



**CITY OF WALLED LAKE
REGULAR COUNCIL MEETING
MARCH 5, 2013**

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 Ambrose, Council Member Owsinek, Council Member Robertson, Council Member Sturgeon

ABSENT: 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, Fire Chief VanSparrentak, Finance Director Coogan, Police Chief Shakinias and City Attorney Vanerian

CM 03-01-13 EXCUSE COUNCIL MEMBER YEZBICK FROM THIS MEETING

Motion by Sturgeon, seconded by Ackley, CARRIED UNANIMOUSLY: To excuse Council Member Yezbick from this meeting.

REQUESTS FOR AGENDA CHANGES: None

APPROVAL OF MINUTES

CM 03-02-13 APPROVAL OF THE FEBRUARY 19, 2013 REGULAR COUNCIL MEETING MINUTES

Motion by Ackley, seconded by Robertson, CARRIED UNANIMOUSLY: To approve the February 19, 2013 Regular Council Meeting Minutes.

AUDIENCE PARTICIPATION: None

COUNCIL CONSIDERATION:

1. Consideration of Bid Award for Portable Restroom Services

Deputy Treasurer Stuart informed City Council that DPW Coordinator McGill has requested bids for the portable restroom services and the lowest bid is for Metro Environmental Services in the amount of \$2,576.00 base and additional services at \$15.00 per unit. The City of Walled Lake has used this company several times and is very happy with the services provided.

CM 03-03-13 APPROVE THE BID AWARD FOR PORTABLE RESTROOM SERVICES TO METRO ENVIRONMENTAL SERVICES IN THE AMOUNT OF \$2,576.00.

Motion by Ackley, seconded by Ambrose, **CARRIED UNANIMOUSLY**: To approve the bid award for portable restroom services to Metro Environmental Services in the amount of \$2,576.00.

MAYOR'S REPORT:

1. Terms of Office for Authorities, Boards and Commissions – Nominations

AMENDMENT: On March 19, 2013, City Council approved the Minutes of the March 5, 2013 City Council meeting with an amendment to include the following verbatim transcript.

Begin Verbatim Transcript:

ROBERTS: Moving on to the Mayor's Report, there are appointments to the various boards and commissions. There was one time this was done in mass and as Jen and I were going through the minutes it was really obvious that it was much easier and safer to do them individually. To the Board of Review I appoint William Burke for a term to expire 2015 and Mike Walbridge to a term to expire 2016. What's the pleasure of council?

ACKLEY: So moved

ROBERTSON: Support

ROBERTS: All those in favor?

ALL: I

ROBERTS: Any opposed? Carried.

ACKLEY: I'm assuming these people have all been called?

ROBERTS: Yes, they have.

ACKLEY: Ok

OWSINEK: Don't you really mean nominate?

ROBERTS: No, the charter says appoint and then it's with Council's confirmation.

ROBERTSON: So that means you nominate them and we confirm it.

ROBERTS: No

OWSINEK: You nominate, we confirm.

ROBERTS: It's basically six in one half dozen in another.

End Verbatim Transcript.

a. Board of Review

CM 03-04-13 REAPPOINT WILLIAM BURKE TO THE BOARD OF REVIEW WITH TERM ENDING FEBRUARY 1, 2015

Motion by Ackley, seconded by Robertson, CARRIED UNANIMOUSLY: To reappoint William Burke to the Board of Review with term ending February 1, 2015.

CM 03-05-13 REAPPOINT MICHAEL WALBRIDGE TO THE BOARD OF REVIEW WITH TERM ENDING FEBRUARY 1, 2016

Motion by Ackley, seconded by Robertson, CARRIED UNANIMOUSLY: To reappoint Michael Walbridge to the Board of Review with term ending February 1, 2016.

b. Building Authority

CM 03-06-13 REAPPOINT DAVID ERICKSON TO THE BUILDING AUTHORITY WITH TERM ENDING FEBRUARY 1, 2015

Motion by Owsinek, seconded by Ackley, CARRIED UNANIMOUSLY: To reappoint David Erickson to the Building Authority with term ending February 1, 2015.

CM 03-07-13 REAPPOINT MICHAEL WALBRIDGE TO THE BUILDING AUTHORITY WITH TERM ENDING FEBRUARY 1, 2016

Motion by Owsinek, seconded by Ackley, CARRIED UNANIMOUSLY: To reappoint Michael Walbridge to the Building Authority with term ending February 1, 2016.

c. Downtown Development Authority

CM 03-08-13 APPOINT CHRIS KIMMEL TO THE DOWNTOWN DEVELOPMENT AUTHORITY FOR THE REMAINING TERM OF ONE MONTH AND FOR A TERM TO EXPIRE APRIL 1, 2017

Motion by Owsinek, seconded by Ackley, CARRIED UNANIMOUSLY: To appoint Chris Kimmel to the Downtown Development Authority for the remaining term of one month and for a term to expire April 1, 2017.

CM 03-09-13 REAPPOINT BENNETT LUBLIN TO THE DOWNTOWN DEVELOPMENT AUTHORITY WITH TERM ENDING APRIL 1, 2017

Motion by Owsinek, seconded by Ackley, CARRIED UNANIMOUSLY: To reappoint Bennett Lublin to the Downtown Development Authority with term ending April 1, 2017.

CM 03-10-13 REAPPOINT ED MARSHALL TO THE DOWNTOWN DEVELOPMENT AUTHORITY WITH TERM ENDING APRIL 1, 2017

Motion by Owsinek, seconded by Ackley, CARRIED UNANIMOUSLY: To reappoint Ed Marshall to the Downtown Development Authority with term ending April 1, 2017.

CM 03-11-13 REAPPOINT ROBERT SHUMAN TO THE DOWNTOWN DEVELOPMENT AUTHORITY WITH TERM ENDING APRIL 1, 2016

Motion by Owsinek, seconded by Ackley, CARRIED UNANIMOUSLY: To reappoint Robert Shuman to the Downtown Development Authority with term ending April 1, 2016.

- d. **Historic District Commission** – Deputy Clerk Williams will contact the members to ensure they are still interested in serving on the commission and the City Council will revisit after contacting them.
- e. **Library Board** – Deputy Clerk Williams will contact the members to ensure they are still interested in serving on the board and the City Council will revisit after contacting them.
- f. **Parks and Recreation**

CM 03-12-13 REAPPOINT JANINE COLE TO THE PARKS AND RECREATION COMMISSION WITH TERM ENDING FEBRUARY 1, 2016

Motion by Robertson, seconded by Ackley, CARRIED UNANIMOUSLY: To reappoint Janine Cole to the Parks and Recreation Commission with term ending February 1, 2016.

CM 03-13-13 REAPPOINT JOEY RONDEAU TO THE PARKS AND RECREATION COMMISSION WITH TERM ENDING FEBRUARY 1, 2016

Motion by Robertson, seconded by Ackley, CARRIED UNANIMOUSLY: To reappoint Joey Rondeau to the Parks and Recreation Commission with term ending February 1, 2016.

CM 03-14-13 REAPPOINT ROBERT PALMER TO THE PARKS AND RECREATION COMMISSION WITH TERM ENDING FEBRUARY 1, 2016

Motion by Robertson, seconded by Ackley, CARRIED UNANIMOUSLY: To reappoint Robert Palmer to the Parks and Recreation Commission with term ending February 1, 2016.

g. Planning Commission

CM 03-15-13 REAPPOINT REUBEN CHENEY TO THE PLANNING COMMISSION WITH TERM ENDING FEBRUARY 1, 2015

Motion by Sturgeon, seconded by Ambrose, CARRIED UNANIMOUSLY: To reappoint Reuben Cheney to the Planning Commission with term ending February 1, 2015.

CM 03-16-13 REAPPOINT MATT MALONE TO THE PLANNING COMMISSION WITH TERM ENDING FEBRUARY 1, 2015

Motion by Sturgeon, seconded by Ambrose, CARRIED UNANIMOUSLY: To reappoint Matt Malone to the Planning Commission with term ending February 1, 2015.

CM 03-17-13 REAPPOINT KARL ANKROM TO THE PLANNING COMMISSION WITH TERM ENDING FEBRUARY 1, 2016

Motion by Sturgeon, seconded by Ambrose, CARRIED UNANIMOUSLY: To reappoint Karl Ankrom to the Planning Commission with term ending February 1, 2016.

CM 03-18-13 REAPPOINT PAUL NOVAK TO THE PLANNING COMMISSION WITH TERM ENDING FEBRUARY 1, 2016

Motion by Sturgeon, seconded by Ambrose, CARRIED UNANIMOUSLY: To reappoint Paul Novak to the Planning Commission with term ending February 1, 2016.

CM 03-19-13 REAPPOINT ROBERT PALMER TO THE PLANNING COMMISSION WITH TERM ENDING FEBRUARY 1, 2016

Motion by Sturgeon, seconded by Ambrose, CARRIED UNANIMOUSLY: To reappoint Robert Palmer to the Planning Commission with term ending February 1, 2016.

CM 03-20-13 REAPPOINT ROBERT ROBERTSON TO THE PLANNING COMMISSION WITH TERM ENDING FEBRUARY 1, 2016

Motion by Sturgeon, seconded by Ambrose, CARRIED UNANIMOUSLY: To reappoint Robert Robertson to the Planning Commission with term ending February 1, 2016.

h. Traffic Safety Board

CM 03-21-13 REAPPOINT ANDREW CEIFETZ TO THE TRAFFIC SAFETY BOARD WITH TERM ENDING FEBRUARY 1, 2016

Motion by Ambrose, seconded by Robertson, CARRIED UNANIMOUSLY: To reappoint Andrew Ceifetz to the Traffic Safety Board with term ending February 1, 2016.

CM 03-22-13 REAPPOINT JASON EASTER TO THE TRAFFIC SAFETY BOARD WITH TERM ENDING FEBRUARY 1, 2016

Motion by Ambrose, seconded by Robertson, CARRIED UNANIMOUSLY: To reappoint Jason Easter to the Traffic Safety Board with term ending February 1, 2016.

CM 03-23-13 REAPPOINT MICHAEL KLOS TO THE TRAFFIC SAFETY BOARD WITH TERM ENDING FEBRUARY 1, 2016

Motion by Ambrose, seconded by Robertson, CARRIED UNANIMOUSLY: To reappoint Michael Klos to the Traffic Safety Board with term ending February 1, 2016.

CM 03-24-13 REAPPOINT RAY SWETT TO THE TRAFFIC SAFETY BOARD WITH TERM ENDING FEBRUARY 1, 2016

Motion by Ambrose, seconded by Robertson, CARRIED UNANIMOUSLY: To reappoint Ray Swett to the Traffic Safety Board with term ending February 1, 2016.

- i. **WOCCA Representative** – Mayor Roberts will contact the nominees to ensure that they are still interested in serving as the WOCCA Representative and report back to City Council. The Council noted that they would like reports regarding the WOCCA.

- j. **Zoning Board of Appeals**

CM 03-25-13 REAPPOINT REUBEN CHENEY TO THE ZONING BOARD OF APPEALS WITH TERM ENDING FEBRUARY 1, 2016

Motion by Ackley, seconded by Ambrose, CARRIED UNANIMOUSLY: To reappoint Reuben Cheney to the Zoning Board of Appeals with term ending February 1, 2016.

CM 03-26-13 REAPPOINT ED DECOURCY TO THE ZONING BOARD OF APPEALS WITH TERM ENDING FEBRUARY 1, 2016

Motion by Ackley, seconded by Ambrose, CARRIED UNANIMOUSLY: To reappoint Ed DeCourcy to the Zoning Board of Appeals with term ending February 1, 2016.

CM 03-27-13 REAPPOINT TRACY SOLTIS TO THE ZONING BOARD OF APPEALS WITH TERM ENDING FEBRUARY 1, 2015

Motion by Ackley, seconded by Ambrose, CARRIED UNANIMOUSLY: To reappoint Tracy Soltis to the Zoning Board of Appeals with term ending February 1, 2015.

CM 03-28-13 REAPPOINT RAY SWETT TO THE ZONING BOARD OF APPEALS AS ALTERNATE WITH TERM ENDING FEBRUARY 1, 2015

Motion by Ackley, seconded by Ambrose, CARRIED UNANIMOUSLY: To reappoint Ray Swett to the Zoning Board of Appeals as Alternate with term ending February 1, 2015.

The City Council requested that Deputy Clerk Williams get in touch with Patricia Ryan to see if she is still interested in serving as an Alternate on the Zoning Board of Appeals.

k. Election Commission

CM 03-29-13 REAPPOINT TERRY MORANO TO THE ELECTION COMMISSION WITH TERM ENDING FEBRUARY 1, 2014

Motion by Sturgeon, seconded by Ackley, CARRIED UNANIMOUSLY: To reappoint Terry Morano to the Election Commission with term ending February 1, 2014.

CM 03-30-13 REAPPOINT MARCELLA TOBOLSKI TO THE ELECTION COMMISSION WITH TERM ENDING FEBRUARY 1, 2014

Motion by Sturgeon, seconded by Ackley, CARRIED UNANIMOUSLY: To reappoint Marcella Tobolski to the Election Commission with term ending February 1, 2014.

Mayor Roberts also wanted to recognize local businessman, Bob Shuman, for the national recognition received as the 2013 Dealer-Rated Overall Dealer of the Year and the 2013 Dealer of the Year for Chrysler, Dodge, Jeep and Ram.

COUNCIL REPORT:

Council Member Owsinek reported on the Trailway Management Council and that a land acquisition agreement has been reached. This is not a purchase agreement.

Mayor Pro Tem Ackley reported that she, Council member Robertson and Council Member Owsinek met with Todd Coe regarding the Banks Dolbeer Historic Farmhouse on Saturday. They are looking at the repairs needed for the porch and upstairs area. She will report further as progress is made.

MANAGER'S REPORT:

City Manager Whitt reported that the State of the Lakes luncheon is coming up and he and his staff will be attending. Mayor Roberts will be giving the State of the City address and City Manager Whitt invited the City Council to attend. The date is March 19, 2013 from 11:30 – 1:30 p.m.

City Manager Whitt also informed the City Council that the Michigan Municipal League is holding their annual Capital Conference. City Manager Whitt noted that this can be considered a bonafide expense and asked if City Council had any objections to sending representatives to the conference. There were no objections and an invitation was extended to the entire City Council to attend.

CORRESPONDENCE: None

ATTORNEY'S REPORT:

City Attorney Vanerian informed City Council that per their request at the last City Council meeting, he has provided confidential attorney-client communication regarding the issue.

City Manager Whitt explained that the Michigan Air Line Railway was informed that they owe \$17, 010 in delinquent water bills and they have now agreed to pay. They have requested negotiations with the City Manager to possibly settle on a final amount due.

UNFINISHED BUSINESS: None

NEW BUSINESS:

1. Resolution 2013-8 Approving the Agreement with Duncan Disposal

CM 03-31-13 APPROVE RESOLUTION 2013-8 FOR WASTE REMOVAL SERVICES FROM DUNCAN DISPOSAL.

Motion by Ackley, seconded by Ambrose, **DISCUSSION:** Amend the Motion as follows:

CM 03-32-13 AMENDMENT TO THE MOTION TO APPROVE RESOLUTION 2013-8 TO SELECT OPTION NO. 2 – TO EXECUTE A NEW FIVE (5) YEAR CONTRACT WITH DUNCAN DISPOSAL

Motion by Owsinek, seconded by Robertson, **CARRIED UNANIMOUSLY:** To approve the amendment to the motion to approve Resolution 2013-8 to select Option No. 2 – to execute a new five (5) year contract with Duncan Disposal.

CM 03-31-13 *continued...*

CARRIED UNANIMOUSLY: To approve Resolution 2013-8 as amended for waste removal services from Duncan Disposal.

2. Second Reading of C-306-13 Amending the Code regarding the Duties and Qualifications of the Office of the City Manager

CM 03-33-13 APPROVE THE FIRST READING OF C-306-13 AMENDING THE CODE REGARDING THE DUTIES AND QUALIFICATIONS OF THE OFFICE OF THE CITY MANAGER

Motion by Robertson, seconded by Ackley, **CARRIED UNANIMOUSLY:** To approve the Second Reading of C-306-13 Amending the Code regarding the Duties and Qualifications of the Office of the City Manager.

3. Second Reading of C-307-13 Establishing a Finance and Budget Department

**CM 03-34-13 APPROVE THE SECOND READING OF C-307-13
ESTABLISHING A FINANCE AND BUDGET DEPARTMENT**

Motion by Robertson, seconded by Sturgeon, DISCUSSION:

Council Member Owsinek proposed an amendment to add section 4.8 (f) of the city charter which states: "The Clerk shall be responsible, unless assigned to some other officer by ordinance, for the maintenance of a system of the accounts of the city which shall conform to any uniform system required by law and by the Council and to generally accepted principles and procedure of governmental accounting..." and amend Section 2 "Duties Generally" to say: "The department shall be assigned the duty and be responsible for the maintenance of a system of accounts of the city which shall conform to any uniform system required by law and by the Council and to generally accepted principles and procedures of the governmental accounting as prescribed by section 4.8 (f) of the city charter.

CM 03-35-13 APPROVE THE AMENDMENTS TO ORDINANCE C-307-13

Motion by Owsinek, seconded by Robertson, CARRIED UNANIMOUSLY: To approve the amendments to ordinance C-307-13.

CM 03-34-13 *continued...*

CARRIED UNANIMOUSLY: To approve the second reading of C-307-13 establishing a Finance and Budget Department with amendments.

4. Second Reading of C-308-13 Amending the Code regarding the Police Department

**CM 03-36-13 APPROVE THE SECOND READING OF C-308-13 AMENDING
THE CODE REGARDING THE POLICE DEPARTMENT**

Motion by Robertson, seconded by Owsinek, CARRIED UNANIMOUSLY: To approve the Second Reading of C-308-13 Amending the Code regarding the Police Department.

5. Second Reading of C-309-13 Amending the Code regarding the Fire Department

**CM 03-37-13 APPROVE THE SECOND READING OF C-309-13 AMENDING
THE CODE REGARDING THE FIRE DEPARTMENT**

Motion by Owsinek, seconded by Robertson, CARRIED UNANIMOUSLY: To approve the Second Reading of C-309-13 Amending the Code regarding the Fire Department.

AUDIENCE PARTICIPATION: None

COUNCIL COMMENTS:

Council Member Owsinek noted that he feels the City Council is headed in the right direction by approving these Ordinances and Amendments.

CM 03-38-13 BILLS FOR APPROVAL

Motion by Ackley, seconded by Owsinek, CARRIED UNANIMOUSLY: To authorize the Treasurer to make disbursements and transfers on Warrant #4-2013 in the amount of \$217,119.77 this being in the best interest of the City.

The meeting adjourned at 8:30 p.m.



Tamara Williams, Deputy Clerk



William T. Roberts, Mayor