

Village of Ortonville
Township Offices – 395 Mill Street, Ortonville, MI 48462
Village Council Meeting Minutes
September 22, 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: Kassuba, Nivelte, Eschmann, Batten, Green, Champion, Quisenberry
Absent: None.

Also Present: Ed Coy-Village Manager, Julie Alexander - Village Clerk, and approximately 16 residents.

Approval of Agenda:

Added Item A (Unfinished Business) **Sewer Status** at the request of **Trustee Eschmann**.

Added Item B (Unfinished Business) **Attorney Matters** at the request of **Trustee Champion**.

Added Item F (New Business) **October 20, 2008 Council Meeting** at the request of **Trustee Green**.

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

Approval of Council Meeting Minutes:

Minutes of the Ortonville Regular Council Meeting – September 8, 2008

Motion by **Trustee Champion**, seconded by Trustee Green, to approve the minutes of the September 8, 2008 Ortonville Regular Council meeting without corrections.

All in favor, the Motion carried.

Disbursements:

Clarification sought for the following invoice(s):

- Trustee Kassuba questioned McKenna invoice for \$3,200
- Trustee Champion questioned Bedrock expenses for topsoil

Motion by **Trustee Green**, seconded by Trustee Nivelte, to approve disbursements in the amount of \$13,317.36.

Roll Call:

Ayes: Kassuba, Nivelte, Eschmann, Batten, Green, Champion, Quisenberry
Nays: None.

Motion approved.

Acceptance of Other Items:

A. Village of Ortonville Treasurer's Report – August 2008

Clarified timeframe report covers.

B. Brandon Township Fire Department Expenditures – September 2008

No clarifications.

C. Brandon Township Fire Alarms Summary – August 2008

No clarifications.

Public Comments (Agenda Items Only):

President Quisenberry advised the public of the three minute time limit to allow for input from anyone interested in speaking.

Glennis Hubbard – questioned whether DPW weed killer use had been investigated since the last Council meeting. Ms. Hubbard informed Council that she contacted the manufacturer to clarify any licensing requirements. It was determined that an individual only has to be licensed if they are using industrial strength products that require measuring before application.

Jim Byers – referenced packet he put together for Council regarding the weed ordinance. Mr. Byers also contacted the Department of Agriculture regarding the use of weed killer by unlicensed individuals. It was determined that pre-mixed weed killer is acceptable to use, but an unlicensed person cannot use the concentrated products that require measuring on the part of the applier.

Unfinished Business:

A. Sewers – Requested by Trustee Eschmann

Trustee Eschmann questioned the status of Village sewers. President Quisenberry referenced past meetings where it was decided to wait until after the November election, as Township involvement is needed. Council members gave their input on the issue. Most felt it was not the right time to pursue this issue due to the struggling economy. After the Township staff is in place, Village Manager Coy will be meeting with them to discuss the sewer situation. Village Manager Coy will bring feedback to Council at that time.

B. Attorney Matters – Requested by Trustee Champion

Trustee Champion questioned changing the labor and general attorneys used by the Village. It was discussed in the past but never pursued due to the labor case that was in process. A committee was formed to begin the search for new legal council. Trustee Green, Trustee Champion and Trustee Eschmann volunteered. Village Manager Coy will be an active participant, as well.

New Business:

A. Village Insurance Renewal – Walt Renn

Mr. Renn provided Council copies of the Village policy renewal. It was clarified that the coverage is unchanged and adequate. The price is less than last year due to the sale of the street sweeper. It was noted that the Village switched to this insurance company in 2007. Council will vote on continuing coverage through Horton-Renn when invoice is presented.

B. Septemberfest – Fred Waybrant

Fred provided update on Septemberfest to Council. All details appear to be covered. This is Fred's 10th year planning the event and he is confident everything is in place. He requested Council attendance. It was clarified that the Frog Flying Contest and Old Mill ribbon cutting ceremony are both at 12:00 p.m. Fred could use some assistance putting up corn stalks and he still needs to meet with the Postmaster.

C. Weed Ordinance – Village Manager, Ed Coy

Village Manager Coy and Trustee Nivelt have met regarding the weed ordinance and have put together some proposed changes. Council discussed the inclusion of an appeal process and other details. The proposed ordinance change should be reviewed by the Village attorney.

Motion by **Trustee Batten**, seconded by Trustee Kassuba, to have the Village Manager send the Village attorney a copy of the revised weed ordinance for review, and to provide position on the inclusion of an appeal process.

All in favor, the Motion carried.

D. 190 Oakwood - Village Manager, Ed Coy

Village Manager Coy did not include the estimates for 190 Oakwood repairs in Council packets. He is in the process of getting some questions answered and will place the issue on the agenda at a future meeting. There will be no involvement from the Oakland County Road Commission. The repair should consist of digging up the old pipe, burying it deeper and repairing the drive.

E. Civil Infraction – Village Manager, Ed Coy

Village Manager Coy advised Council that all ordinance violations are considered misdemeanors that require taking the violator to court to enforce compliance. He noted that many sections of the code could be changed to civil infractions that would be handled through the Village office. Violators would be issued a fine and be required to make payment to the Village directly. The Village attorney indicated a need to review the codes to identify which sections could be changed. Concern was expressed over decriminalizing violations and the effectiveness of making such a change. Trustee Champion will be providing the Village Manager documentation from other communities that have made this change to assist in making a decision on any changes.

F. October 20, 2008 Council Meeting – Requested by Trustee Green

Trustee Green requested a change in the October 20th Council meeting date so that she can attend a fundraising event for Judge Fortinberry. Several Council members are interested in attending the event, as well.

Motion by **Trustee Green**, seconded by Trustee Nivelt, to change the regular Village Council meeting date from October 20, 2008 to October 21, 2008.

Roll Call:

Ayes: Kassuba, Nivelte, Eschmann, Batten, Green, Champion, Quisenberry

Nays: None.

Motion approved.

Public Comments (Items Not on Agenda):

Fred Waybrant – Complimented Bob Roerink’s efforts on the Skate Park event. It was well run and attended. All participants received a prize and parents are already offering assistance with any future Skate Park events.

Tom Peters – Questioned the status of the street sweeper. He was advised that the street sweeper was sold as it was too expensive to maintain. President Quisenberry told Mr. Peters that a company has been contracted to sweep the streets for Septemberfest. Mr. Peters also noted need for road improvements throughout Village.

Glennis Hubbard – Mentioned glass on sidewalk and crumbling wall on South Street. Also, Ms. Hubbard noted her concern over the DPW yard fence condition and her dissatisfaction that Council had not responded to an email received from a resident. Ms. Hubbard also questioned the cost of running an election, a subject that was brought up at the last Council meeting. She stated her concern was over the \$10,000 figure President Quisenberry mentioned. President Quisenberry stated he was quoting Joe Rozell. Ms. Hubbard also confirmed that the Skate Park will be closing on October 1st, as planned.

Items from Trustees:

Trustee Batten – Skate Park event was a success. He commends Bob Roerink for his efforts. Trustee Batten agreed that street repairs are needed. President Quisenberry requested a priority list and noted that street repairs are a consideration should the budget allow for them.

Trustee Nivelte – Reiterated the success of the Skate Park event. She also noted the ordinance work she is doing with the Village Manager that will be presented to Council at the next meeting.

Trustee Champion – Noted that the Old Mill still needs items for the “white elephant” sale. Reminded Council that the Village selects two cars at Septemberfest. The Village Manager advised that acknowledgement plaques will be picked up this week. On behalf of the historical society, Trustee Champion advised Council that they were not pleased with the rezoning of the Uloth home.

Trustee Kassuba – Questioned purpose of Jim Byers packet. Mr. Byers withdrew his offer to “commission” the weed issue. Trustee Kassuba thanked everyone for the fruit sent to her during her recovery.

Trustee Eschmann – Questioned status of follow-up with fire department regarding the situation with Bill Prince. He was told that no one at the fire department came forward to confirm Mr. Prince’s claim that permission was given for the removal of the catalytic converters.

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

All in favor, the Motion carried.

The meeting adjourned at 8:32 p.m.

Respectfully Submitted,

Julie Alexander
Village Clerk