



**CITY OF WALLED LAKE
REGULAR COUNCIL MEETING**

AND

PUBLIC HEARING

TUESDAY, OCTOBER 17, 2023

7:30 P.M.

City Clerk Stuart welcomed everyone to the regularly scheduled October City Council meeting and introduced Council Member Mindy Fernandes, Council Member Tamra Loch, Council Member John Owsinek, Council Member Ryan Woods, Mayor Pro Tem Bennett Lublin, and Mayor Linda Ackley.

The meeting was called to order at 7:30 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 Loch, Council Member Owsinek, and Council Member Woods

OTHERS PRESENT

City Manager Whitt, Assistant to City Manager Jaquays, Finance Director Pesta, Public Safety Deputy Director Shakinas, Acting Chief of Police Kolke, Deputy Fire Chief Gonzalez, City Attorney Vanerian, HR Director Sears, DPW Superintendent Ladd, and City Clerk Stuart

CM 10-01-23 MOTION TO EXCUSE COUNCIL MEMBER AMBROSE FROM TONIGHT'S MEETING.

Motion by Lublin, seconded by Woods, UNANIMOUSLY CARRIED: Motion to excuse Council Member Ambrose from tonight's meeting.

PRESENTATION

1. Oakland County Water Resources Commission – Drew Sandahl

City Manager Whitt explained Mr. Drew Sandahl from the Oakland County Water Resources Commission (WRC) office was present to provide information on the city's sewer system and sewer lead repair options. Mr. Sandahl explained he is a Chief Engineer of the WRC sewer systems. Mr. Sandahl explained sewer leads are private. Mr. Sandahl explained a couple of different entities are involved with repairs: the right-of-way areas involving the jurisdiction, or a plumbing permit if it is outside of the right-of-way. He explained everything leading up to the

sewer would be private including the tap into the sewer and this is not handled from the public realm. Mr. Sandahl explained the city's system is approximately 143 thousand linear feet of clay sewer leads that were installed in the 70s. Mr. Sandahl explained clay sewer leads hold a lot of moisture that creates a lot of root trappings, roots find their way into clay leads at every angle. Mr. Sandahl explained WRC does not inspect the leads, all WRC does is inspect the main lines. He explained that any repair methodology the council would select would require camera views (CCTV) of the leads during a repair. Mr. Sandahl explained the city has approximately 2,100 customers currently with repair costs potentially reaching upwards to \$10,000 each. Mr. Sandahl said Public Act 222 provides some governmental immunity in service leads. However, if a defect is found in the main line that is the city's liability. Mr. Sandahl said public funds cannot be spent on private property repairs. Mr. Sandahl explained repair options that the council could consider such as digging up the existing lead and installing a new one; lining the existing lead from the house; lining the existing lead from within the sewer; lining the existing lead from a new cleanout structure; or utilize impermeable grout outside of the lead. Mr. Sandahl explained funding options include homeowner funding, reserve funds, or lead insurance programs.

Mayor Pro Tem Lublin asked how many areas the city has that are in a high, 4 to 5 category and what is the estimated cost for repair.

Mr. Sandahl explained there are approximately 7,200 linear feet of sewer leads that need to be relined in the near future and some spot repairs here and there. Mr. Sandahl explained WRC is at the beginning phase of discussing rates for the new year and the level of service that the council dictates will need to be implemented into the new rates.

Council Member Owsinek explained some areas may be required to be relined with the main, and apparently, there are different ways to reline the lead, who will bear the cost of the lateral repair.

Mr. Sandahl explained WRC provides an unimpeded entrance into the sewer.

Mayor Pro Tem Lublin clarified there is \$1.1 million dollars in the city's sewer reserve.

Mr. Sandahl said yes, however, the reserve funds are not all designated for repairs there are several other functions the reserve funds address. Mr. Sandahl thanked the council for their time and said he was available to answer any further questions.

City Manager Whitt explained from an administrative standpoint that we are not looking for action from the council this evening for the first reading. City Manager Whitt explained this is the start of discussions and alternative language that may fit the city's needs.

REQUEST FOR AGENDA CHANGES None

PUBLIC HEARING

1. Community Development Block Grant Program Year 2024

- **Request for Approval of the Recommendation of CDBG Funds for the Program Year 2024**

Open Public Hearing 7:56 p.m.

No comment from the public.

Close Public Hearing 7:58 p.m.

City Manager Whitt asked Public Safety Deputy Director Shakinias, who is also the Interim Fire Chief and Deputy Fire Chief Gonzalez to provide council information on the recent grant that was awarded to the Walled Lake Fire Department.

Deputy Fire Chief Gonzalez explained the department applied for MI Fire Equipment Grant to obtain funding for the purchase of fire equipment upgrades. Deputy Fire Chief Gonzalez explained the department was awarded a \$10,000 grant to purchase 10 new thermal imagers.

Interim Fire Chief Shakinias explained the Community Development Block Grant (CDBG) has been brought before the council each year with a recommendation of funding. Interim Fire Chief Shakinias explained the current proposal for CDBG FY24 recommends funding for the purchase of 8 new sets of firefighter turnout gear, each set is a pant and jacket, with a cost of \$2,735.

Mayor Ackley clarified the remaining funds are recommended for HAVEN, an Oakland County community resource.

Public Safety Deputy Director Shakinias explained the organization HAVEN is utilized by police officers when there are emergency runs for domestic violence. HAVEN provides 24-hour emergency shelter for domestic violence victims and their children.

CM 10-02-23 MOTION TO APPROVE THE RECOMMENDATION OF CDBG FUNDS FOR THE PROGRAM YEAR 2024 ARE \$6,274.56 TO HAVEN TO ASSIST DOMESTIC VIOLENCE VICTIMS AND THEIR CHILDREN AND SEXUAL ASSAULT SURVIVORS AND \$21,883.44 TO FIRE STATION EQUIPMENT FOR THE PURCHASE OF TURNOUT GEAR

Motion by Owsinek, seconded by Loch, UNANIMOUSLY CARRIED: To approve the recommendation of CDBG funds for the program year 2024 are \$6,274.56 to HAVEN to assist domestic violence victims and their children and sexual assault survivors and \$21,883.44 to Fire Station Equipment for the purchase of turnout gear.

Roll Call Vote

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

Absent (1) Ambrose
Abstain (0)

AUDIENCE PARTICIPATION None

APPROVAL OF MINUTES

1. Regular Council Meeting Minutes of September 19, 2023

**CM 10-03-23 MOTION TO APPROVE REGULAR COUNCIL MEETING
MINUTES OF SEPTEMBER 19, 2023**

Motion by Loch, seconded by Woods, UNANIMOUSLY CARRIED: To approve regular council meeting minutes of September 19, 2023.

COUNCIL REPORT

Council Member Owsinek said at the last planning commission meeting approval was granted for the proposal at 14 Mile and Decker Road to allow a drive-thru and retail establishment.

City Attorney Vanerian explained conditional rezoning requires the property owner to offer conditions for the requested rezoning. City Attorney Vanerian explained the property is zoned C-1 and the zoning of C-2 offers a drive-thru. City Attorney Vanerian said the Planning Commission held the required public hearing and the conditional rezoning request will then come before the council, and the council has the authority to approve the rezoning. City Attorney Vanerian explained there are a few details that need to be worked out and will be forthcoming. City Attorney Vanerian explained the rezoning request will require a first and second reading.

Mayor Pro Tem Lublin said the library held their grand reopening this past Saturday and it was well attended.

Council Member Fernandes said the Parks and Recreation Commission met and there are just a few Walled Lake Market Place days left for the season and reminded everyone of the annual holiday tree lighting ceremony on December 4th.

MAYOR'S REPORT

Mayor Ackley said she hopes to see everyone at the Mayor's Trunk or Treat on October 29th. Mayor Ackley said she attended the Fire Open House and the library's grand reopening; everybody made the best of the situation with the inclement weather and had a good time.

CITY MANAGER'S REPORT

- 1. Consent Agenda Written Departmental / Divisional Statistical Reports**
 - a. Police**

b. Fire
c. Finance
-Warrant

CM 10-04-23 APPROVAL OF CITY MANAGER'S CONSENT AGENDA ITEMS

Motion by Loch, seconded by Lublin, UNANIMOUSLY CARRIED: To approve City Manager's Consent Agenda items.

Roll Call Vote

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

City Manager Whitt explained there are three current economic updates and asked Managing DDA Director Jaquays to report.

DDA Managing Director Jaquays explained the Planning Commission did approve the site plan, special land use, and conditional rezoning for the proposal at 14 Mile and Decker Road. 800 N. Pontiac Trail did receive site plan and special land use approval from the Planning Commission however, Oakland County Road Commission (RCOC) did not approve the double access points. There will be a meeting this week with RCOC. Ms. Jaquays explained the Kum and Go gas station convenience store proposal did receive site plan and special land use approval however, the applicant has chosen not to proceed. Ms. Jaquays said the Walled Lake Market Place will be hosting its Harvest Festival tomorrow between 11 a.m. and 1:00 p.m. Ms. Jaquays said Parks and Recreation Coordinator Ms. Kaylee Hall has been doing a tremendous job with the Walled Lake Market Place. Ms. Jaquays explained there was a discussion on revisiting the time and day the market is hosted next season.

City Manager Whitt explained Ms. Jaquays is a member of Leadership Oakland and will be providing a presentation tomorrow afternoon to the members.

Ms. Jaquays explained Leadership Oakland is not directly run through Oakland County, it is a program with a multitude of people in leadership positions who mentor aspiring leaders. Ms. Jaquays explained there is an application to apply, and the program offers a nine-month training session. Ms. Jaquays explained the leadership group asked her to present on the topic of interviews with elected officials. Ms. Jaquays said this year's class was tasked with interviewing elected officials and that she will be facilitating their discussion. Ms. Jaquays said she was a graduate of Leadership Oakland and that the program is very beneficial.

City Clerk Stuart reported there is a town hall meeting hosted by County Commissioner Dr. Ajay Raman tomorrow at 7:30 p.m. on voting, early voting, etc. at the Novi Civic Center Council Chambers. Oakland County Clerk Lisa Brown, Wixom City Clerk Catherine Buck, Novi City

Clerk Cortney Hanson, Walled Lake City Clerk Jennifer Stuart, and Commerce Township Clerk Melissa Creech will be present.

City Manager Whitt explained Oakland County Road Commission has started the milling project along 14 Mile Road. The site is under construction and roads are blocked off.

CORRESPONDENCE None

ATTORNEY'S REPORT

1. Memorandum Public Safety Replacement Millage

- **Proposed Resolution 2023-86 A resolution to Approve Language for a Ballot Proposal to Replace the Current Public Safety Millage with a New Public Safety Millage**

City Attorney Vanerian explained the replacement millage will provide an increase in the millage rate. Attorney Vanerian explained the ballot proposal if approved by the council would go before the voters on the February 2024 ballot. If approved by the voters, the replacement millage would be effective in the Summer of 2024 replacing the current millage. Attorney Vanerian explained the public safety millage is a revenue source for the public safety operations of the city. Attorney Vanerian said the other option is a renewal, and that would go before the voters later, not in 2024. Attorney Vanerian said if the February 2024 election did not pass, the current millage would stay in place, and then the council would have the option to place a millage renewal request before the voters at a later election.

CM 10-05-23 MOTION TO APPROVE RESOLUTION 2023-86 A RESOLUTION TO APPROVE LANGUAGE FOR A BALLOT PROPOSAL TO REPLACE THE CURRENT PUBLIC SAFETY MILLAGE WITH A NEW PUBLIC SAFETY MILLAGE

Motion by Owsinek, seconded by Fernandes,

Discussion

City Manager Whitt explained there are dwindling revenues for several reasons, we do not have a lot of growth, taxable values are dropping, tax tribunals, the Headlee rollback, etc. City Manager Whitt opined if we do not move forward and place before the voters, layoffs will occur.

Mayor Ackley said this needs to be explained to the voters. Mayor Ackley explained the voters see their assessments and think the city is rolling in money.

City Manager Whitt said it is a complicated process, we are getting less revenue.

Mayor Pro Tem Lublin said the city's public safety department is necessary and we need to keep it strong, it must be supported.

Motion by Owsinek, seconded by Fernandes, UNANIMOUSLY CARRIED: To approve resolution 2023-86 a resolution to approve language for a ballot proposal to replace the current public safety millage with a new public safety millage.

Roll Call Vote

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

UNFINISHED BUSINESS

- 1. First Reading C-370-23 an Ordinance to amend Chapter 82 ‘Utilities’, Article II “Sewer Services”**

CM 10-06-23 MOTION TO TABLE FIRST READING OF C-370-23 AND HAVE STAFF REVIEW ITEMS DISCUSSED AND REPORT BACK TO THE COUNCIL

Motion by Owsinek, seconded by Fernandes, UNANIMOUSLY CARRIED: To table first reading of C-370-23 and have staff review items discussed and report back to the council.

Roll Call Vote

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

NEW BUSINESS

- 1. Proposed Resolution 2023-87 Reschedule of Organizational Special Council Meeting of Monday, November 13, 2023**

CM 10-07-23 MOTION TO APPROVE RESOLUTION 2023-87 A RESOLUTION RESCHEDULING THE ORGANIZATIONAL SPECIAL COUNCIL MEETING TO SWEAR INTO OFFICE THE CANDIDATES WHO WERE ELECTED BY VOTERS FOLLOWING THE NOVEMBER 7, 2023 GENERAL ELECTION OF MONDAY, NOVEMBER 13, 2023 TO THE REGULAR COUNCIL MEETING OF TUESDAY, NOVEMBER 21, 2023

Motion by Lublin, seconded by Loch, UNANIMOUSLY CARRIED: To approve resolution 2023-87 a resolution rescheduling the organizational special council meeting to swear into office the candidates who were elected by voters following the November 7, 2023 General Election of Monday, November 13, 2023 to the Regular Council meeting of Tuesday, November 21, 2023.

Roll Call Vote

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

2. Proposed Resolution 2023-88 Proposed Schedule of Meetings for 2024

CM 10-08-23 MOTION TO APPROVE RESOLUTION 2023-88 A RESOLUTION ESTABLISHING THE TIME, PLACE, AND THE 2024 SCHEDULE OF REGULAR MEETINGS FOR THE CITY OF WALLED LAKE PURSUANT TO THE CITY CHARTER; PROVIDING FOR PUBLICATION

Motion by Loch, seconded by Owsinek, UNANIMOUSLY CARRIED: To approve resolution 2023-88 a resolution establishing the time, place, and the 2024 Schedule of Regular Meetings for the City of Walled Lake pursuant to the City Charter; providing for publication.

Roll Call Vote

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

3. Proposed Resolution 2023-89 Delinquent Nuisance Receivables Winter 2023 Tax Roll

CM 10-09-23 MOTION TO APPROVE RESOLUTION 2023-89 A RESOLUTION APPROVING THE 2023 DELINQUENT NUISANCE RECEIVABLES TO BE PLACED ON THE 2023 DECEMBER CITY OF WALLED LAKE TAX ROLL

Motion by Woods, seconded by Fernandes, UNANIMOUSLY CARRIED: To approve resolution 2023-89 a resolution approving the 2023 delinquent nuisance receivables to be placed on the 2023 December City of Walled Lake Tax Roll.

Roll Call Vote

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

4. Proposed Resolution 2023-90 Drain Special Assessment Winter 2023 Tax Roll

CM 10-10-23 MOTION TO APPROVE RESOLUTION 2023-90 A RESOLUTION APPROVING THE 2023 SPECIAL ASSESSMENTS FOR REPAIR AND MAINTENANCE OF THE GREENAWAY DRAIN, LEON DRAIN, AND TAYLOR-LADD DRAIN TO BE PLACED ON THE 2023 DECEMBER CITY OF WALLED LAKE TAX ROLL

Motion by Loch, seconded by Woods, UNANIMOUSLY CARRIED: To approve Resolution 2023-90 a resolution approving the 2023 Special Assessments for repair and maintenance of the Greenaway Drain, Leon Drain, and Taylor-Ladd Drain to be placed on the 2023 December City of Walled Lake Tax Roll.

Roll Call Vote

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

COUNCIL COMMENTS

Council Member Fernandes thanked the city staff for their support and encouraged everyone to come out for the annual tree lighting on December 4th.

Council Member Woods said he attended the library's grand opening and the before and after pictures were great, a lot of work was done. Council Member Woods said the fire open house was a great time and his family enjoyed themselves.

Council Member Loch said she echoed her fellow council members and thanked city staff. Council Member Loch said she hopes the weather for the Mayor's Trunk or Treat has good weather for the children.

Council Member Owsinek said he encouraged everyone to come out for the Mayor's Trunk or Treat on October 29th, early voting is occurring for the first time in Michigan with this November 7th election, and the city's Public Safety Department has the finest police and fire personnel, support of the replacement millage is a must and needs to pass.

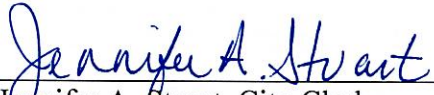
Mayor Pro Tem Lublin opined it is about time for the 14 Mile Road resurfacing it is good to see and congratulated the Fire Department for obtaining the grant of \$10,000 for the fire gear.

MAYOR'S COMMENTS

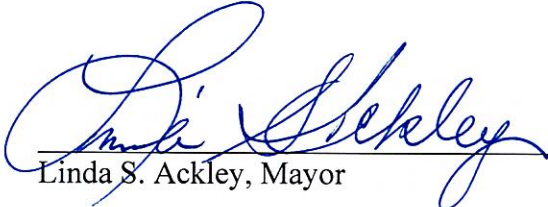
Mayor Ackley said she plans on attending the town hall meeting on early voting tomorrow evening.

ADJOURNMENT

Meeting adjourned at 8:40 p.m.



Jennifer A. Stuart, City Clerk
approved 11/21/23



Linda S. Ackley, Mayor