



**CITY OF WALLED LAKE
ORGANIZATIONAL MEETING
NOVEMBER 9, 2015**

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

Pledge of Allegiance led by Mayor Ackley.

Invocation led by Mayor Pro Tem Robertson.

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

ABSENT: None

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

OTHERS PRESENT: City Manager Whitt, Police Chief Shakinias, Interim Fire Chief Coomer, Confidential Administrative Assistant Rogers, and Deputy Clerk Stuart

ORGANIZATIONAL MEETING

City Council Members thanked Council Member Sturgeon for his time served on Council and wished him well. Mayor Ackley introduced Judge David Law and Judge Travis Reeds they provided ceremonial swearing in of Council Member Ambrose, Council Member Helke, and Council Member Loch.

SWEARING IN OF COUNCIL MEMBERS AND MAYOR PRO TEM

1. Swearing in of Council Members and Mayor Pro Tem

At the direction of Mayor Ackley, Judge David Law administered the ceremonial Oath of Office to the newly elected Council members for new four-year terms of office beginning 8:00 p.m., November 9, 2015. Council Members Casey Ambrose, Susan Helke and Tamra Loch took the Oath of Office of City Council Member. Judge Law said it was a privilege for him to be here to swear in and take part in our ceremony. He said his congratulations.

2. Proposed Resolution 2015-32 Ratifying the election of Casey Ambrose as Mayor Pro Tem

Read into record by Deputy Clerk Stuart.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF WALLED LAKE

A RESOLUTION RATIFYING THE ELECTION OF CASEY
AMBROSE AS MAYOR PRO-TEM

Proposed RESOLUTION 2015-32

At its Organizational Meeting of the City Council of the City of Walled Lake, Oakland County, Michigan, held in the Council Chambers at 1499 E. West Maple, Walled Lake, Michigan 48390, on the 9th day of November 2015, at 8:00 p.m.

WHEREAS, Section 4.4 of the City Charter provides for the election of a Mayor Pro-tem who in case of absence or disability of the Mayor, shall perform the duties of the Mayor during the period of absence or disability, AND

WHEREAS, Section 4.4 of the City Charter provides that after each municipal election, the new Councilperson from among those incumbents who ran for re-election at the most recent election, who has received the highest number of votes in that election, and who shall have served a tenure of two (2) years shall be Mayor Pro-tem, AND

WHEREAS, Casey Ambrose is the incumbent who ran for re-election at the November 3, 2015 election, who has served a tenure of two (2) years who qualifies to hold the Office of Mayor Pro-tem, AND

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Walled Lake, County of Oakland, State of Michigan that:

SECTION 1. The City Council ratifies the election of Casey Ambrose as Mayor Pro-tem, who in case of absence or disability of the Mayor shall perform the duties of the Mayor during the period of absence or disability.

Motion to approve Resolution was offered by _____ and seconded by _____.

- AYES: ()
- NAYS: ()
- ABSENT: ()
- ABSTENTIONS: ()

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
)SS
COUNTY OF OAKLAND)

L. DENNIS WHITT
City Clerk/City Manager

LINDA S. ACKLEY
Mayor

**CM 11-01-15 MOTION TO APPROVE RESOLUTION 2015-32 RATIFYING THE
ELECTION OF CASEY AMBROSE AS MAYOR PRO-TEM**

Motion by Owsinek, seconded by Robertson, CARRIED UNANIMOUSLY: To approve Resolution 2015-32 ratifying the election of Casey Ambrose as Mayor Pro-Tem.

**3. Swearing in of Mayor Pro Tem for new two year term of office beginning 8:00 p.m.,
November 9, 2015.**

Judge Law administered the ceremonial Oath of Office to Mayor Pro Tem, Casey Ambrose for a new two-year term of office beginning 8:00 p.m., November 9, 2015.

COUNCIL CONSIDERATION:

**1. Proposed Resolution 2015-33 Declaring a Vacancy in the Office of City
Councilperson**

Deputy Clerk Stuart read into the record.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF WALLED LAKE

A RESOLUTION DECLARING A VACANCY IN THE OFFICE
OF CITY COUNCILPERSON PURSUANT TO THE
REQUIREMENTS OF THE CITY CHARTER; REQUESTING
THE MAYOR MAKE A NOMINATION AS REQUIRED BY
CITY CHARTER TO FILL SAID VACANCY

***Proposed* RESOLUTION 2015-33**

At its Organizational Meeting of the City Council of the City of Walled Lake, Oakland County, Michigan, held in the Council Chambers at 1499 E. West Maple, Walled Lake, Michigan 48390, on the 9th day of November 2015, at 8:00 p.m.

WHEREAS, the Michigan Constitution of 1963, Article 4, Section 38 states that the "Legislature may provide by law the cases in which any office shall be vacant and the manner of filling vacancies where no provision is made in this constitution."

WHEREAS, Michigan Compiled Laws (MCL) 201.3, is applicable and is found in Section 3 of the Revised Statutes of 1846, Chapter 15, which states that every office shall become vacant, on "the death of the incumbent" before the expiration of the term of such office.

WHEREAS, Act 199 of 1923, 201.37 Vacancies in office; Section 7 states that:
“Whenever a vacancy shall occur in an elective ... city office, it shall be filled in the manner provided by the law or charter governing the filling of vacancies in the ... city in which the vacancy occurs.”

WHEREAS, Section 5.2 of the City of Walled Lake Charter requires that any elective city office shall be declared vacant by the Council for any reason specified by statute or by charter as creating a vacancy in office before the expiration of the term of such office.

WHEREAS, Section 5.7 of the City of Walled Lake Charter states that any vacancy that occurs in the membership of the City Council shall be filled by a majority vote of the remaining members of the Council, said appointee to hold office for any balance of the unexpired original term.

WHEREAS, Section 4.5 of the City of Walled Lake Charter states that it shall be the duty of the Mayor to nominate qualified persons to the Council, and it shall be the Council’s duty to accept or reject those nominations.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Walled Lake, County of Oakland, State of Michigan that:

SECTION 1. At the City election on November 5, 2013, incumbent Councilperson, Dennis A. Yezbick was reelected to serve a four-year term. The death of incumbent Yezbick creates a vacancy in the Office of Councilperson under the Michigan statutes and the City Charter, accordingly that office is ***declared vacated***.

SECTION 2. The majority of the Council requests that the Mayor exercise the authority granted in Section 4.5 of the City Charter, and nominate a qualified person to the Office of Councilperson so that the Council may take action to fill the vacancy for the unexpired original term.

SECTION 3. In the event the vacancy in the Office of Councilperson which the Council is authorized to fill is not so filled within sixty (60) days after such vacancy occurred, such vacancy shall be filled for the unexpired terms at a special election and the City Clerk is authorized and instructed to initiate the action for filling vacancies in elective offices by special election under Section 5.7 (b) of the City Charter.

Motion to approve Resolution was offered by _____ and seconded by _____.

AYES: ()
NAYS: ()
ABSENT: ()
ABSTENTIONS: ()

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
)SS
COUNTY OF OAKLAND)

L. DENNIS WHITT
City Clerk/City Manager

LINDA S. ACKLEY
Mayor

**CM 11-02-15 APPROVAL OF RESOLUTION 2015-33 DECLARING A
VACANCY IN THE OFFICE OF CITY COUNCILPERSON**

Motion by Robertson, seconded by Loch, CARRIED UNANIMOUSLY: To approve Resolution 2015-33 Declaring a Vacancy in the Office of City Councilperson.

2. Mayor's nomination to fill the vacancy on City Council

Mayor Ackley read into record the Mayor's Nomination.

STATE OF MICHIGAN
COUNTY OF OAKLAND
THE CITY OF WALLED LAKE

MAYOR'S NOMINATION
TO FILL THE VACANCY ON CITY COUNCIL

The duty of the Mayor prescribed by Section 4.5 (g) of the City of Walled Lake Charter states in pertinent part that:

“It shall be the duty of the Mayor to nominate qualified persons to the Council and various Boards and Commissions, and it shall be the Council's duty to accept or reject those nominations.”

Pursuant to Section 4.5 of the Charter, the undersigned nominates:

Bennett Lublin

to fill the vacancy in the Office of Councilperson for the unexpired original term and submits said nomination to the Council to make a final determination if that person is qualified and to accept or reject this nomination.

SUBMITTED to City Council in session at its Organizational Meeting on this 9th day of November, 2015.

Linda S. Ackley, Mayor
City of Walled Lake

**CM 11-03-15 MOTION TO RECEIVE THE MAYOR'S NOMINATION OF
 BENNETT LUBLIN TO CITY COUNCIL**

Motion by Robertson, seconded by Ambrose, CARRIED UNANIMOUSLY: To receive Mayor's nomination of Bennett Lublin to City Council.

3. Proposed Resolution 2015-34 Accepting the Mayor's nomination to fill vacancy on City Council

Deputy Clerk Stuart read into the record.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF WALLED LAKE

A RESOLUTION ACCEPTING THE MAYOR'S NOMINATION TO FILL A VACANCY IN THE OFFICE OF CITY COUNCILPERSON PURSUANT TO THE REQUIREMENTS OF THE CITY CHARTER; MAKING AN APPOINTMENT TO THE OFFICE OF CITY COUNCILPERSON

Proposed RESOLUTION 2015-34

At its Organizational Meeting of the City Council of the City of Walled Lake, Oakland County, Michigan, held in the Council Chambers at 1499 E. West Maple, Walled Lake, Michigan 48390, on the 9th day of November 2015, at 8:00 p.m.

WHEREAS, Chapter 201 of the Michigan Compiled Laws, Section 201.37 Vacancies in office; states that whenever a vacancy shall occur in an elective city office, it shall be filled in the manner provided by the law or charter governing the filling of vacancies in the city in which the vacancy occurs, AND

WHEREAS, Section 5.7 of the City of Walled Lake Charter states that any vacancy that occurs in the membership of the City Council shall be filled by a majority vote of the remaining members of the Council, said appointee to hold office for any balance of the unexpired original term, AND

WHEREAS, pursuant to the duty prescribed by Section 4.5 of the City of Walled Lake Charter, the Mayor has nominated a person to fill the vacancy on City Council and it shall be the Council's duty to determine if that person is qualified and accept or reject that nomination.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Walled Lake, County of Oakland, State of Michigan that:

SECTION 1. The Mayor has nominated a person to fill the vacancy on City Council and the majority of Council finds that person qualified and accepts the Mayor's nomination.

SECTION 2. The City Council appoints

Bennett Lublin
to the Office of Councilperson to fill the vacancy for the unexpired original term.

Motion to approve Resolution was offered by _____ and seconded by _____.

AYES: ()
NAYS: ()
ABSENT: ()
ABSTENTIONS: ()

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
)SS
COUNTY OF OAKLAND)

L. DENNIS WHITT
City Clerk/City Manager

LINDA S. ACKLEY
Mayor

**CM 11-04-15 APPROVE RESOLUTION 2015-34 ACCEPTING THE MAYOR'S
NOMINATION TO FILL VACANCY ON CITY COUNCIL**

Motion by Owsinek, seconded by Helke, CARRIED UNANIMOUSLY: To approve resolution 2015-34 accepting the Mayor's nomination to fill vacancy on City Council.

Judge Law provided ceremonial swearing in of Council Member Bennett Lublin **term to expire
????????? November 1, 2017.**

COUNCIL COMMENTS:

Council Member Owsinek said it was a good election.

Council Member Lublin said he appreciates the support and he will do his best.

Council Member Helke said she was very proud to participate in this process and said she will do the best job she can.

Mayor Pro Tem Ambrose welcomed the new members.

Meeting Adjourned at 8:26 p.m.

Jennifer Stuart, Deputy Clerk

Linda S. Ackley, Mayor