



**CITY OF WALLED LAKE  
REGULAR COUNCIL MEETING  
TUESDAY, AUGUST 15, 2017  
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 Ambrose.

**ROLL CALL:** Mayor Ackley, Mayor Pro Tem Ambrose, Council Member Helke, Council Member Lublin, Council Member Owsinek

**ABSENT:** Council Member Loch, Council Member Robertson

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

**OTHERS PRESENT:** City Manager Whitt, Assistant City Manager Rodgers, Police Chief Shakinas, Fire Chief Coomer, Finance Director Coogan, Treasurer Barlass, City Attorney Vanerian, and City Clerk Stuart

**CM 08-01-17 TO EXCUSE COUNCIL MEMBER ROBERTSON FROM TONIGHT'S MEETING DUE TO ABSENCE FROM THE CITY**

Motion by Owsinek, seconded by Ambrose, CARRIED UNANIMOUSLY: To excuse Council Member Robertson from tonight's meeting due to absence from the City.

**CM 08-02-17 TO EXCUSE COUNCIL MEMBER LOCH FROM TONIGHT'S MEETING**

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

**PRESENTATION:**

**1. Michigan Municipal Risk Management Authority (MMRMA)– Mr. McClorey**

Mr. McClorey provided a brief presentation and a net asset distribution check on behalf of the MMRMA. He explained they are not a for-profit group but a for-profit authority. He provided the City their portion of the State pool access assets in the amount of \$5,048 and as a member, the distribution of net assets funds in the amount of \$15,213.

**REQUESTS FOR AGENDA CHANGES:**

City Manager Whitt requested a Closed Session pursuant to Section 8(e)(h) of the Open Meetings Act to discuss the potential implications as he intends to be a plaintiff and file a lawsuit in his private capacity and how it will affect his relationship with Council. Mayor Ackley added as item #4 under City Attorney Report.

**APPROVAL OF THE MINUTES:**

**1. Regular Council Meeting of July 18, 2017**

**CM 08-03-17            APPROVE THE JULY 18, 2017 REGULAR COUNCIL MEETING MINUTES**

Motion by Lublin, seconded by Ambrose, MOTION CARRIED: To approve the July 18, 2017 Regular Council meeting minutes.

Roll Call Vote:

Yes (4)	Ambrose, Lublin, Owsinek, Ackley
No (1)	Helke
Absent (2)	Loch, Robertson
Abstain (0)	

(4-1) MOTION CARRIED

**AUDIENCE PARTICIPATION:**

None

**COUNCIL CONSIDERATION:**

**1. Oath of Office administered to Police Officer Jordan Zaia**

City Clerk Stuart provided ceremonial oath of office.

**2. 2017 Vehicle Auction Bid Summary**

**CM 08-04-17            TO ACCEPT THE 2017 VEHICLE AUCTION BID AMOUNTS AS PRESENTED FOR THE 1997 GMC 3500HD, 2007 BUICK LUCERNE, 2007 GMC 3500, AND THE 2012 DODGE CHARGER**

Motion by Lublin, seconded by Ambrose, CARRIED UNANIMOUSLY: To accept the 2017 vehicle auction bid amounts as presented for the 1997 GMC 3500HD, 2007 Buick Lucerne, 2007 GMC 3500, and the 2012 Dodge Charger.

DISCUSSION

Police Chief Shakinas said the Buick Lucerne and Dodge Charger funds will go into the forfeiture line item and the GMC's are from the DPW. They are pleased with the numbers and recommends council approval.

Roll Call Vote:

Yes (5) Helke, Lublin, Owsinek, Ambrose, Ackley  
No (0)  
Absent (2) Loch, Robertson  
Abstain (0)

**3. Resignation letter from Planning Commission Member Matthew Malone**

**CM 08-05-17 MOTION TO ACCEPT RESIGNATION LETTER WITH REGRET FROM MR. MATTHEW MALONE FROM THE PLANNING COMMISSION**

Motion by Owsinek, seconded by Ambrose, UNANIMOUSLY CARRIED: To accept resignation letter with regret from Mr. Matthew Malone from the Planning Commission.

Roll Call Vote:

Yes (5) Lublin, Ambrose, Helke, Owsinek, Ackley  
No (0)  
Absent (2) Loch, Robertson  
Abstain (0)

**COUNCIL REPORT:**

None

**CITY MANAGER'S REPORT:**

**1. Departmental / Divisional Statistical Reports**

- a. Police**
- b. Fire**
- c. Code Enforcement**
- d. Finance**

**-Warrant Report #8-2017**

**CM 08-06-17 TO RECEIVE AND FILE THE MONTHLY DEPARTMENTAL /  
DIVISIONAL STATISTICAL REPORTS**

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

Roll Call Vote:

Yes (5) Lublin, Owsinek, Ambrose, Helke, Ackley  
No (0)  
Absent (2) Loch, Robertson  
Abstain (0)

**CORRESPONDENCE:**

None

**ATTORNEY'S REPORT:**

- 1. Request for Closed Session to discuss Confidential Attorney Client Communication – WLCSD School Board Circuit Court Complaint pursuant to Section 8(e) of the Open Meetings Act (OMA)**

**CM 08-07-17 TO ENTER INTO CLOSED SESSION TO DISCUSS  
CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION –  
WLCSD SCHOOL BOARD CIRCUIT COURT COMPLAINT  
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 – WLCSD School Board circuit court complaint pursuant to section 8(e) of the Open Meetings Act (OMA).

Roll Call Vote:

Yes (5) Owsinek, Ambrose, Helke, Lublin, Ackley  
No (0)  
Absent (2) Loch, Robertson  
Abstain (0)

**2. Request for Closed Session to discuss Confidential Attorney Client Communication – East Bay Village, LLC pursuant to Section 8(e) of the Open Meetings Act (OMA)**

**CM 08-08-17 TO ENTER INTO CLOSED SESSION TO DISCUSS  
CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION –  
EAST BAY VILLAGE, LLC PURSUANT TO SECTION 8(E) OF  
THE OPEN MEETINGS ACT (OMA)**

Motion by Lublin, seconded by Ambrose, UNANIMOUSLY CARRIED: To enter into closed session to discuss confidential attorney client communication – East Bay Village, LLC circuit court complaint pursuant to section 8(e) of the Open Meetings Act (OMA).

Roll Call Vote:

Yes (5) Ambrose, Helke, Lublin, Owsinek, Ackley  
No (0)  
Absent (2) Loch, Robertson  
Abstain (0)

**3. Request for Closed Session to discuss Confidential Attorney Client Communication – Agreement for retiree OPEB pursuant to Section 8 (e)(h) of the Open Meetings Act (OMA)**

**CM 08-09-17 TO ENTER INTO CLOSED SESSION TO DISCUSS  
CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION –  
AGREEMENT FOR RETIREE OPEB PURSUANT TO SECTION 8  
(E)(H) OF THE OPEN MEETINGS ACT (OMA)**

Motion by Owsinek, seconded by Ambrose, UNANIMOUSLY CARRIED: To enter into closed session to discuss confidential attorney client communication – agreement for retiree OPEB pursuant to section 8(e)(h) of the Open Meetings Act (OMA).

Roll Call Vote:

Yes (5) Ambrose, Helke, Lublin, Owsinek, Ackley  
No (0)  
Absent (2) Loch, Robertson  
Abstain (0)

**4. Request for Closed Session to discuss Confidential Attorney Client Communication –City Official as a plaintiff in a private capacity pursuant to Section 8 (e)(h) of the Open Meetings Act (OMA)**

**CM 08-10-17 TO ENTER INTO CLOSED SESSION TO DISCUSS  
CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION –  
CITY OFFICIAL AS A PLAINTIFF IN A PRIVATE**

**CAPACITY PURSUANT TO SECTION 8 (E)(H) OF THE OPEN MEETINGS ACT (OMA)**

Motion by Ambrose, seconded by Lublin, MOTION CARRIED: To enter into closed session to discuss confidential attorney client communication – City Official as a plaintiff in a private capacity pursuant to section 8(e)(h) of the Open Meetings Act (OMA).

Roll Call Vote:

Yes (4) Lublin, Owsinek, Ambrose, Ackley  
No (1) Helke  
Absent (2) Loch, Robertson  
Abstain (0)

(4-1) MOTION CARRIED

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**1. Proposed resolution 2017-59 SMART Contract Fiscal Year 2018**

**CM 08-11-17 TO APPROVE RESOLUTION 2017-59 THE ANNUAL CONTRACT WITH SUBURBAN MOBILE AUTHORITY FOR REGIONAL TRANSPORTATION (SMART) FOR REIMBURSEMENT OF EXPENDITURES USED TO PROVIDE PUBLIC TRANSPORTATION SERVICES TO CITY RESIDENTS**

Motion by Owsinek, seconded by Lublin, UNANIMOUSLY CARRIED: To approve resolution 2017-59 The annual contract with Suburban Mobile Authority for Regional Transportation (SMART) for reimbursement of expenditures used to provide public transportation services to city residents.

Roll Call Vote:

Yes (5) Lublin, Owsinek, Ambrose, Helke, Ackley  
No (0)  
Absent (2) Loch, Robertson  
Abstain (0)

**2. Proposed resolution 2017-60 Trailway CW2 Engineering RFP and MOU**

Finance Director Coogan said Mr. Michael Levine has graciously agreed to donate his engineering services for the designing of the trailway surface. He has made this type of offer to other sections of the trail. The Trailway council is recommending approval of this donation.

City Manager Whitt said the last trailway council meeting was held in the Walled Lake council chambers and future meetings will be held here as well. He said this last meeting was the best trailway meeting he has attended since the first meeting seven years ago, the right questions were asked and it was on target. He complimented Supervisor Scott on his professional management of the meeting. He explained engineering RFPs were received and a motion was made to cancel those bids as Mr. Michael Levine offered to provide his services as a donation. If the bids were to be opened, there could have been an issue of not going with Mr. Levine. The Trailway council acted appropriately and he recommends moving forward with Mr. Levine. The target date is October 2017. Accepting Mr. Levine's proposal will ensure accomplishment of this target date.

Mayor Ackley agreed and provided a thank you to Mr. Whitt and Ms. Coogan for moving the city forward with the trailway.

Finance Director Coogan said the coordination with Mr. Levine was initiated by Trailway Manager Hensler, he was the one who reached out to Mr. Levine.

**CM 08-12-17 TO APPROVE RESOLUTION 2017-60 AUTHORIZING THE TRAILWAY COUNCIL REPRESENTATIVE TO ACCEPT THE ENGINEERING DESIGN SERVICE DONATION OF MR. MICHAEL LEVINE FOR THE TRAILWAY SURFACE**

Motion by Owsinek, seconded by Lublin, UNANIMOUSLY CARRIED: To approve resolution 2017-60 Authorizing the Trailway council representative to accept the engineering design service donation of Mr. Michael Levine for the trailway surface.

Roll Call Vote:

Yes (5) Lublin, Owsinek, Ambrose, Helke, Ackley  
No (0)  
Absent (2) Loch, Robertson  
Abstain (0)

**3. Proposed resolution 2017-61 Approving additional fencing along trailway**

Finance Director Coogan explained fencing was removed during the public safety campus redesign which exposes the DPW storage area. Some of the removed fencing can be repurposed for sections along the trailway and DPW. Police Chief Shakinas said there are sections open directly behind the DPW to anyone who wishes to enter, this fencing will dismiss this and make it safe.

**CM 08-13-17 TO APPROVE RESOLUTION 2017-61 DIRECTING THE INSTALLATION OF ADDITIONAL FENCING BETWEEN THE CITY CAMPUS AND THE TRAILWAY**

Motion by Lublin, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve resolution 2017-61 Directing the installation of additional fencing between the city campus and the trailway.

Roll Call Vote:

Yes (5) Owsinek, Ambrose, Helke, Lublin, Ackley  
No (0)  
Absent (2) Loch, Robertson  
Abstain (0)

**4. Proposed resolution 2017-62 Lakes Area Youth Assistance PY 2017-2018**

**CM 08-14-17 TO APPROVE RESOLUTION 2017-62 APPROVING THE AGREEMENT WITH LAKES AREA YOUTH ASSISTANCE AGENCY FOR SERVICES PROVIDED JULY 2017 THROUGH JUNE 2018**

Motion by Lublin, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve resolution 2017-62 Approving the agreement with Lakes Area Youth Assistance Agency for services provided July 2017 through June 2018.

Roll Call Vote:

Yes (5) Ambrose, Helke, Lublin, Owsinek, Ackley  
No (0)  
Absent (2) Loch, Robertson  
Abstain (0)

**5. Proposed Resolution 2017-63 Budget amendment FY18**

Treasurer Barlass said this budget amendment includes funds for the city's fire hydrant replacement program, the recent water main break along 14 Mile Road and Decker Road, and necessary water lead replacements on Gamma and Pontiac Trail.

**CM 08-15-17 TO APPROVE RESOLUTION 2017-63 AMENDING THE OPERATING AND CAPITAL BUDGET APPROPRIATION OF FUNDS FOR FISCAL YEAR 2017-2018**

Motion by Owsinek, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve resolution 2017-63 Amending the operating and capital budget appropriation of funds for fiscal year 2017-2018.

Roll Call Vote:

Yes (5)      Ambrose, Helke, Lublin, Owsinek, Ackley  
No (0)  
Absent (2)    Loch, Robertson  
Abstain (0)

**MAYOR'S REPORT:**

**1. Mayor's nomination to fill Planning Commission vacancy created by Mr. Malone's resignation**

**CM 08-16-17      MOTION TO ACCEPT RESOLUTION 2017-64 THE MAYOR'S NOMINATION TO FILL A VACANCY IN THE OFFICE OF PLANNING COMMISSION PURSUANT TO THE REQUIREMENTS OF THE CITY CHARTER; MAKING THE APPOINTMENT OF KYLE HECHT TO THE OFFICE OF PLANNING COMMISSION FOR AN UNEXPIRED TERM**

Motion by Lublin, seconded by Ambrose, UNANIMOUSLY CARRIED: To accept resolution 2017-64 Mayor's nomination to fill a vacancy in the office of Planning Commission pursuant to the requirements of the City Charter; making the appointment of Kyle Hecht to the office of Planning Commission for an unexpired term.

Roll Call Vote

Yes (5)      Helke, Lublin, Owsinek, Ambrose, Ackley  
No (0)  
Absent (2)    Loch, Robertson  
Abstain (0)

**2. Mayor's nomination to fill Zoning Board of Appeals vacancy created by Mayor Ackley stepping down to become a board member alternate**

Mayor Ackley nominated Mr. Dennis O'Rourke to the Zoning Board of Appeals, if approved by council she will step down as a full-time member to being the alternate as she was in the past.

**CM 08-17-17      MOTION TO ACCEPT RESOLUTION 2017-65 THE MAYOR'S NOMINATION TO FILL A VACANCY IN THE OFFICE OF ZONING BOARD OF APPEALS PURSUANT TO THE REQUIREMENTS OF THE CITY CHARTER; MAKING THE APPOINTMENT OF DENNIS O'ROURKE TO THE OFFICE OF ZONING BOARD OF APPEALS FOR AN UNEXPIRED TERM**

Motion by Ambrose, seconded by Lublin, UNANIMOUSLY CARRIED: To accept resolution 2017-65 Mayor's nomination to fill a vacancy in the office of Zoning Board of Appeals pursuant to the requirements of the City Charter; making the appointment of Dennis O'Rourke to the office of Zoning Board of Appeals for an unexpired term.

Roll Call Vote

Yes (5) Lublin, Owsinek, Ambrose, Helke, Ackley  
No (0)  
Absent (2) Loch, Robertson  
Abstain (0)

Mayor Ackley stepped down and resigned as full-time member and is now the alternate. Council approved.

Finance Director Coogan said she spoke with Mr. Malone and he takes care of the entire GIS system at Farmington Hills and has offered to train the city staff with ours as he wishes to still be involved with the City.

**3. Proposed resolution 2017-66 Mercer Beach portable restroom rehabilitation and relocation**

**CM 08-18-17 TO APPROVE RESOLUTION 2017-66 RELOCATE AND REHABILITATE THE MERCER BEACH PARK PORTABLE RESTROOM ENCLOSURE**

Motion by Ambrose, seconded by Lublin, MOTION CARRIED: To accept resolution 2017-66 To relocate and rehabilitate the Mercer Beach Park portable restroom enclosure.

DISCUSSION

Finance Director Coogan explained the concrete where the restrooms sit now will be broken during the storm water drain repair. The DPW advised the enclosure boards are no longer patchable. City Manager Whitt said this is being coordinated with beautification of the downtown area. The beach is beautiful and open to the public. Everyone uses it. He recommends Council approval.

Roll Call Vote

Yes (4) Lublin, Owsinek, Ambrose, Ackley  
No (1) Helke  
Absent (2) Loch, Robertson  
Abstain (0)

(4-1) MOTION CARRIED

Mayor Ackley said she has been contacted by Congressman Trott's office to assist them and the La Marca family with arranging of a ceremonial service on August 28, 2017 for Mr. Gasper La Marca who was a prior Mayor for the City and well-respected, everyone liked him. Mayor asked that Council attend the event.

### **COUNCIL COMMENTS**

Council Member Lublin said the weekend drop off situation at the Salvation Army store location was addressed, they placed a sign. He complimented the public safety campus redesign.

Council recessed 8:21 p.m.

Council reconvened 8:32 p.m.

**CM 08-19-17            MOTION TO APPROVE THE CITY ATTORNEY  
RECOMMENDATION REGARDING THE EAST BAY VILLAGE,  
LLC MDEQ PERMIT**

Motion by Owsinek, seconded by Ambrose, CARRIED UNANIMOUSLY: To approve the City Attorney recommendation regarding the East Bay Village, LLC MDEQ permit.

Roll Call Vote:

Yes (5)	Ambrose, Owsinek, Lublin, Helke, Ackley
No (0)	
Absent (2)	Loch, Robertson
Abstain (0)	

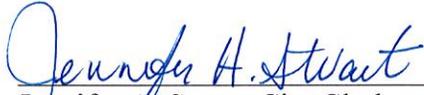
**CM 08-20-17            MOTION TO APPROVE RESOLUTION 2017-67 THE  
SETTLEMENT AGREEMENT WITH PREVIOUS EMPLOYEE  
KENNETH VAN SPARRENTAK FOR POST EMPLOYMENT  
HEALTH CARE BENEFITS**

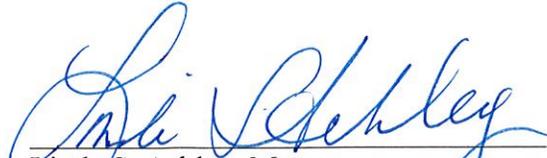
Motion by Owsinek, seconded by Ambrose, CARRIED UNANIMOUSLY: To approve resolution 2017-67 The settlement agreement with previous employee Kenneth Van Sparrentak for post-employment health care benefits.

Roll Call Vote:

Yes (5)	Ambrose, Helke, Lublin, Owsinek, Ackley
No (0)	
Absent (2)	Loch, Robertson
Abstain (0)	

Meeting adjourned at 8:56 p.m.

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

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

approved  
9-19-17