



**CITY OF WALLED LAKE
REGULAR COUNCIL MEETING
(ELECTRONIC MEETING PLATFORM)
TUESDAY, MAY 18, 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, the meeting was declared in session.

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

REQUESTS FOR AGENDA CHANGES

Mayor Ackley recommended moving new business item #2 proposed resolution regarding the L-4029 for 2021 Tax Millage to just after the public hearing on 2022 fiscal year budget appropriations.

Mayor Ackley explained there was also a proposed resolution pertaining to the 2021 auto auction to be added to agenda and placed as new business #2.

AUDIENCE PARTICIPATION None

APPROVAL OF THE MINUTES

1. Regular Council Meeting April 20, 2021

CM 5-1-21 MOTION TO APPROVE REGULAR COUNCIL MEETING MINUTES OF APRIL 20, 2021

Motion by Loch, seconded by Owsinek, UNANIMOUSLY CARRIED: To approve regular council meeting minutes of April 20, 2021.

PUBLIC HEARING

1. 2022 FISCAL YEAR BUDGET APPROPRIATIONS

Finance Director Pesta explained council and administration have held three City Manager Budget Work Sessions through March and April and the budget is now presented this evening for the required public hearing.

Ms. Colleen Coogan, Principal at Woodhill Group explained she has enjoyed working through the budget process with council and administration. Ms. Coogan said the strategic decisions that have been made are a real positive movement forward for the city. Ms. Coogan said she is pleased to have been part of this process.

Mayor Ackley asked if there was anyone from the audience who wished to speak.

City Clerk Stuart said there were no members of the audience who requested to speak.

Mayor Ackley closed the public comment and opened to city council comment.

Council Member Lublin said this is what council worked on during the budget work session and it is a year of infrastructure providing many improvements. Council Member Lublin said we have saved these funds and we are now spending these funds on great projects. Council Member Lublin said hats off to city council, administration, police, fire, and public works, it is a great team effort.

Mayor Ackley said she concurs, and it has been proven what City Manager Whitt told council when he was hired in years ago that he could help fix the situation that the city was in at the time, and it has been steadily improving. Mayor Ackley said City Manager Whitt told council to have patience, tighten the belt and at some point the council would be able to make some improvements that the city would be proud of. Mayor Ackley said that has begun and we all need to be proud of what everyone has done, from the City Manager to all department heads and staff.

**CM 5-2-21 MOTION TO APPROVE RESOLUTION 2021-61 A
RESOLUTION FOR THE SUMMER 2021 MILLAGE
REQUEST REPORT TO THE COUNTY BOARD OF
COMMISSIONERS FOR THE ANNUAL LEVY AND
COLLECTION OF TAXES FOR THE CITY**

Motion by Owsinek, seconded by Fernandes, UNANIMOUSLY CARRIED: To approve resolution 2021-61 a resolution for the summer 2021 millage request to the County Board of Commissioners for the annual levy and collection of taxes for the city.

Roll Call Vote

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

COUNCIL REPORT

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

Finance Director Pesta provided an update explaining committee meetings are continuously held and progress is moving forward. Finance Director Pesta explained work on curbing and installation of the acceleration lane have begun. Finance Director Pesta said the Farmers Market is starting tomorrow and more gravel has been brought in for easier access in the area and over twenty-five vendors are scheduled to be at the grand open opening.

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

Mayor Pro Tem Ambrose said the DDA held their monthly meeting last Tuesday and explained the Farmer's Market begins tomorrow 7am, there will be additional fireworks added to the display downtown. Mayor Pro Tem Ambrose explained the city will have the largest firework display in Oakland County. Mayor Pro Tem Ambrose said there will be a car show in June, July and August in partnership with DDA members Steve Blair, owner of Murray's, Mr. Jerry Millen, owner of Green House and Mr. Eddie Hasano, Barrels of Wine. Mayor Pro Tem Ambrose explained the city's Memorial Day parade will not commence but there will be a memorial service instead at the public safety campus.

Mayor Ackley asked if the fireworks were June 19th. Mayor Pro Tem Ambrose said yes.

CITY MANAGER REPORT

1. Departmental / Divisional Statistical Reports

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

**CM 5-3-21 MOTION TO APPROVE THE DEPARTMENTAL /
DIVISIONAL STATISTICAL REPORTS**

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

Roll Call Vote

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

CORRESPONDENCE None

CITY ATTORNEY REPORT

- 1. Second Reading C-358-21 Amendment to Chapter 38 Fire Prevention and Protection to adopt the 2108 International Fire Code and amendments**

CM 5-4-21 MOTION TO APPROVE SECOND 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 Ambrose, UNANIMOUSLY CARRIED: To approve second 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.

Roll Call Vote

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

- 2. First Amendment to Planned Unit Development Agreement for Forestbrook Apartments**

City Attorney Vanerian explained the developer requested an amendment to the PUD agreement to address city engineering concerns of proposed trees and landscape amenities to proposed utilities in public right of ways. Attorney Vanerian said the city

engineering standards have recommendations as they relate to where things should be planted around utilities and right of ways. Attorney Vanerian said the developer's plan proposed placing landscaping closer to the utilities than the guidelines provide. Attorney Vanerian said the city engineer explained he did not have a problem with placement provided the developer is willing to assume the potential cost of having to place these amenities or if utility work needs to be done or if the trees cause any damage to the utilities, replacement cost is upon the developer. Attorney Vanerian said the developer would have to pay cost or reimburse the city.

Council Member Owsinek asked if this was reviewed for legal sufficiency.

City Attorney Vanerian said yes he drafted it.

**CM 5-5-21 MOTION TO APPROVE FIRST AMENDMENT TO
PLANNED UNIT DEVELOPMENT AGREEMENT
FORESTBROOK APARTMENTS**

Motion by Owsinek, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve first amendment to Planned Unit Development Agreement Forestbrook Apartments.

Roll Call Vote

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

3. Closed Session requested to discuss Confidential Attorney Client Communications regarding pending litigation City of Walled Lake vs. City Manager Whitt pursuant to Section 8 (e) of the Open Meetings Act (OMA)

**CM 5-6-21 MOTION TO APPROVE TO ENTER INTO CLOSED
SESSION TO DISCUSS PENDING LITIGATION CITY OF
WALLED LAKE VS. CITY MANAGER WHITT**

Motion by Owsinek, seconded by Loch, UNANIMOUSLY CARRIED: To approve to enter closed session to discuss pending litigation City of Walled Lake vs. City Manager Whitt

Roll Call Vote

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

Council entered closed session 7:55 p.m.

Council arose 8:10 p.m.

Council reconvened 8:11 p.m.

City Attorney Vanerian explained he discussed with council a pending claim during closed session and now back in open session if council wishes to make a motion they may do so.

CM 5-7-21 ON THE CASE OF CITY OF WALLED LAKE VS. L. DENNIS WHITT, CASE NO. 20-185171-CZ MOTION TO APPROVE THE CITY ATTORNEY'S RECOMMENDED DISPOSITION OF THE LAST PENDING CLAIM PRESENTED BY WAY OF CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION DURING CLOSED SESSION ON THIS MATTER AND AUTHORIZE THE CITY ATTORNEY TO TAKE ALL NECESSARY ACTION TO IMPLEMENT THIS DISPOSITION

Motion by Owsinek, seconded by Lublin, UNANIMOUSLY CARRIED: On the case of City of Walled Lake vs. L. Dennis Whitt, case no. 20-185171-cz motion to approve the City Attorney's recommended disposition of the last pending claim presented by way of confidential attorney client communication during closed session on this matter and authorize the City Attorney to take all necessary action to implement this disposition.

Roll Call Vote

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

UNFINISHED BUSINESS None

NEW BUSINESS

- 1. Proposed Resolution 2021-62 Accepting Grant Agreement from the Michigan Department of Natural Resources for Improvements to Mercer Beach**

**CM 5-8-21 MOTION TO APPROVE RESOLUTION 2021-62 A
RESOLUTION ACCEPTING THE GRANT AGREEMENT
FROM THE MICHIGAN DEPARTMENT OF NATURAL
RESOURCES FOR IMPROVEMENTS TO MERCER
BEACH**

Motion by Loch, seconded by Woods, UNANIMOUSLY CARRIED: Motion to approve resolution 2021-62 a resolution accepting the grant agreement from the Michigan Department of Natural Resources for improvements to Mercer Beach.

Roll Call Vote

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

- 2. 2021 Auto Auction – Police vehicles surplus – Bid award**

**CM 5-9-21 MOTION TO APPROVE RESOLUTION 2021-63 A
RESOLUTION FOR ACCEPTANCE OF BIDS AND
DETERMINATION OF AWARD APPROVED BY CITY
COUNCIL FOR THE 2021 AUTO AUCTION AND
AUTHORIZE SALE OF SAID ITEMS**

Motion by Woods, seconded by Loch, UNANIMOUSLY CARRIED: To approve resolution 2021-63 a resolution for acceptance of bids and determination of award approved by city council for the 2021 auto auction and authorize sale of said items.

Roll Call Vote

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

COUNCIL COMMENTS

Council Member Fernandes thanked everyone at city hall for the budget education everyone was available to answer any questions and she appreciated this. Council Member Fernandes said she appreciated a two-year budget presentation.

Council Member Loch said thank you to all the city staff for their hard work and appreciate all they do.

Council Member Lublin said he believes the light is at the end of the tunnel on the pandemic and is looking forward to being back together in person and way of life that has not been there the last 14 months.

Council Member Woods said he echoes the statement of his fellow council members on the budget presentation, it was very informative, transparent, great job. Council Member Woods thanked all the hard work to make things happen and he too is very much looking forward to moving towards normalcy again.

Council Member Owsinek said in reviewing the progress around the city such as Riley Park and milling preparations to be paved, in the Tri A subdivision the crew is actively milling the roads. Council Member said work is progressing rapidly to fix the infrastructure. Council Member Owsinek said the classic car shows presented by Mr. Millen-Green House; Mr. Steve Blair- Murray's Auto Parts and Eddie Hasano – Barrels of Wine will be held June 11, July 9 and August 13 across the street from the Green House and Caya Smoke House Grill will have their food truck there the event is 6pm to 8pm. Council Member Owsinek said there are also multiple events with concerts at Sims Park as well.

MAYOR'S REPORT

1. **Proposed Resolution 2021-64 Accepting Mayor's nomination of Michelle Arnold to the Parks and Recreation Commission**

**CM 5-10-21 MOTION TO APPROVE RESOLUTION 2021-64 A
RESOLUTION ACCEPTING THE MAYOR'S
NOMINATION TO FILL A VACANCY ON THE PARKS
AND RECREATION COMMISSION PURSUANT TO THE
REQUIREMENTS OF THE CITY CHARTER; MAKING AN
APPOINTMENT TO THE PARKS AND RECREATION
COMMISSION FOR AN UNEXPIRED TERM**

Motion by Loch, seconded by Fernandes, UNANIMOUSLY CARRIED: Motion to approve resolution 2021-64 a resolution accepting the Mayor's nomination to fill a vacancy on the Parks and Recreation Commission pursuant to the requirements of the City Charter; making an appointment to the Parks and Recreation Commission for an unexpired term.

Roll Call Vote

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

2. Proposed Resolution 2021-65 Declaring June 4, 2021, the first Friday to be National Gun Violence Awareness Day

CM 5-11-21 MOTION TO APPROVE RESOLUTION 2021-64 A RESOLUTION DECLARING JUNE 4TH THE FIRST FRIDAY IN JUNE 2021 TO BE NATIONAL GUN VIOLENCE AWARENESS DAY

Roll Call Vote

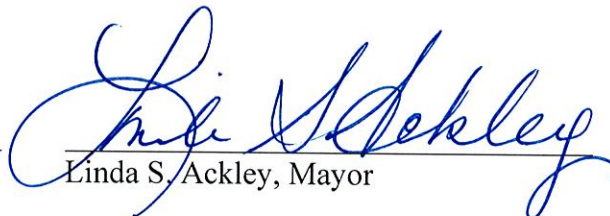
Ayes (7) Lublin, Owsinek, Woods, Ambrose, Fernandes, Loch, Ackley
Nays (0)
Absent (0)
Abstain (0)

Mayor Ackley said the city is beginning to shine again and she appreciates this. Mayor Ackley said the city will not be having a Memorial Day Parade but a memorial service noon on Monday May 31st, students from Walled Lake Western will be providing video services. Mayor Ackley said if there is anyone who would like to say something she asked that they contact city hall. Mayor Ackley said the campus looks good and getting its winter clean up.

ADJOURNMENT

Meeting adjourned at 8:27 p.m.


Jennifer A. Stuart, City Clerk


Linda S. Ackley, Mayor

Approved 6/15/21