

Village of Ortonville
Township Offices – 395 Mill Street, Ortonville, MI 48462
Ortonville Village Council Meeting
June 22, 2009 – 7:00 P.M.

President Quisenberry called the meeting to order at 7:01 p.m., followed by the Pledge of Allegiance.

Roll Call:

Present: Batten, Green, Champion, Eschmann, Nivel, Kassuba, Quisenberry

Absent: None

Also Present: Village Manager - Ed Coy, Village Clerk – Heidi Barckholtz, Village Treasurer – Larry Brown, Gary Danielson, Labor Attorney, and approximately 3 other individuals.

Approval of Agenda:

Add Senior Center Sign at Oakwood and Cedar St. to Unfinished Business

Motion by Trustee Champion, seconded by Trustee Eschmann, to approve the agenda with the addition of Senior Center sign at Oakwood and Cedar St. to Unfinished business..

All in favor, the Motion carried.

Approval of Council Meeting Minutes:

A. Minutes of Village Council Special Meeting – June 10, 2009

Motion by Trustee Green, seconded by **Trustee Eschmann**, to approve the minutes of the June 10, 2009 Village Council Special Meeting.

All in favor, the Motion Carried

B. Minutes of the Village Council Meeting June 8 2009

Motion by Trustee Champion, seconded by **Trustee Eschmann**, to approve the minutes of the June 8, 2009 Village Council Special Meeting.

All in favor, the Motion Carried

C. Minutes of the Village Council Public Hearing – June 8, 2009 Village Council Public Hearing.

Motion by Trustee Kassuba, seconded by **Trustee Nivel**, to approve the minutes of the June 8, 2009 Village Council Public Hearing.

All in favor, the Motion Carried

Acceptance Items:

A. Treasurer's Report – May 2009

Council Reviewed. Item Accepted

Disbursements:

Clarification sought for the following invoice(s):

#11 Brandon Township (Inquired if the amount is CDBG money and why was the village paying it.)

#12 Don's Little Johns (Inquired if there was a Porta-John at the skate park, how many porta-johns were there total, and asked for clarification on monthly amount billed.)

#13 CM Construction (Concerned with the results of CM Construction's work, did not feel repair was completed right. Possible need for the Village to with hold some payment until work was completed correctly or upon final inspection.)

#8 League Employee Benefit Services (Inquired if amount was for one person.

Questioned whether this was the best price possible for insurance)

Motion by Trustee Champion, seconded by **Trustee Eschman**, to approve disbursements in the amount of \$32,368.61

Roll Call:

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

Nays: Nivelt

Motion passed with 6 to 1 vote

Public Comments (Agenda Items Only):

Terry Darnell – Stated that the proposed tree purchase from Fred Waybrant for the skate park would be useless unless buffer is 15 feet high and very dense. She stated it would be a waste of time and money to place trees along fence line. Although very costly, a bigger fence would be a better solution versus the placement of the trees.

Unfinished Business:

A. Senior Citizen Sign. At Cedar St. and Oakwood.

Discussion held in regards to sign at two previous meetings. Trustee Batten noted that the sign at Oakwood and Cedar St. is in a bad location. He voiced concern that it blocks people from clearly seeing traffic when turning off of Cedar onto Oakwood. He noted concerns about lawsuits. Trustee Batten also stated the sign should be placed on the north side of Oakwood Road. Village Manager Coy clarified that the sign had been moved and repositioned at his request after Trustee Batten's initial concern weeks prior. Village Manager Coy stated he felt the sign was in an adequate location. Most Council members were not comfortable making the Senior Center move the sign until they researched the newest position of the sign. There is possibility of the issue being brought up at future Council Meetings. Village Manager Coy noted he is willing to address the issue again with the Senior Center.

Motion by Trustee Batten, seconded by **Trustee Green**, to move the Senior Center sign to the north side of Oakwood Road or be taken down completely.

Roll call: Kassuba

Ayes: Eschmann, Green, Batten

Nays: Kassuba, Champion, Nivelt, Quisenberry

Motion failed to pass with a 4 to 3 vote.

New Business:

A. Approval of 2009 –2120 Budget

Motion by Trustee Green, seconded by **Trustee Nivelt**, to approve the 2009-2010 budget.

Roll Call:

Ayes: Nivelt, Baten, Green, Champion, Eschman, Kassuba, Quisenberry

Nays:

All in favor, the Motion carried.

B. Amendment 2008 –2009 Budget

President Quisenberry noted this fiscal year budget needs adjustments from accounts that used too much money and others that used to little. By making these adjustments it allows accounts to zero out. Noted it is also for state reporting purpose and assists auditors when reviewing the books in the coming months.

Motion by Trustee Champion, Seconded by Trustee Eschman to approve the amendments to the 2008-2009 budget.

Roll Call:

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

Nays:

All in favor, the Motion passed.

C. Spratt Farmers Market

Mr. Spratt comes to the Council each spring seeking permission to set up his farm stand in the parking lot beside Mabelina's on Saturday mornings. The Council usually requests a donation to the DDA of \$10.00 for each week he sets up.

Motion by Trustee Green, seconded by **Trustee Batten**, to allow Spratt Farms to set up a farm stand in the lot beside Mabelina's for a weekly donation to the DDA of \$10.00, as was done last year.

All were in favor, the motion supported.

D. Skate Park Buffer

Fred Waybrant is selling eleven white cedar trees that are currently located on his personal property. He is offering them to the Village of Ortonville for placement as a buffer between the

skate park and the neighboring homes. The trees are approximately eight to ten feet tall and four feet wide. When having reached maturity, the trees will be approximately twenty-five feet tall and five feet wide. Mr. Waybrant is suggesting placement of these trees on the east side of the skate park on the rock retaining wall all the way down the fence line. When planted they would be about 15 feet above the actual cement slab and go three feet above the fence line. The trees would be dug with a tree spade and come out of the ground easily. All moving of the dirt would be done by hand and placed in the play area just south of the skate park. He is offering them for \$65.00 per tree plus \$20.00 for planting, with half of the total bill being paid by Brandon Township. He did offer comparable pricing for the trees if bought new, the same trees are selling from \$150.00 to \$200.00 new. Trustee Nivelt questioned what was included in the price and how long the trees would be warranted for. Mr. Waybrant would warranty the trees one year from the date of planting. Trustee Green questioned if they would even fit in the skate park and would they encroach on the cement pad. Trustee Champion questioned if the area behind the rock wall was wide enough to support all of the trees. Discussion Only, No Action Taken at this time.

E. Village Building Official

Village Manager Coy advised the council that Tim Pulian had resigned his position with Brandon Township as building inspector. Discussion was held as to whether the village should hire their own inspector or wait for the township to hire a new one. President Quisenberry stated the village should wait but not to long to address this issue. With the slowing of the economy the village may not have the need for such a position, but there may be a possibility that the Village may have to hire a part time person that is capable of performing ordinance enforcement and building inspections Trustee Nivelt noted that Village Manager Coy could conduct ordinance enforcement for the near future needs. It was noted by Village Manager Coy that Steve McGee, although on a temporary basis, is conducting inspections for Brandon Township and he could do inspections for the Village as well. Trustee Champion suggested that the Village could piggyback off of other municipalities for inspections. Postponed for next Village Council meeting, no action taken at this time.

Public Comments (Items not on Agenda):

No Comments

Items from trustee:

- Trustee Nivelt –** Benches need to be sanded and refinished, in dire need.

- Trustee Green –** Inquired if the office received the DTE flyer about the Green Initiative Forum. Could the Village send personnel from office to the forum? Forum is 7:00am on the June 23rd 2009.

- Trustee Champion-** Inquired on the status of NSP purchases. Ed noted offers have been accepted on all three homes. Activity should start shortly after closing Trustee Champion also questioned the status of 110 Mill and would this qualify for the NSP. Manager Coy stated there

have been attempts to contact the owner/bank about clean up for home. This property may also qualify for the NSP 2 competitive type bid that village may apply for to take care of 110 Mill St.

President Quisenbury- Noted last meeting there was discussion about road commission and maintenance of traffic lights. Thanked Larry Brown on researching this and emailing the council how and why the county charges village.

Closed Session:

To discuss labor negotiations

Motion by Trustee Champion, seconded by Trustees Green, to move to closed session

Roll Call:

Ayes: Batten, Champion, Eschman, Kassuba, Nivelt, Green, Quisenberry

Nays:

All in favor, the Motion carried.

Moved to Closed Session at 8:04 p.m.

Motion by Trustee Green seconded by Trustee Eschman, to move to open session.

All in favor, the Motion carried.

Moved to Open Session at 8:40 p.m.

Motion by Trustee Batten, seconded by Trustee Eschman, to ratify settlement agreement discussed in closed session.

Roll Call:

Ayes: Batten, Nivelt, Green, Champion, Kassuba, Eschman, Quisenberry

Nays:

All in favor, the Motion carried.

Motion by Trustee Batten, seconded by Trustee Eschmann, to adjourn the Village Council Meeting.

All in favor, the Motion carried.

Meeting adjourned at 8:42 p.m.

Respectfully Submitted,

Heidi Barckholtz
Village Clerk

