



**CITY OF WALLED LAKE  
REGULAR COUNCIL MEETING  
(ELECTRONIC MEETING PLATFORM)  
TUESDAY, APRIL 20, 2021  
7:30 P.M.**

The Meeting was called to order at 7:30 p.m. by Mayor Ackley.

**ROLL CALL** Mayor Ackley, Mayor Pro Tem Ambrose, Council Member Fernandes, Council Member Loch, Council Member Lublin, Council Member Owsinek, Council Member Woods

There being a quorum present, public body members stating where they are attending the meeting from Oakland County, Michigan and Alpena, Michigan the meeting was declared in session.

**OTHERS PRESENT** City Manager Whitt, Confidential Assistant Jaquays, Assistant City Manager Pesta, Police Chief Shakinias, Fire Chief Coomer, City Attorney Vanerian, Deputy City Clerk Gross, and City Clerk Stuart

**REQUESTS FOR AGENDA CHANGES** None

**AUDIENCE PARTICIPATION** None

**APPROVAL OF THE MINUTES**

**1. Regular Council Meeting March 16, 2021**

**CM 4-1-21 MOTION TO APPROVE REGULAR COUNCIL MEETING MINUTES OF MARCH 16, 2021**

Motion by Lublin, seconded by Woods, UNANIMOUSLY CARRIED: To approve regular council meeting minutes of March 16, 2021.

**Roll Call Vote**

Ayes (6) Fernandes, Loch, Lublin, Owsinek, Woods, Ackley  
Nays (0)  
Absent (0)  
Abstain (1) Ambrose

## COUNCIL REPORT

### 1. Public Safety Campus Expansion Committee – Progress Report Councilman Owsinek – Committee Member

Police Chief Shakinas explained the committee met this morning. Chief Shakinas explained there has been significant progress made to the site. Chief Shakinas explained the majority of the underground drainage, hydrant and water line have been installed. Chief Shakinas explained final grade is being worked on with the retention pond preparations.

### 2. Mayor Pro Tem/DDA Chairman Ambrose report of DDA

Mayor Pro Tem Ambrose explained the DDA held their regular meeting April 13, 2021 and the board was presented with and discussed engineering fees for several projects the DDA agreed to partake including the Public Safety Campus expansion, Decker Road rehabilitation and Mercer Beach improvements. Mayor Pro Tem Ambrose explained there was also a Boss Engineering proposal for an ADA compliance project along E. Walled Lake Drive for handicap parking. Mayor Pro Tem Ambrose explained as far as the Memorial Day Parade the city will hold a socially distanced ceremony at City Hall. Mayor Pro Tem Ambrose said the Beach Party and firework display show will still proceed with all the social distancing guidelines.

### 3. Councilman Owsinek discussion current year budget amendments

Council Member Owsinek explained he had requested city administration to draft a budget amendment resolution outlining all of the improvements in conjunction with the proposals from the DDA and budget workshop sessions to allow and permit these items.

Confidential Assistant Jaquays provided a shared screen via ZOOM with the resolution.

Council Member Owsinek read into the record the following resolution.

*STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CITY OF WALLED LAKE*

*A RESOLUTION AMENDING THE OPERATION, CAPITAL, AND  
DOWNTOWN DEVELOPMENT AUTHORITY BUDGET AND  
APPROPRIATING FUNDS FOR FISCAL YEAR 2020-2021 TO ADDRESS  
INFRASTRUCTURE IMPROVEMENT PROJECTS AND PUBLIC SAFETY  
CAPITAL PURCHASES FOR EQUIPMENT*

#### **RESOLUTION 2021-xx**

*At a Regular Meeting of the City Council of the City of Walled Lake, Oakland  
County, Michigan, held electronically on the 20<sup>th</sup> day of April 2021 at 7:30 p.m.*

*WHEREAS, in compliance with the Act 2 of 1968, Uniform Budgeting and Accounting Act of the State of Michigan, Section 17 states that a legislative body of the local unit shall amend the general appropriations act as soon as it becomes apparent; and*

*WHEREAS, pursuant to Chapter 8, Section 8.4 of the City Charter, the City Manager and Finance Director have reviewed the relation between the estimated and actual revenues and expenditures; and*

*WHEREAS, City Council, is confident the structural operating budget of the City is fiscally sound; and*

*WHEREAS, City Council affirms its commitment to limit external financing costs and focus on projects and capital expenditures using available reserves; and*

*WHEREAS, City Council, at a recent budget workshop did receive and review the fund balance reserves available for infrastructure projects and capital purchases; and*

*WHEREAS, at the DDA regular meeting of April 13, 2021 the board unanimously approved engineering proposals for multiple projects to be completed this fiscal year; and*

*WHEREAS, the DDA is asking Council to approve to amend the 2021 budget for the necessary appropriations for public safety campus land improvement, Decker Road and its sidewalk, Mercer Beach stormwater improvements and public safety capital purchase for equipment; and*

*WHEREAS, the City Council, to take advantage of current city and county infrastructure bid results is desirous of confirming and advancing the following projects:*

Tri-A subdivision paving	Public Safety Campus Paving and Waterworks
Quinif Road Paving	Public Safety Campus Paving Bus Stop
Hiram-Sims, Riley, Marshal Parking Lots	Other Infrastructure Paving – DDA District
Decker Road – 14 Mile to Maple	Mercer Beach Stormwater System Upgrade
Decker Rd Sidewalks – 14 Mile to Maple	

WHEREAS, the City Council, does recognize the lead time for ordering the below large equipment and fire apparatus:

Fire Engine	One-Ton Dump/Plow Truck
Kubota Tractor and Attachments	Pick-up Truck

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Walled Lake, County of Oakland, State of Michigan that:

Section 1. City Council amends the fiscal year beginning July 1, 2020 and ending June 30, 2021 to appropriates funds for Engineering Design, Engineering Construction, Construction costs and Capital Purchases.

Section 2. The appropriations of the City of Walled Lake for the fiscal year beginning July 1, 2020 and ending June 30, 2021, for the following funds be amended by the following amounts:

General Fund	\$1,100,000
Local Roads	\$ 650,000
Major Roads	\$ 450,000
Downtown Development Authority Fund	\$1,300,000
Transportation Fund	\$ 180,000

Motion to approve Resolution was offered by \_\_\_\_ and seconded by \_\_\_\_.

**CM 4-2-21 MOTION TO APPROVE RESOLUTION 2021-59 A  
RESOLUTION AMENDING THE OPERATION, CAPITAL,  
AND DOWNTOWN DEVELOPMENT AUTHORITY BUDGET  
AND APPROPRIATING FUNDS FOR FISCAL YEAR 2020-  
2021 TO ADDRESS INFRASTRUCTURE IMPROVEMENT**

## PROJECTS AND PUBLIC SAFETY CAPITAL PURCHASES FOR EQUIPMENT

### Discussion

Council Member Fernandes asked about other paving in the DDA district.

Council Member Owsinek explained the DDA provided the required 20% match for the Decker Road project. Councilman Owsinek explained the paving in this area is scheduled for next year as part of a federal aid grant awarded to the city.

Council Member Lublin explained this is what the DDA and City have been working towards and rather than wait until July 1<sup>st</sup> the budget amendment will permit activity to take place now, FY 21. Councilman Lublin said he is in full support.

Council Member Woods said he agrees with Councilman Lublin. Councilman Woods said regarding the resolution passed at a prior council meeting, is this current resolution in addition to that or does it change the prior resolution with respect to the road projects.

Council Member Owsinek explained this resolution appropriates the funds from the general fund to move the money to the specific funds.

### Roll Call Vote

Ayes (7)      Fernandes, Loch, Lublin, Owsinek, Woods, Ambrose, Ackley  
Nays (0)  
Absent (0)  
Abstain (0)

## CITY MANAGER REPORT

### 1. Departmental / Divisional Statistical Reports

- a. Police
- b. Fire
- c. Finance
  - Warrant

### CM 4-3-21      MOTION TO APPROVE THE DEPARTMENTAL / DIVISIONAL STATISTICAL REPORTS

Motion by Lublin, seconded by Loch, UNANIMOUSLY CARRIED: To approve the departmental / divisional statistical reports.

Roll Call Vote

Ayes (7) Loch, Lublin, Owsinek, Woods, Ambrose, Fernandes, Woods, Ackley  
Nays (0)  
Absent (0)  
Abstain (0)

**2. Disposal of Surplus Vehicles**

City Manager Whitt explained disposal of surplus vehicles had been discussed during the City Manager's Budget Work Session and there are six police vehicles and vehicles in Public Works. City Manager Whitt explained based on good recommendations from council, the auction of the DPW vehicles will be held until replacement vehicles come in. Manager Whitt said there may be some delay with replacement vehicles due to pandemic.

Police Chief Shakinis explained all the police replacement vehicles are operational and he is seeking council approval to auction six vehicles.

**CM 4-4-21 MOTION TO APPROVE 2021 VEHICLE AUCTION FOR SIX SURPLUS VEHICLES FROM POLICE DEPARTMENT**

Motion by Loch, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve 2021 vehicle auction for six surplus vehicles from Police Department.

Roll Call Vote

Ayes (7) Lublin, Owsinek, Woods, Ambrose, Fernandes, Owsinek, Ackley  
Nays (0)  
Absent (0)  
Abstain (0)

**3. Downtown Sidewalks ADA Compliance**

City Manager Whitt explained someone made a complaint to the State of Michigan that there are no ADA ramps or ADA sidewalks downtown. City Manager Whitt explained Boss Engineering drafted a schematic that was provided to the DDA for an idea of the areas. Confidential Assistant Jaquays shared the ZOOM screen to provide a visual of the preliminary schematic. City Manager Whitt explained nothing has been finalized nor has funding been determined. City Manager Whitt said this proposal would only serve the businesses downtown. City Manager Whitt explained there is probably not a mandate for that to happen because the city has not done any construction on those sidewalks. City Manager Whitt said a complaint has been made and the adjustments need to be made. City Manager Whitt explained discussions need to be had on how to fund this project. City Manager Whitt said a special assessment district for just those businesses who would benefit may be considered. City Manager Whitt said obtaining funding to move the project forward and have reimbursement back from those businesses that directly

benefit from the improvement. City Manager Whitt explained there is a pending complaint, and the city is going to move forward with addressing it.

#### **4. Discussion Downtown Firework Displays**

City Manager Whitt explained there are several entities that like to do firework displays. City Manager Whitt said administration will support whoever puts together a firework display or activity downtown. City Manager Whitt explained the city is not in the position to choose sides whether it be one, two or three activities, all the activity downtown is beneficial to the city as long as applicants obtain proper permits and approvals from all parties.

**CORRESPONDENCE** None

#### **CITY ATTORNEY REPORT**

##### **1. First Reading C-358-21 Amendment to Chapter 38 Fire Prevention and Protection to adopt the 2018 International Fire Code and amendments**

City Attorney Vanerian explained this first reading of amendment to Chapter 38 of the City's General Code of ordinances is to adopt the most recent version of the International Fire Code published by the International Code Council . City Attorney Vanerian explained many communities adopt articles from the International Code Council and overwhelmingly adopt as their fire codes. City Attorney Vanerian explained the city has adopted many codes over the decades now and this ordinance amendment to Chapter 38 allows adoption of the most recent code. City Attorney Vanerian explained there are further provisions regarding fire department bulletins which would become part of the fire codes. City Attorney Vanerian asked council to recall they had requested further review to seek limitations on the amount of amperage that could serve a single-family home. City Attorney Vanerian explained the Fire Marshal has prepared a fire bulletin and it is part of packet for council reference.

**CM 4-5-21 MOTION TO APPROVE FIRST READING C-358-21 AN ORDINANCE TO AMEND CHAPTER 38, "FIRE PREVENTION AND PROTECTION", OF THE CITY OF WALLED LAKE CODE OF ORDINANCES, TO AMEND ARTICLE II "FIRE PREVENTION CODE", TO ADOPT THE 2018 INTERNATIONAL FIRE CODE WITH INSERTIONS AND AMENDMENTS AS PROVIDED BY THIS ORDINANCE**

Motion by Lublin, seconded by Woods, UNANIMOUSLY CARRIED: To approve first reading of C-358-21 an ordinance to amend Chapter 38, "Fire Prevention and Protection", of the City of Walled Lake Code of Ordinances, to amend Article II "Fire Prevention Code", to adopt the 2018 International Fire Code with insertions and amendments as provided by this ordinance.

## Discussion

Council Member Lublin asked if this was a way to enforce no growing in residential areas.

City Attorney Vanerian explained yes that is part of what this ordinance does, it provides a mechanism to prohibit and prevent those types of facilities in residential areas. City Attorney Vanerian said council also adopted an ordinance that forbids caregiver grow facilities in residential districts.

## Roll Call Vote

Ayes (7)      Owsinek, Woods, Ambrose, Fernandes, Lublin, Loch, Ackley  
Nays (0)  
Absent (0)  
Abstain (0)

## **2. Memo Trailway Settlement Statement and Conveyance of Trailway Property**

City Attorney Vanerian explained his memo to council is regarding the wrap up of the city's withdraw from the Trailway Council. City Attorney Vanerian explained the Trailway Council Attorney and he had discussions about items that needed to be done in order to finalize the city's withdraw from the Trailway Council. City Attorney Vanerian explained the main outstanding item is the conveyance of the actual property interests in the trail itself. City Attorney Vanerian explained under the interlocal agreement, after a party chooses to withdrawal from the Trailway Council, the Trailway Council is supposed to convey the actual property, that portion of the trail that's in the withdrawing jurisdiction. City Attorney Vanerian explained a settlement statement was prepared that would memorialize that the contractual obligations have been satisfied. City Attorney Vanerian explained there is a draft settlement agreement for council this evening. City Attorney explained he received additional communication recently from the Trailway Council Attorney that in the agreement with the MDNR, no property interest in the trail can be conveyed without the consent of the MDNR. City Attorney Vanerian explained the consent from the MDNR has to be granted first before the conveyance can occur. City Attorney Vanerian explained that process has now been started. City Attorney Vanerian explained he expects the MDNR to provide consent to allow the city to withdraw or to allow the property interest to be transferred. City Attorney Vanerian explained the Trailway Council wants to be relieved of their obligations under the agreements with respect to the portion of the trail that is in the City of Walled Lake and the City of Walled Lake would essentially assume the obligations under the project agreement for the city's portion of the trail. City Attorney Vanerian explained he expects the State (MDNR) is going to require the city to execute another agreement with the MDNR saying the city assumes the obligations under the project agreement with respect to the portion of the trail that's located in Walled Lake. City Attorney Vanerian explained he is not seeking council action tonight but providing information for council to consider.



City Attorney Vanerian explained the other item with the trailway is the design for installation of the wayfinding/road crossing and kiosk signage. City Attorney Vanerian said the Trailway Council Attorney has asked if council will approve these installations.

Discussion was held and council is requesting information on cost, reimbursement, and engineering fees related to installation. City Attorney Vanerian said he will report back to council what he finds out.

City Attorney Vanerian explained there are a few updates to be made with the city charter language and he will be bringing it before council next meeting.

**UNFINISHED BUSINESS**           None

**NEW BUSINESS**    None

### **COUNCIL COMMENTS**

Council Member Lublin said he is appreciative of our police, fire, public works, and administrative departments for the way they work together and provide great services to our city. Councilman Lublin said he is also proud of our residents and board members who support this council's financial competence and direction during these difficult times. Councilman Lublin said he is excited for our year of infrastructure improvements ahead all with no debt.

Council Member Owsinek agreed with Councilman Lublin and added it has been his pleasure with the last 12 years to work with a group of people who are dedicated to this city and have moved this city forward inch by inch, touch and go at times, but improvements have been made.

Council Member Loch said she agrees with Councilman Lublin and Owsinek and thanked city staff.

Council Member Woods said he also echoes the statements of his fellow council members adding, this has been a long time coming. Councilman Woods said he knows all the work everybody puts in. Councilman Woods explained we are able to do these things and have not raised taxes. Councilman Woods said the budget sessions in regard to administration, DPW, Police, and Fire all have expressed good detail and working towards the same goal and he appreciates that.

Council Member Fernandes said kudos to the rest of the council members. Council Member Fernandes said this has been a long time coming and she is excited to see the infrastructure improvements. Council Member Fernandes said thank you to Neal Wolfson he is a dedicated servant to the city.

Mayor Pro Tem Ambrose thanked everyone for hanging in there as we continue to build a better Walled Lake. Mayor Pro Tem Ambrose said thank you to staff, personnel, elected officials, and our volunteers, job well done.

## MAYOR'S REPORT

- 1. Proposed Resolution 2021-60 Appreciation to Reuben Cheney for years of service as a Parks and Recreation Commission Member, Planning Commission Member and Zoning Board of Appeals Member**

Mayor Ackley explained Mr. Cheney has provided her his resignation letter as he has moved out of the city. She said Mr. Cheney provided good work and comments and efforts in his roles for the city.

**CM 4-6-21 MOTION TO APPROVE RESOLUTION 2021-60 A  
RESOLUTION OF THE CITY COUNCIL PROVIDING  
RECOGNITION OF AND EXPRESSING GRATITUDE WITH  
APPRECIATION TO MR. REUBEN CHENEY FOR HIS YEARS  
OF VOLUNTEER SERVICE TO THE CITY  
COUNCIL BY SERVING AS A PARKS AND RECREATION  
COMMISSION MEMBER, ZONING BOARD OF APPEALS  
MEMBER, AND PLANNING COMMISSION MEMBER**

Motion by Lublin, seconded by Loch, UNANIMOUSLY CARRIED: To approve resolution 2021-60 a resolution of the City Council providing recognition of an expressing gratitude with appreciation to Mr. Reuben Cheney for his years of volunteer service to the City Council by serving as a Parks and Recreation Commission Member, Zoning Board of Appeals Member, and Planning Commission Member.

### Roll Call Vote


Ayes (7) Woods, Ambrose, Fernandes, Loch, Lublin, Owsinek, Ackley  
Nays (0)  
Absent (0)  
Abstain (0)

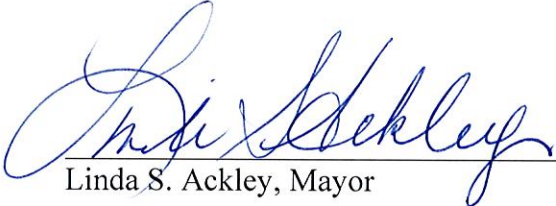
Mayor Ackley said there is an opening on the Parks and Recreation Commission of anyone is interested please forward your application.

Mayor Ackley said she echoes the comments of her fellow council members. Mayor Ackley said she has been here through the good and the bad and the last ten years has been a struggle. Mayor Ackley said the city has gotten through and the budget work sessions the City Manager prepared through the department heads and staff have been great. Mayor Ackley said they showed us where we are today and what has become of the hard work that everyone has done and belt tightening over the last ten years. Mayor Ackley said with City Manager Whitt at the helm, has led his staff forward successfully.

**ADJOURNMENT**

Meeting adjourned at 8:36 p.m.

  
\_\_\_\_\_  
Jennifer A. Stuart, City Clerk

  
\_\_\_\_\_  
Linda S. Ackley, Mayor

approved  
5-18-21