



**CITY OF WALLED LAKE
REGULAR COUNCIL MEETING
TUESDAY, FEBRUARY 21, 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 Loch, Council Member Owsinek, Council Member Robertson

ABSENT:

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

OTHERS PRESENT: City Manager Whitt, Assistant City Manager Rodgers, Police Chief Shakinias, Fire Chief Coomer, Finance Director Coogan, and City Attorney Vanerian

REQUESTS FOR AGENDA CHANGES:

Move item #1 the appointment of Philip Rundell.

- 1. Proposed Resolution 2017-18 Accepting the Mayor's nomination to fill a vacancy on the Zoning Board of Appeals**

CM 02-01-17 TO APPROVE RESOLUTION 2017-18 ACCEPTING 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 AN APPOINTMENT TO THE OFFICE OF ZONING BOARD OF APPEALS FOR AN UNEXPIRED TERM

Motion by Owsinek, seconded by Robertson, CARRIED UNANIMOUSLY: To approve Resolution 2017-18 accepting the Mayor's nomination to fill a vacancy on the Zoning Board of Appeals.

CM 02-02-17 TO ACCEPT MAYOR'S NOMINATION OF PHILIP RUNDELL TO FILL VACANCY ON THE ZONING BOARD OF APPEALS

Motion by Owsinek, seconded by Ambrose, CARRIED UNANIMOUSLY: To accept the Mayor's nomination to fill a vacancy on the Zoning Board of Appeals.

APPROVAL OF THE MINUTES:

1. Regular Council Meeting of January 17, 2017

Council Member Helke would like to move that under audience participation in the minutes under 1, 2, 3 third paragraph down.

Mayor Ackley can you give us a page number, please.

Council Member Helke said on page 4 "he opined that the meeting violated federal and state laws. I would like to move to strike opined. It's negatively descriptive." Council Member Helke said in the same vain 1, 2, 3, 4, 5, 6 paragraph down "Karen Kolke responding to the diatribe from the previous speaker. I would like to request or move that word be struck. Council Member Helke stated that the clerk's use of the words "opined"¹ and "diatribe"² are "negative and opinionated"³

Mayor Ackley asked what was stated by Mr. Burks and City Manager Whitt explained that Mr. Burks did use the word "violation" and Mr. Burks gave his opinion by stating that the city officials had "violated state laws".

Council Member Helke quoted "Karen Kolke, 179 Spring Park – Responding to the diatribe from the previous speaker."

City Manager Whitt explained to Council Member Helke the definition of the word "diatribe" means "an attack". Mr. Whitt further explained that Mr. Burks spoke out attacking city officials and stating as fact that he knew there were violations of law and that "we should go to jail and the police chief wasn't doing anything". Mr. Whitt stated, "If that is not diatribe, I don't know what is". Mr. Whitt stated to Council Member Helke that it is up to Council and, "If you get a second you can take it out of the minutes."

**Motion fails for lack of support*

CM 02-03-17 APPROVAL OF THE JANUARY 17, 2017 REGULAR COUNCIL MINUTES

Motion by Ambrose, seconded by Lublin, CARRIED: To approve the January 17, 2017 Regular Council Minutes.

¹ **Opine** definition: Hold or express an opinion (dictionary.com).

² **Diatribe** definition: A bitter, sharply abusive denunciation, attack, or criticism (dictionary.com).

³ **Clerk's Note:** Council Member Helke made a motion to strike the use of the above words from the minutes of the January 17, 2017 meeting which she did not attend.

Roll Call Vote:

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

(6-1) MOTION CARRIED

AUDIENCE PARTICIPATION:

Dennis Burks-206 Spring Park- Mr. Burks began a diatribe by stating that he was “challenging the city representatives and your management here, mainly the mayor, the city manager and the whatever he is” (gesturing toward Chief of Police Shakinas). Mr. Burks stated as fact that: “You are guilty of breaking state laws, federal law, open meetings act, and ethical violations. Now you either take me to court or this will prove beyond a doubt that you are guilty of these crimes.”

Mr. Burks referring to himself, stated, “Okay, going on. There has been talk of an out of control drunk”. Mr. Burks responded to his own charge and claimed that, “I haven’t had a drink in ten and half years, thank you. “

Mr. Burks said the three-minute speaking rule will be followed to the letter and, “You have already violated it, I’m not even going to tell you how.”

Mr. Burks said Mr. Whitt’s F-O-I-A form says only has one position, paid position as city manager. Mr. Burks said Mr. Whitt is the city manager, city treasurer, public safety director, head of walled lake DPW or something to that title he is chief executive DDA director but “his form says he is only paid as City Manager” and “that is a lie.”

Mr. Burks asked himself a question aloud, “What is Mayor Ackley’s yearly wage?” Mr. Burks then stated that, “Most people say it is an honoree title and they don’t get paid anything. Mr. Burks stated as fact that he found that Mayor Ackley “makes \$112,000 a year as Mayor”. Responding to much laughter from the audience and City Officials, Mr. Burks said that is what he found and he was not liable. Mr. Burks said there are 55 charters missing off the city website. He said the race for the mayors’ position is missing off the city charter that is coming up in November you are going to have to go to the library since a lot of it is missing off of the city website. Mr. Burks said if anyone wants to run for Mayor the deadline is April but you need to come up and get a copy of it because the City is out of control.

Mr. Burks said, “Everybody on the city council needs to resign immediately.” Mr. Burks opined that Susan Helke is the only one truly here for the citizens of Walled Lake.⁴

Mark Grobb – 2572 North Trail - I am medical marijuana patient who uses marijuana for my service connected disability and I am a disabled veteran who was honorably discharged from U.S. Navy, Permanent Disability Retired List (PDRL). He questioned why the City Council wants to violate his rights as an American to life, liberty, and pursuit of happiness. He said he

⁴ **Opine** definition: Hold or express an opinion (dictionary.com).

cannot use pharmaceutical drugs because they have negative effects on his brain, making him suicidal. He said he uses the medical marijuana to enjoy happiness. He said he does not go to the dispensaries in Detroit because of distance and feels unsafe. He said let the medical dispensaries in Walled Lake be open for business.

City Manager Whitt clarified the City of Walled Lake does not approve or disapprove of the marijuana dispensaries. He said the ordinance is a zoning ordinance. Manager Whitt said what shut places down last week was a notice from the Sheriff of Oakland County and that the notices came from his office signed by a Sheriff's deputy. Manager Whitt said the City council or city administration had anything to do with shutting them down. He said the Sheriff's position is that his office does not recognize Walled Lake's ordinance and they do not recognize the term that is in the zoning ordinance that existed, when the City tried to provide some zoning for those kinds of facilities after the people of Michigan voted and approved medical marijuana. Manager Whitt said the Sheriff does not recognize the term of dispensary and the term doesn't seem to be used in the new law. Mr. Whitt opined that it is the new law that the Sheriff is interpreting as prohibiting any sale of any kind. Mr. Whitt explained that the Sheriff's office and his deputies sent those notices out to the proprietors of those facilities and for that reason the business owners shut down voluntarily under threat of being arrested. Mr. Whitt explained that the City of Walled Lake, administration or council never gave permission or revoked any permission so the City had little to do with shutting those businesses down. Manager Whitt stated it was the Oakland County Sheriff's office who sent the letters that shut down the facilities.

Kenneth Kolke - 179 Spring Park – Mr. Kolke stated he had a problem with Maher and his business and stated he would like the following addresses to be rezoned. He said 152 Spring Park, which currently has a house on it and zoned C-2. He said 861 N. Pontiac Trail, 925 N. Pontiac Trail, 929 N. Pontiac Trail, 933 N. Pontiac Trail, 937 N. Pontiac Trail and 955 N. Pontiac Trail because these properties abut to a neighborhood and under current zoning code C-1 which is designed for properties that abut to neighborhoods for commercial district.

Mr. Kolke said he wanted a meeting with City Manager Whitt and Mayor Ackley so that there might be "peaceful resolution". Mr. Kolke stated he feels the city's departments did not follow due process in assessing the properties to what entities can be applied to the proper use. Mr. Kolke, addressing City Manager Whitt directly, stated, "If you feel threatened" you can bring the police chief and, "Hopefully we can come to a peacefully agreement."

Jeff Cline – 700 Olive Court – said he was a GM employee and now is retired. He said he is a medical marijuana patient. He said he is now aware that the City had no part in Sheriff Quisenberry's decision and fully aware the circumstances surrounding it. He said he now has to drive to Detroit to get his medications for his symptoms. He said medical marijuana is better than opioids.

Christopher Shiley – 1158 Beta – said he was a patient under the caregiver of Anthony Virga from Bazonzoes. He thanked council for giving us a place to operate under our own neighborhood. He said he is a second-time cancer survivor, and today his cancer is undetectable. He said to his knowledge both of the dispensaries operate their businesses by the letter. He said they are astute with their knowledge in the industry.

James Jeffrey – 382 Decker - said by putting medical marijuana dispensaries in the city is inviting crimes and drugs into the city. He said the city cannot regulate it the way the city thinks it can. He said it remains a violation of Federal law.

Linda Rodriguez – 852 Manzano Drive - said she has been going to Bazonzoes and had a double mastectomy. She said they helped her with the creams and oils and it has helped with the pain.

EMPLOYEE DEPARTMENTAL AWARDS FOR YEAR-ENDING 2016

1. Department of Public Works

DPW Coordinator Rodgers presented the Department of Public Works employee of the year award. She said Dan Ladd recently celebrated his 17th year work anniversary. He began his employment with the City February 7, 2000. He is a member of the Army National Guard. During the City's restructuring of departments and transition, Dan exhibited professionalism and consistent dedication to his position. He oversees and maintains the City's local roads, parks, and stormwater system. He handles the capital equipment for the Public Services Department. He has been an asset to me as he is knowledgeable in his field. Dan is a hard worker and again an asset to the City of Walled Lake.

2. Fire Department

Firefighter of the year Brandon Routhier was presented by Fire Chief Coomer. He said Engineer Routhier has been with the Walled Lake Fire Department since October 2006 (10 years). He just got married to Tory and purchased a home in the area. Since Brandon started with the Walled Lake Fire Department he has been a tremendous asset to our department, our city and most importantly, our citizens. He is an invaluable member of the department through his dedication and commitment to his job. He responded to 205 calls in 2016. He has worked with our explorer cadet post and serves as a mentor and is a good example at work and personal life. Brandon has completed his State of Michigan Certified Company Officer II and is working on his Advance Fire Officer III. For that, we recognize him with this most deserving award.

Fire Officer of the year Mary Burd was presented by the Fire Chief Coomer. He said Sergeant Burd has been with the Walled Lake Fire Department since December 1988 (28 years). She lives in Walled Lake with her husband Allan. Since Mary started working with the Walled Lake Fire Department she has been an active member and a repeat top responder. She led the Fire Department in emergency responses within our community last year. She responded to 347 incidents and attended 23 training drills. She has worked with our explorer cadet post and serves as a mentor and a good example at work and her personal life. Mary has a Bachelor degree from Madonna College in Advance Emergency Medical Technology. She is a State Licensed Paramedic, Rescue Scuba diver and a State Certified Company Officer III. Mary was promoted to Sergeant in April 2015 and is an invaluable member of the Department through her dedication and commitment. For that, we recognize her with this most deserving award.

3. Police Department

Police Officer of the year Jake Jacobs provided by Police Chief Shakinis. He said Officer Jake Jacobs has been a member of the Walled Lake Police Department for 2 years. He began his career with the Wyandotte Police Department before coming to Walled Lake. Jake has become an asset to the police department by taking over the field training program for new officers. He attended the Dewolf Field Training Officer school and became a certified Field Training Officer in January of 2016. Since then he has taken the lead in training 9 new police officers to the police department. In addition to his training duties, Jake helps in the detective bureau for court and handles cases when the detective is on vacation.

Reserved Police Officer of the year Jason Neher provided by Police Chief Shakinis. He said Reserve Officer Jason Neher has been a member of the Walled Lake Police Department for a little over 2 years. Jason attended the Wayne County Regional Police Training Center at Schoolcraft College in the fall of 2014 where he was voted by his classmates as class president. Since then he has put in hundreds of hours and attends all the events that his family & work life permit him to. It's not unusual to see Jason at the Police Department on his day's off either working the road or helping maintain the police cars. He has spent many hours working on the vehicles to save the department's budget whenever possible.

4. City Attorney

Mayor Ackley explained that last year the City of Walled Lake ended up in a federal lawsuit because of a proposal of a development in the downtown was denied by City Council. Mayor Ackley said there was a lot of hard work and negotiations by the City Manager and city staff that allowed the City to prevail in this case

Mayor Ackley presented the certificate of appreciation to Vahan C. Vanerian, Esq.

She said:

WHEREAS, Attorney Vanerian provided excellent legal council during the year and through his outstanding legal acumen assisted in successfully defending the City and its taxpayers against frivolous lawsuits and protected individual city officials and "50 John Doe" taxpayers, and

NOW, THEREFORE, the City of Walled Lake, Michigan, by virtue of the authority vested in the City Mayor, City Council Members, and City Manager and the laws of the State of Michigan, do hereby award this Certificate of Appreciation for his service to the public, City Council and City Administration for the year 2016.

The Mayor, the City Council Members and the City Manager encourage all citizens to commemorate this occasion by paying tribute to the honoree.

IN WITNESS WHEREOF, We the Members of the City Council have authorized and caused the corporate Seal of this City to be affixed this 21st day of February, in the year of our Lord two thousand seventeen, and the establishment of the City of Walled Lake, Michigan in the sixty third year.

Mayor Ackley then presented a certificate of appreciation to Carol A. Rosati for her work on the Foremost case and City Attorney Vanerian accepted on her behalf.

5. Clerical

Mayor Ackley said the recipient of the 2016 clerical employee of the year began work with the City of Walled Lake in December of 2013 as Confidential Assistant to the City Manager. In that role she served as chief clerical worker at city hall while also assisting the Mayor, Council Members and the City Manager and serving as a recording secretary to the various boards and commissions. Later, she assumed department head responsibilities by wearing the hats of Public Works Coordinator and of Deputy Managing Director of the Downtown Development Authority. She is the City's representative to Resource Recovery and Recycling Authority of Southwest Oakland County (RRRASOC) and serves that Authority's Treasurer. Like other employees and officials at city hall she wears many hats. She now enjoys the additional administrative title of Assistant City Manager but continues to be an outstanding clerical worker for the City. We present the clerical employee of the year award to Chelsea Ann Rodgers.

COUNCIL CONSIDERATION:

1. Consideration of Metro Environmental Services Portable Restroom

**CM 02-04-17 TO APPROVE THE METRO ENVIRONMENTAL SERVICE
CONTRACT FOR PORTABLE RESTROOM SERVICES**

Motion by Robertson, seconded by Ambrose, CARRIED UNANIMOUSLY: To approve the Metro Environmental service contract for portable restroom services.

COUNCIL REPORT: None

CITY MANAGER'S REPORT:

1. Departmental / Divisional Statistical Reports

- a. Police**
- b. Fire**
- c. Code Enforcement**
- d. Finance -Warrant Report #2-2017
 -Investment Report**

**CM 02-05-17 TO RECEIVE AND FILE THE MONTHLY DEPARTMENTAL /
DIVISIONAL STATISTICAL REPORTS**

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

CORRESPONDENCE: None

ATTORNEY'S REPORT: None

UNFINISHED BUSINESS:

**1. Second Reading C-330-17 Amendments to Downtown Development
Authority Ordinance**

**CM 02-06-17 MOTION TO APPROVE SECOND READING C-330-17 AN
ORDINANCE TO AMEND ARTICLE II OF THE WALLED LAKE
CODE OF ORDINANCES TO AMEND CHAPTER 26 SECTIONS
26-52 REGARDING THE DOWNTOWN DEVELOPMENT
AUTHORITY OF THE CITY OF WALLED LAKE**

Motion by Owsinek, seconded by Robertson

Discussion:

Mayor Ackley said the numbers of members are in question. She said she would like to table and refer it to the City Attorney to look into who actually can serve on the board how many of the business and resident and should there be three members of council on the board.

City Attorney Vanerian said he can do that and give council an opinion on that. He said the way the statute reads, it does allow for the appointment of appointed or elected public official but does require an amendment to the bylaws and perhaps also wrap that into the legal opinion. He said he could prepare a proposal to amend the bylaws to give council the flexibility to consider either elected or appointed public officials being members to the board.

**CM 02-07-17 MOTION TO TABLE SECOND READING C-330-17 AN
ORDINANCE TO AMEND ARTICLE II OF THE WALLED LAKE
CODE OF ORDINANCES TO AMEND CHAPTER 26 SECTIONS
26-52 REGARDING THE DOWNTOWN DEVELOPMENT
AUTHORITY OF THE CITY OF WALLED LAKE**

Motion by Robertson, seconded by Ambrose, CARRIED UNANIMOUSLY: To table Second Reading C-330-17 An ordinance to amend Article II of the Walled Lake Code of Ordinances to amend Chapter 26 Sections 26-52 regarding the Downtown Development Authority of the City of Walled Lake.

2. Second Reading C-331-17 Amendments to Medical Marijuana Ordinance

CM 02-08-17 MOTION TO APPROVE SECOND READING C-331-17 AN ORDINANCE TO AMEND CHAPTER 18 "BUSINESSES", OF THE CITY OF WALLED LAKE CODE OF ORDINANCES BY AMENDING ARTICLE XI IN ITS ENTIRETY TO REGULATE AND REQUIRE LOCAL LICENSING OF MEDICAL MARIJUANA BUSINESSES AND FACILITIES WITHIN THE CITY AS PROVIDED BY STATE LAW

Motion by Owsinek, seconded by Loch, CARRIED UNANIMOUSLY: To approve Second Reading C-331-17 an ordinance to amend Chapter 18 "Businesses", of the City of Walled Lake Code of Ordinances by amending Article XI in its entirety to regulate and require local licensing of medical marijuana businesses and facilities within the City and provided by state law.

Discussion:

City Attorney Vanerian explained the only change he has made he added a provision that would require a yearly inspection of the different types of facilities. He said it is part of the local licensing process. He said these business are required to pay a local operating fee and receive a business license, it is one year increments. He said the walk-through inspections are to make sure the businesses are in compliance with state law. He said he took out the distancing requirement and his reason for that is this is only one part of local process in addition to this business licensing ordinance. He said he will also be preparing a zoning ordinance amendments that will deal with land use aspect that deal with these types of facilities and how to regulate them. He said from a zoning perspective will incorporate the spacing requirements from schools, residential and parks etc. The ordinance is a local business licensing ordinance. He explained in order to operate marijuana facility the applicant would have to get a local business license, pay the various fees that are required and there are some criteria within that ordinance that the facility operators will have to comply with as well. For example, the local business license would be conditional upon them also obtaining a state operating license. Under the state laws these five types of facilities cannot operate unless they have a state operating license. He said this ordinance in no way changes that it simply says the City is going to allow a certain number of limited facilities within the city. He said it is going to state the placement of the different types of facilities in respect to zoning districts and it will require to fill out an application and provide information so the city will know about the different types of facilities. The bottom line these new types of facilities cannot operate without the state operating license. He said the state will start accepting applications for the state licenses in mid-December this year. He said it is expected once applications start coming in it will take four to six weeks before issuing the state license. He further explained none of these facilities will not be able to open and operate until they get a state license. He said the city is simply starting the process under the state law in order to get the state license the city has to enact an ordinance that the local community will allow them. That is the purpose of this ordinance, that will implement that authority under the state law and will also be part of the process to getting the state license. He said no one can get a state license without the approval of the local community that has passed an ordinance allowing these

types of facilities. He said the City is saying will allow a certain number of these types of facilities within the specific zoning.

City Manager Whitt said the letter he received from the Sheriff's deputy a notice was sent to the facilities in Walled Lake. He said it put them on notice and the facility operators voluntarily shut down under threat of being arrested. He said the Sheriff's office shut them down. The City Council is in no position to get involved with the Sheriff's work. He said the Sheriff has interpreted the law that these type of facilities are in violation based on the new law.

Mayor Ackley said the new law requires the state to issue the license.

City Attorney Vanerian said to operate one of the five types of facilities that is defined in that state law. He said his understanding of the state law doesn't change what previously could have been done under the medical marijuana act. He said how the Oakland County Sheriff interprets the new law can be different. He said it is a new law and it is a transition.

City Manager Whitt said the Oakland County Sheriff's department has lost at least two cases that he is aware of under the old premise. He said the sheriff is in it for the fight and believes it works for him. He said there are no marijuana sales for a year, at least, that is how the Sheriff interprets it and he is allowed to do that.

NEW BUSINESS:

1. Downtown Storm Water System Evaluation & Recommendation

Finance Director Coogan recommends approval of combined engineering and planning analysis of the aging and collapsing storm water system in the downtown area. She said the DDA has taken this on as a project and approved a budget amendment and coming to council for the amendment. She said the DDA is also requesting to ask council to expand that storm water analysis to look at the city as a whole. She said she has asked the engineer to come back with the new quote and will come back to council.

CM 02-09-17 TO APPROVE DOWNTOWN DEVELOPMENT AUTHORITY (DDA) BUDGET AMENDMENT TO DO EVALUATION OF THE DOWNTOWN STORM WATER SYSTEM

Motion by Loch, seconded by Owsinek, CARRIED UNANIMOUSLY: To approve Downtown Development Authority (DDA) budget amendment to do evaluation of the downtown storm water system.

2. Report on the Commerce, Walled Lake, Wixom Trailway

Finance Director Coogan said the trailway transfer is complete and the City now owns the trail as of February 8, 2017. The Trailway Council has spent some of its budget on insurance and safety signs. She said the Trailway Council is very excited and aggressively moving forward on the Master Plan. She said the Trailway Council has tabled any decision and activities related to the

construction and what will happen until Walled Lake Council revisits exactly what the City wants to have done. Once the trail construction begins, it will be running through 34 acres plus of wetlands and there will be some federal restrictions that the Trailway Council will have to follow. She stated that Walled Lake has 11% of the resident population surrounding the trail with Commerce and Wixom having the remaining population; however Walled Lake pays one third of the operating budget. 29% of actual trail miles are in Walled Lake which also doesn't align with a one-third budget responsibility. She said at the closing of the trailway, the council received 33 acres of which 10.67 miles are in the City of Walled Lake. She said from a financial perspective to date the City of Walled Lake has committed \$68,000 for the trailway manager position and legal counsel; this does not include any outlays for development. \$36,000 annually is the budget figure for the trailway manager. Each community is now and will be responsible for the maintenance of the trailway property running through their town. All money for the trail will come from the General Fund revenues. She said if the depot building is rehabbed from grants that Trailway Council receives, at the end of the rehab project all the upkeep and maintenance will fall to the City of Walled Lake. She explained there has been discussion of drinking fountains, bathrooms, and bike racks. That is a huge cost factor. She said the Master Plan that was done in 2010 estimated that the trail maintenance cost would be \$6,500 per mile. However, she has not seen any actual trail maintenance figures that would support this estimate. She explained to qualify for federal grants the Trailway Council will have to follow federal construction standards which increase the construction cost.

3. Proposed Resolution 2017-14 Trailway Council

CM 02-10-17 TO APPROVE RESOLUTION 2017-14 WITHDRAWING FROM COMMERCE, WALLED LAKE, WIXOM TRAILWAY MANAGEMENT COUNCIL; PROVIDING FOR NOTIFICATION OF PARTIES

Motion by Owsinek, seconded by Robertson

Discussion:

City Manager Whitt explained that Council Member Lublin said it best that the planners sometimes end up making plans bigger than needed. He said for council to take a look at the Trailway master plan if the citizens of walled lake have to fund that most of them will be angry. City Manager Whitt suggest that council look at the plan before finally deciding because there is another level of management to be financed and if the City does not pay attention now the City will be obligated.

Mayor Ackley said it is time to have the discussion and believes it is time to bring the public in on the discussion. Mayor Ackley said she would like to she would like to table the resolution and schedule a public hearing for two weeks to hear what the public has to say. Mayor Ackley said many people are against spending money that is so hard to save or raise the taxes. Mayor Ackley said she does not want to go to the public and say she needs a millage to make a fancy trailway. Mayor Ackley said Walled Lake can make this trail workable with a whole lot less money but she wants to hear what the public and Walled Lake taxpayers have to say.

Council Member Owsinek said public safety millage is one thing. He said the city still has infrastructure issues that need upgrading. He said there is a walking trail along Decker Road that has been in need of repair for years. He cannot see a millage

Council Member Robertson said there was a PASER report done a year and half ago and none of the roads have been repaired.

Council Member Lublin said the city wants to have control over the trailway and it would be wiser to leave and control the City's destiny.

City Manager Whitt said there is a discussion of a millage but if it does not pass the money will be coming from General Fund for the grandiose plan that has been developed. He said it is a grandiose plan, the city is bound to maintain a trail. He said what was wrong with this process was in the beginning people were told that it would be a no cost to the taxpayers and that simply is not true. He said it is going to cost a lot.

Council Member Lublin questioned since the depot is in Walled Lake's jurisdiction if the city opts out is the depot still the city's.

Council Member Robertson said he was at the Trailway meeting when the other two communities were really pushing to start spending money on engineering study that would range from \$150,000 to \$650,000 to engineer a flat trail and that would come from all three communities. He said and that is to try and get a grant, it doesn't mean the Trailway council will get one. He said even if there is a grant available the communities will have to pay 50% of the matching grant.

**CM 02-11-17 TO APPROVE AND SET A PUBLIC MEETING FOR MARCH 15,
2017 AT 7 P.M. AT THE FIRE HALL**

Motion by Loch, seconded by Lublin, CARRIED UNANIMOUSLY: To approve and set a public meeting for March 15, 2017 at 7 p.m. at the fire hall.

**CM 02-12-17 TO DIRECT TRAILWAY REPRESENTATIVE COOGAN TO NOT
VOTE ON SPENDING ANY MORE EXPENDITURES FUNDS
THAN WHAT HAS ALREADY BEEN COMMITTED ON THE
TRAIL**

Motion by Owsinek, seconded by Robertson, CARRIED UNANIMOUSLY: To direct Trailway representative Coogan to not vote on spending any more expenditures funds than what has already been committed on the trail.

Discussion:

City Attorney Vanerian said based on the interlocal agreement if there are any financial obligations that are incurred by the Trailway council before the city withdraws, potentially the Trailway council could take the position that the City may owe some portion of those

commitments or contracts that may be entered into. He recommends that the City withdraw sooner than later before the Trailway council starts entering into any contract.

City Manager Whitt said it takes three votes to spend any money.

CM 02-13-17 TO TABLE RESOLUTION 2017-14 WITHDRAWING FROM COMMERCE, WALLED LAKE, WIXOM TRAILWAY MANAGEMENT COUNCIL; PROVIDING FOR NOTIFICATION OF PARTIES

Motion by Robertson, seconded by Owsinek, CARRIED UNANIMOUSLY: To table resolution 2017-14 withdrawing from Commerce, Walled Lake, Wixom Trailway management council; providing for notification of parties.

4. Proposed Resolution 2017-15 Banking

CM 02-14-17 TO APPROVE RESOLUTION 2017-15 A LIST OF FINANCIAL INSTITUTIONS, BROKERS/DEALERS, AND INVESTMENT POOLS FOR THE PLACEMENT OF CITY FUNDS

Motion by Ambrose, seconded by Loch, CARRIED UNANIMOUSLY: To approve resolution 2017-15 a list of financial institutions, brokers/ dealers, and investment pools for the placement of city funds.

5. Request for Replacement of 1972 emergency generator

CM 02-15-17 TO APPROVE REPLACEMENT OF 1972 EMERGENCY GENERATOR TO CRG ELECTRIC LLC

Motion by Lublin, seconded by Loch, CARRIED UNANIMOUSLY: To approve replacement of 1972 emergency generator to CRG Electric LLC.

6. Capital Purchase of 7-yard Snow/Ice Dump Truck in place of 2002 truck

Finance Director Coogan said this is the third and final purchase for the department of public works. She explained this is another 10 to 12-month order process.

CM 02-16-17 TO APPROVE CAPITAL PURCHASE OF A SINGLE AXLE 39,000# GVW CHASSIS 7-YARD SNOW/ICE DUMP TRUCK

Motion by Owsinek, seconded by Lublin, CARRIED UNANIMOUSLY: To approve capital purchase of a single axle 39,000# GVW Chassis 7-yard snow/ice dump truck.

7. Proposed Resolution 2017-16 Employee Health Care Renewal

CM 02-17-17 TO APPROVE RESOLUTION 2017-16 FOR HEALTH CARE BENEFITS FOR CURRENT EMPLOYEES FOR THE PLAN YEAR APRIL 1, 2017 TO MARCH 31, 2018

Motion by Loch, seconded by Owsinek, CARRIED UNANIMOUSLY: To approve resolution 2017-16 for health care benefits for current employees for the plan year April 1, 2017 to March 31, 2018.

8. Proposed Resolution 2017-17 Retiree Health Care

Finance Director Coogan said retiree healthcare trust fund is insolvent. She said there is no money left and all money for retiree healthcare will be coming from the general fund and it transfers to the trust fund. She said requesting for this year that council approve reimbursement to retirees for medical care. She said for those who do not have insurance from other employment and that we do this time still allow some of the City's retirees to sign onto the vision and dental.

CM 02-18-17 TO APPROVE RESOLUTION 2017-17 FOR AN APPROPRIATION FOR HEALTHCARE FOR THE PLAN YEAR APRIL 1, 2017 TO MARCH 31, 2018 FOR ELIGIBLE PREVIOUS EMPLOYEES OF THE CITY OF WALLED LAKE

Motion by Robertson, seconded by Loch, CARRIED UNANIMOUSLY: To approve resolution 2017-17 for an appropriation for healthcare for the plan year April 1, 2017 to March 31, 2018 for eligible previous employees of the City of Walled Lake.

Discussion:

Mayor Pro Tem Ambrose asked if council had any other options with regards to retiree healthcare. City Manager Whitt said the City council sets the policy and there is an option to cancel. Mayor Pro Tem Ambrose said if it is unfunded and coming from the general fund and if you hit a certain age you qualify for Medicare. Finance Director Coogan said anyone who is at that age is required to sign up with Medicare but the city does reimburse for supplemental insurance, premium. Mayor Ackley said something that is going to come up and discuss and some of it is based on agreements. City Manager Whitt said Council sets the policy every year but suggested council do it one more year and transition the people where they need to be because once it becomes a financial burden or unfair to the taxpayers the council can address the issue then.

Council Member Lublin said the problem is some retirees are in their fifties and are working for other communities the city is still paying their medical.

Mayor Pro Tem Ambrose asked if they are provided healthcare form another employer that they are supposed to take that.

MAYOR'S REPORT:

2. Proposed Resolution 2017-19 Accepting the Mayor's nomination to fill a vacancy on the Zoning Boards of Appeals

CM 02-19-17 TO APPROVE RESOLUTION 2017-19 ACCEPTING 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 AN APPOINTMENT TO THE OFFICE OF ZONING BOARD OF APPEALS FOR AN UNEXPIRED TERM

Motion by Lublin, seconded by Loch, CARRIED UNANIMOUSLY: To approve resolution 2017-19 accepting 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 an appointment to the office of Zoning Board of Appeals for an unexpired term.

CM 02-20-17 TO ACCEPT MAYOR'S NOMINATION OF GABRIEL COSTANZO TO FILL VACANCY ON THE ZONING BOARD OF APPEALS

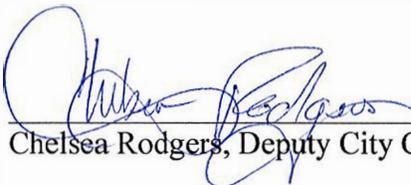
Motion by Lublin, seconded by Ambrose, CARRIED UNANIMOUSLY: To accept the Mayor's nomination to fill a vacancy on the Zoning Board of Appeals.

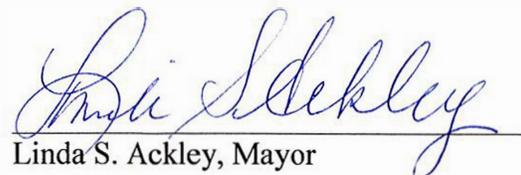
COUNCIL COMMENTS:

Mayor Pro Tem Ambrose said he is happy to recognize city staff.

Motion to adjourn Robertson, seconded Owsinek

Meeting adjourned at 9:14 p.m.


Chelsea Rodgers, Deputy City Clerk


Linda S. Ackley, Mayor