

**Village of Ortonville**  
Township Offices – 395 Mill Street, Ortonville, MI 48462  
**Village Council Meeting Minutes**  
**September 8, 2008 – 7:00 p.m.**

President Quisenberry called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance.

**Roll Call:**

Present: Nivelts, Eschmann, Green, Champion, Batten, Quisenberry  
Absent: Kassuba, with notice.

**Also Present:** Ed Coy-Village Manager, Julie Alexander - Village Clerk, and approximately 12 residents.

**Approval of Agenda:**

Moved Item B (New Business) **Heritage Garden** to Item A (Unfinished Business) at the request of **President Quisenberry**.

**Motion by Trustee Batten**, seconded by Trustee Eschmann, to approve the amended agenda.  
**All in favor, the Motion carried.**

**Approval of Council Meeting Minutes:**

Minutes of the Ortonville Zoning Board of Appeals Meeting – August 25, 2008  
Minutes of the Ortonville Regular Council Meeting – August 25, 2008

**Motion by Trustee Champion**, seconded by Trustee Eschmann, to approve the minutes of the August 25, 2008 Ortonville Zoning Board of Appeals meeting, and Regular Council meeting, without corrections.  
**All in favor, the Motion carried.**

**Disbursements:**

Clarification sought for the following invoice(s):

- Clarified non-A/P items
- Orion Concrete      Village Manager Coy advised Council of status of sidewalk work. There are still a few outstanding issues that should be completed soon.

**Motion by Trustee Batten**, seconded by Trustee Eschmann, to approve disbursements in the amount of \$7,618.61, less Orion Concrete amount.

**Motion withdrawn.**

**Motion by Trustee Eschmann**, seconded by Trustee Nivelts, to approve disbursement in the amount of \$7,618.61.

**Roll Call:**

Ayes: Nivelt, Eschmann, Quisenberry

Nays: Green, Champion, Batten

**Motion failed.**

**Motion by Trustee Green**, seconded by Trustee Champion, to approve disbursements in the amount of \$4,791.92 (not paying the Orion Concrete invoice, at this time).

**Roll Call:**

Ayes: Nivelt, Green, Champion, Quisenberry

Nays: Batten, Eschmann

**Motion approved.**

**Acceptance of Other Items:**

**A. Brandon Township Expenditures – August 2008**

No questions or clarifications.

**Regular Village Council meeting stopped at 7:12 p.m. for Public Hearing.**

**Public Hearing**

**Reprogramming of CDBG Funds-**

Village Manager Coy advised of purpose for the Public Hearing. Village Manager Coy outlined the Resolution for 2007 and 2008 Reprogramming of CDBG funds. There were no questions from the Village Council or the public.

**Returned to Regular Village Council meeting at 7:15 p.m.**

**Unfinished Business:**

Heritage Garden - Jason Gault, DDA Board Member

Mr. Gault advised Council of recent changes to the Heritage Garden. There has not been a DDA Board meeting since this issue was brought up at the last Council meeting, but he has personally met with the garden committee to address the appearance of the garden. It appears that the original sketch provided to Council has been followed, with only a few minor substitutions. Due to the public controversy, the committee has been willing to make some changes. Over the past few weeks, 90% of the “switch” grass has been removed to give the garden a “cleaner” look. Also, some plants with color have been added to increase the overall appeal of the garden. Mr. Gault noted the noticeable improvement. Council agreed and stated possible need for more changes.

**New Business:**

**A. Reprogramming of CDBG Funds – Village Manager Coy**

Village Manager Coy referenced Resolution in Council packets.

**Motion by Trustee Green**, seconded by Trustee Nivelt, to approve the CDBG Reprogramming Resolution as presented.

**Roll Call:**

Ayes: Nivelt, Eschmann, Green, Champion, Batten, Quisenberry

Nays: None.

**Motion approved.**

**B. Waste Water Treatment System – Trustee Batten**

Trustee Batten questioned status of waste water treatment system for Village. Village Manager Coy reminded Trustee Batten of Council wanting Brandon Township involvement. It was also noted that due to the upcoming elections, Brandon Township will probably not address this issue in the near future.

**C. Master Plan Finalization – Village Manager Coy**

Village Manager Coy advised Council that according to the law, it is optional to have the Village Council vote on the adoption of the Master Plan. The Planning Commission will be voting on September 30, 2008, and that is all that is technically required. Council noted interest in showing support of the Master Plan by voting on it's adoption at the first meeting in October. Final copies of the Master Plan will be provided to Council and the public (upon request).

**D. Village Audit – President Quisenberry**

President Quisenberry advised Council that Lewis & Knopf has performed the annual Village audit for many years. He requested either a vote to approve using the same firm for the 2007-2008 fiscal year or to form a committee to seek bids for working with a different company. It was noted that there are no issues with Lewis & Knopf or out-of-line price increase.

**Motion by Trustee Champion**, seconded by Trustee Green, to use Lewis & Knopf for the 2007-2008 fiscal year audit.

**Roll Call:**

Ayes: Nivelt, Eschmann, Green, Champion, Quisenberry

Nays: Batten

**Motion passed.**

**E. 2009 Village Election – President Quisenberry**

President Quisenberry advised Council of option to change the Village election schedule from September of odd years to November of even years. This would correspond with the Township and state recommended schedule. The four Council members with terms ending in September of 2009 would have their terms extended by 14 months (to November of 2010). He requested feedback from Council on making this change.

**Motion by Trustee Batten**, seconded by Trustee Green, to have Village Manager Coy proceed with the process required to change the Village election schedule to be in sync with Brandon Township.

**All in favor, the Motion carried.**

**Public Comments (all items):**

**Mr. Perry Rouse** – Complained of Dave Bonner’s property condition. Mr. Rouse stated that he has contacted his attorney regarding the issue due the fence damage Mr. Bonner’s weeds have caused. Village Manager Coy advised that he has contacted Mr. Bonner requesting the weeds be cut down. He acknowledged need to maintain Village properties, but advised that Village does not have the authority to complete the work and charge the property owner per Village ordinances. There was discussion regarding the ordinance. Council requested a letter be sent from Village to Mr. Bonner giving 72 hours to remove weeds.

**Motion by Trustee Green**, seconded by Trustee Nivelt, to have Village Manager Coy write a letter providing for 72 hours to comply with weed removal, or Council will hire a contractor and bill him.

**All in favor, the Motion carried.**

**Ms. Darcell Butzu** – Noted concerns about condition of Village. She provided photos taken of unmaintained properties throughout the Village. Ms. Butzu questioned ability of Village to clean up properties and bill the owners. She stated specific concerns about vacant homes. She questioned what the DPW does and how they do it. Village Manager Coy stated that he would look into the specific issues (photos) to address. Trustee Green recommended a meeting to discuss these issues.

**Ms. Glennis Hubbard** - Noted same concerns as Ms. Butzu. Specifically noted concerns as Septemberfest is quickly approaching. Village Manager Coy advised that union will not allow work to be contracted out when a DPW worker is laid off. He confirmed that if a volunteer chose to do a clean-up project it would not be a problem.

**Mr. Bill Prince** – Stated that five workers were on the job last year. There are only two workers now.

**Mr. Jim Byers** – Questioned whether DPW was licensed to dispense weed killer. Stated dissatisfaction with code violations throughout Village.

**Five minute recess.**

At the request of DPW Laborer, William Prince,  
Personnel Issues will be discussed in an Open Session.

President Quisenberry referred Council to the letter included in their packets. Mr. Prince personally addressed Council, as no union representative was present. Mr. Prince advised Council that he did not remove any catalytic converters or use Village tools to do so. He brought his friend as a witness to the incident in question. Mr. Prince stated he was weed whipping and cleaning up glass from the sidewalk in the area the incident occurred. He stated that a female worker from the Brandon Township Fire Department asked the men if they are permission to remove the converters. Mr. Prince stated that he, and Kevin Booms, had set the cars up for the Fire Department (training) the day before. Mr. Prince stated that his friend (witness) was the

individual actually removing the converters. President Quisenberry advised Mr. Prince that Council would like to ask some questions, but that he is not required to answer them.

When questioned whether Mr. Prince had permission to remove the converters. Mr. Prince stated the he and his friend spoke with the “fellow at the desk”, who called down the hallway. The response from an unknown individual was “take whatever they want”. He noted that he was asking on behalf of his friend since he knew some the Fire Department employees. Mr. Prince also said that the converters were not removed on the first attempt, that they went back after work hours to remove them since a tool broke on the first attempt. Mr. Prince stated that the original attempt to remove the converters occurred early in the morning.

President Quisenberry noted the discrepancies between the witness from the Fire Department and Mr. Prince’s version of what occurred. The witness wrote that she saw Mr. Prince under the vehicle. President Quisenberry also stated that Mr. Prince’s story has changed since he was first questioned.

Council discussed the details provided on Mr. Prince’s timesheet. There was no information provided that would have Mr. Prince cleaning up glass or weed whipping in the area of this incident.

President Quisenberry stated that he believed Mr. Prince acted improperly with Village equipment and on Village time. He also stated that whether permission was given to remove the converters or not, that was only half the issue. He stated that due to past issues and the need for progressive discipline he recommends terminating Mr. Prince’s employment.

**Motion by President Quisenberry**, to terminate the employment of Mr. William Prince effective immediately.

No support.

**Motion failed.**

**Discussion:**

Further discussion occurred regarding any permission that may have been given to Mr. Prince to remove the converters. It was clarified that Mr. Prince personally profited from the sale of these parts. Inconsistencies in Mr. Prince’s story and the witness accounts were reviewed. It was decided that Trustee Nivelt would meet with Fire Department employees to try and find out if permission was given.

**Motion by Trustee Champion**, seconded by Trustee Green, to put Mr. Prince on a 30-day suspension without pay for participating in non-Village activities on Village time.

**Roll Call:**

Ayes: Green, Nivelt, Champion, Batten

Nays: Eschmann, Quisenberry

**Motion approved.**

**Items from Trustees:**

**Trustee Champion** – Needs items for the Historical Society “white elephant” sale.

**Trustee Green** – Recommended Council members make personal donations to the Skate Park event. Provided update on Trustee Kassuba.

**Motion** by **Trustee Green**, seconded by Trustee Batten, to adjourn the Ortonville Regular Council meeting.

**All in favor, the Motion carried.**

**The meeting adjourned at 9:14 p.m.**

Respectfully Submitted,

Julie Alexander  
Village Clerk