



**CITY OF WALLED LAKE
REGULAR COUNCIL MEETING
SEPTEMBER 4, 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 Council Member Owsinek

ROLL CALL: Mayor Roberts, Council Member Ambrose, Council Member Owsinek, Council Member Robertson, Council Member Sturgeon, Council Member Yezbick

ABSENT: Mayor Pro Tem Ackley

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

OTHERS PRESENT: City Manager Whitt, Deputy Treasurer Stuart, Police Chief Shakinas, Fire Chief VanSparrentak, Public Works Coordinator McGill, Finance Director Coogan, and City Attorney Vanerian

CM 09-14-12 TO EXCUSE MAYOR PRO TEM ACKLEY FROM TONIGHT'S MEETING

Motion by Owsinek, seconded by Ambrose, CARRIED UNANIMOUSLY: To excuse Mayor Pro Tem Ackley from tonight's meeting

REQUESTS FOR AGENDA CHANGES:

Mayor Roberts requested Tim McClorey of IBEX, be placed as Council Consideration item number one, and the City Manager requested the swearing in of DDA Board Member Steve Blair as item number 2; thus renumbering the remaining items under Council Consideration to three, four, and five.

APPROVAL OF MINUTES:

CM 09-15-12 APPROVAL OF THE AUGUST 21, 2012 REGULAR COUNCIL MEETING MINUTES AS CORRECTED

Motion by Yezbick, seconded by Sturgeon, CARRIED UNANIMOUSLY: To approve the August 21, 2012 Regular Council Meeting Minutes as corrected.

AUDIENCE PARTICIPATION: None

COUNCIL CONSIDERATION:

- 1. Check Presentation from Tim McClorey of IBEX**

09-04-12

Mr. Tim McClory, IBEX stated he was very happy to be at the meeting tonight. He said the City is not an insurance member, but a shareholder with the Michigan Municipal Risk Management Authority (MMRMA). As a member of this municipal corporation, the City is entitled to net asset distributions. Since 2006, MMRMA has given back \$96 million to its memberships. He presented the City with a check in the amount of \$24,506.

2. Swearing in of DDA Board Member Steve Blair

Deputy Clerk Stuart swore in DDA Board Member Steve Blair. Mayor Roberts said he was thrilled to have him serve on the Board.

3. Fire Fighter Status of John Buzynski

Fire Chief Van Sparrentak stated Mr. Buzynski has met all his requirements for probation and is now a member of the Walled Lake Paid On-Call Fire Personnel. Presentation of his badge took place.

4. Banner Request from Grace Church Outrun Hunger 5K Event

**CM 09-16-12 APPROVE THE BANNER REQUEST FROM GRACE CHURCH
OUTRUN HUNGER 5K EVENT**

Motion by Sturgeon, seconded by Owsinek, CARRIED UNANIMOUSLY: To approve the Grace Church banner request.

5. Request to enter into Executive Session

**CM 09-17-12 TO ENTER INTO EXECUTIVE SESSION TO DISCUSS
CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATION**

Motion by Robertson, seconded by Owsinek, CARRIED UNANIMOUSLY: To approve to enter into Executive Session.

Roll Call Vote:

Yes: (6) Ambrose, Owsinek, Roberts, Robertson, Sturgeon, Yezbick
No: (0)
Absent: (1) Ackley

MAYOR'S REPORT:

Mayor Roberts said he felt Market Day had a good turnout of vendors and public, and some will be participating in the annual Pet Awareness Day sponsored by DDA.

COUNCIL REPORT: None

MANAGER'S REPORT: None

CORRESPONDENCE: None

ATTORNEY'S REPORT:

City Attorney Vanerian stated he would reserve his report at this time until Executive Session.

UNFINISHED BUSINESS: None

NEW BUSINESS:

1. Consideration of New BackHoe

Public Works Coordinator McGill said there was a recent water main break on Osprey in which the backhoe was needed to conduct the repair, but we did not have one and had to contract out these services. The current backhoe is 15 years old and repairs have cost the City thousands of dollars over the last couple of years. The costs are just not in parts, but also in downtown and man hours-which prevents other projects from getting done.

She said the Water Capital Outlay Fund 591-900-981-000 has \$95,000 budgeted for a new backhoe. She presented the Council with four quotes. Discussion was held about delivery timeframe of new equipment purchase, trade in price of old equipment, and additional options for attachments.

Council Member Ambrose said he felt it was difficult to make a decision without comparing apples to apples. What were the other companies offering? What are the additional accessories?

Public Works Coordinator McGill stated the CASE has the upgrades included in their quoted price and it is already equipped to handle additional attachments for future modifications such as a jackhammer or auger.

**CM09-18-12 MOTION TO AUTHORIZE DPW TO PURCHASE THE
SOUTHEASTERN EQUIPMENT BACKHOE IN THE AMOUNT
OF \$84, 800 WITH THIS BEING IN THE BEST INTEREST OF
THE CITY**

Motion by Sturgeon, seconded by Robertson, CARRIED UNANIMOUSLY: To approve the purchase of the SE Equipment BackHoe in the amount of \$84, 800 being in the best interest of the City.

Roll Call Vote:

Yes: (6) Ambrose, Owsinek, Roberts, Robertson, Sturgeon, Yezbick
No: (0)
Absent: (1) Ackley

Council Member Yezbick asked if the warranties were comparable. Public Works Coordinator McGill replied yes.

Council Member Owsinek requested the purchase price of the additional attachments-jack hammer and auger be investigated to be included in next year's budget for purchase.

Council Member Owsinek noted the cost savings of \$10,200 from the decided backhoe purchase and confirmed with Deputy Treasurer Stuart. He suggested directing the City Manager to prepare a budget amendment to place the remaining \$10,200 from the Water Capital Outlay 591-900-981-000 to Major Roads 202-462-734-000 to assist with the Ladd Road Railroad Crossing removal.

CM09-18-12 TO DIRECT THE CITY MANAGER TO AMEND BUDGET PLACING THE REMAINING \$10,200 FROM THE WATER CAPITAL OUTLAY 591-900-981-000 TO MAJOR ROADS 202-462-734-000

Motion by Owsinek, seconded by Sturgeon; CARRIED UNANIMOUSLY: To direct the City Manager to amend budget placing the remaining \$10,200 from the Water Capital Outlay 591-900-981-000 to Major Roads 202-462-734-000.

City Manager Whitt stated this is a re appropriation from Water Capital Outlay 591-900-981-000 in the amount of \$10,200 to Major Roads 202-462-734-000 for Ladd Road Rail Road Repair.

Mayor Roberts questioned if money already budgeted to the Water Fund could be placed in the Road Fund. City Manager said yes, we can amend the budget at Council's discretion.

Council Member Yezbick asked what road was planned for repair. Council Member Owsinek stated it was the next agenda item.

City Manager Whitt said there no money originally budgeted for the City's portion to remove the railroad track. He explained the Public Works Coordinator McGill saw an opportunity when they were removing the tracks on Pontiac Trail: to have the Ladd Road railroad crossing removed and repaired at the same time as the Pontiac Trail construction. He said she approached him with the idea that it would be more cost effective to have road addressed at the same time rather than wait and have contractors come back at a later date. They were already going to be in the City working on Pontiac Trail. She suggested the money not utilized on the backhoe purchase could be assigned for the road repair.

2. Ladd Road Railroad Crossing Removal

Public Works Coordinator McGill stated the City has responsibility to remove the railroad crossing at Ladd and Decker Road. The Decker Road crossing is scheduled for next year's major road project; Ladd Road is not scheduled anytime soon. She has provided three quotes for Council review. Jasman Asphalt is her recommendation.

Mayor Roberts felt it was a good idea to move forward with repair. The Ladd Road crossing is not in good condition.

**CM 09-19-12 TO AWARD BID FOR LADD ROAD RAILROAD CROSSING
REMOVAL TO JASMAN ASPHALT IN THE AMOUNT OF
\$4,320.00.**

Motion by Sturgeon, seconded by Owsinek, **CARRIED UNANIMOUSLY**: To award the bid for Ladd Road Railroad Crossing removal to Jasman Asphalt in the amount of \$4,320.00.

AUDIENCE PARTICIPATION:

Tammy Kamar-Grube, Life Sketches Photography, said she has been working with the DDA Promotion Committee for the past few years. City Manager Whitt has her here tonight to take photos of the current Council and members of staff to update our websites and such.

COUNCIL COMMENTS:

Council Member Robertson – None

Council Member Owsinek said he had asked for an estimate of the costs for manpower for the recent fireworks event. He said it would tell what our City costs were and future needs. Police Chief Shakinis said it was a first year event; the man hours ran from 4 p.m. to 4 a.m. He had 26 police officers on the streets-a total of 237.5 man hours between overtime of full time officers and part time officers totaling \$1,460.34. He said the \$400 permit cost didn't cover the costs and it would be adjusted for next year. Mayor Roberts said he really expected a massive jam up of public at the waterfront and he was happy that did not occur. The Police Department addressed it wonderfully.

Fire Chief VanSparrentak stated the Fire Marshal conducted a plan review and just less than 14 hours of overtime came from his department. Police Chief Shakinis added that he and Fire Chief VanSparrentak had several additional meetings with the fireworks presenter that were not accounted for. These fees don't include this time. Council Member Owsinek said it was quite an under taking by both departments.

Council Member Sturgeon said Market Day was a tremendous success. He was contacted by residents with concerns of not being able to hear the recorded Council meetings on the cable channel. Mayor Roberts said he had heard the same thing from residents before but not so much anymore with new sound system. Police Chief Shakinis stated the sound system had burned out. City Manager Whitt said the sound system is being reviewed.

Council Member Ambrose - None

Council Member Yezbick said Market Day was great and the road construction seems to be going well.

CM 09-20-12 BILLS FOR APPROVAL

Motion by Owsinek, seconded by Robertson, CARRIED UNANIMOUSLY: To authorize the Treasurer to make disbursements and transfers on Warrant #17-2012 in the amount of \$344,826.92 this being in the best interest of the City.

Council entered into Executive Session at 8:21 p.m. to discuss confidential attorney-client communication and ended the session at 8:40 p.m.

**CM 09-21-12 TO AUTHORIZE CITY ATTORNEY TO PROCEED ON CITY'S
BEHALF PURSUANT TO THE DISCUSSION HELD IN
EXECUTIVE SESSION**

Motion by Sturgeon, seconded by Robertson, CARRIED UNANIMOUSLY: TO authorize City Attorney to proceed on City's behalf pursuant to the discussion held on executive session.

Meeting adjourned 8:40 p.m.



Jennifer Stuart, Deputy Clerk



William T. Roberts, Mayor