



**CITY OF WALLED LAKE
REGULAR COUNCIL MEETING**

**AND
PUBLIC HEARING
MONDAY, SEPTEMBER 17, 2018
7:30 P.M.**

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

Mayor Ackley explained since there was a large audience and the Council cannot take any action until the meeting is called to order. Mayor called the meeting to order and began with the with the pledge of allegiance and invocation.

Pledge of Allegiance led by Mayor Ackley.

Invocation led by Mayor Pro Tem Owsinek.

ROLL CALL: Mayor Ackley, Mayor Pro Tem Owsinek, Council Member Costanzo, Council Member Loch, Council Member Lublin, Council Member Robertson

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

OTHERS PRESENT: City Manager Whitt, Assistant City Manager Pesta, Police Chief Shakinas, Fire Chief Coomer, Finance Director Barlass, City Attorney Vanerian, City Clerk Stuart, and Deputy City Clerk Gross

**CM 9-1-18 MOTION TO EXCUSE COUNCIL MEMBER AMBROSE
ABSENCE FROM THE MEETING**

Motion by Owsinek, seconded by Loch: UNANIMOUSLY CARRIED: Motion to excuse Council Member Ambrose from tonight's meeting due to prior commitment.

Mayor Ackley deferred to Fire Chief Coomer on the room's occupancy capacity. Fire Chief Coomer said the room capacity is 66 the attendance tonight is well over that number.

Manager Whitt explained at the advertised open house there were less than 20 people who attended. Mr. Whitt stated that if the meeting continued, Council would have to ask people to leave the chambers and that's not a good idea for anyone involved. Mr. Whitt opined that legally Council can continue the meeting if the room capacity is decreased and the only way to do that is by asking people to exit the meeting and that will not make those in attendance happy. Manager Whitt explained that another option is a motion to adjourn to a time certain to another venue much larger because the Tri-A agenda item is such an issue that the attendance is large. Mr. Whitt opined that the fire hall is probably not large enough either, Council would have the same

issue there. Mr. Whitt explained Council will have to find a venue that is much bigger possibly one of the local churches but those in attendance here tonight do not want the meeting adjourned because they want to speak. City Manager Whitt said residents want to speak but they have been given misinformation by whoever was at the private meeting. Manager Whitt corrected the misinformation by explaining that the City Council has made no decisions, no decision on assessments, or anything. Manager Whitt stated that the City Council has this issue on the table now, but discussions about the matter had begun years ago with the water issues and the city's degraded fire suppression systems. City Manager Whitt opined that the Council cannot have a meeting if the room is over capacity.

A resident opined that some people were under the assumption that the open house meeting at the Fire Hall was to gather information and for whatever reason some people did not feel the necessity to attend and some in the neighborhood had information and shared that on Facebook.

City Manager Whitt explained that the City Council is continuing with the meeting they should not be having because of overcapacity.

Mayor Ackley explained as Mr. Whitt said and the city attorney will also back Council's position that Council should not continue the meeting because of the over capacity of the city council chambers.

Mayor Ackley explained that there will be no decisions made whether Council has the meeting tonight, in a week, or two weeks, nothing is going to be decided, because the City Council has only just begun discussions. Mayor requested motion from Council to recess the meeting because of over capacity but residents stated people had to rearrange their lives to attend this meeting tonight. Mayor Ackley explained, Council will accommodate everyone.

City Manager Whitt explained that a spokesperson among the audience members who is willing to ask people to leave it may solve the problem because the only reason Council cannot continue the meeting is because it is an overcapacity and fire safety issue.

An attendee said they were told if they did not speak or send a letter for tonight's meeting that they would not have a right to object to this assessment, now Council is telling us that some of us have to leave. Mayor Ackley asked who told the resident this information? Mayor Ackley and City Manager Whitt asked for clarification of where the residents heard this information.

Some audience members decided amongst themselves to exit the chambers to go outside and listen through the open windows.

Council Member Lublin opined Council is not in a rush to make a decision, the statement that a decision must take place right now is not correct. Council Member Lublin stated that Council is putting everything on the table so that the information is available but if Council was to just fix the water issue everyone would ask why the roads were not fixed also.

A resident said they were told varying information at the open house. A resident explained they were told, "there was not a choice to do nothing". Another resident was told yes, you can choose

to do nothing but if you chose to do nothing it is going to cost you more money down the road. She said another resident said they were told Council was going to have a vote after the council meeting and we are up in arms because you are going to literally force us out of our homes by increasing our taxes and causing foreclosures, but now you're telling us no decision has been and you are not going to move forward with anything. A resident opined that there are 100 working class families sitting here tonight.

Mayor Ackley explained that no one said they were not going to move ahead with anything. Mayor Ackley explained her understanding is the water will be fixed at the cost to the City not just the Tri-A subdivision and if Council has to, there is enough land in the City's right-of-way to go through the road and not have to totally tear up the roads. Mayor Ackley explained she is not an engineer, she did not wish to contradict anyone, and she is not going to argue. Mayor Ackley stated the water line has to be fixed for the health and safety of the whole City so the water issue is going to be corrected and at the same time, Council requested proposals to try and help improve the situation that has existed in Tri-A sub since the 1940's when the subdivision was built.

Resident asked why is Tri-A the only one being taxed?

Manager Whitt explained that upon his arrived eight years ago, he met a resident who was very angry because of the flooding near her home in the Tri-A Subdivision. Mr. Whitt explained that he discovered the flooding issue is a real concern and he met with the engineering firm to discuss the cost and back then the cost was tremendous. Manager Whitt explained that the reason Tri-A subdivision has come to the forefront is the public safety concern as the Fire Chief has identified this is as an issue. Manager Whitt explained that the water lines are substandard and not adequate for public safety. Mr. Whitt explained that if water lines are going to be upgraded, then the roads improvement should be discussed as well. Manager Whitt explained that this is a legacy cost of millions of dollars, but this was the first council meeting and no decision had been made by the City Council. Manager Whitt expressed concern about the misinformation and stated he did not know who was providing the misinformation.

A resident said to Manager Whitt that this is the information that we were given at the open house by a council member. Manager Whitt said he does not know who "we" is. A resident said a council member told us this. Manager Whitt said if a council member gave you this information, that council member is wrong and it just their opinion. Manager Whitt opined that it is their own opinion of the situation and that the council members are residents of Walled Lake just as the majority of the audience members and the council members are essentially volunteers.

Another resident said if a council member is giving information, shouldn't the council member provide correct information. Manager Whitt said he agrees with that statement. Manager Whitt said there should not have been a council member giving any engineering or financing information or otherwise. Manager Whitt stated that the City Council has not made any decisions. Manager Whitt stated that during his tenure bankruptcy has been avoided and that the City Council has stabilized the City finances in recent years, but the infrastructure needs are a legacy cost of millions of dollars because prior administrations had done nothing in

infrastructure planning. Manager Whitt explained that the City Council has began discussions on the infrastructure needs with Tri-A because of the fire suppression issue.

Manager Whitt explained any council member who told the resident that this was as a fact other than his or her opinion is wrong. You received bad information there was no decision made by Council. Council can only make decisions at a council meeting.

Manager Whitt explained what Council did was provide options and they were presented by city administration at the open house for residents, so feedback could be collected. Mr. Whitt explained this project has a line of continuum from one end which is the Cadillac version to the opposite end which is doing nothing.

Manager Whitt explained that this project can be on the line of continuum of doing nothing or the City Council may go all the way to the right on the line of continuum and that is the Cadillac version. Mr. Whitt explained that the City Council can decide what to do and between Council and administration, they have tried to anticipate questions of cost.

Manager Whitt opined that the public's argument is that they want the City as a whole to pay for the infrastructure fixes, explaining that he received a letter from resident who lives in Tri-A, Victor Velasquez asking why the City as a whole would not be paying. City Manager Whitt said the question is as good as any of the 46 or 48 letters of objection. Manager Whitt said another issue raised by the letter was if the City Charter says you have to fund for ten years so why a discrepancy on the length of time.

Manager Whitt explained the young woman who wrote the letter with her father worked for the City as a student intern. Manger Whitt said she had learned to read the Charter and City Code but explained there are other ways to finance infrastructure projects. Manager Whitt stated the public was given misinformation by someone and stressed Council has not voted, there are no defined numbers because the City Council has made no decisions. Mr. Whitt explained that options were provided for the public to comment on but if the public wants the nothing option then the public may shut down the discussion.

A resident began shouting a diatribe stating, that the Council's decision to pay the City Manager a salary of \$160,000 a year, for ten years and that city manager's contract was decided upon behind closed doors. The resident's diatribe went on to say that she had heard numerous stories of various restaurants who have had to jump through hoops to try to get into the City and more restaurants would increase our tax base which would lighten the load on us. The resident began a diatribe against Council Member Ambrose when she stated that Casey Ambrose owns a restaurant in the City and he is on the board, but I guessing it has something to do with not wanting as many restaurants here in the City. The same resident stated that there were no bids taken for the city parking lot redesign. She continued the verbal attack by stating that "We voted Mr. Robertson out because we didn't like his politics", we didn't like what he did. Yet, you force a woman out and your right back in again.

The resident began a diatribe directly at Manager Whitt stating that he was given a 10-year contract and that the manager makes more than the governor.

Manager Whitt explained that the remarks by the shouting audience member were not true, stating those are not facts. Mr. Whitt stated that he did not have a 10-year contract. Mr. Whitt stated, "I make \$160,000 salary", explained his credentials and opined that that his was a legitimate professional's salary. Manager Whitt responded to the diatribe by asking the resident if the meeting was all about his employment contract.

Mayor Ackley said she personally thinks the meeting should be adjourned for a larger venue. Mayor Ackley explained that everyone will have their say, there will be no decisions made until the residents get to speak. A resident inquired as to how many people need to be exit the room to continue the discussion. Fire Chief Coomer said 30. Mayor Ackley said residents could stand outside the door. Residents reconfigured to the outside of the building and some remained inside.

PUBLIC HEARING:

1. Special Assessment Tri-A Infrastructure Cost and Options

Mayor Ackley opened public hearing at 7:56 p.m.

Manager Whitt addressed a resident question and asked him to restate his question.

A resident said you were talking about earlier tearing the roads up to redo the water main and sewer and storm sewer. Everyone one of those can be lined.

Council Member Loch stated the lines are too small. City Manager Whitt said the lines are four inches.

Manager Whitt deferred to Fire Chief Coomer concerning the water lines in the Tri-A subdivision.

Fire Chief Coomer explained the lines coming in off of E West Maple and they are only 4-inch lines to 6-inch lines in some places. City Manager Whitt explained therefore this is a public safety issue.

Fire Chief Coomer explained the subdivision was established in the late 40's early 50's and was originally part of Commerce Township.

A resident said he did not believe there is a 4-inch water main for the whole subdivision, legally you cannot hook a 6-inch hydrant to a 4-inch watermain so did the City goof up back in the 40's and if they did the City should have to pay for it.

Mayor Ackley explained the city did not exist in the 40's the land was part of Commerce Township.

A resident said if they are fixing the watermain they have to tear up the road when they fix that. A resident said whatever they fix, the problem is the \$4 million-dollar road and the four options proposed is what everybody is here for.

A resident opined if the city is fixing the water main then the city needs to fix the roads.

The City Engineer, Mr. Maki explained the water main is outside of the road area it is in the City right-of-way the only places it is in the road is when the roads cross.

City Manager Whitt explained the design of the neighborhood at that time was the standard of the day when the subdivision was built, as the City did not exist, the City was not incorporated until 1954, so the City inherited these issues. Manager Whitt stated that we don't reach back and blame anyone because those were the standards of the day. Mr. Whitt opined that many people will say some of those homes were built in the early 50's for returning veterans where there were programs in those days they funded the local developer to throw up cookie cutter type homes built at a different standard.

Mr. Whitt explained that anybody who lives in the low areas are being flooded and that after discovering the cost several years back the City could not fix the flooding at that time because of the financial obligation. The City set it aside but did have engineers out there to discuss costs for lift stations. However, the Fire Chief did his assessment and there is a public safety issue. That is when the real discussions started happening.

Mr. Whitt stated that he had not heard anybody say the work does not need to be done, the issue is funding and until the City Council decides what to do, no action will be taking place. Mr. Whitt state that he was troubled that a citizen stands up and say things that are not true especially, if it came from a Council member. Mr. Whitt explained that Council members had little or nothing to do with the engineering none of them are qualified with all due respect and they should not be giving opinions about it and stressed no decision was made. Mr. Whitt stated that one resident who spoke tonight had it right if you think of doing one repair you have to consider the other necessary repairs and if the cost is prohibitive then residents have a say and can have that discussion.

Mr. Whitt explained that Channel 4 provided a story that explained it was a water main issue, but administration did underestimate that there were going to be this many people because only 17 people attended the open house about the same issue. Mr. Whitt stated he was glad that the meeting site was worked out to continue the discussions. Mr. Whitt stated that the flooding is a real issue but interestingly out of the 46 letters of objection, some of those people who had been complaining for 8 years about the flooding are now against anything being fixed because it costs money to fix it.

The Fire Chief reported the water main have been a problem back in that subdivision for quite some time mainly because of the size when they were placed in the 50's. A wellhouse or pump house controlled that subdivision water back then. A standard main for that neighborhood would be an 8-inch line. Over the last 60 or 70 years the 4 inch and 6-inch mains have collected sediment and the line size reduces, it's kind of like your arteries, sometimes you can clean them out sometimes you cannot. He explained the Fire Department found when they hook up to the hydrants in the Tri-A subdivision, there is pressure but no volume. There's a difference between pressure and volume, the amount of water we can get out of that hydrant is only 400 to 600 gallons per minute. With a typical 8 inch main it is 1500 to 2000 gallons per minute. Chief

Coomer explained the lack of pressure will cause the fire hydrant to break and broken pieces will enter the fire truck pumps. A large piece of debris can cause a catastrophic problem. Chief Coomer explained the Fire Department has a contingency plan for Tri-A and other places in town that have distance from hydrants, contingency plan is tanking water in because of water main size or location of hydrant. Fire Chief Coomer explained the Fire Department has a 4-minute response time and mutual aid is provided by Novi and Commerce Township.

A resident asked how long it was known the mains were too small. Fire Chief Coomer said the mains went in the late 50's early 60's. A resident asked how long has that been? Fire Chief Coomer said he has known since the 80's. City Manager Whitt defended the Fire Chief and said that is not fair questioning. Manager Whitt explained he has known eight years and it was not financially feasible to address until the City's finances were stable.

A resident said the pipes are being replaced by the City, the roads are still the concern. Resident said this has been known since the 80's the roads could have been fixed a whole lot cheaper in the 80's. Could have been done and rebuilt back then but now you want to charge me \$2,000 a year for X amount of years because the City did not address it back then. I did not even own the home back then. I was in grade school.

City Manager Whitt explained he does not disagree with that part, not only did past administration not do it, they did not create a sinking fund or put funds aside. Mr. Whitt explained past administration and people sitting in his position did not bring it to the then City Council.

Mayor Ackley asked for order and said she would like to give time for Fire Chief Coomer and the City Manager Whitt to finish. Some of your questions may be answered, everyone will have a right to come up and speak.

Fire Chief Coomer expressed the fire protection problem in the Tri-A is low volume and said the Fire Department has a tanker truck as the contingency plan. The sediment over the years, the 4 and 6-inch mains over the years with the amount of sedimentation collection has a reduced amount of volume output. It would upgrade the fire protection to have these water mains replaced. I see it as a life safety issue, property issue.

City Manager Whitt explained that the city had a substantial number of letters opposing the project. Manger Whitt stated he did not I know whether they oppose the project because they know all the facts or because they don't like the city administration or the city council. Mr. Whitt pointed out that there were 48 letters of opposition received but one of them is particularly useful. Mr. Whitt state that he had already mentioned that young women and her family who he knows did a great job of going through the Charter and making her point. Mr. Whitt said he was assuming she helped her father Victor Velasquez write the letter and he signed the letter. Mr. Whitt explained that the point made in the Velasquez letter goes to the overall issue that some of the resident show spoke tonight.

City Manager Whitt read into the record:

After reading the City Charter and Code or Ordinances I found the information in these two documents does not correspond to the information provided by the City. For payment of special assessment, annual installments not to exceed ten in number and "if any, shall be a general obligation of the city; determine the number of annual installments not to exceed ten in number". From this information that has been provided to us we have been told that this Special Assessment would be ongoing for twenty-five (25) years. I would like clarification from Council or the City Administration as to why these are conflicting dates.

Manager Whitt answered Ms. Velasquez by explaining the City Council did not say any of that. Mr. Whitt said someone is misleading purposely. Mr. Whitt stated that he did not say that and the method of assessment has to be determined here, City Administration did not set any dates. Mr. Whitt stated that if one were looking for a conflict, one can probably spin it. Mr. Whitt stated yet again that the City Council did not vote for any of that, the City Council has not set a date, the project has not been decided as of yet and all that has been given is a proposal. Mr. Whitt stated that the City Council did not say this is what was going to be done and there has been no rate set, there is no conflict. Mr. Whitt opined that if there was a poor job of communicating that would be him and his staff, it would not be City Council. City Manager Whitt said that he would like to have Ms. Velasquez speak.

City Manager Whitt introduced Ms. Velazquez, 531 Gamma, and explained that she had previously served as a student intern with the City.

Estefany Velazquez – I think and tell me if I'm wrong, I'm speaking for everyone, but I think an issue is we did not know about the open house held last week until a few days before hand. I was sick I could not come. As you know my parents are bilingual I translate a lot for them, they do understand a lot. I have to translate. I think we just want more time and more direct information like here it is, not wishy washy, this might be the thing, or this might be the thing. We want more information from the City as to how much this is going to cost, straightforward information so that we can see if this going to benefit us or not. From what it seems like, a \$ 4 million estimates, not a quote, is going to cost us a lot, and a lot of us are working class families and we cannot afford that. We want to make sure you will not make a decision until you give us concrete information that we can make a valid and reasonable choice about.

Mayor Ackley said the Council is in full agreement with you.

City Manager Whitt said reaching backwards and blaming somebody does not move this forward. Manager Whitt said he did not know why past decisions were made but the misleading part is when people try to peddle it like the city has already made a decision on this issue. Mr. Whitt explained that that is untrue there is no record of that. Mr. Whitt state that maybe he and his staff did not communicate well enough, however he explained that staff sent out another notice yesterday, the DDA Chairman Casey Ambrose was out in the field yesterday trying to make sure people were notified of the meeting. Mr. Whitt said that he and staff had been beaten up today even though those were courtesy notices distributed one more time and it still did not

make everybody happy, but the issue is going forward the city council will put the facts on the table beginning tonight.

City Manager Whitt thanked Ms. Velasquez stating he thought she did an excellent job representing and translating for her father Victor Velasquez. Manager Whitt spoke in Spanish directly to Victor Velasquez thanking him and his daughter.

Ms. Velasquez continued and said an issue I have is I am curious as to how many options are going to be explored. I briefly looked at the PowerPoint passed out. Are you going to do a any research of how other cities in this situation handle this?

Manager Whitt is we called the engineer up, the engineer is going to tell you what the options are. Those were city administration's options at some point on that continuum. What they decided will determine how we go for the cost.

Ms. Velasquez I am not asking what is going to be done, engineering, we are asking how to do other municipalities handle this exact situation and if it is a better option. Is that something we can explore to follow that.

Manager Whitt said if there is a municipality has this, this is pretty unique to have a 4-inch main in 2018.

Ms. Velasquez said she is asking about the road repair.

Manager Whitt explained the engineer will explain the options. You do not have to go to five, anywhere on that continuum and if we have an option that anybody knows another city, if they have a 4-inch main. The option is we need to talk about it. This was not about jamming it in. No vote was scheduled tonight, it was not intended that way and that is what is benign said in the street. I know that I'm getting the feedback, people in this room right now have called me. That's not true, there no decision by city council. We may not communicate as well. The City Council simply did not make a decision. If any council member is telling you what we're are going to do or even presuming to understand what's happening here without being here for 40 years, then they are doing you a disservice. It's wrong to participate it that way. It all should be right here, and it starts with the engineer.

Mayor Ackley explained she was in three different cities in northern Michigan in the last two weeks. They are doing water and sewer and they are having the same discussion we are having. Because of the problems with the tax base, everybody is going to special assessment districts. As much as they don't want to do it we do not have the tax dollars that we had back 06. How much we have to do, what version of the road and drainage improvement that we end up deciding as a whole, that were going to do for your subdivision, will determine how much we end up paying or not paying.

Ms. Velasquez explained she works for Bloomfield Township they do not handle this specific situation the way we are handling it there may be better examples to follow. Information I have gathered myself online, I know that they do not handle this specific situation the way we are

handling it here. I wanted to know what other research will be done as to how other cities handle it and if we may be able to follow a better example of how to finance it. Are grants available.

Council Member Lublin said there is only limited monies discussion have to held, discussing a possible plan that helps the subdivision and makes it affordable for the residents and City.

City Manager Whitt said what he has heard from this young woman, possibly speaking for the group to look at way's council has not made any decisions and how the Council financing this, the water main will be repaired. Ms. Velasquez makes a really good point about financing. Mr. Whitt stated the Council has not even gotten there yet and that is the biggest misconception; folks know there is something that needs to be done, the question is how to pay for it. Mr. Whitt reiterated that the city cannot build up on the past and that Commerce Township is not responsible for what happened in the past because. Mr. Whitt said that a 4-inch main may have been appropriate, but the city can only move forward, and he thought that Ms. Velasquez' points made were as good as any today.

City consultant engineer, Mr. Bradd Maki from Boss Engineering explained the goal was and is to try find the best value at the best benefit. He thanked council for having him here to discuss the project.

Mr. Maki explained the water main dangerously undersized, the storm water runoff is extremely uncontrolled, there is alligator cracking on the roads which signifies worst kind road failure, the culverts have lifted out of the driveways, and pockets of water stay standing.

Mr. Make explained regarding the drainage improvements, investigation with a geotechnical evaluation showed the ground structure held a high-water table and de-watering is required for road and drainage improvements, storm water pump stations are required, and meeting county standards is required for the future potential of the county taking over the drainage in the area as one of their drainage districts.

Mr. Maki explained regarding the street improvements investigation showed that under the roads exists a terrible situation, proposed repairs require going deeper in the ground to begin to place satisfactory roads, curb, and gutter to help control the storm water

Mr. Maki explained regarding the proposed timeline for the Tri-A infrastructure repair. Mr. Maki explained the August regular City Council meeting was the first look with some type of cost structure provided. The Council held an open house gathering on September 10, 2018. The public hearing tonight starts considerations if project is to be considered and potential of a special assessment district. Mr. Maki explained the proposed timeline is if Council wishes to start construction spring next year 2019, approvals by January need to occur to get the bids going and award the bids in April and start construction in May 2019.

Mr. Maki explained regarding the project cost the water main system infrastructure repair is being financed through the water rate structure adjustment Council already made. That project cost just under a million dollars noting that cost it is an estimate, bids could come in lower.

Mr. Maki explained regarding the storm drainage and road infrastructure costs provided, the numbers are estimates and provided to Council to have as a starting point. The lowest cost options are proposal 1 and the estimated special assessment figures were based on option 1. The special assessments discussion was based on a couple of options of how the Tri-A infrastructure repair could be funded to property owner only and the dollar values are an estimate it could be more or less.

Council Member Robertson asked what the longest length of time the special assessment could be. Mr. Maki explained the life of the road itself is 25 years and in his opinion a special assessment should not be longer than that.

Mr. Maki explained regarding the comments from the open house. Comments included rejecting the figures shown at the open house, belief it is a City cost and Tri-A should not be taxed, just fix the road, fix the drainage by individual homes that are on the worse end for drainage but to get one area fixed you have to get entire area fixed, higher tax is not affordable, taxes will be too high.

Mr. Maki summarized the project goals included fixing storm water drainage, fixing the roads and drainage to get the best cost value, and the fact is infrastructure improvements do increase property values.

Manager Whitt explained that the PowerPoint presentation were administrative paperwork, they are estimates, hypotheticals at the instruction of City Council. Manager Whitt explained that at no time did City Council make a decision on any of this, or what they were going to do, or how to finance it. Mr. Whitt state that is not true that what has been said on several occasions that somehow those decisions were made ahead of time. Manager Whitt stated it is pretty clear that we have done a bad job on this presentation the reason being he did not anticipate a one page a printout being used, if you look at the total Power Point print out as a whole, on several of the pages it states estimate. Manager Whitt said City Council picks that, and they did give administration an indication they wanted certain options on that line of continuum provided but none of those were decisions about doing the project. Mr. Whitt said that the option of doing nothing, is an option but what was meant was not doing the roads and addressing the flooding issues, however, it is probably not an option to ignore the public safety issue with the fire suppression system. Mr. Whitt did opine that that it appears the City did ignore all the way back in the 40, 50, and 60's and this legacy cost, if not done today will develop into a catastrophic event.

AUDIENCE PARTICIPATION

Charles Jackson, 408 Gamma, said I live in Tri-A. I work at Channel 4 doing communications. It has been poor communication all across the board. The documentation that was brought up, there was four options. Nothing was a fifth option, meaning nothing was going to be done. Never was that an option. Never was that conveyed that that was an option. I understand the water needs to be done, that is on the City. The roads, my big problem, the roads are a City road. It is a public road. The City plows, the city does it. It should be a city expense. In 2008 there was a millage passed to do the roads. Have we explored doing a millage because we are going to run into a

problem in the neighborhoods. It is not just us, it is the whole City. You cannot just put it on just us in my opinion, it has to be a city moving forward. We share the expense. I get that it is going to be on use but going forward how do we prosper going forward, you go as a unit not as a neighborhood. That's my big thing. I ask that Council consider maybe doing a millage because, again, it is going to be a problem in another neighborhood. We have to share the expense across the board as a City. That is why I am here. It is a City problem, not just Tri-A. I understand the water needs to be done, I understand 100% and the city is paying for that or us tax payers are paying for this. Can I ask an honest question, when was the last time a full-on box alarm fire? I grew up in Walled Lake I moved here when I was four. Moved into Tri-A, my wife Walled Lake through and through. Outside of Pepino's and a mobile home fire, I cannot recall any fires. In the last fifteen years, the Police Department has solved more murders than we have had house fires. Going forward it has to be on the City's tax base not just the neighborhood. That is how you prosper as a city, you cannot just depend on individual neighborhoods. Walled Lake is working class, you don't ask hour many hours you put it.

Shirley Knapp, 1110 Beta – stated it was not too long ago on Gamma and Beta flooding caused water to almost come into her home through her registers. Ms. Knapp asked what about older people who are on social security. I'm 82, I'm getting there. Ms. Knapp asked Council to take into consideration those who live on a fixed income and social security and younger people with younger children.

Mayor Ackley said we are all going to work to find a solution.

Tina Thurston, 1344 Delta – we've been there for over 16 years. My husband for 18. I know I've given you a run for your money. I do know the Fire Chief and Police Chief, we understand this needs to be done. You are working with what you have, and we know how incredibly lucky we are to have a Fire Department, a City Library, and a Police Department. We understand that so thank you. First of all, Mr. Whitt you keep referring to rumors of things that have been said. We did hold a meeting at my house yesterday. Every piece of information that we have that went on Facebook and our neighborhood group came from right here. Not all of you were at the meeting. I was told doing nothing is not an option. Kat was told oh yeah you can do nothing and guess what in a few more years it will be worse. So, all of the information that we have gotten has come from this City Council and the open house. So, let's just clear that up right now. I want the record to reflect that this is the information we were given. Our issue is first of all, we have not been given enough time to say ok, what are our options. What have you done? We were told a vote was going to take place tonight at the end of the meeting. That is why you have almost 100 people sitting here.

Mayor Ackley asked if that came from a city council person.

Ms. Thurston replied yes.

Manager Whitt asked Ms. Thurston which council member told her that?

Ms. Thurston declined to answer.

Mayor Ackley said she did not know who would have told her that.

Ms. Thurston said but we were also told multiple other misinformation. How is it not likely? None of us made this information up. That is why we're in a panic because we thought the decision was being made tonight.

Mayor Ackley explained she felt the open house was a chance for each and every one of you to meet with our city engineer because he is the one that understands the project and was supposed to present it to you. If a council person wanted to attend it was to listen just like everyone else was doing that day because we are not engineers, we are not finance people and those who were there should not have been giving you that information. And for that as mayor I sincerely apologize for this. No council person should have told you that.

Ms. Thurston said but they did, and this is why the panic has risen. A couple of the issues we had is we were not given enough time. Ok you're not voting on it today, we have more time. Ok. We have not been given an actual cost and I understand the \$4 million is a great estimate but as the Finance Director explained, the economy is wonderful that could come up higher or lower. We don't know how much you're asking from us. We are not going to say ok go ahead and do it. Now, the meeting packet of information shows more meetings. Ok. We understand that now. Part of our huge problem is, the runoff from the upper subdivision. And again, I'm going to reiterate what Mr. Jackson said, all of us feel this is a City problem, it is not a Tri-A problem. The flooding that comes from my area comes from the subdivision up above that was allowed to be built at a grade much higher. Ok. The other end of the neighborhood gets the East Bay water runoff. So, we have multiple neighborhoods contributing to this. We should not be held responsible for this. Again, it is a City problem. They are public roads. We have asked over and over again and I'm sure the Police Chief almost cringes when he hears my name, "Ms. Thurston's on the phone". I have almost been hit with my special needs child when walking down my own street and I understand they cannot police but when I have to push my child into a ditch in a wagon to avoid being hit. Unfortunately, this gentleman gets the brunt end of my anger. Ok. We can't control the traffic that comes through our neighborhood. We have asked for speed bumps and more stop signs. We have been told, no. Again, the City maintains the road, the City controls it. We have thousands of cars a year that cut through the subdivision. Why is Tri-A asked to take on the whole cost. Part of the problem is again, the money that has been spent by the City. I am not an expert on this, but funds that maybe could have been saved, not much but saved, whether it be from a salary or a parking lot redesign. We are looking at these things and we're angry. So, what I said earlier, and I apologize to Mr. Ambrose, but we have talked to numerous restaurant owners, Pepino's will not come back because the City is too hard to work with; Dave and Amy's had to jump through hoops that should have never been, and Moonlight all complained about the City. We need these restaurants and bars. We want to bring a tax base in and we feel the City is not doing that. We have empty strip malls that look terrible. We are back to the Waltucky nickname again. We need these businesses for our taxes. Somehow the City Council and the new owners of restaurants are not finding a way to work together that is hurting us. So now you are asking for \$1600 to \$2000 a year more in taxes and I am a stay at home mom with a special need's child. This will result to us going into tax sales and foreclosure, we will have senior citizens forced out of their homes. Our tax base is high as it is compared to surrounding areas. We should not be paying \$4000 for a 1500 square foot house with a detached

garage and one bathroom. It is not ok. Council has to find a way to not put this on us. We are not voting to do nothing. We are calling on City Council, you represent us, you work for us, you need to find a way and it cannot be on Tri-A.

Cathryn (Cat) Hindersman, 655 Gamma – stated she was at the open house last week I spoke with mainly with Bradd, the engineer. We were only given answers to the questions we asked. We were not presented with a concrete packet of real information. The questions I asked I asked I got answers. The questions somebody else asked got answers. It snowballed into a game of telephone, he said she said. I apologize to the neighbors because I misunderstood. I feel like I asked the questions and I was the one who was told doing nothing was not an option. If we do not say yes to \$4 million dollars we will have to pay more later. A \$50,000 assessment on my house that we only paid \$80,000 for is not proportional. My family cannot afford that. There has to be a better balance and it has to come from the City. I agree with Mr. Jackson we need to do this as a city as a whole. I am not against paying an assessment, but it needs to be in proportion to our homes. Doubling our taxes, it is not fair and not realistic. Thank you.

Manager Whitt said nobody should have to apologize for saying you are here and the fact is no matter what happened, you are here. Mr. Whitt said that is what we were trying to do. We are trying to get everybody out. No decisions were made. I'm not sure how you all got here, it does not matter, you all got here, and you get to speak. You do not need to apologize for any of that.

Mayor Ackley said the next person to speak is Bob Williamson. I saw him I do not know if he is still here. Mayor asked if Mr. Williamson was still here.

Michael Johnson, 1269 Delta – we moved in there last year. The roads were a crumbling mess to begin with. The flooding, I agree with everything everybody else has said at this point. I am on the back side of our sub, I have a beautiful yard, that is why we bought the place. We bought in the summer time. It was fantastic, postage stamp front yard but when it rains it becomes a nice pretty pond back there and it all runs off from that sub that is so much higher than us. That has nice roads with gutters. It all runs down into my backyard and my neighbors back yard and everywhere else. It is bad enough the drainage in the front yard, spill a cup of coffee it is a flood. It cannot all on us, but everyone here has already said that. It cannot be all onus, it has to be City wide.

Mayor Ackley asked if Bob Williamson returned.

Manager Whitt said Mr. Williamson has submitted a letter opposing the flooding but I think his statement may be the same as his letter, but Mr. Williamson and his family have been arguing to fix the flooding for the eight years I have been here.

Stacey Swanderski, 1171 Beta – said thank you for allowing us a chance to talk tonight. I'm Stacey Swanderski and I moved into Walled Lake in 1999. I live at 1171 Beta. I'm from the City of Farmington. I'm a retired police officer from the City of Farmington Hills. 1999 I chose to live here not Farmington Hills. Walled Lake was centrally located with a nice atmosphere. You say we don't have to apologize, yeah you are right we don't have to apologize. We held a

meeting and where were you Mr. Robertson You live in our sub correct? Can I ask why you did not attend? Nothing to do with any facts you didn't give the meeting a chance.

Councilman Robertson said he knew the facts and attended the City's open house meeting.

Ms. Swanderski asked Councilmen Robertson if he had any concerns about the special assessment since it does affect him also as a Tri-A resident.

Councilman Robertson said he signed a letter opposing the special assessment.

Ms. Swanderski asked Councilmen Robertson is he to be grandfathered in, in some shape or form like the Mayor, Mayor Roberts.

Mayor Ackley asked for clarification grandfathered into what.

Ms. Swanderski said if I'm using the wrong terminology here, is Councilman Robertson not going to be affected by the special assessment.

Councilman Robertson said the special assessment would double his taxes.

Ms. Swanderski asked whether or not Mr. Robertson would be included or not included in the special assessment. Then why is that the prior Mayor and Mr. Ambrose, they live on the lake, why are they not paying the taxes to live on East Lake Drive.

Mayor Ackley said they pay taxes.

Ms. Swanderski asked if Casey Ambrose is the one who lives on East Lake Drive.

Mayor Ackley said they both live on E Walled Lake Drive.

Ms. Swanderski said her main concern is why Mr. Robertson did not attend the neighborhood meeting. We are here until 915 pm already because we want to be heard. There's an article from 1978 that talks about the fact that the Walled Lake City Council approved the subdivision that drains into Mr. Johnson's yard. So, for 40 years, Council has known about it. Where is the money? Where has the money gone, in 40 years. How could Council not appropriate the money or fix the problem. How can Council justify repaving, landscaping, and put sprinklers in the City Hall when we sit here, and we talk about the safety concerns that exist in Tri-A. That quite honestly, I did not know existed. So now this information is now public so what is my State Farm agent going to say when they figure out that the hydrant that is in my front yard is not going to work.

Ms. Thurston said she called her insurance agent because she was worried about that and she suggested every single resident called their insurance companies to let them know their hydrants do not work.

Ms. Swanderski said she voiced again what Chuck, Tina, and Kat and everybody else has said, please take this into consideration. My god I have sat here and watched the economy go up and down and weathered it just like all of you. I stayed, I did not move out, I did not bail. I intend on staying. I'm not going to move up north just because I am retired. I'm staying here. This is my hometown. Council cannot piggy back Tri-A on this issue. We have fixed incomes. The great thing about the subdivision, when I bought in 1999, I sat and back then and watched things go downhill a little bit in terms of the conditions of the homes and then I watched this really cool up swing. We have young families coming in, we have kids now in the neighborhood again. We are pleading with our hearts, take this into consideration, please, that is all I ask. I don't think anyone of you if faced with the same circumstance would not do the same either. I appreciate you listening to us and again, please this is on the backs of the City. This was your baby, you knew the problem existed. Tri-A cannot bear the load.

Shawn Rogers, 1283 Delta – said he moved in 1994. Mr. Rogers provided pictures to Council of his property flooding. Mr. Rogers said the flooding has been a problem since he moved in. and still faces flooding problem today. In the winter the area ices over, destroys cars they lose mufflers and everything else. You keep saying these folks volunteer which is great, I coached football for nine years, and baseball for nine years, I'm a member of the local Knights of Columbus, I'm an usher at my church, St. Williams. We all volunteer to. Everybody keeps saying, using the word public, the whole public, not just Tri-A needs to foot the bill. I don't know who screwed this up and when, but it's been screwed up and it needs to be fixed by the City, not by Tri-A. The residents, if Council does the special assessment, residents will have to make a decision do they get their prescription medicine this month and stay healthy or do I lose my house. What do I? There was discussion that the County will take over the sewers after we pay them, that does not make sense to me. Why does the County not step up right now? You said the County may take over the sewer stuff afterward's and be responsible for it.

Mayor Ackley said the City would have to have county standard drains to have the County maintain them.

Mr. Rogers said let's get the County involved before we all empty our back accounts then after. I appreciate what Council is trying do to here, but Council cannot break all of us. We cannot afford it. I have worked for Livonia Public Schools for 33 years. I'm hoping to retire soon. My youngest son is graduating from Grand Valley State University I have helped him pay for his college and everything else. I want to take my wife on a vacation every great once in a while. I deserve that, and I have earned it. Council has to understand this is not on Tri-A, this is on the City.

Manager Whitt said this is consistent with what we have heard this evening, if Council moves forward, it is consistent with what the young woman found in the Charter. The premise in 54 those kinds of things is a general obligation. The fact is state statues allow Council to do different things.

Marion Clifton, 1171 Delta – said she concurred wither neighbors. She has been here for 54 years and she has seen a lot of changes. Ms. Clifton said 30 years ago the City tried to place culverts. I live on a hill. I have no water in front of my house, thank goodness. I feel sorry for the

people who live on the curve. They have had this problem a long time. The City is addressing again now but backwards because now the City is going to tear up the roads to put in the culverts and it does not make sense to her.

Justin VanDemark, 1381 Delta – said he would like to mostly speak to the utter lack of communication from the Council and City Manager and workers. There was a letter put in everyone's mailbox, or on doorstep, somehow delivered. I think this is what is causing the uproar. It reads, *there will be a hearing notice of the City Code or Ordinance a public hearing is to give notice that shall include a statement that appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the state tax tribunal.* When we start hearing \$2,000 per year as special assessment, then you read this language, why would we not show up really, really angry. I had to take a day off. I had this notice a week before the open house, I could not get the time off. I work in Atlanta, it is a huge inconvenience to get the time off today luckily my boss afforded me the time off, so I can be here because I was terrified that if I did not come here, I was having no say in having to pay \$50,000. I don't know if you guys are aware you have a website, you could put information on it. You can speak to us in plain language, so we understand what our obligations are and what we are going to be obligated to pay. So, going forward, please, please, please, communicate with us and tell us what is going on. Because at some point a decision will be made and if we need to be present to protect our interests we need to understand what is required of us. So please give us more information. Tonight, I feel like I got more information about what is being paid for what is not being paid for. I'm still unclear are we going to vote on this. The City Council will vote on how to do the special assessment is my understanding.

Council Member Lublin said there may not be a special assessment.

Mr. VanDemark said but if we do go forward how would the decision be made. Would it be from a vote from the citizens or the City Council.

Manager Whitt said City Council makes all the decisions They instruct the city attorney to do the legal research. Any version of that can happen but some of the folks put some items on the table tonight that are dead on. There are a lot of folks that agree this cost should be spread city wide. If there is any other charge other than what we already charged back based on the water system, then it ought to be a general obligation. Meaning you charge everybody. We might have to put that on a ballot and anything going on the ballot will delay it that much longer. It is not likely that any of that will happen without a vote of the people. I apologize to the extent of miscommunication. The Council must start somewhere. If you have everything done ahead of time, then accusations of secret meetings are spread. We held an open house to begin the discussion.

Mr. VanDemark requested to please give more notice. A week's notice is simply not enough.

Manager Whitt said there is a legal requirement and that has been met.

Mr. VanDemark said the Council did the bare minimum legal when you do the bare minimum and it appears that is forced through.

Manager Whitt said there have been no decision made, the notion should be dispelled tonight. and the open house was about that but maybe the city can do it more efficiently.

Mr. VanDemark said he wanted to speak to the website, Casey Ambrose's wife is on a website today telling people that residents will be voting on this issue. There's misinformation coming from the spouse of a councilman. I have the print out from nextdoor.com, it is a public forum. I know maybe they are communicating, I know it is not his responsibility.

Manager Whitt said Casey Ambrose's wife does not speak for administration. The Councilmember singularly do not speak for administration. I have seen absolute fabrications on all those sites and you are absolutely right they get it wrong.

Mr. VanDemark asked for the information to be placed on the website. I emailed to the City Clerk for numbers and what do I need to protect my interest, and I was met with response which I have the print out here I'll gladly give it to you, I was met with the response come to the hearing. My email initially told her, I cannot come to the hearing I have to work. All of us have jobs, we cannot spend our whole life coming here to fight this. The City needs to communicate with us. Eventually after several emails I did receive a call I got some numbers.

Manager Whitt said we made the effort, the very letter you got was an effort. Mr. Whitt stated that if it needs to go out earlier and earlier, then the city staff may have to deal with all of that, but was not the City Council that did that, it was city staff. City Manager Whitt stated that he did not anticipate that people would put out bogus information about this project and opined that some were actually doing that. Manager Whitt explained the city website is where to go for information, but when you have a council member putting stuff up, it is nonsense, it is not real, and it is all spun for another reason. Mr. Whitt stated that he was glad the speaker came in and was sorry the city staff didn't get it right, but the city council's and the administration's intent was to preserve your rights, that is why you got that letter, the letter was to say get here. Mr. Whitt stated that the City wanted the people at the meeting.

Mr. VanDemark, I want to be here, but I also want the ability to get the information without having to go through the great expense of taking personal time from work.

Manager Whitt explained that every piece of information will be placed on the website as early as tomorrow if the city can do it. City Manager Whitt stated that that he cannot stop a council member from spreading nonsense.

Mr. VanDemark said but if the official information was there I would not even be concerned with what someone is posting on Facebook or other websites. I am asking if the City would have given the solid information we could ignore the noise and so we are not getting the information. I'm not blaming City Council, I'm simply stating this is what is happening. Council employs the City Manager, this is the issue the residents are facing.

Barbara Keys, 1368 Delta – said she was not able to attend the open house, she was out of the state. She moved back to Walled Lake in 03. I lived here as a teenager, I bought a house in 03 because I needed to care for my father, dad passed in December of 16. I am still trying to recover

financially from the cost of caring for my father with dementia. The numbers that have been discussed are very scary. I do believe that is not reasonable to even think about adding the equivalent of roughly 20 mills to my property taxes. Especially since if done by frontage, I have a pie shaped lot, I am screwed if you do it by frontage. Like many others, I do believe this is a cost that perhaps that should be an infrastructure millage or something like that, that is covered by the City as whole and unless you want to have these angry meetings time after time as you go from neighborhood to neighborhood, I think it would be in your best interest to do that also.

Barry Gropp, 1169 Sigma – asked the Mayor what counties or cities up north that had special assessments, what cities were they. Mayor Ackley said Alpena was one of them and the other two were part of a news article in the Alpena paper. Mr. Gropp clarified the Council has not met with anybody from these communities. My statements are the same as anybody else, the is a City issue not a Tri-A issue.

Roger Beck, 1150 Sigma – stated he does not think we need wider roads or sidewalks, do not needs curbs. As far as the water issue, I understand people do have a lot of flooding. Where I am at I do not have any. People who do not have the flooding, why tear are us and make the cost higher for everybody else. Do not mess with people that do not need it just work on the people who need it that way the cost would be down. I have been paying taxes for 52 years and nobody has touched our road. The most I have gotten is about every ten year, they come along with coal patch and that is it. My question is after 52 years of taxes, where is that money at. What did Council do with it. That is supposed to be kept for maintaining the roads all of sudden we need new roads, where's the funding, the money we have been paying in taxes for 52 years. There is a nice new DPW building, everything done nice here. Where has the money gone? Anyone of you can answer to that. I guess I am not going to get answer.

Mayor Ackley said the roads have been repaved.

Mr. Beck said the main road had been resurfaced, they never touched Sigma. I have been there 52 years you can take my word for it.

Manager Whitt explained that he thought the point was, did the City put any money into a sinking fund and the answer is no.

Mr. Beck said the Council is supposed to know what happened to the money. All these years there has to be something in the records. Where did that money go?

Gerald Gootee, 1198 Delta – said his property does not have any drainage problems his property is on a hill, he has no water anywhere, but he cannot go around the corner without getting his feet wet. All his poor his neighbors are getting swamped out their properties are full of mosquitos and its nasty. Mr. Gootee stated the drain thing needs to be taken care of. However, as far as what Chief Coomer said, we absolutely need, need, need water mains replaced. It has to be done for safety all or our safety, for the kids, and neighbors. Get rid of the pavement make it gravel who cares. I'm not paying for it, I cannot afford to. I work two jobs. I have a full-time job and a part time job My children live in a safe community that is beautiful and a great neighborhood where everyone cares, everyone looks out for these kids. We have a public

problem that needs to be addressed by the community not the Tri-A neighborhood. The whole community of Walled Lake needs to help address the issues that need to be taken care of.

Jeff Zug, 420 Wellsboro – said he is not in the Tri-A neighborhood. He apologizes it is hard to hear whether or not everything has been said or not but as a resident who is not in the Tri-A neighborhood, this is the problem of us as residents, it's a problem of us as being inactive in the community to allow us to get to this point. To deal with this issue now, this needs to be a citywide issue because there are a lot of things that have gone wrong in the City and if we started isolating it to neighborhoods, I have a 14-year commercial development in Walled Lake that is at about 70% completion right now. I have a three-story building staring down at my home with no landscaping in front of it because the City will not enforce the PUD. That is my fault because I have been in the City for 14 years and only in the last year have I tried to get it fixed. It is a citywide, the issue with this neighborhood, it needs to be spread to the City because it is going to impact us all. The second you start assessing them, anybody goes into foreclosure will start hitting everybody's property values. My property value already sucks anyway because I have a three-story commercial building staring down on my home. This needs to be solved. I have proposed revenue generating option before. I told you when the school district lawsuit occurred, that the City should put in a hotel with an indoor waterpark on that piece of land. Three months ago, Wixom announced they were putting one in. So, we cannot do that now. What do we sell a lot of here in Walled Lake? There are many restaurants here, maybe we up the sales tax 1 or 2 % because we have 18 to 20 restaurants that we could be pulling sales tax from. We also have a large automotive supply for our town our size, all the automotive parts stores and places to get car repairs, that's not all funded by the City of Walled Lake but those people who are in the surrounding community are using our streets. They are impacting our road conditions and they probably need to be a part of paying for this, so it does not land all on Tri-A. The next thing that goes wrong, if let's say Legato Point gets finished and you have drainage problems there, Council will be isolating each separate neighborhood. This is a citywide problem because we have been inactive with it. I think this needs to go across all of us and not just a single neighborhood.

Alicia Edwards, 1157 Delta – said she is on the hill, up in the dry part of Tri-A. Ms. Edwards said she cannot pay for this she will have to move. Half of these people cannot pay for this. You said it is not your problem, you were not here during those years, neither were we. It is Council's job to fix it not ours. You will be able to put a Walled Lake public swimming pool there, we cannot pay \$2,000 more, cannot do it.

Laura Palazzo, 1379 Omega – said she is also on the hill, she definitely would not want a sidewalk in front of her home it is already shaky in the area anyway. Ms. Palazzo said she was confused because I was going to the meetings for the new subdivision, and then she got this in the mail. She went to the City Hall and asked because she had done some work to her driveway, if she could lift my sewer cap. She was told the county was responsible for the sewers. When she received this information in the mail about an assessment to put the sewers and roads in I was confused. I do believe it is council's job to fix. If you do not want to fix this problem, then don't sign up. Council is here to fix. Council has a lot of education it is figuring out how to run a business that is bigger than the business you might be running. You can do this, I believe in you. I know that Council would get really great publicity really great public response. There is a lot of

cool things a lot of other cities are doing that are innovative. I'm interested to see and excited to see how Council addresses this. There has to be a solution.

Mikè Taylor, 1176 Beta – said he moved in two years ago to rebuild his life after a tough divorce of 27 years, thought I could afford it. I have lived in Novi, Bristol Corners, I was one of the first phases there. I paid \$5500 during a recession in taxes there and \$6000 during good times. I just paid the City \$4,000 for this year and I will owe \$150 for the winter. Now Council wants to raise my taxes by \$2,000. My house is not worth it, I have a 60-year-old home. It disappoints me that you are letting these people down. I think it is terrible. I was allowed to move into a subdivision two-years ago that has not been safe for 40 years. Council just appalling me, I am appalled, that is terrible. Council has me paying \$4000 a year and I do not have safe fire hydrants except for a tanker truck. Our fireman is the reason we are safe. Council should be scrambling to fix that sub. I'm done.

Nicoli Stan, 1196 Beta - I came here 5 years ago. The problem right now, I do not have a job. I work in construction and I have some money not a lot. The point is many companies he gives me a credit and I not have any credibility for that. You could have a lot of credit everybody believes in you. You do not need our money. You need government money or the federal money not our money.

Renee Kippola, 1366 Omega – said she been in the community 15 years. It is my understanding that Omega is an emergency street, is that correct? It is a route for emergency vehicles.

Fire Chief Coomer stated we use Omega.

Ms. Kippola asked if Omega was designated as an emergency street. If you are asking us to pay for the road, then it would also make sense for us to ask that that road is private because there is a very steep hill, very busy, a lot of cut through traffic. It might make sense to close off Omega if we are going to be asked to pay for it. The other question I have because I do not believe we need to pay for it. The other question I have is it is very coincidental in my mind, in my time line of things, that this is being brought up quite soon after the Pulte Construction Company proposed a development on Leon and Decker. I am wondering if the Council can shed some light on that. Are we being taken care of now because Council wishes to invite Pulte to develop that land off of Leon and Decker.

Mayor Ackley said one thing does not have anything to do with the other.

Ms. Kippola said it does because of the watershed and grade of the land. Omega is a hill, the water from Leon and Decker is going to come down the hill and it is going to flood out Delta, Sigma, and other places.

Mayor Ackley explained the Pulte construction has to maintain their own water on site and maintain it.

Ms. Kippola the water has to go somewhere with all the cement. It is going to have to go somewhere.

Mayor Ackley deferred to city engineer.

City consultant engineer Makki explained Pulte's initial plans showed to have a retention area, which means they have to hold all the water in. A retention area to store two 200 hundred-year storms back to back.

Ms. Kippola if we spread the cost of taking care of Tri-A, then Pulte should float some of that because their traffic from that development is also going to flow through our neighborhood.

Patrick Clark, 388 Gamma – asked why the business are not being included in the assessment they utilize these roads too. The Salvation Army and the other stores from that complex behind that subdivision.

Manager Whitt explained that business might well be included but this is a decision that has been made yet.

Mr. Clark said it is not proposed.

Manager Whitt explained that there are hypotheticals and opined that but before this is over with this group did so well speaking that may changes the dynamic quite a bit. Mr. Whitt opined that there was a movement or discussion that says if there is any assessment it should be a general obligation, which would pick up any new construction.

Mr. Clark asked why they were not invited to this meeting.

Manager Whitt explained that businesses were left of the mailings, but they were not excluded.

Mr. Clark said the business owners were not invited to the open house.

Manager Whitt explained that is where the city started.

Mr. Clark asked why they were not included in the assessment,

Manager Whitt explained that the city started with the neighborhood.

Mr. Clark said as a city manager that would be a smart concept.

Manager Whitt explained that if the city approved a special assessment it would start with the neighborhood, if the city approved a general obligation then all of those people would be involved.

Mr. Clark said it could still be a special assessment including all those other businesses. I would think you would have a greater scope when running a business like this you would do that. Anybody who is using the road should pay. Everybody here can tell you the traffic follows from those business on those roads. Why would they not be included. It is a no brainer to me but apparently it needs to be looked at.

Manager Whitt explained they may be possible to include the businesses.

Barbara Cook, 451 Gamma – said she moved in 2007 and since then the main thing I have heard from either neighbor, residents, or anyone who has lived in the area is the drainage issue. I noticed the roads were not perfect when I bought the house but if you think I gave it this much consideration when I bought the home, no. Walled Lake is a small-town feel. She moved from Davidson and was looking for small town feel with working class people, wonderful care, give you the shirts off their back if you needed it. That is why I came to Walled Lake. I heard the school systems were good. Ms. Cook said unfortunately, her backyard which is great fenced in beautiful yard backs right up to East Bay. I live right next door to Kim and Bob Williamson. In 2008 or 2009 we had the great flood and caused an infestation of mosquitos and bugs but also an infestation of snakes. My back deck has a built-in hot tub, my deck is the size of my house in the back. The flooding came up so close, I could not walk down the steps in my backyard. We had a lake that year. It is a huge problem because of East Bay. Unfortunately, the last hearing I came to, we had East Bay reps there because one of their previous and promised that they would take care of their property behind my fence. They do not mow, they do not weed whack. It is a jungle behind my fence. The retention wall is about ready to fall in any day, the weeds are disgusting. They have arborvitae trees up and garbage is thrown back there they do not care they do not see. There is constant full of muck and water because it does not drain properly. There is a drain there that is constantly plugged. When we talk about other business or other homes being lower graded, things running down, it is the law of gravity. I hope East Bay has been notified and they should pay for some of this. Mr. and Mrs. Williamson have been fighting the fight for years and they have woods behind them. The pumps do not work. We were told the pumps had a regular maintenance check that is great on paper it does not mean they are going out there and doing it.

Manager Whitt said the when he first arrived Williamson's were the first people who brought the drainage to his attention. Manager Whitt said that the city was trying to address this in another project that also has a flooding problem, to deal with the flooding, the city should have to deal with it globally. Mr. Whitt explained that the Williamson's have a legitimate complain with concerning East Bay but if that problems gets fixed it will have to be fixed by the City. Mr. Whitt explained that the Williamson's wrote a letter opposing the special assessment and that he was disappointed they did not come in and speak because they have not been able to say it out loud. Mr. Whitt said they were the very first people who had him over to see the flooding. This is the approach we have to fix the problems. Mr. Whitt opined that the City Council are wise folks and four of them are going to decide which way to go if not all seven.

Mayor Ackley closed public hearing at 9:54 p.m.

Council Member Costanzo said he didn't know if it is appropriate, but he would move to refer this special assessment for the Tri-A and refer to a committee for further study and finding other options for the project scope and finding funding other than a special assessment. Mayor Ackley explained I fully intend to bring that up later in the meeting forming a committee but right now we are going to recess.

Meeting recessed 9:55 p.m.

Meeting reconvened 10:12 p.m.

REQUESTS FOR AGENDA CHANGES: None

APPROVAL OF THE MINUTES:

1. Regular Council Meeting of August 21, 2018

CM 9-2-18 TO APPROVE THE AUGUST 21, 2018 REGULAR COUNCIL MEETING MINUTES

Motion by Loch, seconded by Robertson, UNANIMOUSLY CARRIED: To approve the August 21, 2018 Regular Council Meeting Minutes.

Roll Call Vote

Yes (6) Costanzo, Loch, Lublin, Owsinek, Robertson, Ackley
No (0)
Absent (1) Ambrose
Abstain (0)

AUDIENCE PARTICIPATION: None

COUNCIL REPORT: None

CITY MANAGER'S REPORT:

1. Departmental / Divisional Statistical Reports

- a. Police**
- b. Fire**

CM 9-3-18 TO RECEIVE AND FILE THE MONTHLY DEPARTMENTAL / DIVISIONAL STATISTICAL REPORTS

Motion by Robertson, seconded by Loch, UNANIMOUSLY CARRIED: To receive and file the monthly Departmental / Divisional Statistical Reports.

Discussion

Council Member Costanzo said he had a point of information, he explained recently the Council just received the budget binder. Mr. Costanzo stated he had a question; the fiscal year in it is only through January 31st the last six months of the fiscal year are not in the budget binder per se and he was curious why.

Manager Whitt said for Mr. Costanzo to make an appointment to come to city hall and talk about it. Mr. Whitt explained there will be a republishing of the budget as scribes' errors were

found, nothing substantial. Mr. Whitt explained there are also new department heads and staffing changes. Mr. Whitt asked Mr. Costanzo when a good time would be to come to city hall to sit down ask his questions.

Roll Call Vote:

Yes (6) Loch, Lublin, Owsinek, Robertson, Costanzo, Ackley
No (0)
Absent (1) Ambrose
Abstain (0)

CORRESPONDENCE:

Clerk Stuart explained one item on page 26 of the packet is a letter opposing a special assessment for Tri-A.

ATTORNEY'S REPORT: None

UNFINISHED BUSINESS:

1. Second Reading C-340-18 Emergency Response Cost Recovery Ordinance Amendment

CM 9-4-18 TO APPROVE SECOND READING OF C-340-18 AN ORDINANCE TO AMEND CHAPTER 2, "ADMINISTRATION" ARTICLE III, "FINANCES," DIVISION 2, "COST RECOVERY FOR EMERGENCY RESPONSE, HAZARDOUS/TOXIC MATERIAL INCIDENTS, AND HAZARDOUS CONDITIONS OF EXTENDED DURATION, "IN ITS ENTIRETY TO MODIFY COST RECOVERY PROVISIONS TO CONFORM TO STATE LAW REQUIREMENTS, AND TO REPEAL CONFLICTING PROVISIONS

Motion by Owsinek, seconded by Robertson, UNANIMOUSLY CARRIED: To approve second reading of C-340-18 an ordinance to amend Chapter 2, "Administration" Article III, "Finances," Division 2, "Cost Recovery for emergency response, hazardous/toxic material incidents, and hazardous conditions or extended duration, "in its entirety to modify cost recovery provisions to conform to State law requirements, and to repeal conflicting provisions.

Discussion

Council Member Costanzo stated he a point of information on the ordinance. What are the significant changes between the existing ordinance and this one, it seems like every cost can be recovered.

City Attorney Vanerian explained the ordinance provides primarily for cost recovery in certain emergency situations such as a downed utility wire, medical services like ambulance services, EMS type of runs. That is mainly what the ordinance covers.

Council Member Costanzo said he had a point of information, he explained it seems like every emergency response would be recovered. If there is a fire and they do not have a burn permit and the fire truck is called. It seems every emergency response could be a cost recovery. How is the expense determined?

Attorney Vanerian explained there are exceptions for example, if responding to a residential or commercial fire there are no cost recovery methods for that unless the fire is set maliciously or intentionally, or false alarms situations after a certain number of false alarms there is a cost recovery. There are hazardous material incidents. It does not apply to every emergency run.

Roll Call Vote:

Yes (6)	Lublin, Owsinek, Robertson, Costanzo, Loch, Ackley
No (0)	
Absent (1)	Ambrose
Abstain (0)	

NEW BUSINESS:

1. Proposed resolution 2018-42 DAS/Small Cell Right of Way Franchise Agreement

City Attorney Vanerian said at the last meeting Council authorized the generation of this uniform franchise agreement. Attorney Vanerian explained this is a two-part process; the uniform franchise agreement which is before Council tonight and the regulatory ordinance which he will bring to next month's meeting for first reading. The agreement addresses the different types of situations that could arise including removal and relocation of facilities, risk management, provisions, co-location of other provider equipment, establishes insurance requirements, and payment of fees to the City for use of the Right of Way by the wireless providers.

CM 9-5-18 MOTION TO APPROVE RESOLUTION 2018-42 A RESOLUTION ADOPTING DAS/SMALL CELL RIGHT OF WAY FRANCHISE AGREEMENT

Motion by Owsinek, seconded by Loch, UNANIMOUSLY CARRIED: To approve resolution 2018-42 a resolution adopting DAS/Small Cell Right of Way Franchise Agreement.

Discussion

Council Member Costanzo stated he wanted to let the public know as he understands this correctly it is a \$3,000 fee for existing small cell sites that are up in the City, page 54 of the packet. How many are small cell sites are in the city now.

City Attorney Vanerian explained there are fees provisions in the agreement itself.

Mayor Pro Tem Owsinek explained none are up in the city now, this is a proactive approach.

Roll Call Vote

Yes (6) Owsinek, Robertson, Costanzo, Loch, Lublin, Ackley
No (0)
Absent (1) Ambrose
Abstain (0)

2. Proposed Resolution 2018-43 Great Lakes Water Authority Contract Amendment

CM 9-6-18 MOTION TO APPROVE RESOLUTION 2018-43 A RESOLUTION TO APPROVE AMENDMENT NO. 4 TO WATER SERVICE CONTRACT BETWEEN GREAT LAKES WATER AUTHORITY AND CITY OF WALLED LAKE

Motion by Lublin, seconded by Loch, UNANIMOUSLY CARRIED: To approve resolution 2018-43 a resolution to approve amendment No. 4 to Water Service contract between Great Lakes Water Authority and City of Walled Lake.

Discussion

City Manager Whitt explained the Great Lakes Water Authority (GLWA) group took over from Detroit Water and in the past under Detroit's operations, the contracts with neighboring cities were all different. Mr. Whitt explained that the GLWA has created a uniform contract and a much better service to the City, but the Council really does not much of a say, however, the Great Lakes Water Authority is handling items better than did Detroit Water.

Finance Director Barlass explained GLWA reached out to the communities there was a decision made to have all the communities to have all the participating community contracts open on the same year. In the past it has been staggered as certain communities would open their contract at one point and the later another community, contracts were being opened every 4 to 5 years. There was shift in the cost to the other communities when contracts were opened at different times. Walled Lake was due to be opened this year. GWLA looks back for a period for three years and review the City peak hour and peak day from the highest usage months which are June, July and August and it was determined the City peak hour and peak day is lower than what we're paying in the past. This contract amendment reflects these changes.

Roll Call Vote:

Yes (6) Robertson, Costanzo, Loch, Lublin, Owsinek, Ackley
No (0)
Absent (1) Ambrose
Abstain (0)

3. Proposed Resolution 2018-44 Sewer Repair on Welfare Boulevard

Assistant City Manager Pesta explained this is an emergency repair. The Oakland County Water Resource Commission (WRC) is completing work in the same area on one of their sewer drains, this repair is in cooperation with the work WRC and the City will be utilizing the same contractor as WRC, D'Angelo Brothers who have already completed the State bid process with WRC.

CM 9-7-18 MOTION TO APPROVE RESOLUTION 2018-44 A RESOLUTION APPROPRIATING FUNDS FOR STORM SEWER REPAIR ON WELFARE BOULEVARD TO WALLED LAKE DRIVE

Motion by Loch, seconded by Lublin, UNANIMOUSLY CARRIED: To approve resolution 2018-44 a resolution appropriating fund for storm sewer repair on Welfare Boulevard to Walled Lake Drive.

Roll Call Vote

Yes (6) Costanzo, Loch, Lublin, Owsinek, Robertson, Ackley
No (0)
Absent (1) Ambrose
Abstain (0)

COUNCIL COMMENTS:

Council Member Loch thanked everyone that showed up for meeting and the responses have been heard and Council will work to handle this fairly with everyone.

Council Member Lublin concurred with Councilwoman Loch and Council is listening.

Council Member Robertson said the meeting was good and items were brought out that were enlightening, Tri-A has to be done a different way and Council will figure something out.

Council Member Costanzo motioned that Council move to refer the special assessment for the Tri-A infrastructure to a committee for further study including finding other options for the project scope of work and funding options other than just the special tax assessment.

CM 9-8-18 MOTION TO REFER THE SPECIAL ASSESSMENT FOR THE TRI-A INFRASTRUCTURE TO COMMITTEE FOR FURTHER STUDY INCLUDING FINDING OTHER OPTIONS FOR THE PROJECT SCOPE OF WORK SCOPE OF WORK AND FINDING OTHER OPTIONS THAN THE SPECIAL TAX ASSESSMENT

Motion by Costanzo, motion dies due to lack of support.

City Manager Whitt explained to Council Member Costanzo that the authority to nominate to committee comes from the Mayor and the Mayor makes the nominations and Council appoints.

Mayor Ackley explained she would like to meet with the City Manager and if necessary appoint a committee and bring back to Council, but Council needs to decide on a direction.

City Manager Whitt stated a committee could certainly help because the city council has the general understanding that folks did not say this did not need to be done what was said the residents could not afford what was being proposed. Manager Whitt explained that there is no free ride whatever is done will have to be funded for in some way so anyone who assumes and spins it as if somehow City Council can go some other place and get the funding, their spinning it wrong. Manager Whitt explained the way to do this would be to determine what Council is going to do if anything more than the fire suppression system.

City Manager Whitt stated he did not hear anybody say they did not want the fire suppression system fixed so the dilemma is how much to do, and Council cannot sit down in a committee and determine how to raise the money until Council knows what direction to move. Manager Whitt opined clearly there was support for doing something and he said his opinion is the people know it needs to be done. Manager Whitt said one resident stated this evening he lives outside the Tri-a subdivision, but he would vote for a city-wide cost, but City Council needs to determine what construction plan to follow.

Mayor Ackley before Council tries to figure out how to pay for it, Council needs to decide what construction plan to follow.

City Manager Whitt explained any committee the Mayor appoints, there needs to be a discussion on the construction issues. Manager Whitt opined the committee must have qualified people who know the community and have been involved to discuss the construction yet some people in the community there do not want to do anything, which is as plausible as anything else. Manager Whitt explained that the Council membership is only seven people and that is a committee. The Mayor has the authority to put together ad hoc committee, temporary committee those are not created in the Charter, but the Mayor has the authority to do that and the Mayor makes the appointments and Council confirms, if a committee is formed, it has to come back before Council.

Manager Whitt explained there was one application from a City Council member received for the railway representative position. Manager Whitt opined the Mayor needs to make an appointment. Manager Whitt said he is opposed to spending more money on the trail.

Council Member Costanzo said his motion included options for the scope of work as part of the committee to look at.

Mayor Ackley said the committees are appointed by the Mayor not by the Council and she will respond back at the next council meeting.

Manager Whitt reminded Council, the motion died for lack of support.

Mayor Pro Tem Owsinek said the comments he heard from the audience, broached a possibility of different solutions other than a special assessment, this should be one of Council first priorities. Mr. Owsinek stated Council needs to move into a blended financing and Council first needs to figure out what direction is best.

Council Member Loch there are four neighborhoods in Walled Lake that are going to be in this situation, Council needs to think of something.

Manager Whitt opined there is no magic bullet here, there is no corporate donation coming to fix the roads. Mr. Whitt explained the remarks made that there are grants available to be awarded is simply not going to happen, this infrastructure project has to be funded locally. Mr. Whitt explained that the way to make it more plausible for a tax payer is to determine how long City Council will finance such a project for which will become a bond issue which will become a debt. Manager Whitt to opined Council must decide on the construction, clearly the Cadillac version is gone, and any committee Council holds has to be about what kind of project Council will do.

Mayor Ackley explained her appreciation for all the comments tonight. Mayor Ackley explained that the first question with Channel 4 news was about grants. Mayor explained grants are not forthcoming and they do not pay for everything. The City has tried to obtain grants in the past and lost out. The grants process is not without a cost.

City Manager Whitt explained the federal government is not going to give \$20 million to fix Walled Lake's problems when Walled lake did not fund it so grants will not fix this problem. Manager Whitt opined Council needs to decide the construction process, the funding has to be locally, this project cannot be funded with a grant. Manager Whitt opined that the County will not get involved with this project, the County be involved for perpetual maintenance once the project is done. Manager Whitt explained the Council constituents told Council this evening what the issues are, it is not just Tri-A. Mr. Whitt said the public safety campus prior to redesign, was collapsing, the corrugated metal was collapsing, the infrastructure underneath this building was collapsing, corrugated metal was placed and yes, some cosmetic work was done at the same time. The reason Tri-A was first up was the fire suppression issue that is a public safety issue.

Mayor Ackley said the next council meeting, the special assessment committee will be brought before council.

Manager Whitt opined to Mayor Ackley he wants to be replaced as the Trailway representative.

Mayor Ackley said she needs applications.

MAYOR'S REPORT:

Mayor Ackley there was a longstanding family from the community who contacted her about their family marker that was knocked over in the cemetery. The family asked for help to restore the monument. Mayor Ackley said Public Works member, Mr. Dan Ladd worked with a monument company to get the marker reset and the family was very thankful and appreciative.

City Manager Whitt explained there are issues with staff performing maintenance and they have been very negligent, and another prominent family had a monument knocked over and there was a cost to restore that sign is about \$900. Mr. Whitt explained that it was the neglect of our workers that caused that but either way both have been fixed. Mr. Whitt stated that a family member filed a damage report and the city employee who misled everybody and tried to fix the situation secretly acting as he had the authority to make those decisions

Council Member Costanzo stated he had submitted an email requesting to be the City's trailway council representative. Mayor Ackley explained that anyone who wants to be on the trailway to submit an updated application. Mayor Ackley said she spoke with Council Member Costanzo and explained to the council member to fill out an updated application and submit it to her.

City Manager Whitt said an application will be sent tomorrow to Council Member Costanzo.

Council Member Costanzo was reluctant to submit an application saying that it is different than what we normally do for nominations for Council Members. Council Member Costanzo asked, "Do Council members usually submit that?"

Mayor Ackley said anyone who wants to be on this committee submits an application.

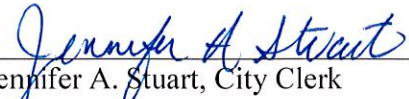
Council Member Costanzo objected saying that it is a Boards and Commission application it is not to be a representative for the trailway just to represent the City.

Mayor Ackley explained the trailway is a board that the City is represented on, the representative does not have to be a council member, it can be anybody from the community. Mayor Ackley explained that the last person on it was the city's finance director.

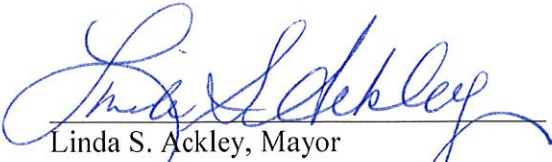
City Manager Whitt explained that one council member has already submitted, an application as requested by the Mayor. Mr. Whitt opined that the council member has submitted everything the Mayor and City Manager requested. Manager Whitt stated the council member applicant was requested to submit a DD-214, a copy to verify his military credentials and a copy of his university diploma to verify his educational background. Mr. Whitt stated that other council members had absolutely no problem submitting applications as requested by Mayor Ackley.

ADJOURNMENT

Meeting adjourned at 10:47 p.m.



Jennifer A. Stuart, City Clerk
approved
10-16-18



Linda S. Ackley, Mayor

History: Chapter 6, The Council: Procedure and Miscellaneous Powers and Duties: Section 6.7 (a) *A journal of the proceedings of each meeting shall be kept in the English language by the Clerk and shall be signed by the presiding officer and Clerk of the meeting.*