



**CITY OF WALLED LAKE
PUBLIC HEARING
AND
REGULAR COUNCIL MEETING
TUESDAY, MAY 16, 2023
7:30 P.M.**

City Clerk Stuart welcomed everyone to the regularly scheduled April City Council meeting. Ms. Stuart introduced City Officials: City Attorney Vanerian, City Manager Whitt, Assistant City Manager Jaquays, Finance Director Pesta, Director of HR//Deputy Clerk Gross, Assistant to the City Manager Schrader, DPW Superintendent Ladd, Fire Chief Coomer, Police Chief Shakinas, Deputy Police Chief Kolke, DDA Board Member Millen and County Commissioner Dr. Ajay Raman.

The meeting was called to order at 7:35 p.m. by Mayor Ackley.

PLEDGE TO FLAG & INVOCATION

Invocation by Mayor Pro Tem Lublin.

ROLL CALL

Mayor Ackley, Mayor Pro Tem Lublin, Council Member Fernandes, Council Member Owsinek, and Council Member Woods

CM 05-01-23 MOTION TO EXCUSE COUNCIL MEMBERS AMBROSE AND LOCH FROM TONIGHT'S MEETING

Motion by Woods, seconded by Lublin, UNANIMOUSLY CARRIED: To excuse Council Members Ambrose and Loch from tonight's meeting.

PRESENTATION

1. Oath of Office administered to Police Officer Marc Boudreau

Police Officer Boudreau was not able to attend this evening and will be sworn in next month.

2. Oath of Office administered to Reserve Police Offer Kaylee Hall

Deputy Clerk Gross provided the ceremonial oath of office.

PUBLIC HEARING

1. Fiscal Years 2024 and 2025 Budget Appropriations

Open Public Hearing 7:40 p.m.

No audience participation.

Close Public Hearing 7:43 p.m.

- **Proposed Resolution 2023-15 Adopting the Operating and Capital Budget Appropriations of Funds and Levy of Taxes for Fiscal Year July 1, 2023 – June 30, 2024**

CM 05-02-23 MOTION TO APPROVE RESOLUTION 2023-15 ADOPTING THE OPERATING AND CAPITAL BUDGET APPROPRIATIONS OF FUNDS AND LEVY OF TAXES FOR FISCAL YEAR JULY 1, 2023 TO JUNE 30, 2024

Motion by Fernandes, seconded by Lublin, UNANIMOUSLY CARRIED: To approve resolution 2023-15 adopting the operating and capital budget appropriations of the funds and levy of taxes for fiscal year July 1, 2023, to June 30, 2024.

Discussion

Council Member Fernandes asked about the Capital Outlays for the proposed 2024 budget is for \$60,000 and the two-year budget is for \$200,000.

Assistant to City Manager Schrader explained the \$200,000 is a placeholder to provide the City Council and City Manager appropriations to address situations that may arise during the budget years.

Council Member Fernandes asked about the street sweeping allocations.

Finance Director Pesta explained that the city contracts that service, especially before city events.

City Manager Whitt said this approach is the most cost-effective way to address the streets and the city has been contracting out for at least 13 years.

Roll Call Vote

Ayes (5)	Fernandes, Lublin, Owsinek, Woods, Ackley
Nays (0)	
Absent (1)	Loch, Ambrose
Abstain (0)	

REQUEST FOR AGENDA CHANGES

None

AUDIENCE PARTICIPATION None

**Council Member Ambrose is now in attendance.*

City Manager Whitt thanked the council, staff, and participants who attended the City Manager's budget work sessions.

APPROVAL OF MINUTES

1. Regular Council Meeting of April 18, 2023

**CM 05-03-23 MOTION TO APPROVE REGULAR COUNCIL MEETING
MINUTES OF APRIL 18, 2023**

Motion by Lublin, seconded by Woods, UNANIMOUSLY CARRIED: To approve regular council meeting minutes of April 18, 2023.

Roll Call Vote

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

COUNCIL REPORTS

Council Member Fernandes reported that the Parks and Recreation Commission is coming into the summer season strong with numerous events such as the summer concert series beginning in June, the Memorial Day Parade, and the Summer Festival in June. Council Member Fernandes said the city's yearly egg hunt was a roaring success and she appreciates the work the staff did to make that event happen successfully.

CONSENT AGENDA CITY MANAGER'S REPORT

CM 05-04-23 APPROVAL OF CITY MANAGER'S CONSENT AGENDA ITEMS

Motion by Fernandes, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve the City Manager's consent agenda items.

Roll Call Vote

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

City Manager Whitt explained that with the city's efforts and City Attorney Vanerian's solid work, the water tower's demolition will occur. City Manager Whitt explained the demolition date has been rescheduled to May 30, 2023. City Manager Whitt said this is a significant code violation that will be remedied.

City Manager Whitt opined that the city has one of the most highly educated staff of the surrounding communities and he was proud to promote it. City Manager Whitt said City Clerk Stuart just achieved her certification as a Certified Michigan Municipal Treasurer. City Manager Whitt said Assistant City Manager Jaquays has just received her certification as a Certified Michigan Municipal Clerk and completed her first year of a three-year program to become a Certified Michigan Municipal Treasurer. City Manager Whitt explained each one, City Clerk Stuart, Assistant City Manager Jaquays, Finance Director Pesta, and HR Director/ Deputy Clerk Gross all hold the Certified Michigan Municipal Clerks credential.

City Manager Whitt explained the city met with the Road Commission of Oakland County this week and requested Assistant City Manager Jaquays to report. Ms. Jaquays reported there was a meeting yesterday with the Road Commission of Oakland County to share their plans for this year and the coming years. Ms. Jaquays explained the items discussed were traffic measures and road improvements. Ms. Jaquays explained Ladd Road, Commerce Township is slated for this year and the city requested a partnership to also address the city's portion of Ladd Road in Walled Lake.

DPW Superintendent Ladd explained there is going to be a resurfacing of 14 Mile Road from Walled Lake Drive to Haggerty Road which will begin sometime in 2023.

City Manager Whitt explained the contractors will be doing 14 Mile Road then Ladd Road from just on the other side of the trail into Commerce Township all the way to McCoy Street. City Manager Whitt explained we will push to get our portion of Ladd Road done at the same time. City Manager Whitt thanked County Commissioner Dr. Ajay Raman and State Representative Ann Bollin for their support in attending the meeting.

ATTORNEY'S REPORT

City Attorney Vanerian explained the three proposed ordinance amendments will adopt a liability waiver which would give the city a valuable legal defense to the city's licensing or site plan process.

1. Memorandum Liability Waiver: Marijuana Facility Establishment Licensing Ordinance Amendment

- **First Reading C-367-23 Amendment to Chapter 18, Recreational Marijuana Establishments Liability Waiver**

CM 05-05-23 APPROVAL FOR FIRST READING C-367-23 AN ORDINANCE TO AMEND CHAPTER 18 "BUSINESSES", OF THE CITY OF WALLED LAKE CODE OF ORDINANCES ARTICLE XII "RECREATIONAL MARIJUANA ESTABLISHMENTS" TO REGULATE AND REQUIRE LOCAL LICENSING OF RECREATIONAL MARIJUANA BUSINESSES AND ESTABLISHMENTS WITHIN THE CITY AS PROVIDED BY STATE LAW

Motion by Lublin, seconded by Owsinek, UNANIMOUSLY CARRIED: To approve first reading C-367-23 an ordinance to amend Chapter 18 "Businesses", of the City of Walled Lake Code of Ordinances Article XII "Recreational Marijuana Establishments" to regulate and require local licensing of recreational marijuana businesses and establishments within the city as provided by state law.

Roll Call Vote

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

- **First Reading C-368-23 Amendment to Chapter 18, Medical Marijuana Facilities Liability Waiver**

CM 05-06-23 APPROVAL FOR FIRST READING C-368-23 AN ORDINANCE TO AMEND CHAPTER 18 "BUSINESSES", OF THE CITY OF WALLED LAKE CODE OF ORDINANCES ARTICLE XI "MEDICAL MARIJUANA FACILITIES" TO REGULATE AND REQUIRE LOCAL LICENSING OF RECREATIONAL MARIJUANA

Motion by Owsinek, seconded by Woods, UNANIMOUSLY CARRIED: To approve first reading C-368-23 an ordinance to amend Chapter 18 "Businesses" of the City of Walled Lake Code of Ordinances Article XI "Medical Marijuana Facilities" to regulate and require local licensing of recreational marijuana.

Roll Call Vote

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

2. Memorandum Liability Waiver: Marijuana Facility Site Plan Zoning Ordinance Amendment

- **First Reading C-369-23 Amendment to Chapter 51, Article 21.00, Section 21.50 Liability Waiver**

CM 05-07-23 APPROVAL FOR FIRST READING C-369-23 AN ORDINANCE TO AMEND CHAPTER 51 "ZONING", OF TITLE V, "ZONING AND PLANNING", THE CITY OF WALLED LAKE ZONING ORDINANCE, TO AMEND ARTICLE 21.00 "GENERAL PROVISIONS", SECTION 21.50 "MARIJUANA FACILITIES" BY ADOPTING A NEW SUB-PARAGRAPH (r) "WAIVER OF LIABILITY" AS PROVIDED BY THIS ORDINANCE

Motion by Lublin, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve first reading C-369-23 an ordinance to amend Chapter 51 "Zoning", of Title V, "Zoning and Planning", the City of Walled Lake Zoning Ordinance, to amend Article 21.00 "General Provisions", Section 21.50 "Marijuana Facilities" by adopting a new sub-paragraph (r) "Waiver of Liability" as provided by this ordinance.

Roll Call Vote

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

UNFINISHED BUSINESS None

NEW BUSINESS

1. Proposed Resolution 2023-16 Acceptance of Protecting MI Pension Grant

CM 05-08-23 MOTION TO APPROVE RESOLUTION 2023-16 A RESOLUTION AUTHORIZING THE SUBMITTAL OF STATE GRANT APPLICATION FOR THE PROTECTING MICHIGAN PENSION GRANT PROGRAM AND WILL COMPLY WITH STATE RULES

**AND POLICIES FOR THE PLAN IN REGARD TO ACCEPTANCE,
COMPLIANCE AND ASSURANCE**

Motion by Woods, seconded by Fernandes, UNANIMOUSLY CARRIED: To approve resolution 2023-16 a resolution authorizing the submittal of the state grant application for the Protecting Michigan Pension Grant Program and will comply with state rules and policies for the plan in regard to acceptance, compliance, and assurance.

Discussion

Finance Director Pesta explained the opportunity of this grant would help fund the city's pension liability to meet the state requirement up to 60%.

City Manager Whitt explained the city's pension is only 34% funded, the city is applying for a grant, of up to \$4.5 million. City Manager Whitt opined that the city has been treading water financially with this unfunded liability.

Roll Call Vote

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

2. Proposed Resolution 2023-17 Community Development Block Grant Cooperation Agreement Program Years 2024, 2025, 2026

CM 05-09-23 MOTION TO APPROVE RESOLUTION 2023-17 A RESOLUTION TO PARTICIPATE IN OAKLAND COUNTY'S URBAN COUNTY COMMUNITY DEVELOPMENT PROGRAM YEARS 2024, 2025, AND 2026

Motion by Owsinek, seconded by Lublin, UNANIMOUSLY CARRIED: To approve resolution 2023-17 a resolution to participate in Oakland County's Urban County Community Development Program years 2024, 2025, and 2026.

Roll Call Vote

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

3. Proposed Resolution 2023-18 A Resolution Approving Events on May 26, 2023 and June 24, 2023

CM 05-10-23 MOTION TO APPROVE RESOLUTION 2023-18 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALLED LAKE APPROVING EVENT FOR FRIDAY, MAY 26, 2023 AND SATURDAY, JUNE 24, 2023

Motion by Fernandes, seconded by Owsinek, UNANIMOUSLY CARRIED: To approve resolution 2023-18 a resolution of the City Council of the City of Walled Lake approving event for Friday, May 26, 2023 and Saturday, June 24, 2023.

Roll Call Vote

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

4. Proposed Resolution 2023-19 A Resolution Approving Purchase of In-Car Police Video System

Police Chief Shakinias explained there are two patrol car cameras from 2014 that need replacement. Chief Shakinias explained these systems are a tremendous asset to the community and that funding will come from the federal forfeiture line item. Police Chief Shakinias explained the quote did not include installation costs and that would be approximately \$450 per vehicle.

CM 05-11-23 MOTION TO APPROVE RESOLUTION 2023-19 A RESOLUTION APPROVING THE PURCHASE OF TWO IN-CAR POLICE VIDEO SYSTEMS

Motion by Woods, seconded by Fernandes,

Discussion

Mayor Ackley clarified if installation cost should be part of the resolution.

CM 05-12-23 MOTION TO AMEND TO INCLUDE THE COST OF INSTALLATION WITH THE TOTAL NOT TO EXCEED \$13,000

Motion Woods, seconded by Fernandes, UNANIMOUSLY CARRIED: To amend to include the cost of installation with the total not to exceed \$13,000.

Roll Call Vote

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

Main Motion

CM 05-13-23

MOTION TO APPROVE RESOLUTION 2023-19 A RESOLUTION APPROVING THE PURCHASE OF TWO IN-CAR POLICE VIDEO SYSTEMS TO INCLUDE INSTALLATION WITH TOTAL NOT TO EXCEED \$13,000

Motion by Woods, seconded by Fernandes, UNANIMOUSLY CARRIED: To approve resolution 2023-19 a resolution approving the purchase of two in-car police video systems.

Roll Call Vote

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

5. Traffic Control Order 23-04 No Parking on Leon Road

Police Chief Shakinis explained the on-street parking along the south or west end of Leon Road is causing issues with mail being delivered, cars are parking and blocking the mailboxes.

Jamie Emmert, 121 Leon explained she has cars parked in front of her mailbox and in half of her driveway most days and mail is not delivered, and she has difficulty getting in and out of her driveway. Ms. Emmert explained Leon is a busy road, people are walking their dogs, children in strollers, children playing, and heavy car traffic, etc., and this is a safety issue. Ms. Emmert said she did go to the post office to inquire about her mail not being delivered and was told it was because her mailbox is blocked by parked cars. Ms. Emmert said the post office directed her to the city. Ms. Emmert asked the council to address, at least with no parking signs, where the mailboxes are.

Mayor Ackley asked what the plan is when the parking is shifted from Leon Road to the other streets.

Police Chief Shakinis explained there is currently no parking at the entrance of the other streets due to street entrance size. Chief Shakinis explained with the area construction, Leon has become busier, and the traffic has been brutal. Chief Shakinis explained if the council wants to

send back to amend the traffic control order to include additional areas or to include the entire road he will do so.

City Manager Whitt explained the proposed traffic control order should be passed tonight and another order or an amended order can come back before the council later. City Manager Whitt explained many of the people who are in violation are our residents.

Council Member Fernandes explained she agrees with approving the order this evening and requested the situation continued to be monitored.

Mayor Pro Tem Lublin said to have no parking on either side of the street, what about the people if they wish to have parties, families, and friends over, etc., they cannot park on the street.

Police Chief Shakinis explained the South or West end of Leon Road, both sides are appropriate for no parking signage however, on the other end, the north side, maybe only one side of no parking.

CM 05-14-23 MOTION TO APPROVE TRAFFIC CONTROL ORDER 23-04 NO PARKING ON LEON ROAD

Motion by Ambrose, seconded by Fernandes, UNANIMOUSLY CARRIED: To approve Traffic Control Order 23-04 no parking on Leon Road.

Roll Call Vote

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

Mayor Ackley explained County Commissioner Dr. Ajay Raman who is present this evening and asked if he had anything he would like to speak about.

County Commissioner Raman said there are tentative proposals for the rollout of the Oakland County Transit system, and they will be provided to City Manager Whitt. Commissioner Raman explained these proposals will be provided to each of the communities for feedback anticipating a rollout of the first phase of the transit later this year in September 2023. Commissioner Raman explained there is also a grant program, Acorn2Oak for residents 8 to 18 years of age to pursue their passions and talents offering a \$1,000 grant.

City Manager Whitt explained it may be appropriate for a report on our transportation issues as a member of the Western Oakland Transportation Authority (WOTA). City Manager Whitt explained it begins with being asked to leave WOTA by another board member because the designated city representative often votes no on motions made by other board members on their proposals, so the board member's response to the city's no votes, instead of being transparent is

to suggest that the City of Walled Lake should leave WOTA. City Manager Whitt also reported that WOTA had their meeting in a backyard shed which was only big enough to handle about six (6) people. City Manager Whitt said there is no way that anybody can have a public meeting there and invite the public. City Manager Whitt explained that the city has real issues with WOTA leadership and opined it is yet another government out of control. City Manager Whitt opined that WOTA is operating with poor management which lacks financial experience.

Assistant to City Manager Schrader explained it has been a problem in the making, even prior to the millage passing. Mr. Schrader opined that there are instances where the open meetings law has been violated. Mr. Schrader explained there were instances where WOTA has bought buses by e-mail. Mr. Schrader explained there have been multiple instances where he has called into question WOTA's accounting practices. Mr. Schrader opined that there is no leadership at WOTA and not one with experience in accounting and finance. Mr. Schrader explained he raised that question with one of the board members and expressed the city concerns and found out earlier today that WOTA intends to increase the service levels to three or four communities starting June 1st and whether that is part of the County plan the City of Walled Lake has no idea. Mr. Schrader explained that the city does not get any communication from the executive director or notifications of meetings that are being held with the county. Mr. Schrader expressed the city has concerns about where the WOTA organization is currently and its plans for the future.

City Manager Whitt opined that WOTA management is handling millions of dollars with no financial experience. City Manager Whitt explained his concern began during the budgeting process. City Manager Whitt explained the State of Michigan requires a process. City Manager Whitt explained the city just did one tonight, there was a budget proposal prepared ahead of time, we allowed people to participate, put together an appropriation act, which is a resolution, and is available for the public to see. City Manager Whitt explained that WOTA's Executive Director tells the board the budget is going to be this many dollars and provides nothing to the board ahead of time and then the budget is approved by motion. City Manager Whitt explained that he was told that WOTA has an attorney who says a motion and resolution are the same thing and that results in a budget being passed by a motion and not a resolution.

Assistant City Manager Schrader explained the same thing occurs with budget amendments. Mr. Schrader said the city does not see them in advance, they are not done by resolution, and there is a lack of transparency and prior notice or public notice with regard to the actions that the board takes.

County Commissioner Raman expressed his appreciation for providing that update. Mr. Raman explained that similar concerns have been raised by other communities he represents. Mr. Raman explained that he will relay the information to the transit manager. Mr. Raman said the first phase is to take down some of the barriers between some of the communities so right now Peoples Express is a provider and is in seven (7) of the surrounding communities.

COUNCIL COMMENTS

Council Member Fernandes said this is Police Week, and the city's police department is very much appreciated, and whatever we can do to support the department we will. Council Member Fernandes explained since the passing of Proposal 22-2, she wants to make sure that the city's election budget is properly funded to address putting the new policies in place.

Council Member Woods said he echoed his fellow council member and added the Farmers Market is tomorrow, the Memorial Day Parade is this month, and the Walled Lake Civic Fund fireworks are in June.

Council Member Ambrose explained he also echoes his fellow council members the weather is getting nicer for the summer months and the city is looking good with numerous events, the fireworks are super exciting, the farmer's market just keeps growing year after year, and Casey's of Walled Lake has the honor of announcing the parade again this year as in the past.

Council Member Owsinek explained he is glad to hear the water tower is coming down and the DPW is doing a wonderful job keeping the parks clean and the police department keeping them safe.

Mayor Pro Tem Lublin explained the city has a good team, City Manager Whitt has provided a good budget, City Council is doing their part and the staff makes that happen.

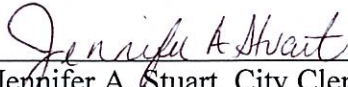
City Manager Whitt said on May 10, 2023, he completed his 13th year as City Manager of Walled Lake.

MAYOR'S REPORT

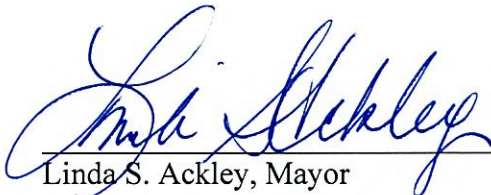
Mayor Ackley thanked the staff and said it is phenomenal when everyone is working together and in the same direction.

ADJOURNMENT

Meeting adjourned at 8:36 p.m.



Jennifer A. Stuart, City Clerk
approved 6/20/23



Linda S. Ackley, Mayor