

**VILLAGE OF ORTONVILLE
VILLAGE COUNCIL
JULY 23, 2007**

President Bess called the meeting to order at 7:30 P.M.

Pledge of Allegiance

Members Present: Batten, Bess, Flath, Green, Hanes, Hayden, Kassuba

Members Absent: None

Manager Coy, Clerk/Treasurer Clark, Leanne Panduren of Rowe, Inc., Susan Bromley of the Citizen, Phil Foley of the Reminder, and 10 citizens were also present.

APPROVAL OF AGENDA

***MOTION** by Batten seconded by Hanes to approve the agenda as amended, adding under Old Business,
B. Skate Park fence
C. Post Office
D. Cable TV

MOTION CARRIED

***MOTION** by Kassuba seconded by Green to remove the DPW Report from the Consent Agenda. The DPW Report was removed, as it was not prepared within the time frames required by Council.

AYES: 7
NAYES: 0

MOTION CARRIED

Council had previously asked Coy to explain to DPW Supervisor Prince that his report must be in the office on Thursday afternoon to be included in the packets on Friday. Council requested that a notice of nonperformance be placed in Prince's personnel file.

APPROVAL OF CONSENT AGENDA

***MOTION** by Green seconded by Batten to approve the Consent Agenda including the following items.

- Approve minutes of the Village Council Meeting, July 9, 2007
- Accept the Village Manager's Report for July 2007
- Accept Brandon Township Fire Run Summary – June 2007

AYES: 7
NAYES: 0

MOTION CARRIED

OLD BUSINESS

- A. RETIREMENT PLANS – WAYNE WILLS** – Coy stated that Wills had informed him that he may be running late. Coy asked Council to table this issue until Wills arrives.
- B. SKATE PARK FENCE** – Coy stated that he talked with Building Official Palulian this morning and he has concerns regarding the 10' fence. He feels that wind pressure would make the fence unsafe.

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***MOTION** by Hayden to install a new 8' fence.

MOTION DIES FOR LACK OF SUPPORT

Coy will meet with the Darnall's, Waybrant, Palulian and Prince regarding an 8' fence and bring a recommendation back to Council at the August 13, 2007 Meeting.

- C. **POST OFFICE** – Green asked Coy what the status is of the pillars at the Post Office. Coy stated that he has talked to them and understood that they would be replaced within a month. As they have not been replaced yet, Council directed Manager Coy to write a letter to the Regional Manager to get this issue resolved.

- D. **CABLE TV/INTERNET SERVICE** – Green asked Coy what the status of the request from Bob Donnelly regarding high speed Internet service is. Coy stated that he has continued try to reach Verizon regarding this issue and has not been able to speak with some one. It appears that Verizon is not interested in investing in fiber optic lines required for high speed Internet service.

NEW BUSINESS

- A. **SIGN ORDINANCE** –Rob Mansfield of Glass with Class was present to discuss with Council the current Sign Ordinance. Mansfield has received a violation letter from Manager Coy regarding the sandwich board sign that is placed on the sidewalk daily. Mansfield feels that he understands the Village position regarding the Ordinance, however he feels that the whole sign issue needs to be looked at. Council also received a letter from Willow Pointe, owners and staff members regarding a business' need to advertise to stay in business. Bess asked Mansfield if he is willing to talk to the local business owners to try to gather ideas of what size and kinds of signs would benefit the businesses.

***MOTION** by Hayden seconded by Flath to grant a 90 day grace period for all business having received a violation letter regarding signs, with the exception of any sign that places the Health, Safety and Welfare of Village residents at risk.

AYES: Hayden, Flath, Hanes, Green, Kassuba, Bess
NAYES: Batten

MOTION CARRIED

During the 90-day grace period Mansfield will meet with local business owners to present some information to the Planning Commission, Coy will meet with the parties.

- B. **POLICY ON BUILDING PERMIT FEES** – Ron Sutton representing the Ortonville United Methodist Church (OUMC) asked Council to waive the Building Permit fees for the proposed renovations at the house at 105 Church Street for Church use.

***MOTION** by Flath seconded by Green to waive the permit fees for 105 Church St., charging the OUMC only the fees required to pay the inspectors.

AYES: Flath, Green, Batten, Hayden, Bess
NAYES: Kassuba, Hanes

MOTION CARRIED

***MOTION** by Kassuba seconded by Hanes to waive the inspection fees for 105 Church St.

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AYES: Kassuba, Hanes
NAYES: Flath, Green, Batten, Hayden, Bess

MOTION DOES NOT CARRIED

- C. **MASTER PLAN CONSULTANT** – Village Planning Commission Chairman Palshan presented Council information regarding the Master Plan consultant selection process. Palshan on behalf of the Master Plan Task Force recommended to Council that McKenna be retained to assist the Planning Commission in the rewriting of the Master Plan.

MOTION by Green seconded by Hayden to McKenna as consultant for the rewriting of the Village Master Plan, contract amount not more than \$40,000.00.

AYES: Green, Hayden, Flath, Kassuba, Batten, Hanes, Bess
NAYES: None

MOTION CARRIED

- D. **OPENING OF SIDEWALK BIDS** – Coy stated that Dave Arndson present tonight was unable to have his bid in by the deadline on July 20, 2007. I told him it was up to Council if his bid would be considered. Council agreed not to include this late bid as, it was very clearly stated that there would be no exceptions to the deadline. The following bids were opened:

Orion Concrete	\$49,999.99
Bory, Inc.	\$48,840.00

***MOTION** by Hanes seconded by Flath to approve accepting the bid from Bory, Inc in the amount of \$48,840.00.

AYES: Hanes, Flath, Batten, Hayden, Kassuba, Green, Bess
NAYES: None

MOTION CARRIED

- E. **MEMORIAL FOR PFC. JOSEPH MIRACLE** – Clark stated that she has researched what other communities have done in honoring a fallen soldier. Groveland and Brandon Townships have been contacted and would like to be included in any plans. Clark stated that based on research she recommends that the Village adopt a Proclamation, plant a tree or some similar memorial, and include special recognition at the Memorial Day Ceremony in the spring of 2008.

- F. **GENERIC CONTRACT** - Manager Coy presented a copy of a generic contract for Village use, created by Village attorney Rentrop.

***MOTION** Green seconded by Hanes to approve the use of the generic contract by the Village of Ortonville.

AYES: 7
NAYES: 0

MOTION CARRIED

- G. **ASK THE MANAGER** – Manager Coy stated that as most of the public comment is due to lack of understanding of the operation of a municipality, he felt everyone would benefit from a “Ask the Manager” session at 7:00 p.m. prior to each meeting.

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***MOTION** by Green seconded by Hayden to authorize a 3-month trial period of the “Ask the Manager” prior to Council Meetings.

AYES: 7
NAYES: 0

MOTION CARRIED

OLD BUSINESS

A. **RETIREMENT PLANS** – Wayne Wills discussed with Council the proposed changes to the existing Money Purchase Plan and the new 401K plan.

***MOTION** by Hayden seconded by Kassuba to approve the amendments to the Money Purchase Pension Plan, with the Lafayette Life Insurance Company, increasing the Village contribution amount per the Union Contract between the Village of Ortonville and the Teamsters Local 214. The contribution will increase from 5% to 7% effective July 1, 2005 for union employees, July 1, 2007 for nonunion employees and 9% on July 1, 2008 for all qualifying employees.

AYES: Hayden, Kassuba, Batten, Hanes, Flath, Bess
NAYES: Green

MOTION CARRIED

***MOTION** by Hayden seconded by Hanes to approve the 401K Profit Sharing Plan, with the Lafayette Life Insurance Company, allowing for employee contributions, on a pre-tax basis, within the guidelines of the IRS. The Village will match of 1% of the qualified employees wages as long as the employee contributes at least two (2%) percent, of the employees yearly wages to the same fund.

AYES: Hayden, Hanes, Flath Batten, Bess
NAYES: Green, Kassuba

MOTION CARRIED

***MOTION** by Kassuba seconded by Flath to authorize contributions equaling 2% of the employees yearly wage effective July 1, 2005 and interest at a rate of 4% of the contributions (2%), as earned by the plan for employees covered under union contract.

AYES: Kassuba, Flath, Hanes, Batten, Hayden, Bess
NAYES: Green

MOTION CARRIED

***MOTION** by Kassuba seconded by Hayden to approve amendments to the Village of Ortonville Personnel Policy to incorporate language as presented, reflecting the previously approved motions.

AYES: 6
NAYES: 1

MOTION CARRIED

GENERAL PUBLIC INPUT –

Glennis Hubbard stated that she is pleased to see the Village working on the Ordinance Violations and asked if letters have been sent to the residents in violation?

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Coy stated that letters have not been sent.

Hubbard asked along with the discussion of the skate park fence, the gate was not discussed and still has not been replaced.

Coy stated that he discussed that gate with Prince last week and again today, it will be in place by the end of this week.

Hubbard asked the status of the Village street sweeper?

Coy stated that the sweeper has been picked up at Bell Equipment and is at another shop for a quote for repairs.

Quisenberry asked if the work done by a landscape company to maintain a billboard property could be done by the DPW therefore allowing the Village to keep the money collected from the Gannett Sign Co.?

Bess stated that this is a long-standing contract and cannot be changed at this time.

COMMITTEE REPORTS:

- A. **Parks and Beautification** – Chairman Hanes Nothing thank-you.
- B. **Building & Maintenance** – Chairman Green nothing thank-you
- C. **Streets** –Chairman Batten nothing thank-you..
- D. **Old Mill** –Chairman Flath nothing thank-you.
- E. **Emergency Management** – Chairman Hayden nothing thank-you.

***MOTION** by Hanes seconded by Batten to close the public portion of the meeting and open an Executive Closed Session to consider the purchase or lease of real property, at 9:53 PM.

AYES: Hanes, Batten, Hayden, Kassuba, Flath, Green, Bess
NAYES: None

MOTION CARRIED

***MOTION** Green seconded by Flath to close the Executive Closed Session and open the public portion of the meeting at 10:35 PM.

AYES: Green, Flath, Kassuba, Hanes, Hayden, Batten, Bess
NAYES: None

MOTION CARRIED

Coy will send a letter to Brandon Township Supervisor Lapp apologizing for not responding previously and explain that the Village is researching the costs involved as well as other items proposed. The Village will have a response to the Township within 30-60 days.

ADJOURNMENT

***Motion** by Hayden seconded by Batten to adjourn the meeting at 10:40 P.M. **MOTION CARRIED.**

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Respectfully submitted,

Mary E. Clark
Clerk