



**CITY OF WALLED LAKE
SPECIAL COUNCIL MEETING
(ELECTRONIC MEETING PLATFORM)
MONDAY, DECEMBER 6, 2021
5:00 P.M.**

The Meeting was called to order at 5:00 p.m. by Mayor Ackley.

ROLL CALL

Mayor Ackley, Council Member Fernandes, Council Member Loch, Council Member Lublin, Council Member Owsinek, Council Member Woods

There being a quorum present, the meeting was declared in session.

City Council members announcing their attendance for meeting within Oakland County, Michigan.

OTHERS PRESENT

City Manager Whitt, Confidential Assistant Jaquays, Assistant City Manager Pesta, Deputy Clerk Gross, Police Chief Shakinas, Fire Chief Coomer, and City Attorney Vanerian

REQUESTS FOR AGENDA CHANGES None

AUDIENCE PARTICIPATION None

NEW BUSINESS

1. Proposed Resolution 2021-90 Declaring Vacancy in Office of City Council

**CM 12-1-21 MOTION TO APPROVE RESOLUTION 2021-90
DECLARING VACANCY IN OFFICE OF CITY COUNCIL**

Motion by Loch, seconded by Lublin, UNANIMOUSLY CARRIED: To approve resolution 2021-90 a resolution declaring vacancy in office of city council.

Discussion: None

Roll Call Vote

Ayes (6)
Nays (0)
Absent (0)
Abstain (0)

Lublin, Owsinek, Woods, Fernandes, Loch, Ackley

2. Proposed Resolution 2021-91 Mayor's nomination & appointment of Casey Robert Ambrose to City Council

**CM 12-2-21 MOTION TO APPROVE RESOLUTION 2021-91
MAYOR'S NOMINATION & APPOINTMENT OF CASEY
ROBERT AMBROSE TO CITY COUNCIL**

Motion by Lublin, seconded by Loch, UNANIMOUSLY CARRIED: To approve resolution 2021-91 a resolution approving Mayor's nomination & appointment of Casey Robert Ambrose to City Council.

Discussion: None

Roll Call Vote

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

3. Proposed Resolution 2021-92 Mayor's nomination & appointment of Kevin Mechigian to Downtown Development Authority

**CM 12-3-21 MOTION TO APPROVE RESOLUTION 2021-92
MAYOR'S NOMINATION & APPOINTMENT OF KEVIN
MECHIGIAN TO THE DOWNTOWN DEVELOPMENT
AUTHORITY**

Motion by Owsinek, seconded by Loch, UNANIMOUSLY CARRIED: To approve resolution 2021-92 a resolution approving Mayor's nomination & appointment of Kevin Mechigian to the Downtown Development Authority.

Discussion: None

Roll Call Vote

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

4. Proposed Resolution 2021-93 Resolution of Necessity of Waterfront Property

City Attorney Vanerian explained the Resolution of Necessity is required for a storm sewer easement as part of the Downtown Storm Street and Sewer Improvement Project. City Attorney Vanerian explained the City needs to relocate a storm sewer pipe and outlet into private property currently used as a parking lot for the Tiki Bar and Boil.

**CM 12-4-21 MOTION TO APPROVE RESOLUTION 2021-93
RESOLUTION OF NECESSITY OF WATERFRONT
PROPERTY**

Motion by Lublin, seconded by Loch, UNANIMOUSLY CARRIED: To approve resolution 2021-93 a resolution of necessity of waterfront property.

Discussion

Roll Call Vote

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

City Manager Whitt requested City Attorney Vanerian to provide an update on a pending lawsuit, BDS vs. City of Walled Lake.

City Attorney Vanerian explained he received correspondence of an order from the Michigan Supreme Court denying BDS' leave to appeal. City Attorney Vanerian explained BDS was an applicant for medical marijuana, they were denied because they did not meet the criteria under the city ordinances. City Attorney Vanerian explained BDS filed a lawsuit in circuit court and the court issued a lengthy detailed written opinion on the case, ultimately concluding the city council properly denied the application. City Attorney Vanerian explained BDS then filed an appeal to Michigan Supreme Court challenging the circuit court's decision. City Attorney Vanerian explained the Michigan Supreme Court of Appeal denied the BDS appeal finding it to be meritless. City Attorney Vanerian explained BDS then appealed the denial of the Michigan Supreme Court. City Attorney Vanerian explained the Michigan Supreme Court ultimately denied that appeal as well. City Attorney Vanerian explained BDS has exhausted all of their appeal opportunities and they cannot appeal any further.

**CM 12-5-21 MOTION TO DIRECT AND AUTHORIZE INDEPENDENT
AUDITORS, PFEFFER, HANNIFORD, AND PALKA, CPA
TO FILE TIMELY THE CITY OF WALLED LAKE 2021
YEAR-END FINANCIAL STATEMENT WITH THE STATE**

Motion by Owsinek, seconded by Woods, UNANIMOUSLY CARRIED: To direct and authorize independent auditors, Pfeffer, Hanniford, and Palka, CPA to file timely the City of Walled Lake 2021 year-end financial statements with the State.

Discussion

Roll Call Vote

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

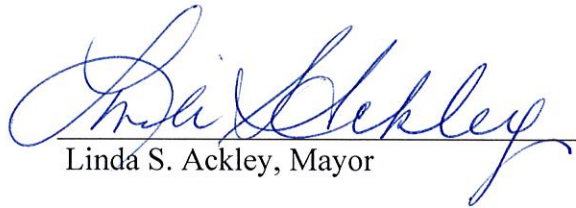
ADJOURNMENT

Meeting adjourned at 5:22 p.m.



Chelsea Pesta, Deputy City Clerk

approved 1-18-22



Linda S. Ackley, Mayor