



**CITY OF WALLED LAKE
REGULAR COUNCIL MEETING
APRIL 3, 2012**

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

Pledge of Allegiance led by Mayor Roberts.

Invocation led by Mayor Pro Tem Ackley.

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

ABSENT: Council Member Ambrose, Council Member Yezbick

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

OTHERS PRESENT: City Manager Whitt, Deputy Clerk Williams, Deputy Treasurer Stuart, DPW Coordinator McGill, Police Chief Shakinas, Fire Chief VanSparrentak and City Attorney Vanerian

CM 04-01-12 EXCUSE COUNCIL MEMBER AMBROSE AND COUNCIL MEMBER YEZBICK FROM THIS MEETING

Motion by Owsinek, seconded by Robertson, CARRIED UNANIMOUSLY: To excuse Council Member Ambrose and Council Member Yezbick from this meeting.

REQUESTS FOR AGENDA CHANGES:

City Manager Whitt asked to postpone the Executive Session scheduled for this evening.

CM 04-02-12 APPROVAL OF THE MARCH 20, 2012 REGULAR COUNCIL MEETING MINUTES

Motion by Ackley, seconded by Sturgeon, CARRIED UNANIMOUSLY: To approve the Minutes of the Regular Council Meeting on March 20, 2012.

AUDIENCE PARTICIPATION:

Ron Johnston with the Walled Lake Civic Fund and Jason Trudeau with Gen-X Pyrotechnics appeared before Council to request their approval of the fireworks show which they would like to hold on Walled Lake on June 23, 2012. The gentleman presented Council with the layout of their barges and patrol boats on the lake and the perimeters for which boats could be on the lake around the show. They plan to begin the show at 9:30 p.m. and it will last approximately 45 minutes. Shoreline Condominiums has agreed to allow them to launch their barges from their property.

04-03-12

Mr. Johnson informed Council that he has been in communication with the City Manager, Police Chief and Fire Chief in Novi. They are supportive of this endeavor. Fire Chief VanSparrentak said that the Fire Department can work with them and will check with local cities that also do firework shows to see how they handle the event.

There was brief discussion about the cost of permits and for Police and Fire presence at the event. Police Chief Shakinas had concerns about parking and where people could sit to watch the show.

Council Member Ackley was concerned about the residents who own property around the lake and the abuse of their personal property.

Police Chief Shakinas stated that the best way to handle this was have as many patrolmen on the ground during the event as possible.

Council Member Sturgeon would like a cost breakdown from Police Chief Shakinas.

Further discussion is required between the Walled Lake Civic Fund and the Police and Fire Departments.

**CM 04-03-12 REFER THE REQUEST OF THE WALLED LAKE CIVIC FUND
TO HOLD A FIREWORKS SHOW TO BE ADDRESSED AT THE
NEXT COUNCIL MEETING**

Motion by Ackley, seconded by Robertson, CARRIED UNANIMOUSLY: To refer the request of the Walled Lake Civic Fund to hold a fireworks show to be addressed at the next Council meeting.

COUNCIL CONSIDERATION:

1. Stanley Commons CPD Sign Request for 543 N. Pontiac Trail

Joe Karcher, owner of Scores Haircuts for Men is requesting that City Council approve his sign request for 543 N. Pontiac Trail. He is a new business and would like to place a 15 square foot sign on the corner of the building opposite of Dairy Queen. The sign he has created is exactly like the sign that Dairy Queen currently has.

Mayor Roberts explained that Stanley Commons is a Commercial Planned Development and requires City Council's approval to amend the plan.

Mayor Pro Tem Ackley stated that there was a lot of discussion by Council in regards to the signage allowed at this development. She recalls that the only protruding sign to be allowed at the time of the original agreement was for Dairy Queen. The remaining signs should be an awning sign. Her concerns were that City staff misinformed Mr. Karcher of the process and approvals required to get this type of sign. She would like the City Manager to look into this and report back to Council. She believes the canopy signs are the way to go and she is not in favor of the protruding sign.

Mayor Roberts noted that when the Commercial Planned Development was first discussed in 2005, there were concerns about signage and parking. He would not like to see each of the businesses there with a protruding sign but with this being the corner unit, it does seem reasonable. He would not like additional protruding signs other than the two corner units and it makes sense.

Council Member Owsinek clarified how the sign would be angled. Mr. Karcher said it would be a ninety degree angle. Council Member Owsinek also wants to know the process for granting signs. He believed that you must have approval from certain departments before purchasing a sign. He sees a need for a defined process within the City and any applicant must follow these set guidelines.

Council Member Robertson explained that there is a sign procedure per the Zoning Ordinance but this is a special case given that it is a Commercial Planned Development. He feels that accurate information needs to be given in the future.

City Attorney Vanerian recommends that the City Council prepares a resolution providing the detail of the sign and the location and a description of how it will be mounted and to also include a provision that gives the reasons the Council made an exception in this case to allow this sign in this circumstance. Also, they can place conditions on this approval so that this sign approval does not stay with the land and is specific to this tenant.

**CM 04-04-12 REFER TO THE CITY ATTORNEY TO DRAFT A RESOLUTION
TO RESOLVE THE ISSUE OF THE SIGN REQUEST FOR THE
COMMERCIAL PLANNED DEVELOPMENT AT 543 NORTH
PONTIAC TRAIL WITH CONDITIONS THAT THE SIGN
APPROVAL IS FOR THIS SPECIFIC TENANT**

Motion by Robertson, seconded by Owsinek, CARRIED: To refer this issue to the City Attorney to draft a resolution to resolve the issue of the sign request for the Commercial Planned Development at 543 North Pontiac Trail with conditions that the sign approval is for this specific tenant.

Roll Call Vote:

Yes: Owsinek, Robertson, Sturgeon, Roberts
No: Ackley
Absent: Ambrose, Yezbick

City Attorney will email a copy of the Resolution to Mr. Karcher for review. His attendance is not necessary at the next Council meeting pending he approves of the resolution prepared.

City Manager asked Mr. Karcher if he was instructed by staff that he could have a 15 square foot sign. Mr. Karcher said he did. City Manager Whitt will follow up with Mr. Karcher to further discuss the issue.

MAYOR'S REPORT:

Mayor Roberts reported on the Michigan Municipal League conference which he attended. His detailed report was submitted to Council. The conference was very good and included four general sessions on personal property tax, transportation, media and labor legislation.

There was an attached Resolution regarding a balanced approach to deficit reduction.

**CM 04-05-12 PLACE THE RESOLUTION CALLING FOR A BALANCED
APPROACH TO DEFICIT REDUCTION BE PLACED ON THE
NEXT COUNCIL MEETING AGENDA**

Motion by Robertson, seconded by Sturgeon, **CARRIED UNANIMOUSLY:** To place the Resolution calling for a balanced approach to deficit reduction be placed on the next Council meeting agenda.

COUNCIL REPORT: None

CITY MANAGER'S REPORT:

City Manager Whitt asked for the Department Head's to report on recent activities.

Police Chief Shakinis reported that there was a fatal accident on Pontiac Trail on the Novi side. Walled Lake Police did a great job assisting the Novi departments. The Walled Lake Fire Department and Department of Public Works assisted and he thanked them.

Fire Chief VanSparrentak noted that Walled Lake Fire Department was on the site for over four hours extracting.

Deputy Treasurer Stuart reported that Finance Director Coogan has updated the Warrant to be more involved which includes retirement information and employee contributions.

Deputy Clerk Williams updated Council on State Election Training which she attended earlier that day.

CORRESPONDENCE: None

ATTORNEY'S REPORT:

City Attorney Vanerian reported to Council regarding a new state law that makes previously illegal fireworks, now legal. This legislation deals with consumer and retail use and sale of these types of fireworks. He noted that we will need to amend our fireworks ordinance so that it is consistent with state law. The state law states that you can regulate the use of these fireworks

other than the day before, the day of and the day after a legal holiday. Hours of use can be regulated through alternative methods such as disturbing the peace or a city noise ordinance. Council will also need to look at the sale and distribution of fireworks. There have already been a number of inquiries. There is an outdoor display ordinance any it may also need to be reviewed. Our current ordinance states that the outdoor sales must be the same type as what is being conducted on the inside of their building.

CM 04-06-12 INSTRUCT THE CITY ATTORNEY TO PRECEDE WITH THE APPROPRIATE ORDINANCE AMENDMENTS REGARDING FIREWORKS

Motion by Owsinek, seconded by Ackley, CARRIED UNANIMOUSLY: To instruct the City Attorney to precede with the appropriate ordinance amendments regarding fireworks.

Council Member Owsinek asked when this would be ready for review. City Attorney Vanerian stated the first meeting in May.

First Reading of C-299-12 Amendment of Downtown Development Authority (DDA) Ordinance to Include Conflict of Interest Rules.

Council Member Owsinek noted a typographical error to be corrected in the alphabetical bulleting.

CM 04-07-12 APPROVE THE FIRST READING OF C-299-12 AMENDMENT OF THE DOWNTOWN DEVELOPMENT AUTHORITY ORDINANCE TO INCLUDE CONFLICT OF INTEREST RULES AS CORRECTED

Motion by Robertson, seconded by Ackley, CARRIED UNANIMOUSLY: To approve the First Reading of C-299-12 Amendment of the Downtown Development Authority ordinance to include conflict of interest rules as corrected.

UNFINISHED BUSINESS 1: Second Reading of C-298-12 Motor Vehicle Adoption Ordinance (Super Drunk)

CM 04-08-12 APPROVE THE SECOND READING OF C-298-12 MOTOR VEHICLE ADOPTION ORDINANCE (SUPER DRUNK)

Motion by Owsinek, seconded by Ackley, CARRIED UNANIMOUSLY: To approve the second reading of C-298-12 Motor Vehicle Adoption Ordinance (Super Drunk).

NEW BUSINESS 1: Police Vehicle Purchase

Police Chief Shakinas requested Council's approval to purchase a new fuel efficient 2012 Dodge Charger from Shuman Chrysler/Dodge in the amount of \$22,090, which is the lowest bid. This

vehicle will replace a less fuel efficient SUV that the department currently uses and will be paid for from federal forfeiture line of 265-399-980-000.

**CM 04-09-12 APPROVE THE RECOMMENDATION TO PURCHASE A 2012
DODGE CHARGER PATROL CAR FROM SHUMAN
CHRYSLER/DODGE IN THE AMOUNT OF \$22,090.**

Motion by Ackley, seconded by Sturgeon, CARRIED UNANIMOUSLY: To approve the recommendation to purchase a 2012 Dodge Charger Patrol Car from Shuman Chrysler/Dodge in the amount of \$22,090.

AUDIENCE PARTICIPATION:

Tony Lucero, owner of Eagle Graphics & Design Signs at 317 Pontiac Trail in Walled Lake spoke on behalf of 543 North Pontiac Trail and Mr. Joe Karcher. He noted that there has been a general encouragement city wide to make new businesses feel good about coming to the City. He noted that Mr. Karcher was concerned about marketing his barber shop. He got information from the City but he didn't want to do anything incorrectly. He also noted that the DDA Urban Design Committee. He noted that Charlene Long was very persistent that all the permits were applied for and no approval was given of grant money at this stage for Mr. Karcher. They accepted the application but did not approve the \$500 grant for the sign. They told him that he had to have everything needed from the City.

COUNCIL COMMENTS:

Council Member Owsinek wished everyone a Happy Easter and reminded them of the Easter Egg Hunt at Hirim Simms City Park on Saturday, April 7, 2012. He also asked the City Attorney was progress has been made on the Ethics Ordinance.

City Attorney Vanerian said he has been working on it but it is not ready to be presented to Council at this point.

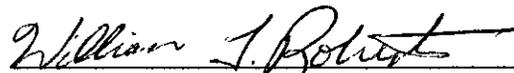
CM 04-10-12 BILLS FOR APPROVAL

Motion by Ackley, seconded by Owsinek, CARRIED UNANIMOUSLY: To authorize the Treasurer to make disbursements and transfers on Warrant #07-2012 in the amount of \$354,663.07 this being in the best interest of the City.

Meeting adjourned at 8:33 p.m.



Tamara Williams, Deputy Clerk



William T. Roberts, Mayor