and hotel room pricing. Transportation costs must also be considered.

RECOMMENDED MOTION:

If council desires to have an officer and employee delegate attend the meeting:

#1 - To approve the attendance of one municipal officer and one employee delegate to attend the 2022

MERS Annual Conference in Traverse City, Michigan, at village expense.

#2 - To request that the Village Manager proceed to conduct an election for the employee delegate in accordance with MERS rules and to present the results of the election at council's September 2022 regular meeting for consideration.

ATTACHMENTS:

MERS Annual Conference Information



REGISTER EARLY FOR THE BEST VALUE

Register by **August 5** to receive the **discounted rate of \$205/person**.
After August 5, the rate will be \$295/person.
Online registration will close **September 16**.

BOOK YOUR HOTEL ROOM

The deadline to reserve a hotel room at the **discounted rate is August 26**.
To book your room, call the Grand Traverse directly at **(800) 236.1577** and mention the MERS Annual Conference.



WWW.MERSOFMICH.COM/ANNUALCONFERENCE

REGISTER TODAY!

- ### WHO SHOULD ATTEND
- Appointed and Elected officials
 - Human Resources staff
 - Finance staff
 - Plan participants



2022 RETIREMENT CONFERENCE

YOU'RE INVITED

MONDAY – TUESDAY
SEPTEMBER 26 – 27

GRAND TRAVERSE RESORT



JOIN US at the beautiful Grand Traverse Resort for the MERS 76th Retirement Conference.

Our mission is to partner with your communities to provide services that support secure retirements for Michigan's municipal employees. With that in mind, we look forward to coming together and having important conversations about the state of the retirement benefits industry. A variety of educational sessions will offer insight and valuable information about your MERS plans and we'll continue discussions on the importance of financial wellness while highlighting some new and enhanced resources.

Don't miss out on this opportunity to connect with your peers, colleagues and friends!



MERS BUSINESS MEETING will be held on Monday, September 26. During this session, CEO Kerrie Vanden Bosch will provide an update on the state of MERS, CIO Jeb Burns will provide investment updates and delegates will have the opportunity to vote for members of the MERS Retirement Board.

For more information on electing and certifying delegates, visit www.mersofmich.com/annualconference.



TOPICS

- Understanding Your MERS Plan
- Managing Unfunded Accrued Liability
- Retirement Planning
- Plan Design
- Investment Strategies
- Health Care in Retirement
- Financial Fitness
- Social Security

NEED CREDIT?

We'll be offering continuing education credits through SHRM and HRCI for HR professionals as well as credits for CPAs.



GUEST SPEAKERS

Louis-Vincent Gave,
Founding Partner and CEO,
Gavekal
Global Market Overview –
Investing in a Structurally
Inflationary Environment



Mary Beth Franklin,
Contributing Editor,
Investment News
How to Maximize Social
Security Benefits



Annual Conference Delegate Process FAQs

Delegate Selection

Where do the rules about delegate eligibility and selection come from?

The rules about who can be an officer or employee delegate are found in the Municipal Employees' Retirement Act (MERA) of 1984, specifically MCL 38.1545. These rules are also found in Section 78 of the MERS Plan Document.

The act reads: "The governing body of each participating municipality shall certify the names of two delegates to the annual meeting. One delegate shall be a member who is an officer of the participating municipality, selected by the governing body of the participating municipality. The other delegate shall be a member who is not an officer of the participating municipality, elected by the member employees of the participating municipality. The election shall be by secret ballot and shall be conducted by an officer of the participating municipality. The election shall be conducted in a manner that affords each member employee an opportunity to vote."

Who can be designated as delegates to the MERS Annual Business Meeting?

Municipalities and courts that participate in the MERS Defined Benefit, Defined Contribution or Hybrid plans can each name two delegates. One of these two delegates must be a participant who is an officer of the municipality/court (Officer Delegate). The other of these two delegates must be a participant who is not an officer of the municipality or court, and who was elected by the participating employees of the municipality (Employee Delegate).

Are any employees excluded?

Yes. A retiree who is rehired in any capacity by the same participating municipality or court from which he or she retired is excluded from eligibility to serve as a delegate.

Who can be an Officer Delegate?

An Officer Delegate must hold a department head position or above, exercise management responsibilities, and report directly to the legislative and/or executive branch of government.

Who can be an Employee Delegate?

An Employee Delegate must **not** be responsible for management decisions, must receive direction from management, and must **not** report directly to the legislative and/or executive branch of government.

How are Officer Delegates selected?

The governing body/chief judge of each participating municipality/court selects an Officer Delegate.

How are Employee Delegates selected?

An officer of the participating municipality or court conducts a secret ballot vote of participant employees so that each participant employee (whether employee or management) has the opportunity to vote for an Employee Delegate.

What if the employer fails to hold this vote or breaks one of the rules listed above?

The participating municipality or court will not have valid delegates eligible to vote at the MERS Annual Business Meeting.

How does MERS learn who the delegates are?

The municipality or court “certifies” (identifies in writing) to MERS on the enclosed MERS Delegate Form who its two delegates are for the Annual Conference prior to the meeting. This form is uploaded at time of registration to the Annual Conference site.

How does MERS know who is who at the Annual Conference?

For an in-person conference, MERS pulls the attendee information from the Annual Conference registration site which houses the submitted delegate form and creates name tags that identify each attendee’s municipality or court and their attendance status (e.g., officer delegate/employee delegate/non-voting member/guest). For a MERS virtual conference, attendees register for online sessions via the virtual presentation tool and attendee reports are pulled from that site.

Can a municipality or court name alternates in case the delegate cannot attend?

A municipality or court is permitted to include an alternate for each delegate by certifying the alternate on the same MERS Delegate Form. The alternate Delegate may only serve if the primary Delegate cannot attend. The alternate employee delegate must be elected in the same way as described above. MERA (the law establishing MERS) does not require or provide for alternate delegates to be named; MERS permits this as a service to its customers.

Delegate Certification

Who from the municipality or court is able to certify the delegate form?

The form is certified by a member of the governing body or chief administrative officer (ex: Board Chair, Mayor, Council President, City Manager, Executive Director) or the chief judge of a participating court.

Does the municipality or court need Board or Council approval before certifying the delegate form?

Yes, the governing body must certify the selection of delegates on the MERS Delegate Form.



Municipal Employees' Retirement System of Michigan
 1134 Municipal Way • Lansing, MI 48917
 800.767.MERS (6377) • Fax: 517.703.9707
 www.mersofmich.com

2022 Officer and Employee Delegate Certification Form

MERS Annual Business Meeting | September 2022

Please print clearly • Scan and attach this file when you register online • Retain a copy for your records

IMPORTANT: If you are not electing/appointing delegates to vote during the MERS Annual Business Meeting, please **DO NOT** submit this form. A **delegate** is **NOT** confirmed to have voting rights until this form has been uploaded with their online registration.

The voting delegate representative must be a MERS member, defined as an **active employee on payroll** who is enrolled in either a MERS Defined Benefit Plan, Defined Contribution Plan or Hybrid Plan.

1. Officer (and alternate) delegate information

The officer delegate (or alternate) shall be a MERS member who holds a department head position or above, exercises management responsibilities, and is directly responsible to the legislative, executive, or judicial branch of government.

Officer Delegate name

Officer Alternate name

Officer delegate and alternate listed above were appointed to serve during the 2022 MERS Annual Business Meeting by official action of the governing body (or chief judge for a participating court) on _____, 2022.

2. Employee (and alternate) delegate information

The employee delegate (or alternate) shall be an employee member who is not responsible for management decisions, receives direction from management and, in general, is not directly responsible to the legislative, executive, or judicial branch of government.

Employee Delegate name

Employee Alternate name

Employee delegate and alternate listed above were elected to serve during the 2022 MERS Annual Business Meeting by secret ballot election conducted by an authorized officer on _____, 2022.

3. Certification

NOTE: Certification should be signed by a member of the governing body or chief administrative officer, or the chief judge for a participating court. **An electronic signature is permissible.**

I certify that the officer delegate and alternate selections are true and correct, and the secret ballot election results for the employee delegate and alternate are true and correct.

Employer/municipality name*		Municipality number*	Email address	
Employer address	Employer city	Employer state	Employer zip code	
Printed name	Title of authorized authority*			
Authorized signature*			Date	

* Required field



1. You may complete it electronically (an electronic authorized signature is permissible), then save it and upload it when registering your delegate(s) – OR –
2. You may print it off and complete it, then scan and upload it to your computer for uploading when you register your delegate(s).

