



**CITY OF WALLED LAKE  
REGULAR COUNCIL MEETING  
TUESDAY, MARCH 21, 2023  
7:30 P.M.**

HR Director/Deputy Clerk Gross welcomed everyone to the regularly scheduled March City Council meeting. Ms. Gross introduced City Officials; City Attorney Vanerian, City Clerk Stuart, Finance Director Pesta, Assistant to the City Manager Schrader, DPW Superintendent Ladd, Fire Chief Coomer, Police Chief Shakinias, Deputy Police Chief Kolke, and DDA Board Member Millen.

The meeting was called to order at 7:30 p.m. by Mayor Pro Tem Lublin.

**PLEDGE TO FLAG & INVOCATION**

Invocation by Mayor Pro Tem Lublin.

**ROLL CALL**

Mayor Pro Tem Lublin, Council Member Ambrose, Council Member Fernandes, Council Member Loch, Council Member Owsinek, and Council Member Woods

Those attending virtually from Lansing, Michigan, there being a quorum present, the meeting was declared in session.

**OTHERS PRESENT**

City Manager Whitt, Finance Director Pesta, Assistant to City Manager Schrader, Police Chief Shakinias, Deputy Police Chief Kolke, Fire Chief Coomer, DPW Superintendent Ladd, City Attorney Vanerian, HR Director/Deputy Clerk, Gross, and City Clerk Stuart

**CM 03-01-23 MOTION TO EXCUSE MAYOR ACKLEY FROM TONIGHT'S MEETING**

Motion by Loch, seconded by Ambrose, UNANIMOUSLY CARRIED: To excuse Mayor Ackley from tonight's meeting.

**PRESENTATION**

**1. Ceremonial Oath of Office administered to Police Officer Christopher McQueen**

City Clerk Stuart provided a ceremonial oath of office.

## REQUESTS FOR AGENDA CHANGES

HR Administrator/Deputy Clerk Gross requested a closed session pursuant to Section 8(c) of the Open Meetings Act to discuss labor negotiations for full-time and part-time fire unions.

### **CM 03-02-23 MOTION FOR A CLOSED SESSION PURSUANT TO SECTION 8(C) OF THE OPEN MEETING ACT TO DISCUSS LABOR NEGOTIATIONS**

Motion by Loch, seconded by Woods, UNANIMOUSLY CARRIED: To have a closed session pursuant to Section 8(c) of the Open Meetings Act to discuss labor negotiations.

#### Roll Call Vote

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

## AUDIENCE PARTICIPATION

Dave Rudoï attorney for Bazonzoes requested to be placed on the future agenda discussion of an amendment to hours of operation for the two marijuana provisioning stores in the C-2 district to operate until 11 p.m.. Attorney Rudoï explained there was a first reading council approved for the C-3 district only. Attorney Rudoï explained this agenda item was removed from further discussions. Attorney Rudoï explained neither of the businesses in the C-2 locations are located near a park. Attorney Rudoï opined it would make a lot of sense to have further discussions on the hours of operation because it would benefit the businesses, more hours provide more opportunities to have customers throughout the day at different times keeping the traffic less.

City Manager Whitt explained to Attorney Rudoï and for the record, the statement of being close to the park is not at all correct. City Manager Whitt explained the agenda item was removed at his request and the people along the city street Spring Park who abut one of the provisioning centers in the C-2 district. City Manager Whitt explained that is not a park it is a city street, and that is a mistake by Attorney Rudoï from the beginning. City Manager Whitt explained the provisioning center that abuts Spring Park. City Manager Whitt opined Spring Park residents took a beating to begin with when that building was built. City Manager Whitt explained extending the hours of operation negatively affects the people in the residential area.

Chris Conklin, Corrigan Oil – explained he has a client trying to get a fuel tank placed behind his facility. Mr. Conklin provided a handout to the council. Mr. Conklin said he is the project manager for Corrigan Oil, petroleum construction is his purview. Mr. Conklin explained they are not trying to get a marina for the business, they are trying to get a 1,000-gallon fuel dispenser behind the Barrels of Wine facility. Mr. Conklin said he contacted the city and was told it was ok to place the tank. Mr. Conklin said he was since told the tank is not permitted. Mr. Conklin

said the oil in Walled Lake is from people filling their boats from personal containers. Mr. Conklin explained his tank is certified, does not leak, is the safest system, and can be three feet from a building. Mr. Conklin said the State of Michigan deems this tank as one of the safest.

Ken Holmes, 905 E. Walled Lake Drive – explained he is a proponent of the installation of the proposed fuel tank. Mr. Holmes explained as people get older it gets tougher to carry gas cans to the boats on the lake, to fill them. Mr. Holmes said it would be beneficial to have a gas-fueling station on the lake.

Brian Gillam 1280 E. Lake Drive – explained he has been a resident of Novi for 12 years. Mr. Gillman explained he likes the idea of a fueling station on the lake. Mr. Gillam said having a fueling station on Walled Lake is good. Mr. Gillman said no matter what you do, gas is spilled into the lake from fueling boats. Mr. Gillam said he is requesting a filling station at Barrels of Wine.

Eddie Hesano, 136 E Walled Lake Drive – said he is proposing a tank at his facility because there is a need. Mr. Hesano said there is a need for a gas station on the lake. Mr. Hesano said there are other lakes that have fueling stations. Mr. Hesano said he has been at his store for 11 years and over that time he has watched much gas spilling into the lake. Mr. Hesano said everybody is supporting his proposal. Mr. Hesano said the tank and pump are safe, once the tank is full there is a stop guard, so it does not pump any further. Mr. Hesano said there once was a Shell gas station at his location prior to it becoming a party store.

Deborah Holmes, 905 E. Walled Lake Drive – said she highly supports a fueling station on the lake. Ms. Holmes said she is getting older, and it is harder to lift gas cans, it will be great for the people on Walled Lake.

## **APPROVAL OF MINUTES**

### **1. Regular Council Meeting of February 21, 2023**

#### **CM 03-03-23 MOTION TO APPROVE REGULAR COUNCIL MEETING MINUTES OF FEBRUARY 21, 2023**

Motion by Woods, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve regular council meeting minutes of February 21, 2023.

#### **Roll Call Vote**

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

## COUNCIL REPORTS

Council Member Owsinek explained there was a public hearing at the last planning commission meeting to discuss structures on lakefront lots, and everyone who spoke was against having structures on the lake.

Council Member Fernandes explained at the last Parks and Recreation meeting, the pickleball court proposal was discussed and the commission is going to move forward with looking for grants and the best locations. Council Member Fernandes said the 2023 summer concert series listing is on the city website and is hosted at Hiram Sims Park. Council Member Fernandes said the annual Egg Hunt is April 8, 2023, at Hiram Sims Park and invited all to attend.

Mayor Pro Tem Lublin said the library board had their monthly meeting and the board is preparing their budget to present to the council.

## CITY MANAGER'S REPORT

### 1. Departmental / Divisional Statistical Reports

- a. Police
- b. Fire
- c. Code Enforcement
- d. Finance
  - Warrant

### CM 03-04-23 MOTION TO RECEIVE AND FILE THE DEPARTMENTAL / DIVISIONAL STATISTICAL REPORTS

Motion by Owsinek, seconded by Ambrose, UNANIMOUSLY CARRIED: To receive and file the departmental/divisional statistical reports.

### Roll Call Vote

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

City Manager Whitt explained there were filings with the Michigan Liquor Control Commission (MLCC) against the Tiki Bar and Boil. City Manager Whitt explained this stems from their illegal car event at the Tiki Bar which caused several problems in the neighborhood. City Manager Whitt explained one of the financial fines issued by the MLCC to the Tiki Bar was for \$300.

Police Chief Shakinis explained there were two charges issued by the MLCC, one charge was for failing to obtain city permits.

City Manager Whitt explained that Sunset Grill L.L.C. does business as the Tiki Bar and they violate their own rules. City Manager Whitt said the businesses have to comply; you cannot just throw an event. City Manager Whitt explained at the direction of the council, investigations of this illegal event were completed. City Manager Whitt explained businesses need to cooperate. City Manager Whitt explained businesses in violation will be pursued to have their liquor licenses suspended and potential fees and penalties will apply from other enforcing agencies. City Manager Whitt said we want to keep the community safe, and the businesses that hold a liquor license need to be made aware of this.

## CORRESPONDENCE

### 1. Mr. Robert Wittenberg, Oakland County Treasurer – Oakland County Treasurer's Office Foreclosure Prevention

Finance Director Pesta read into the record the correspondence from Oakland County Treasurer Robert Wittenberg.

*The Oakland County Treasurer's Office is in the final stretch of our Foreclosure Prevention efforts. The tax foreclosure deadline for the 2020 or prior year taxes is on March 31<sup>st</sup>, 2023. That means if these taxes aren't paid off by March 31<sup>st</sup> or any interested party hasn't entered into a repayment schedule with the Treasurer's office by then, the property will be foreclosed.*

*Since December of 2022, the Treasurer's office has conducted over a thousand Taxpayer Assistance Meetings to assist taxpayers with keeping their properties by working with them to get on a repayment schedule and/or by identifying resources that may be beneficial to them and their situation. We are here to help and strongly encourage taxpayers to contact us before the tax foreclosure deadline if they have delinquent taxes for 2020 or prior tax years. Taxpayers interested in scheduling a Taxpayer Assistance Meeting may call us at 248-858-0611 or they may visit [www.oakgov.com/treasurer](http://www.oakgov.com/treasurer)*

*Some of the resources available to assist taxpayers include:*

- *Michigan Homeowners Assistance Fund (MIHAF) which is a state grant that will cover up to \$25K for delinquent taxes (2019 and forward), mortgage payments, and utility bills. Must be a primary residence, make <150% AMI, and prove covid hardship in order to qualify. Apply at [mihaf.michigan.gov](http://mihaf.michigan.gov).*
- *Financial Empowerment Center in the Treasurer's Office which provides one-on-one financial coaching and services to help taxpayers achieve their financial goals. Contact Reda at [nafsor@oakgov.com](mailto:nafsor@oakgov.com) or 248-807-5287.*
- *Lakeshore Legal Aid provides free legal services to people who are low income and seniors. 1-888-783-8190 is the number for new clients.*

*Again, we are here to help and strongly encourage taxpayers to contact the Treasurer's office if they have delinquent taxes for 2020 or prior tax years. If*

*taxpayers are interested in scheduling a Taxpayer Assistance Meeting, they may call us at 248-858-0611 or they may visit [www.oakgov.com/treasurer](http://www.oakgov.com/treasurer).*

*Thank you!*

## **ATTORNEY'S REPORT**

City Attorney Vanerian explained in addition to violations issued by the Michigan Liquor Control Commission, the Tiki Bar was issued citations from the city for violations of local ordinances. City Attorney Vanerian explained the Tiki Bar said it was not their event. City Attorney Vanerian explained if the event is on your property, it is your event, and you are responsible for it.

## **UNFINISHED BUSINESS**

### **1. Lot split proposal regarding 850 Ladd, Building E.**

City Attorney Vanerian explained the reconsideration of the lot split proposal for 850 Ladd, Building E is back before the council this evening for approval. City Attorney Vanerian explained the applicant Turning Point LLC owns 850 Ladd, Building E. City Attorney Vanerian explained this complex was all one parcel when it was first developed with one owner. City Attorney Vanerian explained over the years the parcel was split into individual parcels. City Attorney Vanerian explained Turning Point's parking lot encroaches on city property and the lot split proposal is to split the parcel from the city lot and add to the Turning Point lot which will resolve the encroachment issue. City Attorney Vanerian explained the City Council did not approve the proposal when first presented in August of 2022. City Attorney Vanerian explained, since that time, the principal of Turning Point, Mr. Don Leith, has really stepped up and made some significant contributions to the city such as abating long-standing blight issues in the city. Which has been a priority of the city. City Attorney Vanerian explained Mr. Leith has voluntarily cleaned up and torn down a deteriorated guard shack at the 850 Ladd Road complex entrance. City Attorney Vanerian explained Mr. Leith has now partnered with another property owner to demolish the hazardous water tower on the 850 Ladd Road complex. City Attorney Vanerian explained for a number of years the city has pursued voluntary removal of this hazardous water tower with no compliance. City Attorney Vanerian explained Mr. Leith has partnered with the owners and they have an agreement to get the water tower torn down. City Attorney Vanerian explained this is a positive for the city because it will avoid the financial cost of filing legal proceedings with the courts to have the tower taken down.

### **CM 03-05-23 MOTION TO APPROVE 2023-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALLED LAKE APPROVING SPLIT AND CONVEYANCE OF CITY-OWNED LAND**

Motion by Owsinek, seconded by Woods, UNANIMOUSLY CARRIED: To approve resolution 2023-06 a resolution of the City Council of the city of Walled Lake approving split and conveyance of city-owned land.



## Discussion

City Manager Whitt said the administration supports this. City Manager Whitt said Mr. Leith has done a great job cleaning up this site. City Manager Whitt said the water tower has never been owned by the city as some may think and its removal is a benefit to the city.

Mayor Pro Tem Lublin said the portion to convey, is a thin small piece, it is not developable. Mayor Pro Tem Lublin said this is a great example of a good business working with the city.

City Attorney Vanerian said if the council does adopt the resolution it is conditional upon the water tower being taken down.

## Roll Call Vote

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

## NEW BUSINESS

### 1. Proposed Resolution 2023-07 Trailway Control Device Maintenance Agreement

City Manager Whitt explained there are three separate agreements under one covering resolution and the resolution should read attachments, A, B, and C.

**CM 03-06-23 MOTION TO APPROVE RESOLUTION 2023-07 A RESOLUTION OF THE CITY OF WALLED LAKE APPROVING AND AUTHORIZING THE EXECUTION OF THE TRAFFIC SIGNAL MAINTENANCE AND OPERATION COST PARTICIPATION AGREEMENT BETWEEN CITY OF WALLED LAKE AND ROAD COMMISSION FOR OAKLAND COUNTY ROAD SIGNAL NO.:1520, NO.:1521, AND NO.:1522 TO INCLUDE ATTACHMENTS A, B, AND C**

Motion by Loch, seconded by Owsinek, UNANIMOUSLY CARRIED: To approve resolution 2023-07 a resolution of the City of Walled Lake approving and authorizing the execution of the traffic signal maintenance and operation cost participation agreement between City of Walled Lake and Road Commission for Oakland County road signal No.:1520, No.:1521, and No.:1522 to include attachments A, B, and C.

## Roll Call Vote

Ayes (6)	Woods, Ambrose, Fernandes, Loch, Lublin, Owsinek
Nays (0)	

Absent (1) Ackley  
Abstain (0)

**2. Proposed Resolution 2023-08 Defer Special Meeting Requirements for Budget Presentation and Adoption**

Finance Director Pesta explained this resolution is an annual resolution that addresses budget adoption and budget meetings. The first City Manager's budget work session is scheduled for Saturday, March 25, 2023 at 9 a.m.

**CM 03-07-23 MOTION TO APPROVE RESOLUTION 2023-08 A RESOLUTION RESCHEDULING THE FISCAL YEAR BUDGET PRESENTATION SPECIAL COUNCIL MEETING OF MONDAY, MAY 15, 2023 TO THE REGULAR COUNCIL MEETING OF TUESDAY, MAY 16, 2023, AND TO RESCHEDULE THE SPECIAL COUNCIL MEETING FOR BUDGET ADOPTION ON MONDAY, 12, 2023 TO THE REGULAR COUNCIL MEETING OF TUESDAY, JUNE 20, 2023 AT 7: 30 P.M.**

Motion by Woods, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve resolution 2023-08 a resolution rescheduling the fiscal year budget presentation special council meeting of Monday, May 15, 2023 to the regular council meeting of Tuesday, May 16, 2023, and to reschedule the special council meeting for budget adoption on Monday, June 12, 2023 to the regular council meeting of Tuesday, June 20, 2023 at 7:30 p.m.

Roll Call Vote

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

**3. Proposed Resolution 2023-09 Interlocal Lockup Services Agreement with City of Wixom**

Police Chief Shakinis explained this agreement has come before council before, it is an annual agreement, City Attorney Vanerian did review, there is a 4% increase, which is approximately \$100 per prisoner/night. Police Chief Shakinis explained Wixom's lock up facility is the closest proximity to Walled Lake.

**CM 03-08-23 MOTION TO APPROVE RESOLUTION 2023-09 A RESOLUTION AUTHORIZING AN AMENDED AGREEMENT BETWEEN THE CITY OF WALLED LAKE AND CITY OF WIXOM TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE**



### **INTERGOVERNMENTAL AGREEMENT FOR LOCKUP SERVICES**

Motion by Ambrose, seconded by Loch, UNANIMOUSLY CARRIED: To approve resolution 2023-09 a resolution authorizing an amended agreement between the City of Walled Lake and City of Wixom to authorize the City Manager to execute the intergovernmental agreement for lockup services.

#### Roll Call Vote

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

### **3. Proposed Resolution 2023-10 Purchase of New Door Locking System**

Police Chief Shakinis explained the door locking system is no longer supported by its manufacturer and the city has been utilizing JK Locksmith to address maintenance issues. Police Chief Shakinis explained JK Locksmith has been doing their best to keep the system running, however, it is no longer able to function. Police Chief Shakinis explained the recommended system is PDK a cloud-based system and it will be able to be accessed from anywhere with proper credentials.

#### **CM    03-09-23      MOTION TO APPROVE RESOLUTION 2023-10 A RESOLUTION APPROVING THE PURCHASE OF A NEW SECURITY DOOR-LOCKING SYSTEM FOR THE PUBLIC SAFETY CAMPUS**

Motion by Loch, seconded by Woods, UNANIMOUSLY CARRIED: To approve resolution 2023-10 a resolution approving the purchase of a new security door-locking system for the public safety campus.

#### Discussion

Mayor Pro Tem Lublin asked for clarification if this system would be for all the doors on the Public Safety Campus.

#### Roll Call Vote

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

**4. First Reading C-366-23 Amendment to Chapter 34 Environment, Article V Illicit Storm Water Discharges**

Finance Director Pesta explained this ordinance was already passed by the council and as part of the MS4 permit requirements, EGLE has requested two small changes.

**CM 03-10-23 MOTION TO APPROVE FIRST READING C-366-23 AN ORDINANCE TO AMEND CHAPTER 34 "ENVIRONMENT", OF THE CITY OF WALLED LAKE CODE OF ORDINANCES ARTICLE V "ILLICIT STORM WATER DISCHARGES" TO ADOPT STORMWATER MANAGEMENT STANDARDS AND REGULATE ILLICIT DISCHARGES INTO THE CITY'S STORM WATER DRAINAGE SYSTEM**

Motion by Owsinek, seconded by Woods, UNANIMOUSLY CARRIED: To approve First reading C-366-23 an ordinance to amend Chapter 34 "Environment", of the City of Walled Lake Code of Ordinances Article V "Illicit Storm Water Discharges" to adopt stormwater management standards and regulate illicit discharges into the city's storm water drainage system.

Roll Call Vote

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

**COUNCIL COMMENTS**

Council Member Woods said the Commerce Area Historical Group is hosting a spring cleanup on April 22<sup>nd</sup> if interested they are looking for volunteers. Council Member Woods said he attended the recent library input community meeting at our library and the feedback was that everybody liked our hometown feel library.

Council Member Ambrose thanked the city administration and staff for keeping the city looking beautiful and having forethought in moving us forward.

Council Member Fernandes thanked everybody for their efforts and invited everyone to the April 8<sup>th</sup> Spring Egg Hunt at Hiram Sims Park.

Mayor Pro Tem Lublin reminded everyone the hours for the Spring Egg Hunt runs from 11 am to 1 pm.

Ms. Gross said there is an egg stuffing event at city hall Saturday, April 1<sup>st</sup> at 10 a.m.

**MAYOR'S REPORT**      None

8:33 p.m. Council recessed.

8:45 p.m. Council reconvened and entered closed session.

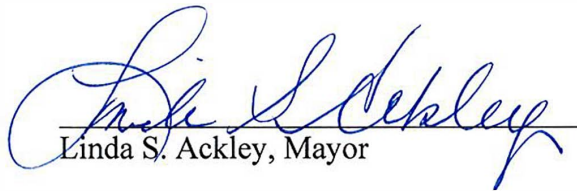
9:07 p.m. Council arose from the closed session.

No further action was taken.

**ADJOURNMENT**

Meeting adjourned at 9:07 p.m.

  
Jennifer A. Stuart, City Clerk  
*approved 4/18/23*

  
Linda S. Ackley, Mayor