



**CITY OF WALLED LAKE
ORGANIZATIONAL MEETING
AND
REGULAR COUNCIL MEETING
NOVEMBER 19, 2013**

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

Pledge of Allegiance led by Mayor Ackley.

Invocation led by Mayor Pro Tem Robertson.

ROLL CALL: Mayor Ackley, Mayor Pro Tem Robertson, Council Member Ambrose, Council Member Owsinek, Council Member Sturgeon, Council Member Yezbick

ABSENT: None

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

OTHERS PRESENT: City Manager Whitt, Police Chief Shakinas, Interim Fire Chief Coomer, Finance Director Coogan, Public Works Coordinator McGill, City Attorney Vanerian, and Deputy Treasurer Stuart

ORGANIZATIONAL MEETING

City Manager Whitt, acting in his capacity as City Clerk, explained that Section 6.1 of the City Charter provides for an organizational meeting, which shall be held on the Monday following each regular city election. However, the Organization Meeting date fell on November 11, 2013, which was Veterans Day. Mr. Whitt explained that the clerk's office was notified of council members not being able to attend that date, requiring a Clerk's Notice of Cancellation of the Organizational Meet due to lack of a quorum.

SWEARING IN OF COUNCIL MEMBERS, MAYOR PRO TEM, AND MAYOR

At the direction of the City Clerk, Deputy Clerk Stuart administered the ceremonial oath of office to the newly elected Council members for new four-year terms of office beginning 8:00 p.m., November 11, 2013. Council Members John Owsinek, Robert Robertson and Dennis Yezbick took the Oath of Office of City Council Member.

The City Clerk explained that Section 4.4 of the City Charter provides that the new Council person from among those incumbents who ran for re-election at the most recent election, who has received the highest number of votes in that election, and who has served a tenure of two years shall be Mayor Pro-tem. The canvas of votes and the Certificate of Determination shows that Council Member Robertson received the highest number of votes. At the direction of the City Clerk, Deputy Clerk Stuart administered the ceremonial Oath of Office to Mayor Pro Tem, Robert Robertson for a new two-year term of office beginning 8:00 p.m., November 11, 2013.

At the direction of the City Clerk, Deputy Clerk Stuart administered the Oath of Office to Linda S. Ackley; Mayor Ackley's new four-year term of office beginning 8:00 p.m., November 11, 2013.

PARLIAMENTARY PROCEDURES

City Manager Whitt said in the past members of council had asked questions regarding the rules of order. He stated it evokes Council the opportunity to recess and reconvene at the same meeting on questionable issues. This appointment is not the attorney or chair but a position appointed to provide advice and regulations for Rules of Order. It is a generally accepted practice by municipal governments. It is the same as appointing the Sergeant at Arms.

CM 11-01-13 MOTION TO ADOPT ROBERT'S RULES OF ORDER FOR PARLIAMENTARY PROCEDURES

Motion by Sturgeon, seconded by Ambrose, CARRIED UNANIMOUSLY: To adopt Robert's Rule of Order for Parliamentary Procedures.

CM 11-02-13 MOTION TO APPOINT CITY CLERK AS PARLIAMENTARIAN

Motion by Owsinek, seconded by Sturgeon, CARRIED UNANIMOUSLY: To appoint the City Clerk as Parliamentarian.

SERGEANT OF ARMS

The Police Chief is not the Sergeant at Arms; he is part of the department head of the governing body. The Police Chief should not do both, a Sergeant of Arms will be appointed today as well. It is ceremonial post at best.

CM 11-03-13 MOTION TO DIRECT THE CITY MANAGER TO APPOINT A SERGEANT AT ARMS TO SERVE AT EACH REGULAR CITY COUNCIL MEETING

Motion by Robertson, seconded by Owsinek, CARRIED UNANIMOUSLY: To direct the City Manager to appoint a Sergeant at Arms to serve at each regular City Council meeting.

REQUESTS FOR AGENDA CHANGES:

Mayor Ackley asked about the Council Meeting in December 2013. Council Member Owsinek stated Council Member Robertson made a motion at last month's meeting to continue with one meeting for the month of December-the first Tuesday.

APPROVAL OF THE MINUTES:

CM 11-04-13 APPROVAL OF THE OCTOBER 15, 2013 COUNCIL MEETING MINUTES

Motion by Sturgeon, seconded by Owsinek, CARRIED UNANIMOUSLY: To approve the October 15, 2013 Council Meeting Minutes.

AUDIENCE PARTICIPATION:

Ryan McMullen, 1745 Decker Road - He is here representing Bazonzoes Medical Marijuana Dispensary because the citizens of Oakland County need medical marijuana. He said Oakland County has the second most registered number of medical marijuana patients in Michigan and they are leaving this area to get their meds elsewhere. Marijuana is now decriminalized in Ann Arbor, Flint, Ferndale, Grand Rapids, Lansing, Jackson as well as 20 states including Washington D.C. and Colorado. The People's Choice facility in Ann Arbor was raided the same time as Bazonzoes. However, they are now back in business and backed by their city. Bazonzoes has been in business for 3 years, they signed a new three-year lease in July, and they are hurting financially. The City placed a moratorium for 120 days and that time frame is now up. They want to get back open and help their patients. He requested a one on one conversation with City Manager Whitt. City Manager Whitt said he will listen, but explained the decision regarding dispensaries lies with City Council.

Lauren Shamansky, 30400 Telegraph - She was here to speak on behalf of HAVEN. They provide assistance to individuals of domestic and sexual violence. Last year, 20 residents of Walled Lake used their services. In addition, they received and addressed 8 crisis calls- specifically from Walled Lake residents. One case alone costs \$5800 to provide the needed services and they are requesting \$2500 for services through the Community Development Block Grant Funding (CDBG).

Carrie Now, 9079 Kettering – She was a patient of Bazonzoes; she has missing disks in her back. She visited Bazonzoes often, and when she did, she visited the surrounding business. Their business is professional, setback, beautiful building and location. There were never any punks hanging around. She now has to go to Ann Arbor and/or Detroit for her medical marijuana. She feels it is taking business away from the surrounding businesses in Walled Lake. She feels those clients that utilize Bazonzoes are respectable, responsible people not punks.

COUNCIL CONSIDERATION:

1. Swearing in of Reserve Police Officers

Police Chief Shakinis introduced Reserve Police Officer Paul Caradonna. He was in the Marine Corps, served as a Military Policeman and obtained the rank of 2nd Lieutenant. He graduated with a Bachelor Degree from Oakland University in Political Science and received a law degree from Wayne State University, currently practicing immigration law.

Reserve Police Officer Michael Kozemchak. He is a graduate of West Bloomfield High School and is currently working on his Bachelor Degree in Communications at Oakland University.

Reserve Police Officer Carl Tianen. He is retired from the University of California as Director of Information and Security Officer of Network and Computer Security. He has studied at Madonna University and has his degree from Henry Ford Community College. He also served as a Reserve Officer with the Detroit Police Department in the 1970's.

Deputy Clerk Stuart swore in Reserve Police Officers Paul Caradonna, Michael Kozemchak, and Carl Tianen.

2. Swearing in of Firefighter Brian McFarland

Interim Fire Chief Coomer introduced Probationary Firefighter Brian McFarland. He lives in Walled Lake. He has spent the required 400 hours in the fire academy and is EMT certified. He also has met the requirements for firefighter recognition. He is a 2002 graduate of Walled Lake Western. He served in Iraq and was granted several awards and medals for his service. He also served in the military police for eight years.

Deputy Clerk Stuart swore in Paid on Call Firefighter Brian McFarland.

City Manager Whitt requested moving up the swearing in of the Deputy Finance Director. Finance Director Coogan introduced Mary Jaganjac. She has her Bachelor Degree from Michigan State University and her Master Degree in Accounting from Walsh College. She requested City Council confirm Ms. Jaganjac's appointment as Deputy Finance Director for City.

CM 11-05-13 APPROVAL TO APPOINT MARY JAGANJAC AS DEPUTY FINANCE DIRECTOR FOR THE CITY

Motion by Owsinek, seconded by Yezbick, CARRIED UNANIMOUSLY: To appoint Mary Jaganjac as Deputy Finance Director for the City

Deputy Clerk Stuart swore in Deputy Finance Director Mary Jaganjac.

Council meeting break 7:59 p.m.

Council meeting resumed 8:11 p.m.

3. Orchard Grove Community Church Banner Request

CM 11-06-13 APPROVE THE BANNER REQUEST FOR ORCHARD GROVE COMMUNITY CHURCH FOR THEIR 2013 NEW YEAR'S EVE EVENT

Motion by Ambrose, seconded by Yezbick, CARRIED UNANIMOUSLY: To approve the banner request for Orchard Grove Community Church for the 2013 New Year's Eve event.

4. Western Oakland Meals on Wheels Agreement 2013

CM 11-07-13 APPROVE THE WESTERN OAKLAND MEALS ON WHEELS AGREEMENT 2013

Motion by Sturgeon, seconded by Ambrose, CARRIED UNANIMOUSLY: To approve the Western Oakland Meals on Wheels agreement 2013.

5. Passion for Life 5K Event Request – March 29, 2014

Nebojsa Stojkovic, 2380 Bevin Court - with him was his Chief Technical Officer and Chief Operating Officer. They are requesting permission to host their seventh annual Passion for Life 5K run. This event has helped raise over \$200,000 for the University of Michigan – Mott's Children Hospital and local families. He said they have worked very closely with Police Chief Shakinis in the past. The race has been a huge success. In addition, he is requesting to place six (6) banners four (4) weeks prior to the event.

Council Member Owsinek suggested the banner placement be addressed administratively.

**CM 11-08-13 APPROVE THE PASSION FOR LIFE 5K EVENT REQUEST
SCHEDULED FOR MARCH 29, 2014**

Motion by Owsinek, seconded by Sturgeon, CARRIED UNANIMOUSLY: To approve the Passion for Life 5K event request scheduled for March 29, 2014.

6. CDBG Subrecipient Agreement for Program Year 2014

Deputy Treasurer Stuart requested approval to participate with the 2014 Community Development Block Grant Program and to host a required public hearing for Tuesday, December 3, 2013 at 7:30 p.m.

**CM 11-09-13 APPROVE THE CDBG SUBRECIPIENT AGREEMENT FOR
PROGRAM YEAR 2014**

Motion by Sturgeon, seconded by Ambrose, CARRIED UNANIMOUSLY: To approve the CDBG Subrecipient Agreement for Program Year 2014.

**CM 11-10-13 SCHEDULE PUBLIC HEARING FOR CDBG PROGRAM YEAR
2014 FOR TUESDAY, DECEMBER 3, 2013 AT 7:30 P.M.**

Motion by Ambrose, seconded by Sturgeon, CARRIED UNANIMOUSLY: To schedule public hearing for CDBG Program Year 2014 for Tuesday, December 3, 2013 at 7:30 p.m.

MAYOR'S REPORT:

Mayor Ackley said she is happy and proud to be in her new position as mayor. She feels the City is moving in the right direction.

1. Discussion of Nominations of Boards of Commissions

Mayor Ackley would like to discuss the Board and Commission assignments, but not necessarily this evening. She believes a couple of them have not been active for a while, and felt the Council needed to determine if they should start up again or maybe consider dissolving them. She requested a list of people who have applied and she invited anyone who has an interest in being on a Board or Commission to submit an application.

Council Member Yezbick asked for a list of all the Boards and Commissions the City currently has. He had a citizen talk to him about being on a Board, but has not been recognized as a Board member or called to meeting.

City Manager Whitt said there is a December 10, 2013 Board of Review, meeting and a quorum is necessary to host required meeting. The Board is in need of a member.

Council Member Ambrose suggested placing open positions on marquee.

COUNCIL REPORTS:

Council Member Owsinek reported the next Trailway Council meeting is scheduled for next Tuesday, November 26, 2013 at 3:00 p.m. at the Commerce Township Hall. No agenda has been set.

Council Member Yezbick said the annual Tree Lighting ceremony is scheduled for Monday, December 2, 2013 at 7:00 p.m.

Mayor Ackley wished to convey a compliment she was told about the staff the day of Devil's Night, former Police Chief of the City stopped by and attended the Reserve briefing meeting that day. He conveyed to her several good comments about the Police Department and he hadn't seen a department around that equaled what was being done here in Walled Lake.

MANAGER'S REPORT:

1. Departmental Statistical Reports

CM 11-11-13 MOTION TO RECEIVE DEPARTMENTAL STATISTICAL REPORTS

Motion by Robertson, seconded by Yezbick CARRIED UNANIMOUSLY: To receive the monthly departmental statistical reports.

CORRESPONDENCE: None

ATTORNEY'S REPORT:

City Attorney Vanerian reported that he prepared the requested Conditional Rezoning Ordinance. He was on vacation last week and he apologized for missing the deadline to present at this meeting. He will have it for December 3, 2013 meeting which is also before the next Planning Commission meeting scheduled for December 10, 2013.

UNFINISHED BUSINESS: None

NEW BUSINESS:

1. Metro Act Right of Way Permit Extension

City Attorney Vanerian said this is a request from AT&T for extension of existing permit that was issued approximately five years ago for use of City Public Right of Ways for telecommunication facilities. He did not find any discrepancy with the requested. He did not have any legal objections to it; it is similar to several other communities. It is required by State law.

**CM 11-12-13 APPROVE THE METRO ACT RIGHT OF WAY PERMIT
EXTENSION**

Motion by Owsinek, seconded by Sturgeon, CARRIED UNANIMOUSLY: To approve the Metro Act Right of Way permit extension

2. SMART Municipal and Community Service Credit Contract

Finance Director Coogan said this is our annual contract signed with SMART. Federal and State grants and City tax levy millage support the budget for the SMART transportation operation in the City in addition to the grant money from SMART.

**CM 11-13-13 APPROVE THE SMART MUNICIPAL AND COMMUNITY
SERVICE CREDIT CONTRACT**

Motion by Robertson, seconded by Owsinek, CARRIED UNANIMOUSLY: To approve the SMART Municipal and Community Credit Contract.

3. DWSD Water Service Contract Amendment

Public Works Coordinator McGill said a meeting was held with DWSD, City Attorney, City Engineer and herself. The meeting was to discuss any changes. It was decided to increase the maximum hourly value from 1.91 to 1.94, since we did reach that value. The rate change will be very little.

**CM 11-14-13 APPROVE THE DWSD WATER SERVICE CONTRACT
AMENDMENT NO. 3**

Motion by Sturgeon, seconded by Robertson, CARRIED UNANIMOUSLY: To approve the DWSD Water Service Contract Amendment No. 3.

4. Walled Lake SDS SAW Grant – Sewer Plant Application

Public Works Coordinator McGill said the Water Resource Commissioner Office on behalf of City, is applying for a SAW grant through the State. The purpose is to prepare an asset management plan of the City's tributaries to the plant. They are also applying for the City of Novi because both tributaries go to the Walled Lake-Novu Waste Water Treatment Plant. The City's match would be 10% of the granted amount. The current grant request is \$670,000; however, she is requesting Council increase it to not exceed \$1,000,000 (one million dollars) for the entire project. This provides for a cushion should be there something detrimental found during the survey. The funds would be drawn from the reserves at the plant; this is not anything we have to budget.

Council Member Sturgeon asked if the grant includes software and hardware funding. Finance Director Coogan replied ho hardware, software only.

City Manager Whitt said it is an engineering study of what is underground for planning purposes into the future. Our match is 10%. The plant serves other communities. The match is already in reserved funds for the treatment plant. In the past, these studies should have been done before going into a crisis management mode.

Mayor Ackley asked if the one million dollar figure is just Walled Lake's amount, or Novi's too. If we change our amount will it affect Novi? Public Works Coordinator McGill said no each is doing their own, so we can increase the amount and it won't affect the City of Novi.

**CM 11-15-13 APPROVE THE RESOLUTION FOR THE WALLED LAKE SDS
SAW GRANT SEWER PLANT APPLICATION WITH INCREASE
GRANT REQUEST NOT TO EXCEED ONE MILLION DOLLARS**

Motion by Owsinek, seconded by Robertson, CARRIED UNANIMOUSLY: To approve the resolution for the Walled Lake SDS SAW Grant Sewer Plant application with increase grant request not exceed one million dollars.

5. DPW Dump / Snow Plow Truck Purchase

**CM 11-16-13 APPROVE THE LOW BID OF \$46,544 FROM GORNO FORD FOR
PURCHASE OF DUMP / SNOW PLOW TRUCK**

Motion by Sturgeon, seconded by Ambrose, CARRIED UNANIMOUSLY: To approve the low bid of \$46,544 from Gorno Ford for purchase of dump / snow plow truck.

6. Traffic Control Order 13-08, Passion for Life

**CM 11-17-13 APPROVE THE TRAFFIC CONTROL ORDER 13-08, PASSION
FOR LIFE**

Motion by Sturgeon, seconded by Robertson, CARRIED UNANIMOUSLY: To approve Traffic Control Order 13-08, Passion for Life.

7. Resolution 2013-32, Poverty Exemption Application 2014 Tax Season

City Manager Whitt noted typo on page two, second paragraph should be "not".

**CM 11-18-13 APPROVE RESOLUTION 2013-32, POVERTY EXEMPTION
APPLICATION 2014 TAX SEASON WITH TYPO CORRECTION**

Motion by Sturgeon, seconded by Owsinek, CARRIED UNANIMOUSLY: To approve Resolution 2013-32, Poverty Exemption Application 2014 Tax Season with typo correction.

8. Resolution 2013-33, Establishment of Bridged Pension Benefit Provision

Finance Director Coogan said Council recently approved the collective bargaining agreements for all four units. The pension benefits will be bridged down; there is a reduced multiplier on all four bargaining units' pensions. She felt City Council approved contracts that would prevent benefit spiking; pensions will be based only on base salary of the employee receives. She is requesting approval from Council for the City Manager to sign new bridged pension benefit provision.

City Manager Whitt said this action is to implement what Council already directed Management to do.

**CM 11-19-13 APPROVE RESOLUTION 2013-33, ESTABLISHMENT OF
BRIDGED PENSION BENEFIT PROVISION**

Motion by Owsinek, seconded by Robertson, CARRIED UNANIMOUSLY: To approve the Establishment of Bridged Pension Benefit Provision.

AUDIENCE PARTICIPATION:

Susan Helke, 1361 Shaw - came here to thank whoever has started upkeep of the City website. She believes all the Board and Commissions are listed on the website. If they are updated she requested that the website also be updated.

COUNCIL COMMENTS:

Council Member Sturgeon requested to see the County's income projection for future value of housing as it pertains to our income here in the City for a three year period. Finance Director Coogan said she will provide.

Council Member Ambrose said some time ago a list of vacant homes and homes in foreclosure was created. City Manager Whitt said we haven't inventoried the City yet; it is on the agenda and has moved up.

Council Member Ambrose said the homestead exceptions have been taken away from the vacant homes and foreclosed homes. Finance Director Coogan said this was noted previously by Council and we have started that documentation in the utility billing system with returned statements and reporting from staff.

Council Member Yezbick said he is concerned with kids hanging out in vacant homes and frozen pipes; three months is too long to wait for a list to be compiled. Can we do something to investigate these homes? City Manager Whitt said if there is an immediate issue it is addressed right away. However, an inventory list will take time to compile.

Mayor Pro Tem Robertson asked if the home is foreclosed. Public Works Coordinator McGill said we can't go out and shut off without proof. However, we automatically turn water off if it is coming out of the home. She said communication with the banks is an issue. Police Chief Shakin said they work hand in hand with the banks or management companies and nip any issues in the bud.

Attorney Vanerian suggested Council consider a vacant property ordinance. It requests the name, phone number, and address for a property manager who is responsible for maintaining property. Council Member Ambrose requested it for next agenda.

Council Member Owsinek agreed and asked for a list of the Boards and Commissions before next Board of Review.

Council Member Ambrose thanked everyone and said it is a pleasure working with them. He offered congratulations to Mayor Ackley and re-elected Council Members.

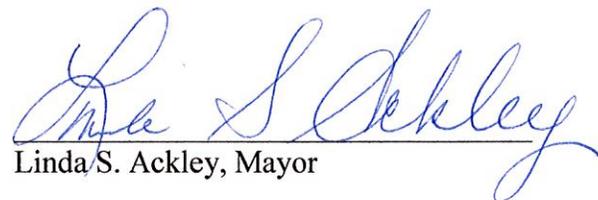
CM 11-20-13 BILLS FOR APPROVAL

Motion by Robertson, seconded by Owsinek, CARRIED UNANIMOUSLY: To authorize the Treasurer to make disbursements and transfers on Warrant #16-2013 in the amount of \$988,610.27 this being in the best interest of the City.

Meeting Adjourned at 8:51 p.m.



Jennifer Stuart, Deputy Clerk



Linda S. Ackley, Mayor