



**CITY OF WALLED LAKE  
REGULAR COUNCIL MEETING  
TUESDAY, APRIL 16, 2019  
7:30 P.M.**

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 Owsinek.

**ROLL CALL:** Mayor Ackley, Mayor Pro Tem Owsinek, Council Member Ambrose, Council Member Costanzo, 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, Deputy City Clerk Gross, and City Clerk Stuart

**CM 4-1-19 MOTION TO EXCUSE COUNCIL MEMBER LOCH FROM TONIGHT'S MEETING**

Motion by Robertson, seconded by Ambrose, UNANIMOUSLY CARRIED: To excuse Council Member Loch from tonight's meeting.

**Roll Call Vote**

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

**REQUESTS FOR AGENDA CHANGES:**

City Manager Whitt pointed out a scrivener's error on the DDA resolution, page 111 stating that 2019-2020 should read 2018-2019.

**APPROVAL OF THE MINUTES:**

- 1. Regular Council Meeting and Public Hearing Minutes of March 19, 2019**

**CM 4-2-19 MOTION TO APPROVE THE MARCH 19, 2019 CITY COUNCIL MEETING AND PUBLIC HEARING MINUTES**

Motion by Lublin, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve the March 19, 2019 Regular City Council Meeting and Public Hearing minutes.

Roll Call Vote

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

**2. Special Council Meeting of March 27, 2019**

**CM 4-3-19 MOTION TO APPROVE THE MARCH 27, 2019 SPECIAL COUNCIL MEETING**

Motion by Owsinek, seconded by Lublin, UNANIMOUSLY CARRIED: To approve the March 27, 2019 Special City Council Meeting Minutes.

Roll Call Vote

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

**AUDIENCE PARTICIPATION:**

Karen Kolke, Walled Lake resident – opined that council should speak into the microphones.

**COUNCIL REPORT:**

Council Member Ambrose and DDA Chairman explained at the recent DDA meeting the board discussed the Decker Road grants and how to aid the City in funding the required match, sidewalks, and street light improvements.

Council Member Owsinek and Trailway Representative said there was a photo opportunity for the groundbreaking of the trailway construction. Mr. Owsinek said the crews are working diligently to prepare the trail and some areas will be closed off and signs will be placed.

Council Member Ambrose asked for a tentative completion date. Mr. Owsinek said August.

Mayor Ackley said the Michigan Airline website also places updates on their site.

**CITY MANAGER'S REPORT:**

**1. Departmental / Divisional Statistical Reports**

- a. Police**
- b. Fire**
- c. Finance**
  - Warrant**

**CM 4-4-19 TO RECEIVE AND FILE THE MONTHLY DEPARTMENTAL / DIVISIONAL STATISTICAL REPORTS**

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

Discussion

Council Member Costanzo stated he didn't understand what the check disbursement was for on page 39 of the report regarding a hearing study and writing fee.

Assistant City Manager Pesta explained to Council Member Costanzo that the check was disbursed for payment of costs related to union arbitration.

Roll Call Vote:

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

City Manager Whitt asked Assistant City Manager Pesta for an update on the Tri A. Mrs. Pesta explained there was a preconstruction meeting and at least five companies have shown interest in the water line repair, the official bid opening is scheduled for April 24, 2019 at 10 a.m. Manager Pesta explained that if Council was inclined to move up the timeline for the Tri-A project, Boss Engineering will be conducting reviews of the bids within a week and then provide Council with recommendations for the award. Mrs. Pesta explained the project may possibly be moved up by one, two, or three weeks if the Council called for a special meeting to consider the bid results prior to the next regular meeting of May 21<sup>st</sup>.

Council Member Lublin explained this is for the water supply line repair and replacement only at this time.

City Manager Whitt explained there is a public safety issue regarding the water main. Mr. Whitt said Council has authority to call a special meeting prior to the regularly scheduled meeting of May 21, 2019.

Discussion was held to schedule a Special Meeting to review and possibly award bids for the Tri A water supply line repair.

**CM 4-5-19 TO SCHEDULE A SPECIAL MEETING OF CITY COUNCIL FOR MAY 2, 2019 AT 5:30 P.M. TO REVIEW AND POSSIBLY AWARD THE TRI A BID FOR WATER SUPPLY LINE REPAIR**

Motion by Costanzo, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve scheduling of Special Meeting for May 2, 2019 at 5:30 p.m. to review and possibly award bid for water supply line repair.

Roll Call Vote

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

Police Chief Shakinis introduced Mr. John Smith, the Walled Lake business owner of Great Lakes Segway. Business owner Smith delivered the Segway vehicle and gave a demonstration of the Segway in council chambers. Police Chief Shakinis explained two officers will be trained.

Mayor Ackley explained that her constituents had informed her that they appreciated the display of Segway flashing lights because the flashing lights slowed traffic down along Walled Lake Drive.

**CORRESPONDENCE:** None

**ATTORNEY'S REPORT:**

- 1. Request for Closed Session to discuss Confidential Attorney Client Communication – Coeus Lawsuit Status pursuant to Section 8 (e) of the Open Meetings Act (OMA)**

**CM 4-6-19 MOTION TO ENTER INTO CLOSED SESSION TO DISCUSS CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION – COEUS LAWSUIT STATUS PURSUANT TO SECTION 8(E) OF THE OPEN MEETINGS ACT (OMA)**

Motion by Owsinek, seconded by Lublin, UNANIMOUSLY CARRIED: To enter into closed session to discuss confidential attorney client communication – Coeus lawsuit status pursuant to Section 8 (e) of the Open Meetings Act (OMA).

Roll Call Vote

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

**2. First Reading C-345-19 Amendment to Chapter 86 Vegetation**

City Attorney Vanerian explained the original tree ordinance was adopted in 1998 and then had an amendment in 2006 to create the tree escrow fund option. Mr. Vanerian explained the proposed amendment incorporates common themes and updates recently adopted by other communities to bring the ordinance up to date and more in line with today's legal environment.

**CM 4-7-19 MOTION TO APPROVE FIRST READING C-345-19 AN ORDINANCE TO AMEND CHAPTER 86, "VEGETATION" TO AMEND AND ADOPT REGULATIONS FOR THE REMOVAL AND PROTECTION OF TREES WITHIN THE CITY OF WALLED LAKE**

Motion by Owsinek, seconded by Robertson, UNANIMOUSLY CARRIED: To approve first reading C-345-19 an ordinance to amend Chapter 86, "Vegetation" to amend and adopt regulations for the removal and protection of trees within the City of Walled Lake.

Roll Call Vote

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

**UNFINISHED BUSINESS:**

**1. Proposed Resolution 2019-2 Withdraw from the Commerce, Walled Lake, and Wixom Trailway Management Council**

**CM 4-8-19 MOTION TO TABLE RESOLUTION 2019-2 TO WITHDRAW FROM THE COMMERCE, WALLED LAKE, AND WIXOM TRAILWAY MANAGEMENT COUNCIL UNTIL THE NEXT REGULARLY SCHEDULED COUNCIL MEETING**

Mayor Pro Tem Owsinek explained the other two community members of the trailway council are still discussing amendments to the interlocal agreement and he recommended to table again to the next regularly scheduled council meeting.

Motion by Owsinek, seconded by Ambrose, MOTION CARRIED: To table resolution 2019-2 to withdraw from the Commerce, Walled Lake, and Wixom railway management council until the next regularly scheduled council meeting.

#### Roll Call Vote

Yes (5)	Lublin, Owsinek, Robertson, Ambrose, Ackley
No (1)	Costanzo
Absent (1)	Loch
Abstain (0)	

#### NEW BUSINESS:

##### 1. Proposed Resolution 2019-14 Public Safety Millage

City Manager Whitt explained the current millage for fire and police services is due to expire and this resolution is for a renewal request to be placed on the ballot for consideration by voters and the subsequent resolution is for calling a special election to consider that ballot question to provide long term support for the police and fire.

Police Chief Shakinis explained to take \$700,000 out of the police and public safety budget would be crippling. Chief Shakinis opined that the Public Safety millage and ballot language proposal needs Council and community long term support.

Fire Chief Coomer explained that Police Chief Shakinis was correct that the ballot language provides long term support and the millage is critical. Fire Chief explained there is aging fire apparatus and in the past with this millage the rescue truck and ambulance have been able to be replaced. Chief Coomer reminded Council that in the future there is a pumper engine that needs replacement. Chief Coomer stated that it was the public safety millage that helped with purchases and staffing levels as well.

Finance Director Barlass explained her support for the ballot language opining that to take \$700,000 out of the general fund to support the public safety would have a devastating effect on the general fund. Director Barlass emphatically stated that the city would have to make a tremendous cut in municipal services. Director Barlass opined that the ballot language for the public safety millage is vital and critical and it is important that this ballot question be put to a vote.

Mayor Ackley expressed her long-term support and opined that everybody in the community benefits from the public safety millage and the Public Safety Departments should be commended.

**CM 4-9-19 MOTION TO APPROVE RESOLUTION 2019-14 A RESOLUTION TO APPROVE BALLOT LANGUAGE OF THE EXTENSION OF THE EXISTING PUBLIC SAFETY MILLAGE**

Motion by Owsinek, seconded by Robertson,

Discussion

Council Member Costanzo expressed no support for a long-term public safety millage stating he was not not comfortable with a ten-year public safety millage.

Council Member Costanzo opposed language supporting the Downtown Development Authority that stated that an incremental portion of this revenue may be subject to capture by the Walled Lake Downtown Development Authority.

Council Member Costanzo opined that the DDA should be funded through contributions from the State and stated he would move to strike the DDA language from the ballot proposal.

City Attorney Vanerian provided his legal opinion that the ballot language for the public safety millage presented is a legal requirement for a ballot proposal. Attorney Vanerian explained to Council Member Costanzo that this DDA language in the proposed ballot question outlined in the resolution is required by law, further explaining to Council Member Costanzo that voters have to be informed when they are voting. City Attorney Vanerian explained to Council Member Costanzo that removing this language from the ballot proposal is not going to change the laws that are in place in terms of tax increment financing. Attorney Vanerian stated to Council Member Costanzo that it will not make a difference whether a portion of this millage proceeds are or are not going to be captured by the DDA, the language is required by law to meet a legal requirement for a ballot proposal.

Council Member Ambrose explained to Council Member Costanzo that the ballot language proposed is a requirement and stating that the public safety millage is handled the same way as the library millage.

City Manager Whitt reminded the Chair that Council Member Costanzo had made a motion to strike the DDA language from the ballot proposal. Mayor Ackley asked if there was support for Council Member Costanzo's motion to strike the DDA language for an incremental portion of this revenue be subject to capture by the Walled Lake Downtown Development authority from the proposed ballot language.

**CM 4-10-19 MOVE TO AMEND RESOLUTION TO STRIKE THE DDA LANGUAGE AN INCREMENTAL PORTION OF THIS REVENUE MAY BE SUBJECT TO CAPTURE BY THE WALLED LAKE DOWNTOWN DEVELOPMENT AUTHORITY FROM THE PROPOSED BALLOT LANGUAGE**

Motion by Costanzo, motion died for lack of second.

City Manager Whitt explained that a legal opinion was rendered by Attorney Vanerian on the public safety millage proposed ballot language but if Council Member Costanzo's discussion

opposing a ten-year timeframe has become a legitimate question then Council Member Costanzo should move to make a change from ten to five years.

Mayor Ackley supported that ten-year public safety millage ballot proposal as submitted explaining that she does not see enough improvements in the city's budget and finance for only five years and she disagrees with changing from ten to five years. Mayor Ackley explained her constituents had questioned her why the public safety millage proposal is coming up again, as many thought the proposal had past for ten years.

**CM 4-11-19 AMEND MOTION TO AMEND RESOLUTION TO PROPOSE PUBLIC SAFETY MILLAGE FOR A PERIOD OF FIVE YEARS FROM TEN YEARS, 2020-2024**

Motion by Costanzo, seconded by Lublin, MOTION CARRIED: To amend motion to amend resolution to propose Public Safety Millage for a period of five years from ten years, 2020-2024.

Roll Call Vote

Yes (5)	Lublin, Owsinek, Robertson, Ambrose, Costanzo
No (1)	Ackley
Absent (1)	Loch
Abstain (0)	

Main Motion

**CM 4-12-19 MOTION TO APPROVE RESOLUTION 2019-14 A RESOLUTION TO APPROVE BALLOT LANGUAGE OF THE EXTENSION OF THE EXISTING PUBLIC SAFETY MILLAGE AMENDING THE PERIOD FROM TEN YEARS TO FIVE YEARS, 2020-2024**

Motion by Owsinek, seconded by Robertson, UNANIMOUSLY CARRIED: To approve resolution 2019-14 a resolution to approve ballot language of the extension of the existing Public Safety Millage amending the period from ten to five years, 2020-2024.

Roll Call Vote

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

**2. Proposed Resolution 2019-15 Call for Special Election August 6, 2019**

**CM 4-13-19 MOTION TO APPROVE RESOLUTION 2019-15 A RESOLUTION TO AUTHORIZE A SPECIAL ELECTION ON AUGUST 6, 2019 TO VOTE ON A BALLOT PROPOSAL FOR RENEWING AND EXTENDING THE PUBLIC SAFETY MILLAGE**

Motion by Lublin, seconded by Owsinek,

Discussion

Mayor Ackley asked for motion to amend resolution to address change in length of millage as reflected in Public Safety Millage resolution.

**CM 4-14-19 MOVE TO AMEND RESOLUTION 2019-15 TO REFLECT A FIVE-YEAR TERM STARTING IN 2020 to 2024**

Motion by Owsinek, seconded by Costanzo, UNANIMOUSLY CARRIED: Move to amend resolution 2019-15 to reflect a five-year term starting in 2020 to 2024.

Roll Call Vote

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

Council Member Costanzo asked the cost of a special election cost. City Clerk Stuart explained to Council Member Costanzo that the cost of a special election would be approximately \$6,000. Council Member Costanzo asked if the advantage of a special election in August is being able to go again in November if it fails.

Council Member Ambrose clarified to Council Member Costanzo that the public safety millage proposal is not about advantage, it is about the public safety millage that will expire before the next regular election cycle which is November 2019.

Main Motion

**CM 4-15-19 MOTION TO APPROVE RESOLUTION 2019-15 A RESOLUTION TO AUTHORIZE A SPECIAL ELECTION ON AUGUST 6, 2019 TO VOTE ON A BALLOT PROPOSAL FOR RENEWING AND EXTENDING THE PUBLIC SAFETY MILLAGE FOR A PERIOD OF FIVE YEARS**

Motion by Lublin, seconded by Owsinek, UNANIMOUSLY CARRIED: To approve resolution 2019-15 a resolution to authorize a Special Election on August 6, 2019 to vote on a ballot proposal for renewing and extending the Public Safety Millage for a period of five years.

Roll Call Vote

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

**3. Proposed Resolution 2019-16 Michigan Mutual Aid Box Alarm System (MI-MABAS)**

Fire Chief Coomer explained the City participates with a large mutual aid group with the County and State of Michigan to provide services for hazardous materials, high rescue, and Special Operations. Chief Coomer explained to that what was identified in the agreement was that billing could not begin until after eight hours, now there is a special provision in place that cost recovery can begin from the start of the incident.

**CM 4-16-19 MOTION TO APPROVE RESOLUTION 2019-16 A RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF WALLED LAKE AND THE MICHIGAN MUTUAL AID BOX ALARM SYSTEM ASSOCIATION (MI-MABAS) AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE AMENDED AGREEMENT**

Motion by Lublin, seconded by Robertson, UNANIMOUSLY CARRIED: To approve resolution 2019-16 a resolution authorizing an agreement between the City of Walled Lake and the Michigan Mutual Aid Box Alarm System Association (MI-BASAS) and authorize the City Manager to execute the amended agreement.

Discussion

Council Member Costanzo asked if there was a fee for a municipality to belong. Fire Chief Coomer explained to Council Member Costanzo that the city's fee is \$3200 yearly to belong to the Oakland County group for mutual aid, this fee supports the hazardous teams and there are fire department personnel that are members of these special teams.

Roll Call Vote

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

**4. Proposed Resolution 2019-17 Assessing Services with Oakland County Equalization**

Council Member Lublin asked if the cost for service was similar to what the City pays now. Finance Director Barlass said there is a 1% increase.

City Manager Whitt explained there is an increase, but they are passing through the increased costs to the communities and it will most likely continue with each contract renewal.

**CM 4-17-19 MOTION TO APPROVE RESOLUTION 2019-17 A RESOLUTION OF THE CITY COUNCIL OF WALLED LAKE AUTHORIZING THE AGREEMENT WITH OAKLAND COUNTY EQUALIZATION FOR ASSESSING SERVICES FOR YEARS 2020-2022**

Motion by Owsinek, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve resolution 2019-17 a resolution of the City Council of Walled Lake authorizing the agreement with Oakland County Equalization for assessing services for years 2020-2022.

Roll Call Vote

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

**5. Proposed Resolution 2019-18 WRC Quarterly Billing Request**

Finance Director Barlass said as discussed at the budget work sessions, there is a significant savings with billing quarterly versus monthly, approximately \$100,000 a year. It was verbally agreed with the County to begin the billing transition only monthly for a couple of months and begin quarterly billing in July 2019. Mrs. Barlass explained notices would be provided on current water statements. Mrs. Barlass explained that there is not a start date determined yet, there is a lot of testing to be done yet, there is a lot of data to be transferred to the County before their billing would begin.

Mayor Ackley asked how residents are being notified of this change. Director Barlass explained that there will be two notices one from the City and one from WRC to make it very clear.

Mayor Ackley called for a motion to state the beginning date for quarterly billing will not commence before July 1<sup>st</sup>.

**CM 4-18-19 MOTION TO APPROVE RESOLUTION 2019-18 A RESOLUTION WITH INCLUSION TO BE ADDED THE QUARTERLY UTILITY BILLING FREQUENCY FROM MONTHLY TO QUARTERLY WILL NOT COMMENCE PRIOR TO JULY 1, 2019**

Motion by Ambrose, seconded by Lublin, UNANIMOUSLY CARRIED: To approve resolution 2019-18 a resolution to amend utility billing frequency from monthly to quarterly will not commence prior to July 1, 2019.

Roll Call Vote

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

**6. Proposed Resolution 2019-19 Amendment to WRC Operations and Maintenance Agreement**

**CM 4-19-19 MOTION TO APPROVE RESOLUTION 2019-19 A RESOLUTION TO APPROVE OAKLAND COUNTY WATER RESOURCE COMMISSION (WRC) FOR OPERATIONS TO INCLUDE COLLECTION OF REFUSE AND RECYCLING FEES AS PART OF THE BILLING OPERATIONS**

Motion by Lublin, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve resolution 2019-19 a resolution to approve Oakland County Water Resource Commission (WRC) for operations to include collection of refuse and recycling fees as part of the billing operations.

Discussion

Council Member Lublin asked if this was the same item already on the bill now. Finance Director said yes.

Roll Call Vote

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

**7. Proposed Resolution 2019-20 Budget Amendment FY 19**

Finance Director Barlass explained at the last DDA meeting there was a budget resolution introduced and passed and as required it is now coming before Council for final approval. The amendment included the Decker Road rehabilitation.

Council Member Ambrose explained the DDA Board felt the Decker Road Improvement was a critical part into the gateway to the City's downtown and this roadway was deemed the second worst road in Oakland County. Council Member Ambrose speaking as the DDA Chairman stated

that “We as a DDA would support the required grant matching to be able to acquire the grant.” Council Member Ambrose explained that there was also discussion that while improvements are being made, sidewalks would be upgraded, upgrading the street lighting downtown to LED which is a substantial amount of savings, and funding for administrative services for the DDA in regard to social media and its venues. Council Member Ambrose further explained that the budget amendment also provided for personnel costs for laborers to provide improvements to the downtown above and beyond what is being done now is provided

**CM 4-20-19 MOTION TO APPROVE RESOLUTION 2019-20 BUDGET AMENDMENT FY19**

Motion by Ambrose, seconded by Owsinek

Discussion

Council Member Costanzo opposed the proposed budget amendment providing a match to the City grant for repaving and sidewalk on Decker Road. Council Member Costanzo said this work is outside of the DDA area. Council member Costanzo stated he had read the DDA law and opined that this work was outside the scope of the DDA.

Council Member Costanzo said the budget amendment is for \$579,300, the Decker Road match is \$272,292 and leaves balance of \$307,000 and he needed to see a breakdown before he approves a budget amendment or a separate resolution for each budget amendment to vote on each of them separately. Section 3, section 4, and section 5 of the amendment where is the breakdown of where the monies are going?

Council Member Ambrose explained to Council Member Costanzo those numbers have been and are available from the Finance Department at any time, they were also available at the DDA meeting. Council Member Ambrose provided Mr. Costanzo a specific breakdown; \$272,000 Decker Road match. Council Member Ambrose explained there is no problem with the numbers, downtown LED street lighting \$12,000, sidewalks \$275,000, personnel and social media \$8,000, and personnel costs DDA public facilities \$12,000.

City Manager Whitt said Council Member Costanzo is wrong about the reason he suggested for opposing DDA’s improvements to Decker Road and sidewalks as proposed in the DDA budget amendment being outside the scope of the DDA work. Mr. Whitt said the DDA law provides for this type of project, and the law is very clear, that the Decker Road improvement as contemplated by the DDA board members can be addressed by DDA funding.

City Manager Whitt explained to Council Member Costanzo that the DDA board is comprised of lawyers, developers, contractors and prominent business people of the Walled Lake community and those board members voted to fund Decker Road as part of the gateway improvement to Walled Lake. City Manager Whitt explained that the DDA board members had voted on this budget amendment already, and it was the City Council’s decision to give final approval of the DDA’s budget amendment. Manager Whitt explained that it is very clear the DDA Board has the authority to make its own budget and make funding decisions and the City Council simply

validates or rejects what the DDA Board proposes. Mr. Whitt said the Board members voted to fix the road and sidewalks in a gateway area known as Decker Road. Mr. Whitt said the whole Board membership voted to repair Decker Road as a gateway area and that includes the sidewalks. Mr. Whitt said to lead the public to believe that this information was not available is not true either, this was all given out at the DDA meeting, and in fact, monies were added to the DDA budget amendment due to Council Member Costanzo's remarks that were noted by Council Member Lublin. Mr. Whitt opined it is disingenuous of Council Member Costanzo to suggest that he did not have that information.

Council Member Costanzo said he asked for the fund break down, where specifically are the funds going.

Council Member Ambrose explained that he would be happy to include extra detail to the budget amendment as an attachment to the resolution.

**CM 4-21-19 MOTION TO ADD DDA RESOLUTION 2019-1 ATTACHMENT TO BUDGET AMENDMENT FY19 RESOLUTION 2019-20**

Motion by Ambrose, seconded by Owsinek, MOTION CARRIED: To add DDA Resolution 2019-1 attachment to Budget Amendment FY19 Resolution 2019-20.

Roll Call Vote

Yes (5)	Robertson, Ambrose, Lublin, Owsinek, Ackley
No (1)	Costanzo
Absent (1)	Loch
Abstain (0)	

Main Motion

**CM 4-22-19 TO APPROVE RESOLUTION 2019-20 A RESOLUTION AMENDING THE OPERATING AND CAPITAL BUDGET APPROPRIATION OF FUNDS FOR FISCAL YEAR 2018-2019**

Roll Call Vote

Yes (5)	Owsinek, Robertson, Ambrose, Lublin, Ackley
No (1)	Costanzo
Absent (1)	Loch
Abstain (0)	

**8. Proposed Resolution 2019-21 Defined Benefit Pension Plan Retirement Waiver as required by the Department of Treasury**

**CM 4-23-19 MOTION TO APPROVE RESOLUTION 2019-21 A RESOLUTION APPROVING A WAIVER APPLICATION AND PLAN FOR THE CITY OF WALLED LAKE'S DEFINED BENEFIT PENSION RETIREMENT TO BE SUBMITTED TO THE MICHIGAN DEPARTMENT OF TREASURY AS REQUIRED UNDER PUBLIC ACT 202 OF 2017**

Motion by Lublin, seconded by Owsinek, UNANIMOUSLY CARRIED: To approve resolution 2019-21 a resolution approving a waiver application and plan for the City of Walled Lake's Defined Benefit Pension Retirement to be submitted to the Michigan Department of Treasury as required under Public Act 202 of 2017.

Roll Call Vote

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

**9. Proposed Resolution 2019-22 Employment Agreement Miranda Gross**

**CM 4-24-19 MOTION TO APPROVE RESOLUTION 2019-22 A RESOLUTION APPROVING AN EMPLOYMENT AGREEMENT WITH MIRANDA GROSS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME**

Motion by Owsinek, seconded by Robertson, MOTION CARRIED: To approve resolution 2019-22 a resolution approving an employment agreement with Miranda Gross; authorizing the City Manager to execute the same.

Discussion

Council Member Costanzo opposed an employment agreement with Miranda Gross opining that he did not think the City can financially take on another employment agreement. Council Member Costanzo said that the proposed agreement provided pension liabilities and other legacy costs to the City and there are very nice fringe benefits. Council Member Costanzo stated that he did not think the City could financially take on the burden of this employee agreement. There is quite a bit of vacation. Council Member Costanzo read the contract items; five and half weeks of vacation, ten paid holidays, 100% tuition reimbursement, a \$5,000 raise upon meeting the certain schooling obligations, and more importantly the salary can be increased by the City not by a resolution of City Council.

Council Member Costanzo stated this is a business decision we have to live within our means as a City and I think taking on another contractual agreement would not be in the best interest of the City.

Council Member Ambrose explained to Council Member Costanzo that to run a city you have to retain good employees.

Audience member, Jeff Rondeau disrupted the order of the meeting with a diatribe by yelling out that, "that is my money you are talking about".

Mayor Ackley brought order to the chamber and explained to Jeff Rondeau that there was a time at the beginning of the meeting to voice his concerns about agenda items, he had his chance during audience participation, and he declined to speak, this was on the agenda and audience participation was the time for discussion. Mayor Ackley asked Jeff Rondeau to stop the interruptions. Mayor Ackley further explained to Jeff Rondeau that he would be subject to removal from the chambers if he continued to disrupt the public meeting.

Council Member Ambrose said the City has few fulltime employees compared to the past and there have been millions of dollars in reductions as far as salaries, benefits, and compensation from that time. Mr. Ambrose opined the City however has to be able to retain good employees.

Council Member Costanzo said for the City to enter into another employee agreement is a wrong decision.

Mayor Ackley opined that the city's internship program has been very good so when the City finds an intern like Ms. Gross that can be trained and reach the capabilities Ms. Gross has reached, it would be a shame to have her leave for employment in another community. Mayor Ackley said she agrees with Mr. Ambrose, our offices used to be packed with people, the employees that are working today are the employees that are trained, educated and dedicated, so we should keep the individuals we have trained and invested in.

Council Member Lublin clarified that Ms. Gross has achieved certification as a municipal clerk and he opined that Ms. Gross is a valued city employee and he supports the employment agreement.

#### Roll Call Vote

Yes (5)	Lublin, Owsinek, Robertson, Ambrose, Ackley
No (1)	Costanzo
Absent (1)	Loch
Abstain (0)	

#### 10. Proposed Resolution 2019-23 Employment Agreement Daniel Ladd

**CM 4-25-19 MOTION TO APPROVE RESOLUTION 2019-23 A RESOLUTION APPROVING AN EMPLOYMENT AGREEMENT WITH DAN LADD; AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME**

Motion by Owsinek, seconded by Robertson, MOTION CARRIED: To approve resolution 2019-23 a resolution approving an employment agreement with Dan Ladd; authorizing the City Manager to execute the same.

#### Discussion

Council Member Costanzo stated he was a steward of the resident's money and that we have to live with our fiscal means and entering into another agreement is the wrong decision.

Mayor Ackley explained to Council Member Costanzo that this employee is already full-time with the City and already has these benefits under his current employment.

Manager Whitt said Mr. Costanzo is wrong again about finances involved with employee agreements. Mr. Whitt said both of these employees are entitled to benefits by contract if they join a union. Mr. Whitt explained in the case of the employment agreement that the DPW team leader has benefits under the union contract and more guarantees plus it is a guaranteed job. Mr. Whitt explained that Ms. Gross has spent three years working through a university program for certification as a municipal city clerk and has also completed a human resource certification program through university coursework. Mr. Whitt explained that Ms. Gross would be entitled to a contract if she chose to be a union employee. Mr. Whitt opined that Council Member Costanzo has misrepresented these two employment contracts as providing benefits or something other employees do not receive. Mr. Whitt stated that Ms. Gross' benefits in this contract are less than what they would be as an administrative secretary position under the union agreement. City Manager Whitt opined that these employment contracts are a very good financial move and also address the issue of employee retention.

City Manager Whitt opined that Council Member Costanzo is misstating facts about the employees and why the council member does his personal attacks. Manager Whitt said he does not know. City Manager Whitt said the employment agreements save the City money in the long run and if the employee agreements are denied, Ms. Gross and Mr. Ladd can join the union tomorrow and receive better benefits as a union member.

City Manager Whitt opined that Council Member Costanzo's statements about the benefits to the employee were a misrepresentation. City Manager Whitt explained that providing the employment agreements is not a bad decision, it is a good decision because the Council and the administration have reduced the city workforce by 42%. City Manager Whitt opined that Council Member Costanzo's comments were personal in nature and it seems like Council Member Costanzo has a bigger agenda.

Mayor Pro Tem Owsinek called vote to question.

Roll Call Vote

Yes (5) Lublin, Owsinek, Robertson, Ambrose, Ackley  
No (1) Costanzo  
Absent (1) Loch  
Abstain (0)

**11. Proposed Resolution 2019-24 Public Safety Department Police Division Vehicle Purchased**

**CM 4-26-19 MOTION TO APPROVE RESOLUTION 2019-24 A RESOLUTION APPROVING THE PURCHASE OF ONE NEW 2019 DODGE CHARGER POLICE PACKAGE PATROL CAR AND AWARD BID TO SHUMAN CHRYSLER DODGE AS BEING IN THE BEST INTEREST OF THE CITY**

Motion by Owsinek, seconded by Lublin, UNANIMOUSLY CARRIED: To approve resolution 2019-24 a resolution approving the purchase of one new 2019 Dodge Charger Police Package patrol car and award bid the Shuman Chrysler Dodge as being in the best interest of the City.

Roll Call Vote

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

**COUNCIL COMMENTS:**

Council Member Costanzo recognized the Michigan Airline railway donors.

Council Member Owsinek said he is glad to have employment agreements for Ms. Gross and Mr. Ladd. Council Member Owsinek said that Mr. Ladd happens to be aces above everybody he has ever dealt with at the DPW, stating that Mr. Ladd has worked with staff and council and he is an excellent employee. Council Member Owsinek said he is happy to have Mr. Ladd on the city team.

**MAYOR'S REPORT:**

Mayor Ackley said the airline trail agreement is in the works and resolution is close. Mayor Ackley said she understands there have been charitable contribution to this trail and without the efforts of the three representatives and the three communities, the charitable contributions would have never even existed. Mayor Ackley said it is people as Mr. Owsinek and Ms. Coogan, prior to that, and people from Commerce and Wixom that have brought this to fruition.

Recess 8:45 p.m.

Reconvened 8:59 p.m.

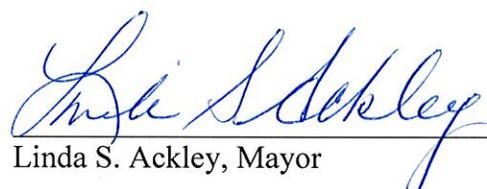
Entered into closed session 8:59 p.m.

Rose from closed session 9:08 p.m.

**ADJOURNMENT**

Meeting adjourned at 9:09 p.m.

  
\_\_\_\_\_  
Jennifer A. Stuart, City Clerk

  
\_\_\_\_\_  
Linda S. Ackley, Mayor

Approved  
5-21-19