



**CITY OF WALLED LAKE
REGULAR COUNCIL MEETING
and
PUBLIC HEARING
Tuesday, February 18, 2020 | 7:30 P.M.**

PLEDGE TO FLAG & INVOCATION

ROLL CALL & DETERMINATION OF
A QUORUM

REQUESTS FOR AGENDA CHANGES

PUBLIC HEARING

1. Case: 2020-02
Applicant: Apex Ultra Worldwide, LLC
Location: 1760 E. West Maple
Request: Non-use Variance

Pg.3

This matter relates to property located at 1760 E. West Maple zoned C-2. The applicant is seeking a variance 21.50 (1) requesting an extension of Site Plan Approval.

APPROVAL OF MINUTES

1. Regular Council Meeting of January 21, 2020
2. Special Meeting and Public Hearing of January 28, 2020

Pg.22
Pg.44

AUDIENCE PARTICIPATION

Audience to approach the Podium, state their name and address before being authorized by the Chair to speak

COUNCIL REPORT

CITY MANAGER'S REPORT

1. Departmental / Divisional Statistical Reports
 - a. Police
 - b. Fire
 - c. Finance
-Warrant
 - d. Code Enforcement
2. Presentation by Consulting City Engineer
 - a. Downtown Storm Sewer and Mercer Beach Projects
 - b. Public Safety Campus Expansion Project

Pg.60
Pg.70

Pg.74
Pg.98

CORRESPONDENCE

ATTORNEY'S REPORT

UNFINISHED BUSINESS

NEW BUSINESS

1. First Reading C-348-20 Oakland County Cross Connection Control Program
2. First Reading C-349-20 Amendment to Section 21.50 (1) Marijuana Facility Site Plan Expiration Provisions

Pg.101

Pg.106

- 3. Proposed Resolution 2020-09 Defer Special Meeting Requirements for Budget Adoption Pg.110
- 4. Proposed Resolution 2020-10 Water Residential Assistance Program (WRAP) to Aid Low Income Families Pg.112

COUNCIL COMMENTS

MAYOR'S REPORT

- 1. Proposed Resolution 2020-11 Recognition of Years of Service to the Parks and Recreation Commission - Member Tim Moore Pg.122

ADJOURNMENT



MEMORANDUM

City of Walled Lake · 1499 E. West Maple Road · Walled Lake, MI 48390 · (248) 624-4847

To: Walled Lake City Council

From: Vahan Vanerian, City Attorney

Re: Apex Ultra Site Plan Extension Request
Case 2020-02

Date: February 10, 2020

This matter is before Council for Public Hearing and action on a request for an extension of an approved site plan for a Marijuana Provisioning Center. Specifically, the applicant, Apex Ultra, seeks a variance from the site plan expiration provisions of Sec. 21-50 of the zoning ordinance “Marijuana Facilities”. On May 28, 2019, the Planning Commission approved a site plan application submitted by Apex Ultra for a Marijuana Provisioning Center to be constructed on an undeveloped parcel of land located at 1760 E. West Maple Rd. On May 31, 2019, the City sent a standard form notification letter to the site plan applicant notifying Apex Ultra of the planning commission’s approval of its site plan application. A similar standard form notification letter is sent to all site plan applicants receiving planning commission approval for any type of development. Other than Marijuana Facilities, all other approved site plans for all other developments expire one year after planning commission approval. Consequently, the form site plan approval notification letter contains a provision notifying the applicant that site approval expires after one (1) year if the applicant fails to obtain a building permit for the project within one (1) year of approval. Sec. 21-50(l) of the Marijuana Facility ordinance shortens the site plan expiration date to 180 days after approval, plus one additional 90-day extension. The site plan approval notification letter sent to Apex Ultra was the first notification letter sent out by the City following planning commission approval of a Marijuana Facility. Consequently, due to an oversight, the standard one (1) year expiration notification provision that applies to all other developments was not revised in the Apex Ultra notification letter to reflect the shorter 180 expiration provision that is unique to Marijuana Facilities.

As explained in greater detail by the applicant, this undeveloped parcel presents a number of unique challenges including unstable soil conditions and a privately owned connection to the City’s storm sewer system that required multiple revisions of the engineering plans and a re-design of the storm sewer retention facilities. The applicant has addressed most of the City’s engineering related concerns and is on track to receive full engineering approval and eligibility for a building permit within a year following site plan approval by the planning commission.

Ord. No. C-337-18 amended section 21-50 by adopting several additional sub-sections including an appeal process under sub-section (q). City Council appeal powers include powers typically exercised by the Zoning Board of Appeals in zoning matters, including the following:

- a) Variances. City Council, sitting as the ZBA, may grant variances from the strict letter and terms of the zoning ordinance by varying or modifying any requirement or provision so that the spirit of the ordinance is observed, public safety secured, and substantial justice done. There are two types of variances, a “use” variance and a “non-use” variance. A “use” variance allows a use of property that is not expressly permitted under the zoning ordinance. In so far as a provisioning center is a permitted (albeit regulated) use in a C-2 zoning district, the instant appeal does not suggest the need for a use variance. A “non-use” variance is a variance from any standard or requirement of the zoning ordinance, such as a deviation from a limitation on the number of facilities, setbacks, etc. As an alternative form of relief, BDS requests non-use variances from the limitations on the number of provisioning centers in the City and a variance from the applicable setback requirements. A non-use variance may be granted only upon finding a “practical difficulty” exists. A finding of practical difficulty requires demonstration by the applicant of all the following:
 - 1) Strict compliance with the ordinance requirement will unreasonably prevent the owner from using the property for a permitted purpose or will be unnecessarily burdensome.
 - 2) The requested variance will do substantial justice to the applicant and other property owners.
 - 3) A lesser variance than requested will not give substantial relief to the applicant and/or be consistent with justice to other property owners.
 - 4) The need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district.
 - 5) The problem and resulting need for the variance has not been self-created by the applicant and/or applicant’s predecessors.

In variance proceedings, it shall be the responsibility of the applicant to provide information, plans, testimony and/or other evidence from which Council may make the required findings. Administrative officials may, but shall not be required to, provide information, testimony and/or evidence on a variance request. Form motions for granting or denying a non-use variance have been attached.

The issue before Council is whether the applicant has demonstrated a practical difficulty warranting a variance from the 180 day site plan expiration provisions applicable to Marijuana Facilities under Sec. 21-50 of the zoning ordinance. In addition to the narrative letter and supporting documents submitted by the applicant, Apex Ultra has also submitted a completed City form typically utilized by the ZBA in non-use variance proceedings that specifically addresses each of the above five factors and how

each of those factors has been satisfied for purposes of demonstrating a practical difficulty according to the applicant.

PROPOSED MOTION TO GRANT “NON-USE” OR “DIMENSIONAL” VARIANCES

I move that we ***grant*** the variance(s) in Case No. _____, sought by _____, for _____ as the Petitioner has established that strict compliance with applicable zoning requirements causes a practical difficulty relating to the property based on the following criteria:

(a) Petitioner has established that the property presents unique circumstances not generally applicable in the area or to other similarly zoned properties creating a need for the requested variance due to _____.

(b) The need for the variance is not self-created, **because** _____.

(c) Strict compliance with dimensional regulations of the Zoning Ordinance, including _____, will (either):

1. unreasonably prevent Petitioner from using the property for the permitted purpose as a _____, because _____, and/or,
2. will make it unnecessarily burdensome to comply with the regulation because _____.

(d) Petitioner has established the requested variance is the minimum variance necessary to provide substantial relief to applicant consistent with justice to other property owners because a lesser variance would not _____.

(e) The requested variance will do substantial justice to both the applicant and other property owners because of one or more of the following (either or both):

1) It will not cause material adverse impact on surrounding property, property values, or the enjoyment of property in the neighborhood or zoning district, or;

2) Because: _____.

(h) **The variance granted is subject to the conditions that:**

1. _____,

2. _____,
3. _____

PROPOSED MOTION TO DENY "NON-USE" OR "DIMENSIONAL" VARIANCE

I move that we deny the variance in Case No. _____, sought by _____, for _____ because the Petitioner has not established a practical difficulty because:

(a) Petitioner has shown no unique circumstance or physical condition of the property creating a need for the requested variance because _____

(b) Petitioner has not shown the requested variance will do substantial justice to both the applicant and other property owners because of one or more of the following (either or both):

1) Petitioner failed to show it will not cause a material adverse impact on surrounding property, property values, or the enjoyment of property in the neighborhood or zoning district, or;

2) Because: _____

(c) The need for the variance is self-created by petitioner and/or his/her predecessors because _____

(d) Conforming to the ordinance would not (either):

1. be _____ unnecessarily _____ burdensome because: _____, or,
2. unreasonably prevent petitioner from using the property for _____, because _____.

(e) A lesser variance consisting of _____ would give petitioner substantial relief and substantial justice to surrounding property owners because _____.

GENERAL NOTES

each of those factors has been satisfied for purposes of demonstrating a practical difficulty according to the applicant.

PROPOSED MOTION TO GRANT “NON-USE” OR “DIMENSIONAL” VARIANCES

I move that we **grant** the variance(s) in Case No. _____, sought by _____, for _____ as the Petitioner has established that strict compliance with applicable zoning requirements causes a practical difficulty relating to the property based on the following criteria:

(a) Petitioner has established that the property presents unique circumstances not generally applicable in the area or to other similarly zoned properties creating a need for the requested variance due to _____.

(b) The need for the variance is not self-created, **because** _____.

(c) Strict compliance with dimensional regulations of the Zoning Ordinance, including _____, will (either):

1. unreasonably prevent Petitioner from using the property for the permitted purpose as a _____, because _____, and/or,
2. will make it unnecessarily burdensome to comply with the regulation because _____.

(d) Petitioner has established the requested variance is the minimum variance necessary to provide substantial relief to applicant consistent with justice to other property owners because a lesser variance would not _____.

(e) The requested variance will do substantial justice to both the applicant and other property owners because of one or more of the following (either or both):

- 1) It will not cause material adverse impact on surrounding property, property values, or the enjoyment of property in the neighborhood or zoning district, or;
- 2) Because: _____.

(h) **The variance granted is subject to the conditions that:**

1. _____,

- 2. _____,
- 3. _____

PROPOSED MOTION TO DENY "NON-USE" OR "DIMENSIONAL" VARIANCE

I move that we deny the variance in Case No. _____, sought by _____, for _____ because the Petitioner has not established a practical difficulty because:

(a) Petitioner has shown no unique circumstance or physical condition of the property creating a need for the requested variance because _____

(b) Petitioner has not shown the requested variance will do substantial justice to both the applicant and other property owners because of one or more of the following (either or both):

1) Petitioner failed to show it will not cause a material adverse impact on surrounding property, property values, or the enjoyment of property in the neighborhood or zoning district, or;

2) Because: _____

(c) The need for the variance is self-created by petitioner and/or his/her predecessors because _____

(d) Conforming to the ordinance would not (either):

- 1. be _____ unnecessarily _____ burdensome because: _____,
- or,
- 2. unreasonably prevent petitioner from using the property for _____, because _____.

(e) A lesser variance consisting of _____ would give petitioner substantial relief and substantial justice to surrounding property owners because _____.

GENERAL NOTES

VIA HAND DELIVERY AND ELECTRONIC MAIL

February 3, 2020

City Council Members
City of Walled Lake
1499 E. West Maple Road
Walled Lake, Michigan 48390

Re: Site Plan Extension – Apex Ultra Worldwide, LLC (Location 19-17-35-251-063)

Dear City Council Members:

This letter is to simply formalize any necessary request from Apex Ultra Worldwide, LLC d/b/a Bazonzoes, LLC (“Apex”) for an extension of site plan approval for Apex’s approved provisioning center at the location noted above. The Walled Lake Department of Planning & Development provided site plan approval, via a letter dated May 31, 2019, which states that Apex has until June 1, 2020 “one (1) year from the Planning Commission approval to pull required permits” (See attached), and on October 31, 2019, the Office of the City Clerk granted Apex’s request to continue / extend site plan approval for the approved provisioning center (See attached). We have been actively pursuing our permits (and we are still in this allowed time frame), but we have been delayed due to a few unforeseen factors that were beyond our control, we are on the cusp of having finally resolved.

We are ready to start construction once these final revisions are approved. The site planning process has been slower than expected for a number of reasons. First, we are building on vacant property that has been for sale for over twenty (20) years because of the unstable ground. The location has twenty (20) feet of crushed concrete underground, and thus we engaged Hastings Testing Engineers and Environmental, Inc. to perform two (2) separate soil boring tests. Second, our neighbors (Copper Mug Batting Cages and The Copper Mug) would not sign the City approved storm sewer easement agreement. We originally believed this would be a very basic easement, however, due to City requirements it became extremely complicated. We worked with the property owners for over three (3) months trying to work out an arrangement with them to no avail. We then immediately engaged our engineers and architect to adjust a different storm sewer plan to the City’s requirements, which has resulted in our new plan involving a retention pond located on a separate parcel of property owned by Apex, which borders the site location parcel. On January 27, 2020, we submitted these revised plans to the City and we expect to obtain the permits soon. Third, we participated in nine separate (9) site plan reviews with McKenna, who requested we make a myriad of changes, at times going back and forth on what they wanted, which involved significant time (and significant resources) as we cleared up any requests or confusion. To note, our architect and engineer are capable; in the City of Lansing, our same architect and engineers gained full site plan approval and permits on the 2nd review for our nearly 85,000 sq. ft. building with one provisioning center, one processing and three grow licenses under the same roof.

As mentioned above, we believe Apex already has time and any necessary extension for site plan approval and to pull permits, given that we are still before June 1, 2020. However, in our conversations with the City, we felt it was advisable to ensure that the City Council was involved and kept apprised of the progress. Therefore, we request the City Council grant us an approval extension (if necessary) so we may obtain any necessary approvals and to pull permits through June 1, 2020, or to formalize the same. Apex has been working successfully with the City since our first medical marijuana storefront “Bazonzoes, LLC” opened its doors in Walled Lake in 2010. As always, we are extremely happy to be located in the City of

Walled Lake and look forward to continuing a good working relationship with City government and to soon be able to provide services again to its citizens.

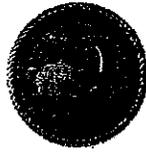
Sincerely,

Ryan McMullen

Apex Ultra Worldwide, LLC
248.444.0251

(Encls.)

Cc. J. Stuart (via email)
V. Vanerian (via email)



5/31/19
mailed

JENNIFER STUART
CITY CLERK

JIM WRIGHT
CONSULTANT BUILDING
OFFICIAL

MARIO ORTEGA
CONSULTANT PLANNER

**DEPARTMENT OF
PLANNING & DEVELOPMENT**

CITY OF WALLED LAKE, MICHIGAN
1499 E. WEST MAPLE
WALLED LAKE, MI 48390
(248) 624-4847
jstuart@walledlake.com

May 31, 2019

Apex Ultra Worldwide, LLC
1745 Decker Road
Walled Lake, MI 48390

Re: Location: 19-17-35-251-063

Congratulations on your site plan approval for provisioning center by the City of Walled Lake Planning Commission at their May 28, 2019 meeting. Any changes to the plan that were approved by the Planning Commission will have to go back to the Commission. Please know that you have one (1) year from Planning Commission approval to pull required permits, if you exceed one year you will have to go before the Commission again requesting an extension. (Ref: Zoning Ordinance: Article 21.28 Section I).

The site plan was approved subject to the following items:

1. The outstanding issues laid out in the consultant planner review letter. (Please see attached)
2. The outstanding issues laid out in the consultant engineer review letter. (Please see attached)
3. The outstanding issues laid out in the fire department review letter. (Please see attached)

Sincerely,

Chelsea Pesta
Department of Planning and Development

Cc: Attached/Mr. Mario Ortega, City Planner
Mr. James Wright, City Building Official



OFFICE OF THE CITY CLERK
CITY OF WALLED LAKE, MICHIGAN

L. DENNIS WHITT
CITY MANAGER

JENNIFER A. STUART
CITY CLERK

1499 E. WEST MAPLE
WALLED LAKE, MI 48390
(248) 624-4847
jstuart@walledlake.com

October 31, 2019

Apex Ultra Worldwide, LLC
1607 East Lake Drive
Novi, MI 48377

Re: Site Plan Approval Extension

Dear Mr. McMullen,

Please allow this letter correspondence to serve as notification that your October 30, 2019 written request to extend site plan approval for the Apex Ultra Provisioning Center has been granted by the City.

Please feel free to contact us with any questions.

Regards,

A handwritten signature in black ink that reads "Jennifer Stuart". The signature is written in a cursive, flowing style.

Jennifer Stuart
City Clerk



City of Walled Lake
 Department of Planning and Development
 1499 E. West Maple Road, Walled Lake, MI 48390
 Phone (248) 624-4847 – Facsimile (248) 624-1616

ZONING BOARD OF APPEALS APPLICATION

INSTRUCTIONS

Applications must be type written or printed legibly in ink and be accompanied by twelve (12) copies of a plot plan. The plot plan must be accompanied by and based on a survey prepared by a registered land surveyor or engineer, drawn to scale, include all property lines and dimensions, existing and proposed buildings, structures and setbacks on the subject property and on adjacent properties. On variance requests involving lot coverage, computation of lot and building area must be shown. Additional information to include photographs of the property, adjacent buildings or properties, narrative explanations, statements from neighbors, etc... may be attached.

GENERAL INFORMATION

Applicant* Apex Ultra Worldwide, LLC (d/b/a Bazonzoes, LLC)
 *If not owner of record, applicant shall furnish signed and notarized affidavit.

Street Address, City, Zip Code Parcel: 19-17-35-251-063, Walled Lake, 48390

Phone Number (248) 207-7369 Fax Number () _____

Owner of Record Ryan McMullen Phone Number (248) 444-0251
 "Personal"

Street Address, City, Zip Code 1745 Decker Rd. Walled Lake, 48390

PROPERTY INFORMATION

Street Address Parcel: 19-17-35-251-063 (East West Maple Rd. Walled Lake, 48390) Subdivision _____

Lot Number _____ Sidwell Number _____ Lot Size _____ (sq. ft.) Zoning District C1

Legal description of existing parcel(s) of land involved in the application * Please see attached.

(Circle One) N (S) E W of E. West Maple Road between Decker Rd. and Alexa Dr. Roads
Commerce

Zoning of adjacent properties: North C1 South C1 East C1 West C1

Other (Specify) _____

Proposed Improvement New construction building on previously vacant land. Medical Marijuana Provisioning Center.

ZONING BOARD OF APPEALS APPLICATION ATTACHEMENT

Legal description of existing parcel(s) of land involved in this application (Found on ZBA Application Page 1 of 4) under Property Information

PARCEL 1: Part of the Northeast 1/4 of Section 35, Town 2 North, Range 8 East, City of Walled Lake, Oakland County, Michigan, described as: beginning South 518 feet and North 81 degrees 57 minutes 00 second East 284.13 feet from the North 1/4 Section corner; thence North 81 degrees 57 minutes 00 seconds East 251.68 feet; thence South 02 degrees 20 minutes 12 seconds East 200.99 feet; thence South 81 degrees 57 minutes 00 seconds West 232.08 feet; thence North 08 degrees 02 minutes 00 seconds West 200 feet to point of beginning.

Description of variance requested (attach additional pages if more than one variance is being requested) _____

Extending site plan approval from expiring 180 days from the date of approval and a 90-day extension.

ATTACH THE FOLLOWING:

*City Attorney Vahen Vanevarian does not believe these following attachments are necessary for this type of appeal. We will attach if necessary.

- A. Site plan drawing to include the following:

<input type="checkbox"/> Property boundaries	<input type="checkbox"/> Existing and proposed buildings
<input type="checkbox"/> Topographic relief	<input type="checkbox"/> Existing and proposed roads and utilities
<input type="checkbox"/> Existing zoning	<input type="checkbox"/> Existing natural features
<input type="checkbox"/> Setback lines	<input type="checkbox"/> Auto ingress and egress
<input type="checkbox"/> Parking and loading areas	<input type="checkbox"/> Landscaping
<input type="checkbox"/> North arrow	<input type="checkbox"/> Scale
<input type="checkbox"/> Who prepared drawing	<input type="checkbox"/> Preparation date

B. Photographs illustrating conditions on the site related to the proposed variance are helpful and must be included.

Have there been any previous variance requests involving this property? (Check one) Yes _____ No

Approximate date (Month/Year) _____

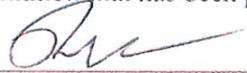
Disposition of the case _____

PERIOD OF VALIDITY

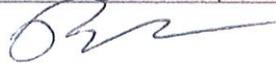
The relief granted by the Zoning Board of Appeals shall be valid for a period of no longer than six (6) months, unless otherwise specified by the Zoning Board of Appeals, and within such period of effectiveness, actual, on-site improvement of the property in accordance with the approved plan and the relief granted, under a valid building permit, must be commenced or grant of relief shall be deemed void.

All correspondence and notices regarding this application will be sent to the individual identified as the applicant on this form.

I certify that all of the information that has been provided in this application is accurate.

Signature of Applicant 

Printed Name Ryan McMullen

Signature of Owner 

Printed Name Ryan McMullen

DEPARTMENT USE ONLY

Date Received 2/3/2020 Case Number 2020-02 Fee Paid Hearing Date 2/18/2020 Council Case

*Please see attachment "Decision Making Information"

DECISION-MAKING INFORMATION

Non-Use Variance – A variance from any standard requirement of the ordinance (i.e. deviation from setback, parking, landscaping, sign standards, density, height or bulk regulations). The ZBA may grant a non-use variance **ONLY** upon the finding that a **PRACTICAL DIFFICULTY EXISTS**. Responses to the following questions will allow the ZBA to make the determination.

1. Why would strict compliance with the zoning ordinance prevent you from using your property or be unnecessarily burdensome?

2. Explain how the variance will do substantial justice to the applicant, as well as to other property owners.

3. Would a lesser variance allow you to use the property as desired? Explain.

4. Describe the circumstances unique to your property and not generally applicable in the area or to other properties in the zoning district.

5. Explain why the requested variance is not self-created (due to the actions of the applicant, owner, or the predecessors).

ZONING BOARD OF APPEALS APPLICATION ATTACHEMENT

Decision Making Information (Found on ZBA Application Page 3 of 4)

1. Why would strict compliance with the zoning ordinance prevent you from using your property or be unnecessarily burdensome?

The ordinance itself favors new builds, however strict compliance with the ordinance's time frame of 180-days is nearly impossible for a new build on this particular parcel. We have been through 9 separate site plan reviews with McKenna and are still awaiting our permits. This particular parcel has had many complicating factors making the compliance with the timeframe unnecessarily burdensome. We believe that we have everything submitted correctly and will receive our building permit in the near future, but we request more time.

2. Explain how the variance will do substantial justice to the applicant, as well as to other property owners.

A variance will do substantial justice for Apex Ultra Worldwide as well as to other property owners because we have been making diligent efforts to meet all of the requirements to receive the various permits needed so we can start construction, the delays have been due to complication with a new build on this particular parcel that are unavoidable and have not been due to Apex dragging their feet. Allowing a variance in these circumstances would be doing a justice as the timeframe in this situation would have been impossible to comply with while the ordinance in fact favored new construction.

3. Would a lesser variance allow you to use the property as desired? Explain.

No, in this case we are only requesting a variance so we may finish the process of receiving our required permits and then beginning construction as soon as possible. Apex Ultra Worldwide is moving as fast as possible to complete this project and start business operation.

4. Describe the circumstances unique to your property and not generally applicable in the area or to other properties in the zoning district.

The site planning process has been slower than expected for a number of reasons. First, we are building on vacant property that has been for sale for over twenty (20) years because of the unstable ground. The location has twenty (20) feet of crushed concrete underground, and thus we engaged Hastings Testing Engineers and Environmental, Inc. to perform two (2) separate soil boring tests. Second, our neighbors (Copper Mug Batting Cages and The Copper Mug) would not sign the City approved storm sewer easement agreement. We originally believed this would be a very basic easement, however, due to City requirements it became extremely complicated. We worked with the property owners for over three (3) months trying to work out an arrangement with them to no avail. We then immediately engaged our engineers

and architect to adjust a different storm sewer plan to the City's requirements, which has resulted in our new plan involving a retention pond located on a separate parcel of property owned by Apex, which borders the site location parcel. On January 27, 2020, we submitted these revised plans to the City and we expect to obtain the permits soon. Third, we participated in nine separate (9) site plan reviews with McKenna, who requested we make a myriad of changes, at times going back and forth on what they wanted, which involved significant time (and significant resources) as we cleared up any requests or confusion.

5. Explain why the requested variance is not self-created (due to the actions of the applicant, owner, or the predecessors).

The site planning process has been slower than expected for a number of reasons. First, we are building on vacant property that has been for sale for over twenty (20) years because of the unstable ground. The location has twenty (20) feet of crushed concrete underground, and thus we engaged Hastings Testing Engineers and Environmental, Inc. to perform two (2) separate soil boring tests. Second, our neighbors (Copper Mug Batting Cages and The Copper Mug) would not sign the City approved storm sewer easement agreement. We originally believed this would be a very basic easement, however, due to City requirements it became extremely complicated. We worked with the property owners for over three (3) months trying to work out an arrangement with them to no avail. We then immediately engaged our engineers and architect to adjust a different storm sewer plan to the City's requirements, which has resulted in our new plan involving a retention pond located on a separate parcel of property owned by Apex, which borders the site location parcel. On January 27, 2020, we submitted these revised plans to the City and we expect to obtain the permits soon. Third, we participated in nine separate (9) site plan reviews with McKenna, who requested we make a myriad of changes, at times going back and forth on what they wanted, which involved significant time (and significant resources) as we cleared up any requests or confusion. To note, our architect and engineer are capable; in the City of Lansing, our same architect and engineers gained full site plan approval and permits on the 2nd review for our nearly 85,000 sq. ft. building with one provisioning center, one processing and three grow licenses under the same roof.

N/A

DECISION-MAKING INFORMATION

Use Variance – A variance that permits a use that is otherwise prohibited in a zoning district. The ZBA may grant a use variance **ONLY** upon the finding that an **UNNECESSARY HARDSHIP EXISTS**. Responses to the following questions will allow the ZBA to make this determination.

1. Why can't the property be used for a use that is permitted in the zoning district?

2. Describe the circumstances unique to your property and not generally applicable in the area or to other properties in the zoning district.

3. Explain why the requested variance is not self-created (due to the actions of the applicant, owner, or their producers).

4. Is the proposed use compatible with the existing uses and character of the area? Explain.



**CITY OF WALLED LAKE
REGULAR COUNCIL MEETING
PUBLIC HEARING
TUESDAY, JANUARY 21, 2020
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 Costanzo, Council Member Loch, Council Member Lublin, Council Member Owsinek, Council Member Woods

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

REQUESTS FOR AGENDA CHANGES:

Council Member Owsinek requested to add agenda item under Council Report, an update on the Trailway Council and the trailway Interlocal Agreement.

Council Member Costanzo requested to move the Interlocal Agreement, posting of meetings agendas, downtown parking, and the public safety campus expansion under New Business instead of where they are currently placed, and he asked if these items will be discussed.

Mayor Ackley explained they are on the agenda and will be available for discussion later in the meeting.

Mayor Ackley explained the agenda is not set by Council, the agenda is set by the City Clerk and City Manager. Mayor Ackley explained the process that if a councilmember wishes to have an agenda change it needs to receive Council's majority then it will be added to the agenda.

Council Member Costanzo stated that the Robert's Rules of Order and Sergeant at Arms are on agenda, but there is no agenda item for appointment of a Parliamentarian. Member Costanzo opined there must be an appointment of a Parliamentarian according to Robert's Rule of Order.

City Manager Whitt explained that it is up to the Council's discretion as to whether there is a change in the rules of order and that there exist approved rules of procedures which Council has discretion to change, amend or add to it. Manager Whitt explained if Council does not vote on any changes those rules and procedures continue as before, as does the designated parliamentarian.

Council Member Costanzo requested to add to agenda a closed session request to consult with City Attorney regarding the Coeus versus City of Walled Lake added as item #6. Member Costanzo explained he would like to discuss this lawsuit.

PRESENTATION:

1. Auditors Pfeffer, Hanniford and Palka present the Financial Audit for Fiscal Year 2019

Mr. John Pfeffer commended the city staff on the annual audit stating that the city staff did a great job with providing required information timely to complete the audit. Mr. Pfeffer said Finance Director Barlass did a great job. Mr. Pfeffer explained as auditors examining the books and internal controls, they look for certain things and there were very few adjustments throughout the audit, and this is important for Council to note. Mr. Pfeffer explained the importance of this finding. Mr. Pfeffer stated it means that the City Council is receiving accurate information from the Finance Director and the city received an **unmodified opinion**, which is the highest level of opinion an independent auditor can issue.

Mr. Pfeffer said as independent auditors of the city, there is no relationship with City Council or City Administration. Mr. Pfeffer explained the city does have a large legacy regarding retirement benefits agreed to by prior Council members, ten plus years ago. Mr. Pfeffer explained that prior times, the city was looking at an emergency manager before Mr. Whitt came on board.

Mr. Pfeffer explained Dennis Whitt came into the city and as the new City Manager addressed how demands were going to be met. Mr. Pfeffer stated that Dennis Whitt provided light at the end of the tunnel. Mr. Pfeffer further explained there is no additional debt, the debt is not growing; this is very important. Mr. Pfeffer explained last year the city used 13% of its budget to pay \$677,000 towards the old legacy pension costs that had been agreed to going back several years. Mr. Pfeffer explained there is a plan in place with the State of Michigan to meet the future costs of the legacy pension debt. Mr. Pfeffer opined this is important for everyone to understand and said the City Council took the advice of Manager Whitt and made unpopular decisions regarding benefits and pension liabilities. Mr. Pfeffer explained the city kept its fund balance stable and the city did not incur debt. Mr. Pfeffer explained cost cutting occurred, staff is down to bare bones and everyone is working together to meet these goals going forward and there is still 20 years to pay off the existing outstanding legacy pension liability. Mr. Pfeffer explained even with those cuts, the city added sidewalks, a fire utility vehicle and attention to storm water drainage with cleaning and inspections to address water infrastructure issues. Mr. Pfeffer stated that his firm is independent, his auditors are independent auditors; they are here to provide the facts.

PUBLIC HEARING:

1. Reprogramming of Community Development Block Grant (CDBG) Funding for PY 2017 and 2018

Finance Director Barlass explained the reprogramming is for program years 2017 and 2018 for funds which have not been spent effectively or timely. Finance Director Barlass explained in working with Oakland County and city staff it is recommended to purchase fire fighter turn out gear.

Open Public Hearing 7:45 p.m.

No Comments

Close Public Hearing 7:46 p.m.

APPROVAL OF THE MINUTES:

1. Special Organizational and Regular Meeting and Public Hearing of November 12, 2019

CM 1-1-20 MOTION TO APPROVE THE SPECIAL ORGANIZATIONAL AND REGULAR MEETING AND PUBLIC HEARING OF NOVEMBER 12, 2019

Motion by Loch, seconded by Lublin, UNANIMOUSLY CARRIED: To approve the Special Organizational and Regular Meeting and Public Hearing of November 12, 2019.

Roll Call Vote

Ayes (7) Ambrose, Costanzo, Loch, Lublin, Owsinek, Woods, Ackley
Nays (0)
Absent (0)
Abstention (0)

AUDIENCE PARTICIPATION:

Sun Barker, 121 E Walled Lake – asked when the sidewalks in front of her business will be fixed. Ms. Barker asked for her sidewalks to be fixed as soon as possible. Ms. Barker asked for a security camera to be in the street. Ms. Barker asked for more parking downtown and asked for a letter to be sent to the businesses downtown regarding parking.

Trisha Parsons, 115 E Walled Lake Drive, Nino’s Bakery – said the sidewalk has been brought up several times. Ms. Parsons said she came to city hall and asked for parking to be reviewed. Ms. Parsons asked why there could not be parking out front for the rest of the businesses.

Darlene Ciampa – said it is shameful one business in the community is bullying others. Ms. Ciampa said Jerry Millen is a thug and bullying the businesses in the city. You need to let the city police department do their job. There are people fearful of coming to these meetings.

Charles McLaughlin – 425 W. Walled Lake Drive – read a letter aloud and opined the small businesses of Walled Lake are the backbone of the community. Mr. McLaughlin said the easement trespass that occurred with Mr. Jerry Millen and the lack of corrective action from Council is concerning. Mr. McLaughlin said a quick investigation is still convenient, necessary or undue burden placed on his business to have that easement there. Mr. McLaughlin said he supports medical marijuana and recreational, however, it is not for him.

Lauren – Nino’s Bakery representative – said the sidewalks are a concern, they are dangerous, and she does not want to see anyone get hurt.

Tina Thurston, 1344 Delta – said she remembers Nino’s Bakery as a small child. Mrs. Thurston said one business is allowed to wreak havoc on the city and opined, “he has threatened people.

Matt McDonald – 126 W Walled Lake Drive – said when Pepino’s was burned out, his parking was completely ruined and the prior owners of Pepino’s, were not willing to work with him at all on parking. Mr. McDonald explained now there is a new owner/company and they are offering to him and his patrons use of the parking lot and he was very supportive of this.

Karen Kolke, 179 Spring Park – opined there has been nothing done about the sidewalk in front of the oil change place. Ms. Kolke said people are in motorized wheelchairs and driving down Pontiac Trail because the sidewalk is in disrepair. Ms. Kolke asked about council packet items having a sign in sheet included.

City Manager Whitt explained the sign-in sheets for audience participation are public documents.

Donna Blancha, 315 Arvida – said the Pulte project is upsetting. Ms. Blancha asked when the Pulte money became more important than residents. The water, the natural spring, is double in size. Ms. Blancha said the 3-foot pipe is flooding out homes and devaluing properties. Ms. Blancha said she loves this city. Ms. Blancha asked council to consider running the drain all the way down to the end not just where it currently ends.

Sylvia Toth, 455 Sparks Lane – Ms. Toth said she supports what has been said about the sidewalks. Ms. Toth said she is a professional and has had training with sidewalks and ADA compliance. Ms. Toth opined suitable sidewalks and ramps are a necessity. Ms. Toth said the fix for the East Bay area, Area H, did not happen and flooding still occurs.

Mike Brewer – said he lives in Novi but grew up in Walled Lake. Mr. Brewer said he is shocked Walled Lake allowed the medical marijuana business. Mr. Brewer said the city has a huge problem. Mr. Brewer asked the City Manager why he was here, why is the City Manager is here, everybody here who supports him should be off the Council.

Jeff Rondeau, 1159 Wabasso – a former city code enforcement officer and recent candidate for city council complained that residents and businesses had not shoveled their sidewalks as none of

the sidewalks are shoveled. Mr. Rondeau asked if it is public knowledge, lists of registered handguns someone owns, is that public knowledge or does the information have to come through the Police Department. Mr. Rondeau alleged his political opponents provided Jerry Millen a list of his registered handguns.

City Attorney Vanerian explained to Mr. Rondeau he would need to consult with his own attorney.

COUNCIL REPORT:

1. DDA Chairman/Mayor Pro Tem Ambrose – Discussion of the Downtown Parking and Sidewalks

Mayor Pro Tem Ambrose explained in 2012, when the sidewalks were reviewed throughout the city it was reported there are abandoned or closed off coal bins under the sidewalks in the downtown area and they are located within private property. Member Ambrose explained the area was developed in the 1800's and late 1900's and in the front of the buildings underneath the sidewalk are coal bins, even though they are abandoned or closed the bins are located within private property.

Mayor Pro Tem Ambrose explained the city cannot spend city money on private property. Mayor Pro Tem Ambrose explained Oakland County Mainstreet was utilized some time ago, Mr. Russ Lewis and Mr. Ron Campbell researched the sidewalks downtown and what could be done to accommodate the businesses in the historic area in addition to the traffic from pedestrians and automobiles. Mr. Ambrose explained in order to address the American with Disabilities Act, the sidewalk elevations had to increase anywhere from 12 to 20 inches, which was going to require a form of fencing along the front; stanchions with stainless steel stringers so the hazard of people stepping off was eliminated. The entrances to those buildings are at different levels. Mr. Ambrose explained to meet the ADA requirements, ramps had to be created which then would only permit access from Pontiac Trail and Liberty Street. In 2012, the cost was \$400,000 to \$500,000. The property owners were approached to solicit their participation, the city could only do so much without the business owner's participation. Member Ambrose explained the designs were created by Oakland County Mainstreet. Member Ambrose explained there must be participation from all the business downtown. Mr. Ambrose explained it is not city property, the City ROW only runs 5 feet into sidewalk, half to $\frac{3}{4}$ quarters are owned by the property owner.

City Manager Whitt explained the property owners were approached and offered a grant through the DDA and it was rejected outright by some of property owners during his tenure. Manager Whitt opined these business owners want the city and taxpayers to pay for the entire project. Mr. Whitt explained this is still an option to obtain a proposal from a contractor, however, it is not an option for the city, without a complete financial plan. Manager Whitt opined to go in and dig up the sidewalks on private property, the City does not own what's underground. Mr. Whitt explained the business owners can work with the DDA and move this forward if they wish.

Mayor Pro Tem Ambrose explained having a letter of cooperation from the business owners will be an item to pursue. Member Ambrose explained in the past, the prior DDA managing director Charlene Long had approached business owners and it was reported back to the DDA, that the businesses were not in favor of this and it was not well received.

Council Member Lublin explained the design was what Oakland County Mainstreet designed, however, there are additional costs for implementation. Member Lublin explained he is in favor of trying again, he said it appears there are current business owners who are interested.

Mayor Pro Tem Ambrose explained the city needs cooperation from all the businesses not just one or two. Member Ambrose said this opportunity could move forward again if the businesses are interested in matching funds.

Council Member Costanzo explained he has heard a lot about the parking across the street in the old Pepino's lot. Member Costanzo said the sidewalks are terrible in the City, however, some of the cross walks have been addressed. Member Costanzo said his understanding is that there were city funds contributed towards the recent parking lot modification downtown and he hopes that is incorrect.

City Manager Whitt explained there was a parking lot agreement for many years with Pepino's, restaurant. Manager Whitt explained in the past the city partnered with the owner of that property to connect the two lots. Manager Whitt explained the city's parking lot at Riley Park would connect with the Pepino's parking lot. Mr. Whitt said the business owner next door to Pepino's, Mr. McDonald, was here tonight and discussed the unpleasant conversations between himself and the owners of Pepino's regarding parking, they were not willing to work with Mr. McDonald. Manager Whitt further explained the parking lot is now owned by a new business and that business has an agreement with all the neighborhood businesses in the area to utilize the parking lot.

Mr. Whitt explained he was not aware of any violations but there is a Code Enforcement Officer on staff to address any complaints or concerns. Mr. Whitt explained the parking lot was leveled and graded. Manager Whitt explained that if someone wants to make a case against the lot being used as a parking lot, they may file a complaint. Manager Whitt explained there are neighborhood businesses utilizing this parking lot.

Mayor Pro Tem Ambrose said he will reach out to Oakland County Mainstreet.

Joe Loch, 1155 Wanda – said he has lived in Walled Lake forever. Mr. Loch said he supported the City manager and would prefer to have him working. Audience members who are political opponents of the City Manager disrupted the meeting and began yelling from their seats. Mayor Ackley called meeting for recess to regain order in the chambers.

Council recessed 8:40 p.m.

Council reconvened 8:57 pm

2. Public Safety Campus Expansion Committee – Progress Report Councilman Owsinek Committee Member

Council Member Owsinek explained there were discussions of a 72-space parking lot along with a bridge that will connect that lot with the trail this will be Phase I. Member Owsinek explained there will be also a police and fire memorial with other items yet to be determined.

3. Airline Trailway

Council Member and Trailway Representative Owsinek explained the Hawk System is up and running and working well. Member Owsinek explained the modified interlocal agreement is in progress right now and the city is working to ensure that the taxpayers of Walled Lake are protected in this agreement and not materially impacted by someone else's development. Member Owsinek further explained that any agreement generated by the trailway council will be presented to City Council for approval before it takes effect.

Council Member Costanzo said he was at the DDA meeting and opined he heard the consultant city engineer say, they were in Phase II of the trailway and permits will be moving forward. Member Costanzo said there was a public safety millage passed last August, the Fire Chief expressed the need for a new pumper truck, the ladder truck suffered a cataphoric failure. Member Costanzo opined that on the agenda is the request to purchase two new police vehicles at \$60,000 cost plus \$10,000 for fittings seems to him as though a decision had been made before coming to this board for a vote and it is concerning. Member Costanzo said there is a trailhead at the depot, the heart of downtown which will bring people to the city. Member Costanzo said he would like to have council review everything before going ahead.

Council Member Owsinek explained to Member Costanzo, the next phase would be a fire training facility and asked Fire Chief Coomer for explanation on advanced fire training. It will have an impact on the city's fire rating and reduce the amount of insurance.

Fire Chief Coomer explained this training facility will impact the city's fire rating. Chief Coomer explained this was one of the areas to be improved upon with the ISO rating that just took place. Chief Coomer explained the training center consists of three shipping containers placed together and practice is then conducted on site for search and rescue, ladder training, etc. Chief Coomer explained off site training takes away equipment and personnel from the city. Fire Chief Coomer explained Wixom does not allow other communities to utilize their facility and the Walled Lake department currently drives out to Auburn Hills.

CITY MANAGER REPORT:

- 1. Departmental / Divisional Statistical Reports**
 - a. Police**
 - b. Fire**
 - c. Finance**

-Warrant
d. Code Enforcement

**CM 1-2-20 TO RECEIVE AND FILE THE MONTHLY DEPARTMENTAL /
DIVISIONAL STATISTICAL REPORTS**

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

Discussion

Council Member Costanzo asked about the disbursement of monies spent within the report pertaining to education and training, holiday display purchases, and beautification. Member Costanzo opined if money is spent, he would like to see it beautify the downtown area to look like Farmington Hills. Member Costanzo said we are struggling for money, yet we are spending money left and right. Member Costanzo asked why money was spent to send the Police Chief to the fire academy when we have a Fire Chief now.

City Manager Whitt explained the city process is continual training for personnel to do multiple jobs. Manager Whitt explained cross training saves money in the long run. Manager Whitt explained the administrative team he has put together will suit the city well in the future. Manager Whitt explained the city does not have a human resource department we have a human resource division. Manager Whitt explained this staff has been trained to do multiple jobs, they save the city hundreds and thousands of dollars. Manager Whitt explained this budget has been cut in half, explaining to Council Member Costanzo that the auditor explained that just this evening.

Council Member Costanzo asked about the Code Enforcement reports and item concerning alley ways. Member Costanzo opined of the debris in these areas.

City Manager Whitt explained the alley ways should be accessible and some of those property owners are in the audience right now, those alley ways should be clear of debris. Mr. Whitt explained the city works for compliance not writing citations.

Roll Call Vote

Ayes (7) Costanzo, Loch, Lublin, Owsinek, Woods, Ambrose, Ackley
Nays (0)
Absent (0)
Abstention (0)

City Manager Whitt requested the consultant city engineer to provide an update on the Pulte Development as well.

2. Presentation by Consulting City Engineer – SEMCOG and MDNR Grants

Bradd Maki, Consulting City Engineer, explained the storm sewer study in 2017 for downtown reported issues with varying problems. With the support of city council and DDA, there were three grants applied for. The first was MDEQ which was the largest and failed due to discharge going to a lake, not a drain. Mr. Maki explained the next two grants were to SEMCOG for bioswale projects. The grant amount was \$46,500 and estimated construction cost \$230,000. There is a coordination effort between the SEMCOG grant and MDNR grant. The MDNR grant has been provided recommendation of approval and it is pending final. This grant was approved in December 2019 with scope of work to include a bioswale, improvements to playground, street lighting, and fencing. The sidewalk in this area is to be replaced as well. Mr. Maki explained combining the grants gets the most for the grant amount to be awarded.

Manager Whitt explained when the final plan is created, it will come before Council. Mr. Whitt explained this coming year is when the project is to be moved forward subject to Council approval. Mr. Whitt explained there will be information brought before Council for approval.

Manager Whitt asked Mr. Maki to provide a status update on the Pulte project.

Mr. Maki explained the project has completed drainage improvements along the Leon Road ditch line, the development's road is in place, and there is storm sewer infrastructure to be completed. Mr. Maki explained there is a storm drain to be placed there is no discharge currently. From wetland to the lake, there was a 6-inch discharge at the lake, but it needed to be a 15-inch drain. Mr. Maki explained Oakland County has adjusted the pipe from 6 inch to 15 inches.

Council Member Costanzo explained you cannot see across the field; water is being pushed off because the elevation has been raised. Mr. Costanzo opined this was never represented to this body or the residents, this is a repeat of East Bay. Member Costanzo explained his concerns of flooding in this area and the developer was going to run the pipe all down to the lake not the hard-left turn into people's private yards.

Mr. Maki explained there was some flooding on the Pulte project, two rain events ago. Pulte bulkheaded their detention basin pipe. That has since been removed and now the flow, with this last rain system, the detention basin was holding all the water. Mr. Maki explained the drain along Leon Road was an improvement to the existing ditch, the amount of extra water is a very slow amount and it will not burden the ditch, it is being discharged to same location it has already been discharging to.

Member Owsinek asked if the 6-inch restriction at the seawall, was that corrected? Is it now a 15 inch? Mr. Maki said yes it has been corrected to the 15-inch standard. Member Owsinek explained when the rain event occurred, where it flooded out Tri A, he was there he witnessed it. The water is heavy in Tri A. However, the water from the Pulte property was withheld in the back-detention pond, it did not flow over everything.

Manager Whitt explained it is not fair to say it was the Pulte project that caused flooding. Mr. Whitt explained none of the water came from the Pulte project. Mr. Whitt explained the Pulte project contained its own water. Manager Whitt explained the Leon Road ditch improvements did not change where the water drains. Manager Whitt explained the city is not at the stage to blame Pulte for flooding, he was there and every drop of water that hit Pulte's property was contained on Pulte's property at this point in time and the site will be monitored. Manager Whitt said Tri-A did have heavy water from the heavy rains, but it did drain better than it did before. Manager Whitt explained as more grants become available, different areas will be looked at.

Mr. Maki explained the pipe was never to go to the lake, the pipe was directed to the wetlands and that pipe was to be directed to the lake.

City Manager Whitt explained the city is not proceeding with any project without Council approval.

CORRESPONDENCE: None

ATTORNEY'S REPORT:

- 1. Memo – Open Meetings Act (OMA)**
- 2. Memo – Zoning Ordinance Pertaining to Fences**

City Attorney Vanerian explained the Zoning Board Appeals requested the ordinance be reviewed for aesthetic concerns and clarity.

Mayor Ackley explained there was another issue regarding lakeshore fencing and accessory structures not on a lot with a primary principal use. Mayor Ackley explained the Building Department is viewing the fence as an accessory structure.

**CM 1-3-20 MOTION TO FORWARD FENCE ORDINANCE TO
PLANNING COMMISSION FOR REVIEW AND STUDY**

Motion by Ambrose, seconded by Owsinek, UNANIMOUSLY CARRIED: To forward fence ordinance to Planning Commission for review and study,

Roll Call Vote

Ayes (7) Loch, Lublin, Owsinek, Woods, Ambrose, Costanzo, Ackley
Nays (0)
Absent (0)
Abstention (0)

3. Closed Session Request Attorney Client Communications – BDS Litigation Status Report pursuant to Section 8 (e) of the Open Meetings Act (OMA)

CM 1-4-20 TO ENTER CLOSED SESSION TO DISCUSS ATTORNEY CLIENT COMMUNICATIONS – BDS LITIGATION STATUS REPORT PURSUANT TO SECTION 8 (E) OF THE OPEN MEETINGS ACT (OMA)

Motion by Owsinek, seconded by Lublin, UNANIMOUSLY CARRIED: To enter closed session to discuss Attorney Client Communications – BDS litigation status report pursuant to Section 8 (e) of the Open Meetings Act (OMA).

Roll Call Vote

Ayes (7) Lublin, Loch, Owsinek, Woods, Ambrose, Costanzo, Ackley
Nays (0)
Absent (0)
Abstention (0)

Council Member Costanzo asked how many lawsuits the city is actively in.

City Attorney Vanerian said two.

Council Member Costanzo asked the City Attorney to provide a synopsis to the public because ultimately if the city is sued, they are sued. Member Costanzo said the lawsuit synopsis should be placed on the city website like what the City of Wixom provides to its residents.

Council Member Lublin opined he is not in favor of providing a synopsis without being prepared to do so.

City Attorney explained the memo prepared for tonight's meeting was for a closed session, not a matter of public record, to discuss attorney client privileged information. Attorney Vanerian explained if requested by Council he will come back before Council with information in a general nature for informational purposes as a matter of public record.

City Manager Whitt explained the city lawsuits are all a matter of public record and they are accessible. Manager Whitt explained the instruments are available and then asked Member Costanzo which "Plaintiff" suing the city the Council Member had met with and which "Plaintiff's" suing the city he had spoken with. City Manager Whitt asked Member Costanzo for a yes or no answer in the interest of transparency. Council Member Costanzo refused to provide an answer to the City Manager Whitt or to the Mayor and City Council.

CM 1-5-20 MOTION TO HAVE THE CITY ATTORNEY PROVIDE A SYNOPSIS WITHOUT RISKING COURTROOM STRATEGY TO THE PUBLIC ON ACTIVE LAWSUITS THE CITY IS NAMED IN

Motion by Costanzo, seconded by Ambrose, FAILED: To have the City Attorney provide a synopsis without risking courtroom strategy to the public on active lawsuits the city is named in.

Discussion

Mayor Ackley asked City Attorney Vanerian should a member of the Council be meeting with a party of a lawsuit against the City.

City Attorney Vanerian said no.

Roll Call Rote

Ayes (3) Woods, Ambrose, Costanzo
Nays (4) Owsinek, Loch, Lublin, Ackley
Absent (0)
Abstention (0)

UNFINISHED BUSINESS:

1. Proposed Resolution 2019-50 Adopt Robert's Rule of Order

CM 1-6-20 A RESOLUTION TO ADOPT ROBERT'S RULES OF ORDER 11TH EDITION FOR PARLIAMENTARY PROCEDURES DURING MEETINGS PURSUANT TO THE REQUIREMENTS OF THE CITY CHARTER AND OPEN MEETINGS ACT

Motion by Lublin, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve resolution 2019-50 a resolution to adopt Robert's Rules of Order 11th edition for parliamentary procedures during meetings pursuant to the requirements of the City Charter and Open Meetings Act.

Roll Call Vote

Ayes (7) Woods, Ambrose, Costanzo, Loch, Lublin, Owsinek, Ackley
Nays (0)
Absent (0)
Abstention (0)

2. Proposed Resolution 2019-51 Appoint Sergeant-at-Arms

City Manager Whitt explained as the parliamentarian, he recommends the Chief of Police of designee as the Sergeant-at-Arms.

CM 1-7-20 A RESOLUTION FOR THE APPOINTMENT OF SERGEANT AT ARMS

Motion by Owsinek, seconded by Lublin, UNANIMOUSLY CARRIED: To approve resolution 2019-51 a resolution for the appointment of Sergeant-at-Arms.

Roll Call Vote

Ayes (7) Ambrose, Costanzo, Loch, Lublin, Owsinek, Woods, Ackley
Nays (0)
Absent (0)
Abstention (0)

City Manager Whitt offered himself up to continue as the Parliamentarian.

CM 1-8-20 MOTION TO CONTINUE WITH CITY MANAGER AS PARLIAMENTARIAN

Motion by Owsinek, seconded by Lublin, CARRIED: To continue with City Manager L. Dennis Whitt serving as Parliamentarian.

Roll Call Vote

Ayes (6) Loch, Lublin, Owsinek, Woods, Ambrose, Ackley
Nays (1) Costanzo
Absent (0)
Abstention (0)

NEW BUSINESS:

1. Approval of Recommendation for Reprogramming CDBG Funding for PY 2017 and 2018

CM 1-9-20 TO APPROVE REPROGRAMMING CDBG FUNDING PY 2017 AND 2018

Motion by Ambrose, seconded by Owsinek, UNANIMOUSLY CARRIED: To approve reprogramming CDBG funding PY 2017 and 2018

Roll Call Vote

Ayes (7) Loch, Lublin, Owsinek, Woods, Ambrose, Costanzo, Ackley
Nays (0)
Absent (0)
Abstention (0)

2. Proposed Resolution 2020-01 Budget Amendment FY 19

CM 1-10-20 TO APPROVE RESOLUTION 2020-01 A RESOLUTION AMENDING THE OPERATING AND CAPITAL BUDGET APPROPRIATIONS OF THE FUNDS FOR FISCAL YEAR 2019-2020

Motion by Loch, seconded by Lublin, UNANIMOUSLY CARRIED: To approve resolution 2020-01 a resolution amending the operating and capital budget appropriations of the funds for fiscal year 2019-2020.

Roll Call Vote

Ayes (7) Lublin, Owsinek, Woods, Ambrose, Costanzo, Loch, Ackley
Nays (0)
Absent (0)
Abstention (0)

3. Proposed Resolution 2020-02 Defined Benefit Corrective Action Plan

CM 1-11-20 TO APPROVE RESOLUTION 2020-02 A RESOLUTION APPROVING A CORRECTIVE ACTION PLAN FOR THE CITY OF WALLED LAKE'S DEFINED BENEFIT PENSION RETIREMENT FUND TO BE SUBMITTED TO THE MICHIGAN DEPARTMENT OF TREASURY AS REQUIRED UNDER PUBLIC ACT 202 OF 2017

Motion by Owsinek, seconded by Lublin, UNANIMOUSLY CARRIED: To approve resolution 2020-02 a resolution approving a corrective action plan for the City of Walled Lake's Defined Benefit Pension Retirement Fund to be submitted to the Michigan Department of Treasury as required under Public Act 202 of 2017.

Roll Call Vote

Ayes (7) Owsinek, Woods, Ambrose, Costanzo, Loch, Lublin, Ackley
Nays (0)
Absent (0)
Abstention (0)

4. Proposed Resolution 2020-03 Watch Guard Wireless Video Transfer System

Captain Kolke explained this system provides a more efficient and reliable method of transferring video from the patrol cars.

CM 1-12-20 TO APPROVE RESOLUTION 2020-03 A RESOLUTION APPROVING THE PURCHASE OF A WIRELESS VIDEO TRANSFER SYSTEM WITH SERVER HARDWARE AND SOFTWARE

Motion by Loch, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve resolution 2020-03 a resolution approving the purchase of a wireless video transfer system with server hardware and software.

Roll Call Vote

Ayes (7) Woods, Ambrose, Costanzo, Loch, Lublin, Owsinek, Ackley
Nays (0)
Absent (0)
Abstention (0)

5. Proposed Resolution 2020-04 Patrol Police Vehicle Purchase

Captain Kolke explained the purchase of two new vehicles is part of the City's patrol vehicle replacement plan.

CM 1-13-20 TO APPROVE RESOLUTION 2020-04 A RESOLUTION APPROVING THE PURCHASE OF TWO NEW 2020 DODGE DURANGO'S FROM SHUMAN CHRYSLER/DODGE AND SOLE SOURCE BIDDER TO INSTALL POLICE PACKAGES

Motion by Lublin, seconded by Loch, CARRIED: To approve resolution 2020-04 a resolution approving the purchase of two new 2020 Dodge Durango's from Shuman Chrysler/Dodge and sole source bidder to Police Packages.

Discussion

City Manager Whitt explained there was an issue with obtaining the typical police car for the Dodge Charger as it was not available due to production changes within Dodge. Manager Whitt explained the production of these cars is being phased out. Manager Whitt said as the prior purchased cars are being phased out, and with the desire for continued cost savings, the purchase of the proposed Dodge Durango vehicles is an option. Mr. Whitt explained this change in vehicle type is not because the department wishes to have different vehicles. Manager Whitt explained the police vehicles are purchased from through forfeiture funds.

Member Costanzo said the city is adding another \$10,000 on the purchases out of the forfeiture funds but this a perfect example why we do not want to spend the forfeiture funds on the public safety campus. We need a pumper truck; we had a catastrophic accident with the ladder truck last month. Member Costanzo opined this helps make his case why we do not want to expand the public safety campus and use up the forfeiture funds when we need to give our police and fire the tools they need in our community.

City Manager Whitt corrected Council Member Costanzo's misunderstanding of the law stating Council Member Costanzo's statements do not make the councilman's case. City Manager Whitt explained to Council Member Costanzo that what the council member had stated about spending forfeiture money on fire equipment, is illegal. City Manager Whitt further explained forfeiture funds may be spent for police cars, police memorials, or other police equipment but forfeiture funds cannot be used to purchase a pumper truck or ladder truck for the Fire Department.

Roll Call Vote:

Ayes (6)	Ambrose, Loch, Lublin, Owsinek, Woods, Ackley
Nays (1)	Costanzo
Absent (0)	
Abstention (0)	

6. Discussion of Budget Work Session Dates for Fiscal Year 2021

Council Member Lublin explained April 8th is first day of Passover and asked that a different date be selected. Discussion was held to change the April 8th date to the 15th.

Council Member Woods requested date to be changed to not be within that week at all, maybe a week later or week before.

CM 1-14-20 MOTION TO APPROVE THE BUDGET WORK SESSION DATES FOR FISCAL YEAR 2021 WITH CHANGE FOR WORKSHOP 2 FROM THE APRIL 8TH DATE THE APRIL 15TH

Motion by Owsinek, seconded by Loch, UNANIMOUSLY CARRIED: To approve the budget work session dates for fiscal year 2021 with change for workshop 2 from April 8th date to April 15th.

Discussion

Council Member Costanzo opined that the meetings would consist of a council quorum and required that attendance and minutes be taken.

City Manager Whitt explained to Council Member Costanzo that budget workshops are run by city administration, they are a City Manager session, listen to council input, no crystallizing of decisions are made, no final decisions at all are requested. The packet of information is provided in a binder, the early meetings are administration, department heads and city manager presentations.

City Attorney Vanerian explained to Member Costanzo if not engaging in discussion or deliberations to render a decision, the OMA does require that, it is like listening to a presentation whether four council members are present or not.

Roll Call Vote:

Ayes (7) Costanzo, Loch, Lublin, Owsinek, Woods, Ambrose, Ackley
Nays (0)
Absent (0)
Abstention (0)

COUNCIL COMMENTS:

Council Member Loch thanked everyone for staying so late and opined the election is over, we need to treat each other and our neighbors kindly. Member Loch said this recent election has divided us; we need to come back together, the greatest thing about Walled Lake is the sense of community.

Council Member Woods said he had the opportunity to go through a drive with the Police Department and walk through the facility, hit the details, hit the vehicles, when discussion are held on vehicle maintenance you can see this firsthand. Member Woods explained he was also aware of the water issues with the heavy rains, he took pictures. Member Woods explained there were improvements to water flow but there is an agreement in place and there is still more work to do. Member Woods opined we need to have patience and focus to get things done. Mr. Woods explained with the expenditures needed for the fixes, they cannot take place overnight.

Council Member Lublin explained Library Director Alyson Lobert will be moving to the Commerce Library. Member Lublin said the assistant director Carrie Ralston will be taking over,

she will step right in and be a good fit. Member Lublin thanked the city administration for their efforts in obtaining the highest audit opinion as reported by the auditor this evening.

Council Member Owsinek concurred with Member Loch and said respect is due for a person speaking.

Council Member Costanzo explained the lake board will be working the new tax assessment roll as the current one was renewed. Member Costanzo explained there is opportunity to dispute if someone wished to pursue there will be notices sent.

Mayor Pro Tem Ambrose explained the lake board is an important asset to the city, the lake is 100% usable and invasive species are being monitored. Member Ambrose said as boats from other communities enter our water invasive species come with and part of the purpose of the lake board is to help maintain and manage the lake species. Member Ambrose thanked the residents and business owners for attending tonight's meeting.

MAYOR'S REPORT:

1. SMART Bus Participation Agreement – Highland Township

Assistant Manager Pesta explained the route expanded to M-59 to White Lake Township which is now offered to Walled Lake residents.

City Manager Whitt explained the rates have not been increased. Manager Whitt explained if the rider goes outside to what the city offers, there may be a slight increase for those rides, however, Walled Lake Administration did not raise the rate for travels within the city that is the same.

Council Member Costanzo asked where the boundary for Walled Lake. Member Costanzo explained that he was confusion about the Walled Lake boundary and rates.

Assistant City Manager Pesta attempted to clear up Council Member Costanzo's confusion about boundaries and rates stating that the rider is provided a map when they sign up as a rider. Mrs. Pesta explained there are two maps provided to the rider, the Walled Lake area and expanded area outside of Walled Lake. Assistant City Manager Pesta explained to Council Member Costanzo that riders have multiple choices, but the city did not raise rates for travels within the city.

2. Posting of Agendas

Mayor Ackley explained it has always been policy to have administration, the City Manager and City Clerk to create the agenda and council may add to it at the meeting.

Mayor Ackley explained the council report agenda item is opportunity for those members of council who are on a board to discuss items of that particular board. Mayor Ackley explained the

council comment agenda item is for council discussion for items that come up during the meeting.

Council Member Costanzo explained council motion 4-12-18 was to post agenda online on the city website and opined that is not being followed.

City Manager Whitt explained the website is a courtesy. Manager Whitt explained if a meeting must be noticed, placing both places is a good idea, however, the city is meeting its requirement of posting agendas as is.

3. Proposed Resolution 2020-05 Accepting Mayor's nomination to appoint James Arnold to the Zoning Board of Appeals

CM 1-15-20 TO APPROVE RESOLUTION 2020-05 A RESOLUTION ACCEPTING THE MAYOR'S NOMINATION TO FILL A VACANCY ON THE ZONING BOARD OF APPEALS PURSUANT TO THE REQUIREMENTS OF THE CITY CHARTER: MAKING AND APPOINTMENT TO THE ZONING BOARD OF APPEALS FOR AN UNEXPIRED TERM

Motion by Owsinek, seconded by Loch, UNANIMOUSLY CARRIED: To approve resolution 2020-05 a resolution accepting the Mayor's nomination to fill a vacancy on the Zoning Board of Appeals pursuant to the requirements of the City Charter: making and appointment to the Zoning Board of Appeals for an unexpired term.

Roll Call Vote:

Ayes (7) Loch, Lublin, Owsinek, Woods, Ambrose, Costanzo, Ackley
Nays (0)
Absent (0)
Abstention (0)

4. City Manager Evaluation – Closed Session as requested by employee pursuant to Section 8(a) of the Open Meetings Act (OMA)

CM 1-16-20 TO ENTER INTO CLOSED SESSION TO DISCUSS CITY MANAGER EVALUATION AS REQUESTED BY EMPLOYEE PURSUANT TO SECTION 8(A) OF THE OPEN MEETINGS ACT (OMA)

Motion by Loch, seconded by Lublin, UNANIMOUSLY CARRIED: To enter into closed session to discuss City Manager evaluation as requested by employee pursuant to Section 8(a) of the Open Meetings Act (OMA).

Roll Call Vote:

Ayes (7) Lublin, Owsinek, Woods, Ambrose, Costanzo, Loch, Ackley
Nays (0)
Absent (0)
Abstention (0)

5. City Attorney Evaluation – Closed Session as requested by employee pursuant to Section 8(a) of the Open Meetings Act (OMA)

CM 1-17-20 TO ENTER INTO CLOSED SESSION TO DISCUSS CITY ATTORNEY EVALUATION AS REQUESTED BY EMPLOYEE PURSUANT TO SECTION 8(A) OF THE OPEN MEETINGS ACT (OMA)

Motion by Loch, seconded by Lublin, UNANIMOUSLY CARRIED: To enter into closed session to discuss City Attorney evaluation as requested by employee pursuant to Section 8(a) of the Open Meetings Act (OMA).

Roll Call Vote:

Ayes (7) Owsinek, Woods, Ambrose, Costanzo, Loch, Lublin, Ackley
Nays (0)
Absent (0)
Abstention (0)

6. Closed Session request to discuss with City Attorney the Coeus versus Walled Lake lawsuit pursuant to section 8 (e) of the Open Meetings Act (OMA).

Motion by Costanzo, seconded by none. Motion failed for lack of support.

Council recessed 10:35 p.m.

Council reconvened 10:40 p.m.

Council entered closed session 10:43 p.m.

Council rose from closed session 11:31 p.m.

CM 1-18-20 TO APPROVE RESOLUTION 2020-06 A RESOLUTION APPROVING THE EMPLOYMENT CONTRACT WITH L. DENNIS WHITT AND AUTHORIZING THE CITY MAYOR TO EXECUTE THE AGREEMENT

Motion by Lublin, seconded by Ambrose, CARRIED: To approve resolution 2020-06 a resolution approving the employment contract with L. Dennis Whitt and authorizing and directing the City Mayor to execute the agreement.

Roll Call Vote

Ayes (6) Ambrose, Loch, Lublin, Owsinek, Woods, Ackley
Nays (1) Costanzo
Absent (0)
Abstention (0)

CM 1-19-20 MOTION TO FIND AND DETERMINE THAT THE CITY ATTORNEY'S ANNUAL REVIEW AND PERFORMANCE EVALUATION FOR THE PREVIOUS YEAR'S WORK WAS SATISFACTORY

Motion by Owsinek, seconded by Lublin, CARRIED: To find and determine that the City Attorney's annual review and performance evaluation for the previous year's work was satisfactory.

Roll Call Vote

Ayes (6) Loch, Lublin, Owsinek, Woods, Ambrose, Ackley
Nays (1) Costanzo
Absent (0)
Abstention (0)

CM 1-20-20 TO APPROVE RESOLUTION 2020-07 A RESOLUTION APPROVING AN AMENDMENT TO THE EMPLOYMENT AGREEMENT WITH VAHAN C. VANERIAN AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE TERMS OF THE EMPLOYMENT AGREEMENT

Motion by Owsinek, seconded by Lublin, CARRIED: To approve resolution 2020-07 a resolution approving an amendment to the employment agreement with Vahan C. Vanerian and authorizing the City Manager to execute the terms of the employment agreement.

Roll Call Vote

Ayes (6) Loch, Lublin, Owsinek, Woods, Ambrose, Ackley
Nays (1) Costanzo
Absent (0)
Abstention (0)

ADJOURNMENT

Meeting adjourned at 11:34 p.m.

Jennifer A. Stuart, City Clerk

Linda S. Ackley, Mayor

History: Chapter 6, The Council: Procedure and Miscellaneous Powers and Duties: *Section 6.7 (a) A journal of the proceedings of each meeting shall be kept in the English language by the Clerk and shall be signed by the presiding officer and Clerk of the meeting.*



**CITY OF WALLED LAKE
SPECIAL MEETING
PUBLIC HEARING
TUESDAY, JANUARY 28, 2020
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 Costanzo, Council Member Loch, Council Member Lublin, Council Member Owsinek, Council Member Woods

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

OTHER'S PRESENT:

City Attorney Vanerian explained this is a special meeting of the Walled Lake City Council called upon to hear an appeal from an administrative action taken on a site plan for a proposed marijuana provisioning center in Walled Lake.

City Attorney Vanerian explained this appeal calls upon the City Council to exercise three different types of powers that are conferred upon them when hearing a case in the appeal capacity under the city's marijuana facility ordinances.

City Attorney Vanerian explained the first power calls upon council to exercise is the review of administrative decisions. In reviewing administrative decisions, such as the administrative decision to deny the site plan. Council review shall be based on the record of the administrative decision being appealed without consideration of new information which was not presented to the administrative decision maker from whom the appeal is taken.

City Attorney Vanerian explained City Council is sitting as the Zoning Board of Appeals and shall not substitute its judgement for that of the administrative official being appealed and the appeal shall be limited to determining, based on the record, whether the administrative official breached a duty or discretion in carrying out the provisions of the zoning ordinance.

City Attorney Vanerian explained the second power calls upon council to exercise is the council's interpretive powers to interpret certain provisions of the Zoning Ordinance that are raised by way of the instant appeal.

City Attorney Vanerian explained the third power calls upon council to exercise the variance power which allows the granting of variances from the strict requirements of the City's Zoning Ordinance. A non-use variance which is the type of variance that is being requested by the applicant, maybe be granted only by finding a practical difficulty exists. In variance proceedings it shall be the responsibility of the applicant to provide information, plans, testimony and other evidence from which council may make the required findings. Administrative officials may but shall not be required to provide information, testimony, or evidence on a variance request. Mr. Vanerian explained this power is a little different than the first two. He explained this power allows for some consideration of extrinsic evidence and testimony for the purposes of determining of whether a practical difficulty exists or not exists.

City Attorney explained if the appellant plans on presenting any such evidence, the additional extrinsic evidence introduced can only be considered for that purpose. Council will have to exercise compartmentalized decision making, they cannot utilize extrinsic evidence or testimony for purpose of reviewing the administrative decisions or making any interpretations. He explained this is an overview of powers to be exercised by council in this particular case.

City Attorney Vanerian explained the general hearing format as this is a special meeting of City Council held strictly for purposes of holding a public hearing on the appeal for City Council case 2020-01. Mr. Vanerian explained the general hearing format would be to allow the applicant or appellant to address council first and present their case. The City Council may ask questions of the applicant at that time and may engage in somewhat of a question answer dialogue between council and the applicant. After the applicant is done with its presentation then interested parties would go next. They could address council and likewise of council. An interested party is someone who is a neighbor directly abutting the property in question, or another marijuana facility applicant. After that, then the members of the public, any member of the public can address council and share comments, questions, or concerns, etc. to the issue. Keep in mind this is a public hearing and a special meeting, any audience participation or comments must be limited to the issues in this appeal. He said this is not a regular city council meeting; public comment is limited to hearing comments that pertain to this particular appeal.

City Attorney Vanerian explained his recommendation to council to consider moving audience participation to make it part of the public hearing as it would be better for the public to hear from the applicant itself, so they have a better understanding about what the appeal is.

**CM 1-21-20 MOTION TO MOVE AUDIENCE PARTICIPATION TO BE
AFTER THE PUBLIC HEARING**

Motion by Loch, seconded by Owsinek, UNANIMOUSLY CARRIED: To move the audience participation agenda item after the public hearing

Roll Call Vote

Ayes (7) Ambrose, Costanzo, Loch, Lublin, Owsinek, Woods, Ackley
Nays (0)
Absent (0)
Abstention (0)

City Attorney explained before opening public hearing there is a preliminary issue to be addressed.

City Attorney Vanerian explained there is a preliminary issue before the public hearing is opened brought up by the applicant. Mr. Vanerian explained the applicant is requesting Mayor Pro Tem Ambrose be recused from participating in this appeal process for City Council Case 2020-01 because the applicant is of the opinion that Mr. Ambrose may have a conflict of interest or he may have some bias in this matter. The bases of this, in support of the applicant's request, communications were provided encompassing a demand for retraction letter that was sent to certain principals of the applicant by Mr. Ambrose's personal attorney. Mr. Vanerian explained the retraction of claimed derogatory and defamatory statements were in the letter. This is a typical type of letter that is normally sent prior to a lawsuit being filed for defamation and it is on that basis that the request for recusal is being made. Recusal is appropriate if there is actual bias or conflict of interest or even if there is an appearance of bias or conflict of interest. In this case, there is arguably some appearance that there may be some biased opinions because Mr. Ambrose has through his personal attorney demanded a retraction from certain principals of the applicant. He said the statements were of a personal nature that concerned both Mr. Ambrose and his immediate family members as well. Mr. Ambrose does intend to move forward with a defamation lawsuit. City Attorney Vanerian made a recommendation for council to recuse Mayor Pro Tem Ambrose from the appeal process of City Council Case 2020-01.

**CM 1-22-20 MOTION TO RECUSE MAYOR PRO TEM AMBROSE FROM
CITY COUNCIL CASE 2020-01 APPEAL HEARING FOR
REASONS EXPLAINED AND RECOMMENDATION BY CITY
ATTORNEY**

Motion by Owsinek, seconded by Costanzo, CARRIED: To recuse Mayor Pro Tem Ambrose from City Council Case 2020-01 appeal hearing for reasons explained and recommendation by City Attorney.

Roll Call Vote

Ayes (6) Costanzo, Loch, Lublin, Owsinek, Woods, Ackley
Nays (0)
Absent (0)
Abstention (1) Ambrose

AUDIENCE PARTICIPATION:

Moved to be included after Public Hearing.

Audience to approach the Podium, state their name and address before being authorized by the Chair to speak regarding agenda items only.

PUBLIC HEARING:

1. Case: 2020-01
Applicant: BDS Medical Growers, LLC
Location: 933 N Pontiac Trail
Walled Lake, MI 48390
Request: Non-Use Variance

Mayor Ackley explained this matter relates to property located at 933 N. Pontiac Trail zoned C-2. The applicant is seeking a variance from C-334-17, Section 21.50 (b) and (e) 7 which limit the number of provisioning centers to not more than two(2) in a C-2 zoning district and further require a 500 foot set back from another provisioning center; to allow a third provisioning center in a C-2 zoning district to operate within five hundred (500) feet of another provisioning center. Applicant requests City Council to grant the above requested variances and further reverse or modify the November 4, 2019 administrative denial of applicant's application to operate a medical marihuana provisioning center at 933 N. Pontiac Trail.

Open Public Hearing 7:41 p.m.

Mayor Ackley introduced applicant's attorney Mr. Kelly.

Mr. James Kelly explained he is the attorney for BDS and they applied for and were denied a license to operate a provisioning center within the city. This application was part of a package of applications for a processing center, provisioning center and a grow facility that would have created two to three, 12,000 square foot buildings in the city and improved the city by requiring the applicant to hook up the sewer and water taps which confers a priority status on the application. Mr. Kelly explained if granted, would also increase property tax revenues by tens of thousands of dollars per year and created numerous jobs in the city. Mr. Kelly explained that Mr. Steve Atwell and Mr. Robert Manna have a combined total of more than 50 years' experience owning and operating businesses in the city. They have for many years shown a commitment, not just to the business community of Walled Lake but also the civic government, Mr. Atwell is known as a member of the DDA and that is how he is known to all of you.

Mr. Kelly said it is an unfortunate turn of events that has brought us here today. Mr. Kelly said he believes they were here because of mistakes of the city, probably by staff that maybe did not know what other members of the city were doing. Mr. Kelly said he does not have another explanation.

Mr. Kelly said BDS applied to the city and the city issued three Attestation I forms corresponding to BSD's three different of applications processor, the provisioning center, and grow facility on October 25, 2018.

Mr. Kelly said he now going to refer to the city's argument that BDS apparently misused an Attestation I form or in some way misrepresented what the Attestation I form was for. Mr. Kelly explained the city's argument is completely false. Mr. Kelly said the letter that transmits the Attestation I form, specifically refers to the applicant's provisioning center. Mr. Kelly said it is clearly one Attestation form for each of the three applications. Mr. Kelly explained the city completed the three forms. Mr. Kelly explained later the same person apparently signed the Attestation I form and then notarized her own signature which defeats the whole point of a notary public. The State contacted the applicant, later on the city reissued the same three Attestation I forms. Mr. Kelly said these copies where provided to council.

Mr. Kelly explained the variance request. The city is processing the applications, BDS is doing work on its facility, other applicants are doing work on their facility and apparently on January 9, 2019, the City Planning Commission issued a conditional approval to Attitude Wellness, another provisioning center. Mr. Kelly explained in the meantime, the city does not take the position that BDS is not eligible at that time. Mr. Kelly said that is a belated manufactured thing. Mr. Kelly explained in contrary the city and BDS continued to work on their application and on their site. Mr. Kelly said the city goes out for numerous inspections over the course of July and August. Mr. Kelly said the city is working with BDS, BDS is working with the city and ultimately passing the inspections. Mr. Kelly said there are hiccups along the way, there are things that don't pass inspection immediately. Mr. Kelly said BDS does fix the items and eventually passes their inspections. On August 12, 2019 the city issues a Certificate of Occupancy. Mr. Kelly opined BDS has done what the city required. Mr. Kelly explained BDS submitted the C of O and Attestation I to the State, which shows BDS has met all the local approvals. Mr. Kelly explained the State does their own reviews and grants BDS a state operating license. Mr. Kelly said BDS pays \$66,000 for the state operating license in addition to all the work to bring the building up to code and explains tens of hundreds of thousands of dollars have been spent. Mr. Kelly said there has been a significant investment in the City by BDS.

Mr. Kelly said on August 22, 2019 BDS submits its State Operating License to the city. Mr. Kelly explained the city says no but does not provide any reasons until the November 4, 2019 denial letter. Mr. Kelly explained that is why BDS is before council and this is also explained in their Notice of Appeal.

Mr. Kelly said had it really been the case, had the city's ordinances provided that conditional approval stops the process, the process would have stopped well before all the approvals were made, well before the State issued its license, well before BDS received its Certificate of Occupancy and well before BDS spent all the monies.

Mr. Kelly referenced the November 4, 2019 denial letter. Mr. Kelly said the city gives several reasons for denial, with respect, he opined they are all wrong or mistaken. Mr. Kelly said this council sitting as the Zoning Board of Appeals has a duty to correct these mistakes.

Mr. Kelly said the first reason was that there were no remaining provisioning center approvals in the C-2 district because the Planning Commission granted site plan approvals to two other applicants. Mr. Kelly said this is legal error, this misreads the ordinance. Mr. Kelly explained when council is sitting as the Zoning Board of Appeals, it is different from City Council. The Zoning Board is not here to rewrite the ordinances or formulate new policy, the council may do that as part of a variance. Mr. Kelly explained when looking at the appeal, the existing ordinances that are already in effect, must be applied as they are written and apply the facts to that situation.

Mr. Kelly said what the denial letter does is misquotes and misstates the ordinances. Mr. Kelly said the text of the actual ordinance, limits the availability of licenses not the number of site plan approvals.

Mr. Kelly said the city provided a site plan approval before a license was granted. Mr. Kelly explained as of today, there are two available licenses in the C-2 zoning district. Mr. Kelly explained there is applicant who has an achieved its state license and has met all requirements of the city and want's their license. Mr. Kelly said the city has two available licenses and one of those should go to BDS.

Mr. Kelly said the city's denial letter states, BDS's provisioning center is within 500 feet of a previously approved provisioning center and opined this misstates the ordinance again.

Mr. Kelly referenced the city ordinance and read, "*a marijuana facility shall not be located less than 500 feet from a school or existing providing center.*" Mr. Kelly asked what evidence is there that there is an existing provisioning center. Mr. Kelly explained there is not a provisioning center there, there is a building, they want it to be a provisioning center, but it is not there yet. Mr. Kelly explained the ordinance language does not state a previously approved provisioning center. Mr. Kelly said the city mistakenly gave conditional approval.

Mr. Kelly explained if applicant is denied, which he opined would not happen because council would do the right thing and approve BDS but if denied, they can apply to the circuit court to determine definition of *existing* referring to a business which means operational. Mr. Kelly opined there is not a facility within 500 feet of BDS that provides medical marijuana.

Mr. Kelly explained the November 4, 2019 denial letter references multiple violations of code and law. Mr. Kelly explained when there is construction, there are inspections and they fail that happens in every single project. Mr. Kelly said the items were fixed because the city issued a certificate of occupancy. Mr. Kelly said there are not multiple code violations or violations of other law. Mr. Kelly explained he cannot be more specific because the city did not cite codes or other laws.

Mr. Kelly explained item 4 of the denial letter references priority. Mr. Kelly said there are other applicants that have a higher priority. Mr. Kelly said he mentioned this because of the sewer and water hookups. Mr. Kelly opined there are two available licenses, there is one applicant, BDS and they are the highest priority applicant. Mr. Kelly said the city has the licenses and there is not a provision in the ordinance to hold out because somebody better may come along. Mr. Kelly said the city has to apply the ordinance as it is today.

Mr. Kelly said denial 5, apparent misuse of Attestation I. Mr. Kelly said the city issued three Attestation I forms, corresponding to each of the application applied for by BDS. Mr. Kelly said exhibit M within the Notice of Appeal is a cover letter stamped received by the City Clerk's Office, on October 25, 2019 and it specifically says provisioning center. Mr. Kelly said it is not the case that Steve Atwell showed up to city hall and said I'd like this Attestation I for something else. Mr. Kelly said it was presented to city hall for the provisioning center. Mr. Kelly said city hall issued an Attestation I form. Mr. Kelly said three months later, city hall reissued that Attestation I form. Mr. Kelly explained city hall issued the Attestation I forms and then reissued them. Mr. Kelly said BDS never misused the Attestation I form; the cover letter refers to the provisioning center. Mr. Kelly said there is no case or misuse of the Attestation I form. Mr. Kelly said BDS applied for the Attestation I, got it, and presented to the state. Mr. Kelly said that is the proper use of that form.

Mr. Kelly said he provided the city attorney and council with the Medical Marijuana State Operating License State application and instructions booklet. Mr. Kelly referred to page 54, it has a discussion on what the Attestation I form is. Mr. Kelly said if the City Clerk's Office or city meant something different and that was an error by the city. Mr. Kelly said BDS relied on that error to its significant detriment.

City Attorney Vanerian explained for clarification on the document provided by Mr. Kelly. Attorney Vanerian explained his understanding is that Mr. Kelly is submitting items from the application instruction booklet from the State of Michigan for purposes of explaining how the State uses the Attestation I form which Mr. Kelly believes is as indication of city approval.

City Attorney Vanerian explained in the bottom left hand corner, there is a September 2019 date on the instruction manual. Mr. Vanerian said there was initially a form the State used when the Bureau of Medical Marijuana regulation started. Mr. Vanerian said when Governor Whitmer came into office, her administration restructured and changed the bureau over to the Marijuana Regulatory Agency. The Marijuana Regulatory Agency reviewed all the forms and the applications that the bureau used, and they made changes to them including the Attestation I form. Mr. Vanerian said he has the Attestation I form from September 2019 that goes with this instruction booklet provided by Mr. Kelly and it is not the same Attestation I form that the city signed. Mr. Vanerian explained the current Attestation I form that the instruction booklet applies to states the applicant has municipal authorization to operate. Mr. Vanerian said that is the current Attestation I form. The Attestation I form that the city signed does not contain that statement. There are corresponding instructions of the old instruction booklet by the State

published as a counter part to the Attestation I form that the city has. If reviewed, the language from the old instruction booklet that applies to the Attestation I forms the city signed, the language about the *execution of the Attestation I form constitutes local approval*, is not in there. Mr. Vanerian explained the reason that language is not there is the old Attestation I form did not state that it constituted local approval of the application.

Mr. Kelly said he thinks the old Attestation I form is the city's sworn verification or attestation that the applicant is in compliance with the law, the medical marijuana facilities licensing act, and that is a distinction without a difference. Mr. Kelly explained, granted the new form is clearer, he was not aware of this new form until this moment. Mr. Kelly explained his apologies and opined the Attestation I form old or new, is the city's sworn statement that the applicant is in compliance the medical marijuana licensing facilities acts and its local municipal requirements. Mr. Kelly said part of the requirements of the Attestation I form are that the city adopts a local ordinance and opts into procedures.

Mr. Kelly said that does not change anything. Mr. Kelly reviewed a letter from the State, exhibit D within the applicant's Notice of Appeal. Mr. Kelly reviewed correspondence dated July 15, 2019 from the Medical Marijuana Agency and read that the, "*state accepted Attestation I form and the signature to us, the state, the applicant has approval from the municipality. If the municipality has not issued a license to operate, we are unaware as we took their signature of Attestation I to mean you were approved.*"

Mr. Kelly said he is not saying the City Clerk's Office acted in bad faith, but a mistake was made, and the council has the power to remedy.

Mr. Kelly explained the next denial item, failure to satisfy applicable approval criteria. Mr. Kelly said the city could not specify any, we know there are no outstanding issues because the applicant received a certificate of occupancy. The city issued the Attestation I form; the city already made its determination that the applicant is approved.

Mr. Kelly explained for all those reasons he thinks council should grant the applicant appeals. Mr. Kelly said council should hold the November 4th denial letter was an error, that it was a product of a misstatement of the law and misapplication of the city ordinances. Mr. Kelly said there were no defects or errors on BSD's part. Mr. Kelly said BDS is presently entitled to a license. Mr. Kelly said council can still make this right. Mr. Kelly explained the variance request is for an increase in the number of licenses so BDS can have one and the setback requirement be modified so BDS was in an eligible location.

Mr. Kelly said the variance could be granted. Mr. Kelly said to force the applicant to spend \$66,000 on a state license, additional untold estimates of money, nearly half a million dollars on their building is very much an unnecessary burden. Mr. Kelly said if the city provided or wanted to provide that upon conditional approval by the other provisioning centers, the process would stop, it should have said so before BDS spent half a million dollars. This could have been remedied by sending a letter. Mr. Kelly said a letter which part of the administrative record, one

was sent to Attitude Wellness from the July 9th Planning Commission meeting. Mr. Kelly explained the same letter could have been sent to BDS and it would have stopped BDS from spending half a million dollars. Mr. Kelly said correcting a half million-dollar error is substantial justice. Mr. Kelly said the applicant is asking for the least possible variance that would give relief. Mr. Kelly said he does not know how many Attestation I forms or certificates of occupancy the city has given out. Mr. Kelly said BDS is the only applicant who has a state operating license. Mr. Kelly said council can take steps to correct this situation.

Mr. Kelly said finally the problem has to be not self-created. Mr. Kelly opined this is not a self-created problem. Mr. Kelly said this is an error by the City Clerk's office by issuing the Attestation I form, the building department issuing building permits and approvals, and a certificate of occupancy. Mr. Kelly explained with all of this being issued, how would BDS know to do anything different. Mr. Kelly said council can make this right. Mr. Kelly said ultimately at the end of the day, BDS should receive approval and this should be the end of it.

Mr. Atwell addressed board. Mr. Atwell said he has had a long-standing commitment to the city, he was born here and raised here and participated in fundraising for city. Mr. Atwell explained he was asked by council members to bring some more work into the city and bring more property value to his property. Mr. Atwell said his property is the largest undeveloped part of the city, it would be taxed. Mr. Atwell explained the water and sewer taps were made in good faith. Mr. Atwell said he has spent half a million dollars himself with legal fees just getting the licenses and FBI background checks which were expensive. Mr. Atwell opined he was told by Mr. Whitt you have three licenses, there are texts messages. Mr. Atwell said he met with Mrs. Pesta and Mr. Whitt, had no conversation with Mrs. Pesta the conversation was with Mr. Whitt. Mr. Atwell said Mrs. Pesta signed the first set of forms improper. Mr. Atwell said the state returned the forms because they were improper. Mr. Atwell said he approached the city manager explaining the forms were signed incorrectly and he was told to come back to have them resigned. Mr. Atwell said Mrs. Pesta signed them again, all three forms. Mr. Atwell explained registered letters with return receipts were sent. Mr. Atwell said the direct accusation that he is a fraud is disgusting, the city council or somebody in the city would call him a fraud to protect themselves Mr. Atwell said it is not right. Mr. Atwell said there is something wrong here, you all know it and it is not BDS. Mr. Atwell said they have done everything they were asked to do. Mr. Atwell said yes, BDS did start construction on the site improperly because he said he was told by Mr. Whitt to get though the State of Michigan and we will get you your licenses. Mr. Atwell said they were told to stop construction and they stopped. Mr. Atwell said they stopped under the city guidance. Mr. Atwell explained he spoke with code enforcement, explaining the with the rain they needed to get siding up to protect the building. Mr. Atwell explained he was granted permission to do that. Mr. Atwell said all along BDS has done what the city asked. Mr. Atwell said all he wants the city to do is what they said they would do. Mr. Atwell said in his paperwork he said he would provide a certain percentage to the safety part of Walled Lake. He said he is allowed to give to the Fire Department and Police Department. Mr. Atwell said he is a long standing committed resident and business owner in the city. Mr. Atwell explained he had people contact him and explain there is a bus stop near his building, because BDS is Walled Lake resident, they would not be open during the time the school buses are there. Mr. Atwell said

they made that commitment to the city. Mr. Atwell said he will make his employees be off for lunch during the time the buses are there. Mr. Atwell said the city ordinance is disturbing. Mr. Atwell said BDS is the right fit and we have done everything we were asked to do, and he hopes council makes the right decision.

Mayor Ackley opened meeting to other applicants and interested parties.

Kristin Scott, legal representative of Attitude Wellness explained her client is adjacent to BDS at 861 N Pontiac Trail, only 276 feet away. Ms. Scott explained she heard council statements that there are no other applications and that in disingenuous. Ms. Scott explained Attitude Wellness has paid all the water sewer tap fees to get priority under the ordinances, they received Planning Commission approval on July 9th. Ms. Scott explained there were other applicants at the same meeting, but Attitude Wellness received priority because of the new water and sewer tap fees.

Ms. Scott explained she is at a disadvantage here, she submitted a FOIA request to the city to obtain information and her request was denied. Ms. Scott explained when she heard the request for a variance, she then resubmitted another FOIA for the variance application and her FOIA request has not been responded to as of yet. Ms. Scott said that was inappropriate. Ms. Scott explained she then went to the city offices to find the application and there was no application provided. Ms. Scott explained she is going in blind but will continue to dispute the variance request.

Ms. Scott explained BDS is appealing the denial of their application and requesting two non-use variances from the city zoning ordinances. Ms. Scott explained first the city cannot grant a variance request without an actual application outlining the five criteria. Ms. Scott said if the city has one and it was not provided, it is unfair. Ms. Scott said nothing has been provided to council in writing why BDS meets the five criteria/standards for a variance. Ms. Scott explained Attitude Wellness is directly across the street and has invested over \$1.5 million dollars in the building. Ms. Scott opined it is a beautiful building and in the final stages of the construction. Ms. Scott explained they have applied for final state approval and have been provided in 2018, provisional state approval. Ms. Scott explained once final stage approval occurs, the city ordinances state, the city manager shall approve a city operating license, we will be entitled to a city operating license. Ms. Scott said for council to say there are no other approved applicants in the C-2 district is disingenuous. Ms. Scott said they plan to open in March 2020. Ms. Scott said they done everything within the ordinances without any violations and are very proud of what they have done in the community. Ms. Scott said in going through the denial letter, she is familiar with BDS filing a lawsuit against the city. Ms. Scott said she has read some of the pleadings and the part of the appeal, is basically an argument on the merits of BDS's lawsuit. Ms. Scott explained the council is not the judge, BDS is trying to argue their entire case of the lawsuit through the appeal process and that is inappropriate. Ms. Scott said she has read the sworn affidavits from the city filed with Oakland County Circuit Court that BDS obtained the Attestation I form fraudulently. Ms. Scott asked council to uphold their prior decisions and deny the application for BDS. Ms. Scott said in regards to the variance request, BDS has to show that a practical difficulty exists and meet all five criteria not just one or two. Ms. Scott referenced the

five criteria of variance requests. Ms. Scott said BDS cannot argue that granting this variance will do substantial justice to the applicant as well as to other property owners. Ms. Scott said her client, is another property owner and the BDS cannot argue that granting this variance will do substantial justice to her client who operates a facility within 276 feet, who relied in the city's 500-foot buffer zoning ordinance, and limited licenses to two in this C-2 zoning district.

Ms. Scott explained the zoning ordinance again explains a lesser variance than requested will not provide substantial relief to applicant and/or be consistent with justice to other property owners.

Ms. Scott explained the need for a variance is due to the unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district. Ms. Scott said that does not even apply to this applicant, if you look at the other properties in the area, there are no unique properties. Ms. Scott explained the applicant wants the city to ignore the entire zoning ordinance and grant them a variance.

Ms. Scott explained the denial of BDS's license was due to their own self-created hardships. Ms. Scott said the applicant did not follow building code they did work without permits. Ms. Scott explained to her knowledge the applicant did not pay extra water and sewer taps that her client paid to obtain priority status under the ordinance and according to the city fraudulently obtained their Attestation I form for licensing with the State of Michigan.

Ms. Scott explained she has heard the applicant claiming financial hardship; however, the city's zoning application specifically states, *financial hardship or desire for greater profit are generally not sufficient for granting a variance*. Ms. Scott said her client too has also spent a lot of money. Ms. Scott explained BDS did not follow the building code and worked without permits.

Ms. Scott explained that in order for council to grant this variance, the applicant has to show substantial justice to applicant and surrounding property owners.

Ms. Scott explained the city cannot simply look the other way from the violations it accuses BDS of. Ms. Scott said if that is done, how many other applicants are there that did not pay for the heightened priority status under the ordinance. Ms. Scott said council will be faced with appeal requests several times over from aggrieved applicants. Ms. Scott explained if council grants variance, her client will have no choice as an aggrieved property owner to appeal the decisions. It is not in the spirit of the city's zoning ordinance. Ms. Scott explained her client has gone through every single step to follow the city ordinances to a "T". Ms. Scott said her client has invested over \$1.5 million in their facility and they expect to open their doors in March. Ms. Scott said they are awaiting state approval and then the city will be required to provide license because the ordinance states, the city manager shall grant an operating license.

Mayor Ackey explained audience participation is operated the same as the city council meetings with three minutes for explanation.

AUDIENCE PARTICIPATION:

Tyler Johnson – 193 Spring Park – is a homeowner and resident of community. Mr. Johnson said there are two applicants for a license and his concern is for all residents of Spring Park. Mr. Johnson said he opposes the issuance of licenses. Mr. Johnson said the residents are on the losing end of a monopoly where the residents are the last ones considered. Mr. Johnson said they are the ones that make the community great not to have a strangle hold by an industry especially with their neighborhood right in the middle. Mr. Johnson explained owning on a street that will have a dispensary on both sides of the only street entrance does not give his neighborhood a good outlook for the future of Walled Lake.

Rick Greenwell, 395 W. Walled Lake Drive – said presentations were clear to him and it sounds like the potential business owners did everything that they needed to do to start their business, they got their certificate of occupancy, got the state license. Mr. Greenwell said at a certain point in time something happened, and somebody decided to put the stop on their program. Mr. Greenwell said the applicant did have hiccups along the way, they fixed their mistakes, but kept going. Mr. Greenwell opined that in July between then and October 2019 because at the October council meeting last year that is when Mr. Whitt said the applicant, they did not have state license, when in fac they did. Mr. Greenwell said something happened in between that time frame that changed everything, and it does not look good. Mr. Greenwell opined it does not look like things are on the up and up from layman’s standpoint. Mr. Greenwell explained the applicant has done everything they needed to do and now there is static.

Bob Daar, 148 Arvida – asked if Attitude Wellness is a locally based organization. Mr. Daar said he attended a council meeting two years ago when licensing was discussed and was told local residents would have first priority. Mr. Daar said for council to review their records and tapes.

Kevin Kernan, 100 Decker Road – said chasing plants, bickering and controversy about the subject. Mr. Kernan explained when the ordinances were for written it was purely for medicinal marijuana and since then there has been decriminalization of marijuana. Mr. Kernan asked if we are talking about marijuana as medicinal or specifically medicinal facilities. Mr. Kernan said liquor licenses need to be reviewed as well because there are liquor licenses that have business within this 500-foot range, there is no medicinal value with alcohol. Mr. Kernan said this plan is biological and can grow anywhere and for people to waste tax dollars to bicker back and forth and waste people’s hard-earned money on chasing around trees. Mr. Kernan said if marijuana is invited into the city, we cannot say who can and cannot do it that is not fair to anybody. Mr. Kernan asked if the ordinances been rewritten since the decriminalization.

Peter Stuart, 1580 S Commerce – said allowing the city to have two dispensaries on the same street is a disgrace. Mr. Stuart explained this is a vile industry and it is destroying the social and moral fabric of our culture. Mr. Stuart said this variance is nothing more than Proposal 2.0.

Karen Kolke, 179 Spring Park – said they have a one block neighborhood and feels and like a throw away collateral on this. Ms. Kolke said the ordinance reads not to have within 500 feet of

each other. Ms. Kolke said we are on a dead-end street one way for egress and ingress and the street became even more narrow since the Maher building. Ms. Kolke said we do not have good coming and going on the street. Ms. Kolke asked about the facilities parking at a 90-degree angle, this cuts off the site distance. Ms. Kolke said everyone will make a profit off of this other than the residents. Ms. Kolke said she wished council would consider the residents.

Michelle Fillion, 300 Eagle Pond – said she spoke at meeting in May of 2019 in belief of medical marijuana and explained she is a hospice nurse and understands the benefits. Ms. Fillion did ask that community members be looked at first before outside organizations. Ms. Fillion said all of the arguments in regards to money spent is irrelevant to this case. Ms. Fillion said hardship is to each of the property owners, it is apples to apples.

Jim O'Connor – explained he is not from area but has been following this for a long time. Mr. O'Connor said when city adopted the marijuana ordinances, there was a lot of concerns from the citizens, the city assured the citizens that they wanted to keep the business in the city free of outside influences preferably owned and operated by local citizens or business owners. Mr. O'Connor said Steve Atwell is owner and operator of Erin Industries. Mr. O'Connor explained Mr. Atwell's business financially donates to local causes, youth sports, local schools, employs many residents, serves on the Downtown Development Authority commission for the city. Mr. O'Connor for Mr. Atwell to be a partial owner of one of the city's provisioning centers, is good business for the city. Mr. O'Connor explained BDS business plan has allotted a certain percentage of its profits to be donated to the city for safety. Mr. O'Connor said Mr. Atwell's piece of land is planned to continue to develop that and it is more tax money for the city. Mr. O'Connor asked for council to support Mr. Atwell.

John Simpson, 1860 Weir – listened to the lawyer comment on how nice the building will look, and he is sure Mr. Atwell's building will look nice too. Mr. Simpson asked how much money they will be putting back into the city. Mr. Simpson said he heard Mr. Atwell speak about providing money back into the city. Mr. Simpson said Mr. Atwell sounds like he is going to donate money back to the community which our city needs.

Rok Knight, 938 N Pontiac Trail – concern about parking, these two buildings are right next to each other and customers will be parking into each other's lots if no availability and the flow will come across the street to my business. Mr. Knight said he does not care which one gets a license. Mr. Knight opined this will create a parking nightmare and friction between two business owners and said he believes there will be a murder in this city because of this, broken into, or shot because of the marijuana.

Marilyn Boylan, 761 E Walled Lake Drive - thanked the city attorney for recommendation to move audience participation. Ms. Boylan said she researched other cities and distance requirements were 1000 to 1500 and she thinks it's unfortunate the city is only 500 feet. Ms. Boylan said there is a bus stop is right in the direct area and we are forcing marijuana on young kids. Ms. Boylan opined marijuana is not good for this city.

Close Audience Participation 8:52 p.m.

Close Public Hearing 8:53 p.m.

Mayor Ackley asked council if they wish to allow applicant time for rebuttal with limits.

CM 1-23-20 MOTION TO ALLOW FOR REBUTTALS FROM INTERESTED PARTIES; EACH NOT TO EXCEED A PERIOD FIVE MINUTES

Motion by Costanzo, seconded by Woods, CARRIED: To allow for rebuttals from interested parties; each not to exceed a period of five minutes.

Roll Call Vote

Ayes (6)	Loch, Lublin, Owsinek, Woods, Costanzo, Ackley
Nays (0)	
Absent (0)	
Abstention (1)	Ambrose

Mr. Kelly said the applicant's position and Attitude Wellness, ordinances are clear the city manager shall issue a city operating license upon receipt of state license, the city has no discretion it shall issue the license. Mr. Kelly said that is the position BDS is in, BDS has its state operating license, the city has no discretion and it should have issued the city operating license. Mr. Kelly said they should not even need to be here today. Mr. Kelly explained this is a unique circumstance, there are not any other applicants in BDS's position not even Attitude Wellness, because they do not have a state license. Mr. Kelly opined BDS did everything right, the city issued all of its necessary approvals, the state reviewed that, and issued its state license to BDS.

Mr. Kelly explained the city said no and it took months for the city to provide a denial letter. Mr. Kelly said it took two months. Mr. Kelly explained if the appeal is granted, Attitude Wellness would be out in the cold because Attitude Wellness would be within the 500 feet of an existing provisioning center which would be BDS. Mr. Kelly opined there is no provisioning center at this point in time, Attitude Wellness does not exist currently. Mr. Kelly explained the ordinances are clear, once issued the state operating licenses the city shall issue the city operating license. Mr. Kelly said the variance is the solution.

Christyn Scott, Attitude Wellness – said her client has site plan approval, BDS does not and has never received site plan approval. Ms. Scott said they are not in the same position as BDS. Ms. Scott said they do own a building at 825 N Pontiac Trail, we are property owners in the city, we will be contributing to a revised tax base, we will triple our tax contribution, we fixed the sidewalk in the front other property as well. Ms. Scott said Mr. Kelly is asking council to completely ignore the zoning ordinances and process because the applicant has not met all five criteria to grant a variance. Ms. Scott BDS cannot meet one of the five. Ms. Scott said in the

strict letter of the law all five have to be met, BDS did not submit an application to back their request for the variance. Ms. Scott said council cannot issue a variance, there is no basis to grant BDS's request.

Mayor Ackley explained because of the complications of the issues involved, council make a motion to ask the city attorney for legal recommendation and opinion. Mayor Ackley explained a another special can be scheduled in the future after city attorney has prepared recommendation.

CM 1-24-20 TO APPROVE RESOLUTION 2020-08 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALLED LAKE TO REFER CITY COUNCIL CASE 2020-01 FOR LEGAL RECOMMENDATION AND OPINION CONCERNING THE PROPER INTERPRETATION OF APPLICABLE ZONING ORDINANCE PROVISIONS

Motion by Owsinek, seconded by Loch, CARRIED: To approve resolution 2020-08 of the City Council of the City of Walled Lake to refer City Council case 2020-01 for legal recommendation and opinion concerning the proper interpretation of applicable zoning ordinance provisions.

Discussion

Mayor Ackley explained the city is in litigation with BDS, and opined council has to be cautious and utilize the city attorney for this process.

Roll Call Vote

Ayes (6)	Lublin, Owsinek, Woods, Costanzo, Loch, Ackley
Nays (0)	
Absent (0)	
Abstention (1)	Ambrose

ADJOURNMENT

Meeting adjourned at 9:20 p.m.

Jennifer A. Stuart, City Clerk

Linda S. Ackley, Mayor

History: Chapter 6, The Council: Procedure and Miscellaneous Powers and Duties: *Section 6.7 (a) A journal of the proceedings of each meeting shall be kept in the English language by the Clerk and shall be signed by the presiding officer and Clerk of the meeting.*

Monthly Violation Summary
January 2020



Search Criteria:

Month :	January
Year :	2020
Citation Type:	Both
Violation Type:	No Warning(s)
Range One:	00:00 - 07:59
Range Two:	08:00 - 15:59
Range Three:	16:00 - 23:59
Include Court Approved Only?	Yes
Count Secondary Officer's Violation?	Yes
Report ID:	264686
Saved:	No
Run By:	SHAKINAS, PAUL

Monthly Violation Summary

January 2020

Violation Description	Count	Percentage	Accident	TIME RANGE			YTD
				One	Two	Three	
ALL OTHERS							
ASSAULT & BATTERY - DOMESTIC (1ST)	1	4.55 %	0	1	0	0	1
DISOBEYED TRAFFIC CONTROL DEVICE	1	4.55 %	0	1	0	0	1
DOMESTIC VIOLENCE	1	4.55 %	0	1	0	0	1
DROVE WHILE LICENSE NOT VALID OR IMPR LICENSE (NO LICENSE NEVER APPLIED)	2	9.09 %	0	0	0	2	2
DROVE WHILE LICENSE SUSPENDED/REVOKED/DENIED	1	4.55 %	0	0	0	1	1
DROVE WHILE UNLICENSED (DROVE W/O OBTAINING LICENSE W/IN 3 YEARS)	1	4.55 %	0	0	0	1	1
FAIL TO YIELD WHEN TURNING LEFT	1	4.55 %	1	1	0	0	1
FAIL TO YIELD: ONCOMING TRF; RIGHT OF WAY; R.O.W. TO VEH ON RT; AT STOP SIGN; DID NOT OBSERVE TRAF	2	9.09 %	1	0	1	1	2
FAILED TO STOP WITHIN ASSURED CLEAR DISTANCE	1	4.55 %	1	0	0	1	1
NO INSURANCE - CIVIL INFRACTION	1	4.55 %	0	0	0	1	1
NO PROOF OF INSURANCE	3	13.64 %	0	1	0	2	3
REGISTRATION/PLATE VIOL: EXPIRED PLATES	2	9.09 %	0	0	0	2	2
REGISTRATION/PLATE VIOL: NO REGISTRATION ON PERSON	1	4.55 %	0	1	0	0	1
SPEEDING 01-05 OVER	3	13.64 %	0	0	2	1	3
SPEEDING 31-35 OVER	1	4.55 %	0	0	0	1	1
Total **ALL OTHERS**	22	100 %	3	6	3	13	22
Total Violations	22		3	6	3	13	22
Total Tickets	21		3	5	3	13	21

CLR-065 Monthly Summary Of Offenses (WL)



Search Criteria: (This report counts for offenses but excludes UCR status of 'Unfounded'.)

Month: January

Year: 2020

CLR-065 Monthly Summary Of Offenses (WL)

----- All Offenses that were Attempted or Completed -----								A R R E S T S -----					
CLASS	Description	Jan/2020	Jan/2019	% CHG	YTD 2020	YTD 2019	% CHG	ADULT		JUV		Total	
								Jan/2020	YTD	Jan/2020	YTD	Jan	YTD
09001	MURDER/NONNEGLIGENT MANSLAUGHTER (VOLUNTARY)	0	0	0%	0	0	0%	0	0	0	0	0	0
09002	NEGLIGENT HOMICIDE/MANSLAUGHTER (INVOLUNTARY)	0	0	0%	0	0	0%	0	0	0	0	0	0
09004	JUSTIFIABLE HOMICIDE	0	0	0%	0	0	0%	0	0	0	0	0	0
09005	DEATH INVOLVING USE OF FORCE BY LAW ENFORCEMENT	0	0	0%	0	0	0%	0	0	0	0	0	0
09006	IN-CUSTODY DEATH	0	0	0%	0	0	0%	0	0	0	0	0	0
10001	KIDNAPPING/ABDUCTION	0	0	0%	0	0	0%	0	0	0	0	0	0
10002	PARENTAL KIDNAPPING	0	0	0%	0	0	0%	0	0	0	0	0	0
11001	SEXUAL PENETRATION PENIS/VAGINA -CSC 1ST DEGREE	0	0	0%	0	0	0%	0	0	0	0	0	0
11002	SEXUAL PENETRATION PENIS/VAGINA -CSC 3RD DEGREE	0	0	0%	0	0	0%	0	0	0	0	0	0
11003	SEXUAL PENETRATION ORAL/ANAL -CSC 1ST DEGREE	0	0	0%	0	0	0%	0	0	0	0	0	0
11004	SEXUAL PENETRATION ORAL/ANAL -CSC 3RD DEGREE	0	0	0%	0	0	0%	0	0	0	0	0	0
11005	SEXUAL PENETRATION OBJECT -CSC 1ST DEGREE	0	0	0%	0	0	0%	0	0	0	0	0	0
11006	SEXUAL PENETRATION OBJECT -CSC 3RD DEGREE	0	0	0%	0	0	0%	0	0	0	0	0	0
11007	SEXUAL CONTACT FORCIBLE -CSC 2ND DEGREE	0	0	0%	0	0	0%	0	0	0	0	0	0
11008	SEXUAL CONTACT FORCIBLE -CSC 4TH DEGREE	0	0	0%	0	0	0%	0	0	0	0	0	0
12000	ROBBERY	0	0	0%	0	0	0%	0	0	0	0	0	0
12001	ROBBERY	0	0	0%	0	0	0%	0	0	0	0	0	0
13001	NONAGGRAVATED ASSAULT	2	1	100%	2	1	100%	3	3	0	0	3	3
13002	AGGRAVATED/FELONIOUS ASSAULT	0	0	0%	0	0	0%	1	1	0	0	1	1
13003	INTIMIDATION/STALKING	0	2	-100%	0	2	-100%	0	0	0	0	0	0
20000	ARSON	0	0	0%	0	0	0%	0	0	0	0	0	0
21000	EXTORTION	0	0	0%	0	0	0%	0	0	0	0	0	0

CLR-065 Monthly Summary Of Offenses (WL)

----- All Offenses that were Attempted or Completed -----								A R R E S T S -----					
CLASS	Description	Jan/2020	Jan/2019	% CHG	YTD 2020	YTD 2019	% CHG	ADULT		JUV		Total	
								Jan/2020	YTD	Jan/2020	YTD	Jan	YTD
22001	BURGLARY -FORCED ENTRY	0	0	0%	0	0	0%	0	0	0	0	0	0
22002	BURGLARY -ENTRY WITHOUT FORCE (Intent to Commit)	0	0	0%	0	0	0%	0	0	0	0	0	0
23001	LARCENY -POCKETPICKING	0	0	0%	0	0	0%	0	0	0	0	0	0
23002	LARCENY -PURSES/NATCHING	0	0	0%	0	0	0%	0	0	0	0	0	0
23003	LARCENY -THEFT FROM BUILDING	2	0	0%	2	0	0%	0	0	0	0	0	0
23004	LARCENY -THEFT FROM COIN-OPERATED MACHINE/DEVICE	0	0	0%	0	0	0%	0	0	0	0	0	0
23005	LARCENY -THEFT FROM MOTOR VEHICLE	0	0	0%	0	0	0%	0	0	0	0	0	0
23006	LARCENY -THEFT OF MOTOR VEHICLE PARTS/ACCESSORIES	0	0	0%	0	0	0%	0	0	0	0	0	0
23007	LARCENY -OTHER	1	2	-50%	1	2	-50%	0	0	0	0	0	0
24001	MOTOR VEHICLE THEFT	0	0	0%	0	0	0%	0	0	0	0	0	0
24002	MOTOR VEHICLE, AS STOLEN PROPERTY	0	0	0%	0	0	0%	0	0	0	0	0	0
24003	MOTOR VEHICLE FRAUD	0	0	0%	0	0	0%	0	0	0	0	0	0
25000	FORGERY/COUNTERFEITING	0	0	0%	0	0	0%	0	0	0	0	0	0
26001	FRAUD -FALSE PRETENSE/SWINDLE/CONFIDENCE GAME	3	0	0%	3	0	0%	0	0	0	0	0	0
26002	FRAUD -CREDIT CARD/AUTOMATIC TELLER MACHINE	0	0	0%	0	0	0%	0	0	0	0	0	0
26003	FRAUD -IMPERSONATION	0	0	0%	0	0	0%	0	0	0	0	0	0
26004	FRAUD -WELFARE FRAUD	0	0	0%	0	0	0%	0	0	0	0	0	0
26005	FRAUD -WIRE FRAUD	0	0	0%	0	0	0%	0	0	0	0	0	0
26007	FRAUD - IDENTITY THEFT	0	1	-100%	0	1	-100%	0	0	0	0	0	0
26008	FRAUD - HACKING/COMPUTER INVASION	0	0	0%	0	0	0%	0	0	0	0	0	0
27000	EMBEZZLEMENT	0	0	0%	0	0	0%	0	0	0	0	0	0
28000	STOLEN PROPERTY	0	0	0%	0	0	0%	0	0	0	0	0	0
29000	DAMAGE TO PROPERTY	0	0	0%	0	0	0%	0	0	0	0	0	0
30001	RETAIL FRAUD -MISREPRESENTATION	0	0	0%	0	0	0%	0	0	0	0	0	0

CLR-065 Monthly Summary Of Offenses (WL)

----- All Offenses that were Attempted or Completed -----								A R R E S T S -----					
CLASS	Description	Jan/2020	Jan/2019	% CHG	YTD 2020	YTD 2019	% CHG	ADULT		JUV		Total	
								Jan/2020	YTD	Jan/2020	YTD	Jan	YTD
30002	RETAIL FRAUD -THEFT	0	0	0%	0	0	0%	0	0	0	0	0	0
30003	RETAIL FRAUD -REFUND/EXCHANGE	0	0	0%	0	0	0%	0	0	0	0	0	0
30004	ORGANIZED RETAIL FRAUD	0	0	0%	0	0	0%	0	0	0	0	0	0
35001	VIOLATION OF CONTROLLED SUBSTANCE ACT	0	0	0%	0	0	0%	0	0	0	0	0	0
35002	NARCOTIC EQUIPMENT VIOLATIONS	0	0	0%	0	0	0%	0	0	0	0	0	0
36001	SEXUAL PENETRATION NONFORCIBLE - BLOOD/AFFINITY	0	0	0%	0	0	0%	0	0	0	0	0	0
36002	SEXUAL PENETRATION NONFORCIBLE -OTHER	0	0	0%	0	0	0%	0	0	0	0	0	0
37000	OBSCENITY	0	0	0%	0	0	0%	0	0	0	0	0	0
39001	GAMBLING- BETTING/WAGERING	0	0	0%	0	0	0%	0	0	0	0	0	0
39002	GAMBLING- OPERATING/PROMOTING/ASSISTING	0	0	0%	0	0	0%	0	0	0	0	0	0
39003	GAMBLING -EQUIPMENT VIOLATIONS	0	0	0%	0	0	0%	0	0	0	0	0	0
39004	GAMBLING -SPORTS TAMPERING	0	0	0%	0	0	0%	0	0	0	0	0	0
40001	COMMERCIALIZED SEX -PROSTITUTION	0	0	0%	0	0	0%	0	0	0	0	0	0
40002	COMMERCIALIZED SEX -ASSISTING/PROMOTING PROSTITUTION	0	0	0%	0	0	0%	0	0	0	0	0	0
40003	HUMAN TRAFFICKING - PURCHASING PROSTITUTION	0	0	0%	0	0	0%	0	0	0	0	0	0
51000	BRIBERY	0	0	0%	0	0	0%	0	0	0	0	0	0
52001	WEAPONS OFFENSE- CONCEALED	1	0	0%	1	0	0%	0	0	0	0	0	0
52002	WEAPONS OFFENSE -EXPLOSIVES	0	0	0%	0	0	0%	0	0	0	0	0	0
52003	WEAPONS OFFENSE -OTHER	0	0	0%	0	0	0%	0	0	0	0	0	0
64001	HUMAN TRAFFICKING - COMMERCIAL SEX ACTS	0	0	0%	0	0	0%	0	0	0	0	0	0
64002	HUMAN TRAFFICKING - INVOLUNTARY SERVITUDE	0	0	0%	0	0	0%	0	0	0	0	0	0
72000	ANIMAL CRUELTY	0	0	0%	0	0	0%	0	0	0	0	0	0
Group A Totals		9	6	50%	9	6	50%	4	4	0	0	4	4
01000	SOVEREIGNTY	0	0	0%	0	0	0%	0	0	0	0	0	0
02000	MILITARY	0	0	0%	0	0	0%	0	0	0	0	0	0
03000	IMMIGRATION	0	0	0%	0	0	0%	0	0	0	0	0	0

CLR-065 Monthly Summary Of Offenses (WL)

----- All Offenses that were Attempted or Completed -----								A R R E S T S -----					
CLASS	Description	Jan/2020	Jan/2019	% CHG	YTD 2020	YTD 2019	% CHG	ADULT		JUV		Total	
								Jan/2020	YTD	Jan/2020	YTD	Jan	YTD
09003	NEGLIGENT HOMICIDE -VEHICLE/BOAT	0	0	0%	0	0	0%	0	0	0	0	0	0
14000	ABORTION	0	0	0%	0	0	0%	0	0	0	0	0	0
22003	BURGLARY - UNLAWFUL ENTRY (NO INTENT)	0	0	0%	0	0	0%	0	0	0	0	0	0
22004	POSSESSION OF BURGLARY TOOLS	0	0	0%	0	0	0%	0	0	0	0	0	0
26006	FRAUD -BAD CHECKS	0	0	0%	0	0	0%	0	0	0	0	0	0
36003	PEEPING TOM	0	0	0%	0	0	0%	0	0	0	0	0	0
36004	SEX OFFENSE -OTHER	0	0	0%	0	0	0%	0	0	0	0	0	0
38001	FAMILY -ABUSE/NEGLECT NONVIOLENT	0	0	0%	0	0	0%	0	0	0	0	0	0
38002	FAMILY -NONSUPPORT	0	0	0%	0	0	0%	0	0	0	0	0	0
38003	FAMILY -OTHER	0	0	0%	0	0	0%	0	0	0	0	0	0
41001	LIQUOR LICENSE -ESTABLISHMENT	0	0	0%	0	0	0%	0	0	0	0	0	0
41002	LIQUOR VIOLATIONS -OTHER	0	0	0%	0	0	0%	0	0	0	0	0	0
42000	DRUNKENNESS	0	0	0%	0	0	0%	0	0	0	0	0	0
48000	OBSTRUCTING POLICE	0	0	0%	0	0	0%	0	0	0	0	0	0
49000	ESCAPE/FLIGHT	0	0	0%	0	0	0%	0	0	0	0	0	0
50000	OBSTRUCTING JUSTICE	0	0	0%	0	0	0%	0	0	0	0	0	0
53001	DISORDERLY CONDUCT	1	1	0%	1	1	0%	0	0	0	0	0	0
53002	PUBLIC PEACE -OTHER	3	1	200%	3	1	200%	1	1	0	0	1	1
54001	HIT and RUN MOTOR VEHICLE ACCIDENT	0	1	-100%	0	1	-100%	0	0	0	0	0	0
54002	OPERATING UNDER THE INFLUENCE OF LIQUOR OR DRUGS	3	1	200%	3	1	200%	3	3	0	0	3	3
55000	HEALTH AND SAFETY	0	0	0%	0	0	0%	0	0	0	0	0	0
56000	CIVIL RIGHTS	0	0	0%	0	0	0%	0	0	0	0	0	0
57001	TRESPASS	0	0	0%	0	0	0%	0	0	0	0	0	0
57002	INVASION OF PRIVACY -OTHER	0	0	0%	0	0	0%	0	0	0	0	0	0
58000	SMUGGLING	0	0	0%	0	0	0%	0	0	0	0	0	0
59000	ELECTION LAWS	0	0	0%	0	0	0%	0	0	0	0	0	0
60000	ANTITRUST	0	0	0%	0	0	0%	0	0	0	0	0	0

CLR-065 Monthly Summary Of Offenses (WL)

----- All Offenses that were Attempted or Completed -----								A R R E S T S -----					
CLASS	Description	Jan/2020	Jan/2019	% CHG	YTD 2020	YTD 2019	% CHG	ADULT		JUV		Total	
								Jan/2020	YTD	Jan/2020	YTD	Jan	YTD
61000	TAX/REVENUE	0	0	0%	0	0	0%	0	0	0	0	0	0
62000	CONSERVATION	0	0	0%	0	0	0%	0	0	0	0	0	0
63000	VAGRANCY	0	0	0%	0	0	0%	0	0	0	0	0	0
70000	JUVENILE RUNAWAY	1	1	0%	1	1	0%	0	0	0	0	0	0
73000	MISCELLANEOUS CRIMINAL OFFENSE	1	0	0%	1	0	0%	0	0	0	0	0	0
75000	SOLICITATION	0	0	0%	0	0	0%	0	0	0	0	0	0
77000	CONSPIRACY (ALL CRIMES)	0	0	0%	0	0	0%	0	0	0	0	0	0
Group B Totals		9	5	80%	9	5	80%	4	4	0	0	4	4
2800	JUVENILE OFFENSES AND COMPLAINTS	0	0	0%	0	0	0%	0	0	0	0	0	0
2900	TRAFFIC OFFENSES	13	9	44.44%	13	9	44.44%	3	3	0	0	3	3
3000	WARRANTS	3	4	-25%	3	4	-25%	3	3	0	0	3	3
3100	TRAFFIC CRASHES	23	25	-8%	23	25	-8%	0	0	0	0	0	0
3200	SICK / INJURY COMPLAINT	22	25	-12%	22	25	-12%	0	0	0	0	0	0
3300	MISCELLANEOUS COMPLAINTS	183	245	-25.3%	183	245	-25.3%	0	0	0	0	0	0
3400	WATERCRAFT COMPLAINTS / ACCIDENTS	0	0	0%	0	0	0%	0	0	0	0	0	0
3500	NON - CRIMINAL COMPLAINTS	50	178	-71.9%	50	178	-71.9%	0	0	0	0	0	0
3600	SNOWMOBILE COMPLAINTS / ACCIDENTS	0	0	0%	0	0	0%	0	0	0	0	0	0
3700	MISCELLANEOUS TRAFFIC COMPLAINTS	74	166	-55.4%	74	166	-55.4%	0	0	0	0	0	0
3800	ANIMAL COMPLAINTS	3	4	-25%	3	4	-25%	0	0	0	0	0	0
3900	ALARMS	13	22	-40.9%	13	22	-40.9%	0	0	0	0	0	0
	MISCELLANEOUS TRAFFIC COMPLAINTS	0	0	0%	0	0	0%	0	0	0	0	0	0
	MISCELLANEOUS COMPLAINTS	0	0	0%	0	0	0%	0	0	0	0	0	0
	ALARMS	0	0	0%	0	0	0%	0	0	0	0	0	0
	NON - CRIMINAL COMPLAINTS	0	0	0%	0	0	0%	0	0	0	0	0	0
	TRAFFIC CRASHES	0	0	0%	0	0	0%	0	0	0	0	0	0
	TRAFFIC OFFENSES	0	0	0%	0	0	0%	0	0	0	0	0	0
	ANIMAL COMPLAINTS	0	0	0%	0	0	0%	0	0	0	0	0	0
	SICK / INJURY COMPLAINT	0	0	0%	0	0	0%	0	0	0	0	0	0

CLR-065 Monthly Summary Of Offenses (WL)

Group C Totals		384	678	-43.3%	384	678	-43.3%	6	6	0	0	6	6
2700	LOCAL ORDINANCES - GENERIC	0	0	0%	0	0	0%	0	0	0	0	0	0
4000	HAZARDOUS TRAFFIC CITATIONS / WARNINGS	0	0	0%	0	0	0%	0	0	0	0	0	0
4100	NON-HAZARDOUS TRAFFIC CITATIONS / WARNINGS	0	1	-100%	0	1	-100%	0	0	0	0	0	0
4200	PARKING CITATIONS	0	0	0%	0	0	0%	0	0	0	0	0	0
4300	LICENSE / TITLE / REGISTRATION CITATIONS	2	0	0%	2	0	0%	0	0	0	0	0	0
4400	WATERCRAFT CITATIONS	0	0	0%	0	0	0%	0	0	0	0	0	0
4500	MISCELLANEOUS A THROUGH UUUU	0	0	0%	0	0	0%	0	0	0	0	0	0
4600	LIQUOR CITATIONS / SUMMONS	0	0	0%	0	0	0%	0	0	0	0	0	0
4700	COMMERCIAL VEHICLE CITATIONS	0	0	0%	0	0	0%	0	0	0	0	0	0
4800	LOCAL ORDINANCE WARNINGS	0	0	0%	0	0	0%	0	0	0	0	0	0
4900	TRAFFIC WARNINGS	0	0	0%	0	0	0%	0	0	0	0	0	0
	MISCELLANEOUS A THROUGH UUUU	0	0	0%	0	0	0%	0	0	0	0	0	0
	LOCAL ORDINANCES - GENERIC	0	0	0%	0	0	0%	0	0	0	0	0	0
	HAZARDOUS TRAFFIC CITATIONS / WARNINGS	0	0	0%	0	0	0%	0	0	0	0	0	0
	WATERCRAFT CITATIONS	0	0	0%	0	0	0%	0	0	0	0	0	0
	TRAFFIC WARNINGS	0	0	0%	0	0	0%	0	0	0	0	0	0
Group D Totals		2	1	100%	2	1	100%	0	0	0	0	0	0
5000	FIRE CLASSIFICATIONS	0	0	0%	0	0	0%	0	0	0	0	0	0
5100	18A STATE CODE FIRE CLASSIFICATIONS	0	0	0%	0	0	0%	0	0	0	0	0	0
	18A STATE CODE FIRE CLASSIFICATIONS	0	0	0%	0	0	0%	0	0	0	0	0	0
	FIRE CLASSIFICATIONS	0	0	0%	0	0	0%	0	0	0	0	0	0
Group E Totals		0	0	0%	0	0	0%	0	0	0	0	0	0
6000	MISCELLANEOUS ACTIVITIES (6000)	0	0	0%	0	0	0%	0	0	0	0	0	0
6100	MISCELLANEOUS ACTIVITIES (6100)	0	0	0%	0	0	0%	0	0	0	0	0	0
6200	ARREST ASSIST	0	0	0%	0	0	0%	0	0	0	0	0	0
6300	CANINE ACTIVITIES	0	0	0%	0	0	0%	0	0	0	0	0	0
6500	CRIME PREVENTION ACTIVITIES	0	0	0%	0	0	0%	0	0	0	0	0	0
6600	COURT / WARRANT ACTIVITIES	0	0	0%	0	0	0%	0	0	0	0	0	0
6700	INVESTIGATIVE ACTIVITIES	3	8	-62.5%	3	8	-62.5%	0	0	0	0	0	0

CLR-065 Monthly Summary Of Offenses (WL)

----- All Offenses that were Attempted or Completed -----							A R R E S T S -----						
CLASS	Description	Jan/2020	Jan/2019	% CHG	YTD 2020	YTD 2019	% CHG	ADULT		JUV		Total	
								Jan/2020	YTD	Jan/2020	YTD	Jan	YTD
	MISCELLANEOUS ACTIVITIES (6000)	0	0	0%	0	0	0%	0	0	0	0	0	0
	CANINE ACTIVITIES	0	0	0%	0	0	0%	0	0	0	0	0	0
	INVESTIGATIVE ACTIVITIES	0	0	0%	0	0	0%	0	0	0	0	0	0
	COURT / WARRANT ACTIVITIES	0	0	0%	0	0	0%	0	0	0	0	0	0
	MISCELLANEOUS ACTIVITIES (6100)	0	0	0%	0	0	0%	0	0	0	0	0	0
	Group F Totals	3	8	-62.5%	3	8	-62.5%	0	0	0	0	0	0
8000	MISCELLANEOUS DEALER ACTIVITIES	0	0	0%	0	0	0%	0	0	0	0	0	0
	Group I Totals	0	0	0%	0	0	0%	0	0	0	0	0	0
	Totals for all Groups	407	698	-41.6%	407	698	-41.6%	14	14	0	0	14	14

Walled Lake Fire Department Monthly Report

January 2020

February 13, 2020

TO: L. Dennis Whitt-City Manager

FROM: James Coomer- Fire Chief

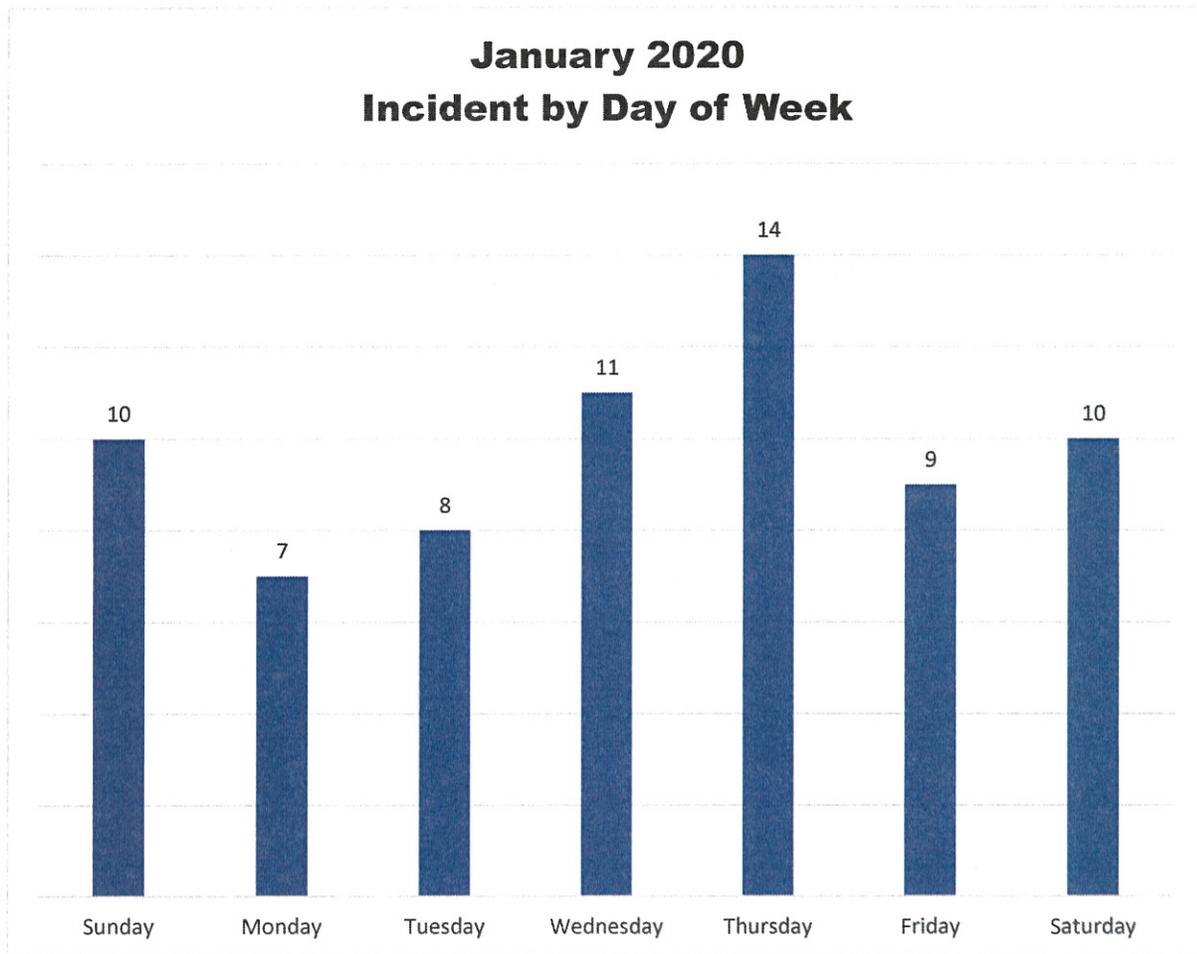
RE: Summary of Fire Activities for the Month of January 2020

Attached you will find a report of activities as they relate to the Walled Lake Fire Department for the Month of January 2020

- The Fire Department responded to 69 calls for service in January averaging 4 Firefighters per call with a response time of 4 minutes 50 seconds.
- We responded to a total of 943 calls for service in 2019. Our ambulance transported 196 patients to local hospitals. This represents a 36% increase from two years ago. Our busiest day of the week was Monday between 10AM and 11AM, where we average 4 firefighters per call.
- Firefighter training this month consisted of EMS cold weather emergencies which included ice water rescue practical drills.
- Probationary Firefighter Devon Overbeck completed the Farmington Hills Emergency Medical Technician (EMT) Academy this month and is scheduled to take the national registry exam in February. The EMT course included 350 hours of classroom and 70 hours of hospital clinicals.
- The Fire Department was able recover cost of \$2014.50 from a fuel spill that occurred on December 7, 2019.
- We are establishing a list for residents interested in learning CPR. The class will be held at the Fire Department in March 2020.

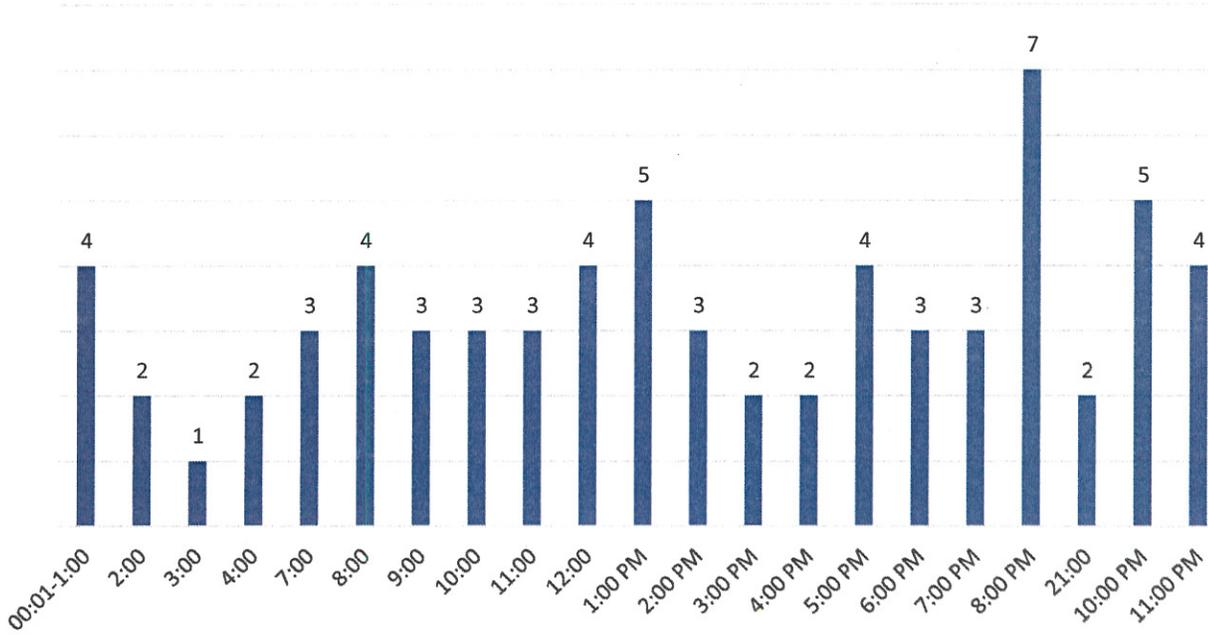
**WALLED LAKE FIRE DEPARTMENT
INCIDENT STATISTICS
JANUARY 2020**

INCIDENT TYPE	January	2020	2019	2018
TOTAL INCIDENTS	69	69	943	992
Fire	0	0	20	27
EMS/Rescue	50	50	560	533
Hazardous Condition	4	4	37	43
Service Call	5	5	114	120
Good Intent	3	3	123	209
False Calls	6	6	81	54
Other/Special Incidents	1	1	8	6
Ambulance Transports	26	26	196	178
Mutual Aid Information				
Mutual Aid Given	0	0	31	31
Mutual Aid Received	0	0	10	10
Response Time/Staff				
Average Response Time	4.50	4.50	4.49	4.50
Average Staff Per Call	4.17	4.17	5.00	3.97

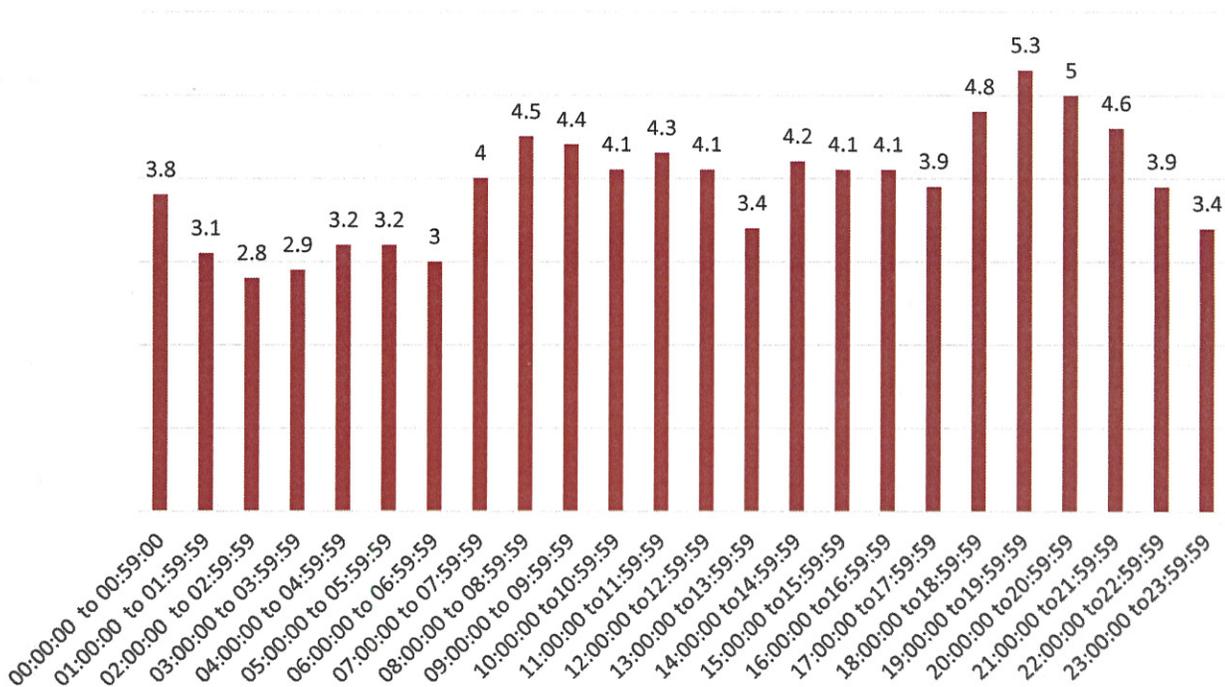


**WALLED LAKE FIRE DEPARTMENT
INCIDENT STATISTICS
JANUARY 2020**

Hourly Breakdown of Incidents



Firefighter Response to Incidents by Time of Day January 2020



**WALLED LAKE FIRE DEPARTMENT
APPARATUS/TRAINING/INSPECTION REPORT
JANUARY 2020**

APPARATUS AND EQUIPMENT						
Apparatus	Mileage	Last Month	Total Miles	Jan-19	YTD	
Utility 1	56655	56559	96	56559	96	
Utility 2	33269	33054	215	33054	215	
Rescue 1	4385	4184	201	4184	201	
Squad 19	17589	17091	498	17091	498	
Engine 23	35190	35162	28	35162	28	
Ladder 1	32080	31953	127	30735	1345	
Apparatus/Equipment Maintenance				Date	Active	Resolved
All department ground ladders scheduled to be tested in December				11/4/2019	x	
Updating all department apparatus weekly equipment check forms including EMS				11/13/2019	x	
Instrument Cluster Gauges all need to be replaced on L1. Hall will send quote.				11/13/2019	x	
EMS Bag Carbon Monoxide Detector/Monitor no longer working - Needs replacement per repair facility				12/28/2019	x	
Ladder 1 Rear air tank and air brake system repaired. Ladder 1 back in service				1/24/2020		x
Engine 23 new muffler				2/4/2020		x

Department Training Description	
Category	Current Month
Scheduled Department Training Drills	3
Total Scheduled Dept Training Hours	10
Total Attendance Scheduled Drills	37
Total Scheduled Training Manhours	129
Supplemental/On Duty Training Man Hours	4.5
Outside Training Count	3
Outside Training Manhours	39
Online Training Manhours	19.5
Total Training Manhours for this month	192
Last Months Y.T.D. Manhours	
Total Manhours Y.T.D.	192

Scheduled Department Training					Total Man Hours
	Date	Hours	Attendance		
Dept Administration/ESO Software Training/Cold Water - AM Session	1/8/2020	3	10		30
Dept Administration/ESO Software Training/Cold Water - PM Session	1/8/2020	3	9		27
Dept Administrating/Reporting Reviews/Cold Water Practical	1/26/2020	4	18		72
Supplemental / On Duty Training					Total Man Hours
	Date	Hours	Attendance		
Bunker Gear Inspections	8-Jan	0.5	1		0.5
Cadet Training	22-Jan	2	2		4
Outside Training					Total Man Hours
	Date	Hours	Attendance		
DTE/MFIS/MFFTC Train the Trainer - Electrical Systems	29-Jan	3.5	1		3.5
OCMCA EMS Operations Meeting	23-Jan	2	2		4
Target solutions/American CME online training					Total Man Hours
Target Solutions online training courses					19
American CME online training courses					0.5
Total					19.5

FIRE SAFETY INSPECTION					
	Category	Current Month Active	Last Month Year to Date	Year to Date	
1	Fire Safety Inspections	1	1	1	
2	Violations	1	1	1	
3	Fire Safety Re-Inspections	1	1	1	
4	Violations Corrected	1	1	1	
5	Suppression Acceptance Test	0	0	0	
6	Fire Alarm Acceptance Test	0	0	0	
7	Certificate of Occupancy Inspections	0	0	0	
8	Fire Investigations	0	0	0	
9	Plan reviews	3	3	3	
10	Other	13	13	13	
11	Public Education Events	2	2	2	
	Total	22	0	22	

Current Month Details	Date	Active	Resolved
141 E Walled Lake Dr storage violation	1/15/2020	yes	no
850 Ladd "E" fire alarm re-inspection	1/18/2020	no	yes
761 N Pontiac Trl building #2 plan review	1/9/2020	yes	no
1212 E West Maple McDonald's Construction plan review	1/28/2020	yes	no
1901 E West Maple Public Storage plan review	1/29/2020	yes	no
Other 13: new ESO inspection/properties software implementation	January	yes	no



City of Walled Lake

February 18, 2020

GOVERNMENT WIDE EXPENDITURES

CHECK NUMBERS: 116472 - 116604

ACH PAYMENTS: January 2020

	<u>Checks</u>	<u>ACH</u>	<u>Total</u>
GENERAL FUND	101,243.82	6,525.24	107,769.06
MAJOR ROADS FUND	7,895.64		7,895.64
LOCAL ROADS FUND	5,838.90		5,838.90
DRUG FORFEITURE	4,661.63		4,661.63
LIBRARY FUND	14,273.08		14,273.08
DEBT SERVICE FUND	-	103,200.75	103,200.75
DDA FUND	10,763.66		10,763.66
TRANSPORTATION FUND	-		-
REFUSE FUND	26,472.48		26,472.48
WATER & SEWER FUND	1,619.01		1,619.01
WATER CAPITAL FUND	1,899.50		1,899.50
TRUST AND AGENCY	4,511.25		4,511.25
MISC. PAYROLL	-		-
ACCRUED INSURANCE LIABILITIES	21,549.20		21,549.20
VENDOR EXPENDITURES	200,728.17	109,725.99	310,454.16

WARRANT REPORT 2-2020
PAGE 2 OF 2

<u>DEPARTMENT</u>	TOTAL	
	<u>OVERTIME</u>	<u>PAY IN LIEU</u>
City Manager (#172)	\$ -	\$ -
City Attorney (#210)	\$ -	\$ 60.00
Finance/ Treasurer (#212 & 253)	\$ -	\$ -
General (#218)	\$ -	\$ -
Clerk (#219)	\$ -	\$ -
Transportation (#588)	\$ -	\$ -
Police (#300)	\$ 4,427.45	\$ 1,150.00
Fire (#335)	\$ 7,488.34	\$ -
Public Works (#441)	\$ 2,517.35	\$ -
Library (#738)	\$ -	\$ 545.00
	\$ 14,433.14	\$ -
EXPENSE ALLOWANCE/REIMBURSEMENTS	\$ 5,133.96	
SALARY & WAGES	\$ 201,416.91	
PAY IN LIEU	\$ 1,755.00	
OVERTIME	\$ 14,433.14	
GROSS PAYMENTS	\$ 222,739.01	
EMPLOYER FICA	\$ 16,339.09	
EMPLOYER PENSION	\$ 127,011.68	
EMPLOYER OPEB	\$ 3,342.00	
PAYROLL EXPENSES	\$ 146,692.77	
PERSONNEL EXPENDITURES	\$ 369,431.78	
VENDOR EXPENDITURES	\$ 310,454.16	
February 18, 2020	REPORTED EXPENDITURES	\$ 679,885.94

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 101 GENERAL FUND							
01/15/2020	PAYAB	116472	COMCAST	SERVICE 01/05/20 - 02/04/20	920-000	300	14.89
01/15/2020	PAYAB	116473	COMCAST	SERVICE 01/16/20 - 02/15/20	920-000	335	29.81
01/15/2020	PAYAB	116474	STAPLES	OFFICE SUPPLIES	727-000	335	81.98
01/16/2020	PAYAB	116475#	AT&T	TELEPHONE/INTERNET SERVICE	920-000	218	42.00
				TELEPHONE/INTERNET SERVICE	920-000	300	479.91
				TELEPHONE/INTERNET SERVICE	920-000	335	42.00
				CHECK PAYAB 116475 TOTAL FOR FUND			<u>563.91</u>
01/16/2020	PAYAB	116476	BENISTAR/UA - 6803	HOSPITALIZATION INSURANCE	717-000	736	512.00
01/16/2020	PAYAB	116479*#	BOSS ENGINEERING	STORMWATER EVALUATION	820-000	445	2,000.00
				PHASE 2 OF THE GREENAWAY DRAIN	820-000	445	6,644.50
				OFFICE HOURS	820-000	801	1,050.00
				SITE VISIT	820-000	801	50.00
				1275 E. WEST MAPLE ROAD PROPERTY	990-001	900	1,194.50
				CHECK PAYAB 116479 TOTAL FOR FUND			<u>10,939.00</u>
01/16/2020	PAYAB	116482	COMCAST	SERVICE 01/16/20 - 02/15/20	920-000	335	108.35
01/16/2020	PAYAB	116487	DTE ENERGY	UTILITY 12/01/19 - 12/31/19	921-000	448	4,328.09
01/16/2020	PAYAB	116488	ELECTION SOURCE	ELECTION SIGN	728-000	262	15.00
01/16/2020	PAYAB	116491	KINGSETT LLC D/B/A SPINAL COLUMN	ZBA AD	900-000	218	173.25
01/16/2020	PAYAB	116492	MEGA PRINTING	FAUSTYN FOIA	900-000	218	18.00
01/16/2020	PAYAB	116494	MMTA	MMTA 2020 ADVANCED INSTITUTE	958-000	253	325.00
01/16/2020	PAYAB	116495	OAKLAND SCHOOLS	2019 WINTER TAX BILL	727-002	253	1,951.67
01/16/2020	PAYAB	116496	OFFICE CONNECTION	ELECTION 16 GB FLASHDRIVE	728-000	262	38.99
01/16/2020	PAYAB	116498	PETER BAILEY	ENTRANCE DOOR AT FIRE HALL	934-000	335	835.00
01/16/2020	PAYAB	116499#	PRINTING SYSTEMS	W2 & 1099 FORMS	727-000	218	146.10
				ELECTION FORMS & SUPPLIES	900-000	262	341.98

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 101 GENERAL FUND							
				ELECTION FORMS SUPPLIES	900-000	262	1,143.00
				ORES. PRIMARY AV APPS- REQUIRED DUAL	900-000	262	147.30
				2020 PRECINT 1,2,3 VOTER ID	900-000	262	842.62
				VOTER ID CARDS CUSTOM	900-000	262	115.03
				NEW REQUIRED ENVELOPES	900-000	262	665.75
				NEW REQUIRED ENVELOPES	900-000	262	703.13
				CHECK PAYAB 116499 TOTAL FOR FUND			<u>4,104.31</u>
01/16/2020	PAYAB	116500	RHINO PRODUCTS, INC.	PADDED BAG FOR "E" SIZE O2 TANK	933-000	335	260.35
01/16/2020	PAYAB	116501#	SHUMAN MOTOR SALES	R&M DODGE CHARGER 5601	939-000	300	48.23
				VEHICLE R & M	939-000	335	264.30
				CHECK PAYAB 116501 TOTAL FOR FUND			<u>312.53</u>
01/16/2020	PAYAB	116503	WATER RESOURCE COMMISSIONER	W & S 09/17/19 - 12/17/19	923-000	335	2,271.85
				FIRE LINE CHARGE	923-000	335	34.50
				CHECK PAYAB 116503 TOTAL FOR FUND			<u>2,306.35</u>
01/24/2020	PAYAB	116505	ADLERS SERVICE INC.	TOWING LADDER TRUCK	939-000	335	500.00
01/24/2020	PAYAB	116506	ASCENSION MICHIGAN AT WORK	DPW PHYSICAL	829-000	441	62.00
01/24/2020	PAYAB	116508	CONSUMERS ENERGY	SERVICE 12/07/19 -01/06/20	922-000	335	751.34
01/24/2020	PAYAB	116509	CONSUMERS ENERGY	SERVICE 12/07/19 - 01/06/20	922-000	441	1,188.49
01/24/2020	PAYAB	116510	CONSUMERS ENERGY	SERVICE 12/07/19 - 01/06/20	922-000	218	986.32
01/24/2020	PAYAB	116512	ELECTION SOURCE	VOTING BOOTH	980-000	262	1,264.19
01/24/2020	PAYAB	116514*#	GRID4 COMMUNICATIONS INC	TELEPHONE/INTERNET SERVICE	920-000	218	473.95
				TELEPHONE/INTERNET SERVICE	920-000	253	189.58
				TELEPHONE/INTERNET SERVICE	920-000	300	284.37
				TELEPHONE/INTERNET SERVICE	920-000	335	94.79
				TELEPHONE/INTERNET SERVICE	920-000	371	473.95
				TELEPHONE/INTERNET SERVICE	920-000	441	284.37
				CHECK PAYAB 116514 TOTAL FOR FUND			<u>1,801.01</u>

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 101 GENERAL FUND							
01/24/2020	PAYAB	116515*#	MADISON NATIONAL LIFE INSURANCE	LIFE INSURANCE	718-000	300	328.00
01/24/2020	PAYAB	116516	MCKENNA ASSOCIATES INC	BUILDING DEPARTMENT OFFICE HOURS	708-002	371	900.00
				BUILDING DEPARTMENT INSPECTION SERVICES	828-000	371	2,327.25
				CHECK PAYAB 116516 TOTAL FOR FUND			<u>3,227.25</u>
01/24/2020	PAYAB	116517	MUNICIPAL CODE CORPORATION	SOFTWARE MAINTENANCE	936-001	219	700.00
01/24/2020	PAYAB	116518	OAKLAND COUNTY CLERKS ASSOCIATION	MEMEBERSHIP	806-000	219	100.00
01/24/2020	PAYAB	116519#	OAKLAND COUNTY TREAS CASH BLDG 12	DISPATCH - OAKLAND COUNTY	724-001	300	7,210.45
				DISPATCH - OAKLAND COUNTY	724-001	335	2,403.48
				CHECK PAYAB 116519 TOTAL FOR FUND			<u>9,613.93</u>
01/24/2020	PAYAB	116520	PREMIER AERIAL & FLEET INSPECTIONS	DPW BUCKET TRUCK INSPECTION	939-000	441	484.07
01/24/2020	PAYAB	116522	TAZ NETWORKS	FEB. IT SERVICE	936-000	218	1,439.67
01/24/2020	PAYAB	116523	TRUCK & TRAILER SPECIALTIES INC	REPAIR & MAINTENANCE	939-000	441	196.85
01/24/2020	PAYAB	116524	UNIFIRST CORPORATION	PUBLIC SAFETY MATS	932-000	218	256.97
01/28/2020	PAYAB	116525	ADVANCE PLUMBING & HEATING	OPERATING SUPPLIES	728-000	441	6.48
01/28/2020	PAYAB	116526	ASCENSION MICHIGAN AT WORK	EMPLOYEE HEALTH EVAL.	829-000	300	202.00
01/28/2020	PAYAB	116529	CITY OF WIXOM	MICHIGAN AIRLINE TRAIL PATHWAY PROJECT	937-001	690	5,105.74
				MICHIGAN AIRLINE TRAIL PATHWAY	937-001	690	10,004.05
				CHECK PAYAB 116529 TOTAL FOR FUND			<u>15,109.79</u>
01/28/2020	PAYAB	116530	DANS AUTO CLINIC	VEHICLE R & M 2013 DODGE	939-000	300	56.99
				VEHCLE R&M 2019 DODGE	939-000	300	30.00
				VEHICLE R&M 2013 DODGE	939-000	300	395.00
				CHECK PAYAB 116530 TOTAL FOR FUND			<u>481.99</u>
01/28/2020	PAYAB	116531	DTE ENERGY	UTILITY 11/14/19 - 01/15/20	921-000	732	41.88
01/28/2020	PAYAB	116533	DTE ENERGY	UTILITY 12/14/19 - 01/14/20	921-000	732	41.88

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 101 GENERAL FUND							
01/28/2020	PAYAB	116534	DTE ENERGY	UTILITY 11/13/19 - 01/14/20	921-000	732	43.56
01/28/2020	PAYAB	116535	DTE ENERGY	UTILITY 12/14/19 - 01/14/20	921-000	300	990.05
01/28/2020	PAYAB	116536	DTE ENERGY	UTILITY 12/14/19 - 01/14/20	921-000	690	59.53
01/28/2020	PAYAB	116539	DTE ENERGY	UTILITY 11/13/19 - 01/14/20	921-000	732	43.46
01/28/2020	PAYAB	116540	DTE ENERGY	UTILITY 12/14/19 - 01/14/20	924-000	448	108.41
01/28/2020	PAYAB	116541	DTE ENERGY	UTILITY 11/13/19 - 01/14/20	921-000	732	41.76
01/28/2020	PAYAB	116543	DTE ENERGY	UTILITY 12/14/19 - 01/14/20	921-000	218	310.90
01/28/2020	PAYAB	116544	DTE ENERGY	UTILITY 12/14/19 - 01/14/20	921-000	441	53.07
01/28/2020	PAYAB	116546	GALLS INCORPORATED	UNIFORMS	731-000	300	81.15
01/28/2020	PAYAB	116547	IAPE INC	2020 IAPE MEMBERSHIP	806-000	300	50.00
01/28/2020	PAYAB	116548	IMAGE BUSINESS SOLUTIONS-WIXOM	QRTL Y LEASE OF COPIER. PHOTO COPIES	728-000 728-000	300 300	151.20 214.91
				CHECK PAYAB 116548 TOTAL FOR FUND			<u>366.11</u>
01/28/2020	PAYAB	116549	MERS OF MICHIGAN	PENSION PROJECTION STUDY	829-000	218	350.00
01/28/2020	PAYAB	116550	SAFEWAY SHREDDING	SHREDDING	829-000	300	120.00
01/28/2020	PAYAB	116551	SHUMAN MOTOR SALES	BATTERY	939-000	300	138.00
01/28/2020	PAYAB	116553	SPRINT	SERVICE 12/7/19 - 01/06/20	920-000	300	136.70
01/28/2020	PAYAB	116554	SUPER CAR WASH SYSTEMS	R&M VEHICLE R&M VEHICLE	939-000 939-000	300 300	6.00 102.00
				CHECK PAYAB 116554 TOTAL FOR FUND			<u>108.00</u>
01/28/2020	PAYAB	116556	WEB MATTERS	FIRE WEBSITE MAINTENANCE	936-001	335	77.50
01/29/2020	PAYAB	116558#	VISA WALLED LAKE SCHOOL EMP FCU	SOFTWARE MAINTENANCE SOFTWARE MAINTENANCE	936-001 936-001	218 218	15.89 15.89

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 101 GENERAL FUND							
				SOFTWARE MAINTENANCE	936-001	218	15.89
				SOFTWARE MAINTENANCE	936-001	218	165.33
				SOFTWARE MAINTENANCE	936-001	218	262.50
				MAMC SUMMER CONFERENCE	958-000	219	258.72
				CRIMINAL HISTORY SEARCH	829-003	300	30.00
				2020 MARKET MANAGER CERTIFICATE PROGRAM	895-000	690	300.00
				CHECK PAYAB 116558 TOTAL FOR FUND			<u>1,064.22</u>
01/31/2020	PAYAB	116560*#	ALLIANCE WINDOW CLEANING	CITY HALL - INSIDE & OUTSIDE	932-000	218	165.00
01/31/2020	PAYAB	116561	ALLSERV	EAST DOOR INSTALL	934-000	441	2,446.55
01/31/2020	PAYAB	116564	CITI CARDS	OPERATING SUPPLIES	728-000	300	118.31
				OPERATING SUPPLIES	728-000	300	38.13
				CHECK PAYAB 116564 TOTAL FOR FUND			<u>156.44</u>
01/31/2020	PAYAB	116565	CITY OF FARMINGTON	FIRE HALL GENERAL CONFERENCE	958-000	335	175.00
				FIRE HALL GENERAL CONFERENCE	958-000	335	175.00
				CHECK PAYAB 116565 TOTAL FOR FUND			<u>350.00</u>
01/31/2020	PAYAB	116567	DTE ENERGY	UTILITY 12/14/19 - 01/14/20	921-000	690	72.31
01/31/2020	PAYAB	116568	DTE ENERGY	UTILITY 12/20/19 - 01/21/20	921-000	335	66.15
01/31/2020	PAYAB	116569	FASTENAL COMPANY	OPERATING SUPPLIES	728-000	441	32.67
01/31/2020	PAYAB	116570#	HOME DEPOT CREDIT SERVICES	RETURNED DOOR	921-000	276	(189.00)
				SUPPLIES	728-000	335	71.91
				R&M BUILDING	934-000	335	194.68
				SUPPLIES	728-000	441	19.97
				CHECK PAYAB 116570 TOTAL FOR FUND			<u>97.56</u>
01/31/2020	PAYAB	116571#	LOWES BUSINESS ACCOUNT	EQUIPMENT MAINTENANCE	933-000	335	123.46
				BUILDING MAINTENANCE	934-000	335	60.12
				BUILDING MAINTENANCE	934-000	335	14.71
				EQUIPMENT MAINTENANCE	933-000	335	79.04

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 101 GENERAL FUND							
				PAINT FOR BENCHES	728-000	690	32.29
				CHECK PAYAB 116571 TOTAL FOR FUND			<u>309.59</u>
01/31/2020	PAYAB	116572	MCKENNA ASSOCIATES INC	PROF. SERVICES 12/01/19 - 12/31/19	817-000	801	1,250.00
01/31/2020	PAYAB	116573#	MEGA PRINTING	FOIA COPY	900-000	218	184.80
				POSTAGE	727-001	262	67.75
				CHECK PAYAB 116573 TOTAL FOR FUND			<u>252.55</u>
01/31/2020	PAYAB	116574#	OFFICE CONNECTION	BUDGET WORKSHOP BINDERS	728-000	212	31.50
				CITY HALL OFFICE SUPPLIES	727-000	218	108.66
				OFFICE SUPPLIES	728-000	218	13.99
				LAPTOP CASE PRECINCT #3	728-000	262	30.78
				ELECTION SUPPLIES	728-000	262	188.33
				POLICE OFFICE SUPPLIES	727-000	300	277.70
				CHECK PAYAB 116574 TOTAL FOR FUND			<u>650.96</u>
01/31/2020	PAYAB	116575*#	PRINCIPAL FINANCIAL GROUP	HOSPITALIZATION INSURANCE	717-000	736	239.03
01/31/2020	PAYAB	116577*#	TOSHIBA FINANCIAL SERVICES	ADD. PHOTO COPIES	727-000	218	13.17
				COPIER LEASE	941-000	218	315.27
				CHECK PAYAB 116577 TOTAL FOR FUND			<u>328.44</u>
01/31/2020	PAYAB	116578*#	TRI COUNTY CLEANING SUPPLY, INC	CITY	727-000	218	47.08
				POLICE	727-000	300	47.08
				FIRE	727-000	335	47.08
				DPW	727-000	441	47.10
				CHECK PAYAB 116578 TOTAL FOR FUND			<u>188.34</u>
02/07/2020	PAYAB	116579	AIR COMPRESSOR MAINTENANCE OF MI	R & M TO AIR COMPRESSOR	933-000	335	3,362.97
02/07/2020	PAYAB	116580	ALLIE BROTHERS INC	UNIFORM	731-000	300	29.00
02/07/2020	PAYAB	116581	BLUE360 MEDICA	MICHIGAN PENAL CODE	728-000	300	70.75

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 101 GENERAL FUND							
02/07/2020	PAYAB	116582*#	BS & A SOFTWARE	FINANCIAL BSA PROGRAMS	936-001	218	3,833.00
02/07/2020	PAYAB	116584	COMCAST	SERVICES 02/05/20 - 0304/20	920-000	300	14.90
02/07/2020	PAYAB	116585*#	COMPTON	PARKS & REC. 2020 EVENTS POSTCARD	900-000	690	687.09
02/07/2020	PAYAB	116586	DANS AUTO CLINIC	R & M 2015 DODGE	939-000	300	141.99
				R & M 2013 DODGE	939-000	300	305.99
				CHECK PAYAB 116586 TOTAL FOR FUND			<u>447.98</u>
02/07/2020	PAYAB	116587	DELL MARKETING LP	ELECTION LAPTOP	980-000	262	502.99
02/07/2020	PAYAB	116588	EASTERN MICHIGAN UNIVERSITY	S & C WORKSHOPS (115675)	958-000	335	3,250.00
02/07/2020	PAYAB	116589*#	FIDELITY SECURITY LIFE INS/EYEMED	HOSPITALIZATION INSURANCE	717-000	736	67.74
02/07/2020	PAYAB	116590	GALLS INCORPORATED	UNIFORMS	731-000	300	75.38
02/07/2020	PAYAB	116592	HAROLD'S FRAME SHOP, INC.	VEHICLE R & M	939-000	335	390.71
02/07/2020	PAYAB	116593	IMAGE BUSINESS SOLUTIONS-WIXOM	PHOTO COPY LEASE	728-000	335	49.09
02/07/2020	PAYAB	116594	JK LOCKSMITH CO LLC	R&M	933-000	300	224.00
02/07/2020	PAYAB	116596	NOW PRINTING CO INC	OPERATING SUPPLIES	728-000	371	216.00
02/07/2020	PAYAB	116597#	OAKLAND COUNTY	CLEMIS OCT - DEC 2019	850-000	300	4,670.75
				FRMD DEPARTMENT FEE OCT - DEC 2019	850-000	335	1,072.31
				CHECK PAYAB 116597 TOTAL FOR FUND			<u>5,743.06</u>
02/07/2020	PAYAB	116599	OLIVIA DUNNING	FOR SPRING EGG HUNT FACE PAINTING	892-000	690	375.00
02/07/2020	PAYAB	116600	STAPLES	OFFICE SUPPLIES	727-000	335	85.12
02/07/2020	PAYAB	116601	TAZ NETWORKS	R & M ELECTIONS LAPTOP 3	936-000	262	560.00
02/07/2020	PAYAB	116602	THE ACCUMED GROUP	ANNUAL LICENSE FEE	829-000	335	3,442.65
				BILLING SERVICE FEE	829-000	335	362.51
				CHECK PAYAB 116602 TOTAL FOR FUND			<u>3,805.16</u>

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CHECK NUMBER 116472 - 116604
Banks: PAYAB

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 101 GENERAL FUND							
02/07/2020	PAYAB	116603	VERIZON WIRELESS	SERVICE 12/24/19 - 01/23/20	920-000	335	178.98
02/07/2020	PAYAB	116604	MAX PRINTING & COPY CENTER	MANILLA FOLDER	727-000	300	54.34
Total for fund 101 GENERAL FUND							101,243.82

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 202 MAJOR ROAD FUND							
01/16/2020	PAYAB	116479*#	BOSS ENGINEERING	CIVIL ENGINEERING AND SURVEYING DECKER	820-000	451	4,000.00
01/16/2020	PAYAB	116486*	DETROIT SALT COMPANY LLC	ROCK SALT	735-000	478	798.74
01/24/2020	PAYAB	116511*	DETROIT SALT COMPANY LLC	SNOW AND ICE MATERIAL	735-000	478	793.21
01/31/2020	PAYAB	116559*	AJAX MATERIALS CORPORATION	INFRASTRUCTURE R&M - MINOR	734-000	462	90.75
01/31/2020	PAYAB	116566*	DETROIT SALT COMPANY LLC	SNOW AND ICE MATERIAL	735-000	478	791.63
01/31/2020	PAYAB	116576	ROAD COMMISSION OAKLAND CTY	DEC. TRAFFIC SIGNAL MAINTENANCE	802-000	474	1,350.53
				DEC. SCATS AND AUTOSCOPE MAINTENANCE	802-000	474	70.78
				CHECK PAYAB 116576 TOTAL FOR FUND			<u>1,421.31</u>
				Total for fund 202 MAJOR ROAD FUND			7,895.64

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CHECK NUMBER 116472 - 116604
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Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 203 LOCAL ROAD FUND							
01/16/2020	PAYAB	116486*	DETROIT SALT COMPANY LLC	ROCK SALT	735-000	478	1,863.73
01/24/2020	PAYAB	116511*	DETROIT SALT COMPANY LLC	SNOW AND ICE MATERIAL	735-000	478	1,850.82
01/24/2020	PAYAB	116521	SUBURBAN LANDSCAPE & SUPPLY	LOCAL ROADS GAMMA MINOR REPAIR	734-000	462	65.46
01/31/2020	PAYAB	116559*	AJAX MATERIALS CORPORATION	INFRASTRUCTURE R&M - MINOR	734-000	462	211.75
01/31/2020	PAYAB	116566*	DETROIT SALT COMPANY LLC	SNOW AND ICE MATERIAL	735-000	478	1,847.14
Total for fund 203 LOCAL ROAD FUND							5,838.90

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CHECK NUMBER 116472 - 116604
Banks: PAYAB

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 265 DRUG FORFEITURE FUND							
01/28/2020	PAYAB	116557	WIXOM POLICE DEPARTMENT	PRISONER LOCK UP	814-001	399	1,092.00
01/31/2020	PAYAB	116563	AT&T MOBILITY	TELEPHONE/INTERNET SERVICE	920-000	400	78.50
02/07/2020	PAYAB	116583	CLEANITSUPPLY.COM	OFFICE CHAIRS	980-000	399	2,849.13
02/07/2020	PAYAB	116591	GLOBAL TECHNOLOGY SYSTEMS, INC	BATTERY FOR HARRIS	728-000	399	642.00
Total for fund 265 DRUG FORFEITURE FUND							4,661.63

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 271 LIBRARY FUND							
01/16/2020	PAYAB	116480	BRODART CO	PURCHASE OF PRINT MATERIALS	982-000	738	1,495.08
				AV MATERIALS	982-002	738	39.27
				CHECK PAYAB 116480 TOTAL FOR FUND			<u>1,534.35</u>
01/16/2020	PAYAB	116481	CENGAGE LEARNING INC/GALE	PURCHASE OF PRINT MATERIALS	982-000	738	91.97
01/16/2020	PAYAB	116483	CONSUMERS ENERGY	SERVICE 12/07/19- 01/06/20	922-000	738	82.54
01/16/2020	PAYAB	116484	COSTUME SPECIALISTS	PROGRAMMING- THE GRINCH	737-000	738	140.00
01/16/2020	PAYAB	116489	ICMA RETIREMENT CORP	ANNUAL PLAN FEE 01/01/2020 - 03/31/2020	728-000	738	125.00
01/16/2020	PAYAB	116490	INGRAM LIBRARY SERVICES	PURCHASE OF PRINT MATERIALS	982-000	738	65.97
				PURCHASE OF PRINT MATERIALS	982-000	738	48.58
				PURCHASE OF PRINT MATERIALS	982-000	738	42.68
				PURCHASE OF PRINT MATERIALS	982-000	738	19.17
				PURCHASE OF PRINT MATERIALS	982-000	738	43.41
				PURCHASE OF PRINT MATERIALS	982-000	738	25.92
				AV MATERIALS	982-002	738	28.79
				AV MATERIALS	982-002	738	35.98
				AV MATERIALS	982-002	738	39.55
				AV MATERIALS	982-002	738	14.39
				AV MATERIALS	982-002	738	21.59
				AV MATERIALS	982-002	738	102.92
				AV MATERIALS	982-002	738	35.96
				AV MATERIALS	982-002	738	21.56
				CHECK PAYAB 116490 TOTAL FOR FUND			<u>546.47</u>
01/16/2020	PAYAB	116493	MIDWEST TAPE	AV MATERIALS	982-002	738	15.99
				AV MATERIALS	982-002	738	48.73
				AV MATERIALS	982-002	738	61.23
				AV MATERIALS	982-002	738	76.70
				AV MATERIALS	982-002	738	22.48
				AV MATERIALS	982-002	738	31.23
				AV MATERIALS	982-002	738	49.48
				AV MATERIALS	982-002	738	34.99

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 271 LIBRARY FUND							
				AV MATERIALS	982-002	738	22.49
				AV MATERIALS	982-002	738	59.98
				CHECK PAYAB 116493 TOTAL FOR FUND			<u>423.30</u>
01/16/2020	PAYAB	116497	OFFICE EXPRESS METRO OFFICE	OFFICE SUPPLIES	727-000	738	68.03
01/16/2020	PAYAB	116502	THE LIBRARY NETWORK	INTERNET SPEED 10/01/19 - 12/31/19	920-000	738	1,201.66
				SOFTWARE MAINTENANCE	936-001	738	427.48
				COMPUTER & RELATED HARWARE PURCHASES	980-001	738	159.60
				ACQUISITION SERVICES 01/01/2020 -	982-000	738	347.61
				CHECK PAYAB 116502 TOTAL FOR FUND			<u>2,136.35</u>
01/24/2020	PAYAB	116514*#	GRID4 COMMUNICATIONS INC	TELEPHONE/INTERNET SERVICE	920-000	738	94.79
01/28/2020	PAYAB	116527	BAKER & TAYLOR	PURCHASE OF PRINT MATERIALS	982-000	738	4.19
				PURCHASE OF PRINT MATERIALS	982-000	738	26.30
				PURCHASE OF PRINT MATERIALS	982-000	738	57.44
				CHECK PAYAB 116527 TOTAL FOR FUND			<u>87.93</u>
01/28/2020	PAYAB	116528	CENGAGE LEARNING INC/GALE	PURCHASE OF PRINT MATERIALS	982-000	738	152.75
01/28/2020	PAYAB	116532	DTE ENERGY	UTILITY 12/14/19 - 01/14/20	921-000	738	184.53
01/28/2020	PAYAB	116552	SIPES, TIM	LIBRARY CLEANING SERVICES	932-000	738	400.00
01/28/2020	PAYAB	116555	THE LIBRARY NETWORK	DATAMAILERS 10/01/19 - 12/31/19	727-001	738	5.70
				CIRCULATION QUARTERLY CHARGES	936-000	738	6,040.60
				CHECK PAYAB 116555 TOTAL FOR FUND			<u>6,046.30</u>
01/31/2020	PAYAB	116560*#	ALLIANCE WINDOW CLEANING	LIBRARY - OUTSIDE	932-000	738	25.00
01/31/2020	PAYAB	116577*#	TOSHIBA FINANCIAL SERVICES	ADD. PHOTO COPIES	727-000	738	15.47
				COPIER LEASE	941-000	738	315.28
				CHECK PAYAB 116577 TOTAL FOR FUND			<u>330.75</u>

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Banks: PAYAB

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 271 LIBRARY FUND							
01/31/2020	PAYAB	116578*#	TRI COUNTY CLEANING SUPPLY, INC	LIBRARY	727-000	738	47.08
02/07/2020	PAYAB	116585*#	COMPTON	LIBRARY NEWSLETTER	900-000	738	1,698.44
02/07/2020	PAYAB	116595	MICHIGAN CHAMBER SERVICES, INC.	MICHIGAN STATE & FEDERAL LABOR LAW	727-000	738	57.50
Total for fund 271 LIBRARY FUND							14,273.08

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 494 DOWNTOWN DEVELOPMENT FUND							
01/16/2020	PAYAB	116479*#	BOSS ENGINEERING	DOWNTOWN IMPLEMENTATION PLAN	820-000	895	3,900.00
01/16/2020	PAYAB	116485	CRG ELECTRIC LLC	DDA STREETLIGHT R & M	933-000	895	540.00
01/28/2020	PAYAB	116545	DTE ENERGY	UTILITY 12/13/19 - 01/13/20	921-000	895	673.79
01/31/2020	PAYAB	116562	APPLIED ENVIRONMENTAL	1275 E. WEST MAPLE ENVIRONMENTAL SOIL	829-000	895	5,519.00
02/07/2020	PAYAB	116585*#	COMPTON	PARKS & REC. 2020 EVENTS POSTCARD	900-000	895	130.87
Total for fund 494 DOWNTOWN DEVELOPMENT FUND							10,763.66

02/11/2020 10:38 AM
User: MGROSS
DB: Walled Lake

CHECK DISBURSEMENT REPORT FOR CITY OF WALLED LAKE
CHECK NUMBER 116472 - 116604
Banks: PAYAB

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 590 REFUSE FUND							
01/24/2020	PAYAB	116513	GFL ENVIRONMENTAL USA	FEBRUARY REFUSE	827-000	538	26,472.48
Total for fund 590 REFUSE FUND							26,472.48

02/11/2020 10:38 AM
User: MGROSS
DB: Walled Lake

CHECK DISBURSEMENT REPORT FOR CITY OF WALLED LAKE
CHECK NUMBER 116472 - 116604
Banks: PAYAB

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 591 WATER AND SEWER FUND							
01/28/2020	PAYAB	116537	DTE ENERGY	UTILITY 12/14/19 - 01/14/20	921-000	533	35.80
01/28/2020	PAYAB	116538	DTE ENERGY	UTILITY 10/15/19 - 01/14/20	921-000	534	39.27
01/28/2020	PAYAB	116542	DTE ENERGY	UTILITY 12/14/19 - 01/14/20	921-000	533	38.94
02/07/2020	PAYAB	116582*#	BS & A SOFTWARE	UTILITY BSA PROGRAM	936-001	265	1,505.00
Total for fund 591 WATER AND SEWER FUND							1,619.01

02/11/2020 10:38 AM
User: MGROSS
DB: Walled Lake

CHECK DISBURSEMENT REPORT FOR CITY OF WALLED LAKE
CHECK NUMBER 116472 - 116604
Banks: PAYAB

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 597 WATER CAPITAL FUND							
01/16/2020	PAYAB	116479*#	BOSS ENGINEERING	TRI-A WATERMAIN REPLACEMENT PROJECT	988-000	536	1,899.50
Total for fund 597 WATER CAPITAL FUND							1,899.50

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 701 TRUST AND AGENCY FUND							
01/24/2020	PAYAB	116504	360 CONSTRUCTION LLC	PLAN REVIEW ESCROW REFUND FOR 1935 N.	264-113	000	115.00
01/24/2020	PAYAB	116507	BOSS ENGINEERING	COMFORT CARE DECKER ROAD	264-092	000	873.00
				APEX ULTRA REVIEW	264-116	000	1,075.00
				BEACHWOOD PUD CONSTRUCTION	264-118	000	1,514.75
				ATTITUDE WELLNESS PLAN REVIEW	264-122	000	400.00
				CHECK PAYAB 116507 TOTAL FOR FUND			<u>3,862.75</u>
02/07/2020	PAYAB	116598	OAKLAND COUNTY ANIMAL CONTROL	DOG LICENSE 09/01/2019 - 12/31/2019	222-001	000	533.50
				Total for fund 701 TRUST AND AGENCY FUND			4,511.25

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 705 ACCRUED INSURANCE LIABILITIES							
01/16/2020	PAYAB	116477	BLUE CARE NETWORK	ACCRUED MEDICAL INSURANCE	231-016	000	14,803.40
01/16/2020	PAYAB	116478	BLUE CROSS BLUE SHIELD OF MICHIGAN	ACCRUED MEDICAL INSURANCE	231-016	000	2,285.99
01/24/2020	PAYAB	116515*#	MADISON NATIONAL LIFE INSURANCE	LIFE INSURANCE ACCRUED EXP	231-019	000	2,148.83
01/31/2020	PAYAB	116575*#	PRINCIPAL FINANCIAL GROUP	ACCRUED DENTAL PREMIUM	231-017	000	1,859.15
02/07/2020	PAYAB	116589*#	FIDELITY SECURITY LIFE INS/EYEMED	ACCRUED VISION INSURANCE	231-020	000	451.83
Total for fund 705 ACCRUED INSURANCE LIABILITIES							21,549.20
TOTAL - ALL FUNDS							200,728.17

'*'-INDICATES CHECK DISTRIBUTED TO MORE THAN ONE FUND
 '#'-INDICATES CHECK DISTRIBUTED TO MORE THAN ONE DEPARTMENT

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 101 GENERAL FUND							
01/03/2020	PAYAB	191 (E) #	SUPERFLEET MASTERCARD PROGRAM	CITY MANAGER	732-000	172	130.29
				POLICE	732-000	300	2,286.25
				CODE ENFORCEMENT	732-000	371	31.28
				DPW	732-000	441	402.33
				CHECK PAYAB 191 (E) TOTAL FOR FUND			<u>2,850.15</u>
01/29/2020	PAYAB	193 (E)	WEX BANK	GAS AND OIL	732-000	335	683.31
01/31/2020	PAYAB	194 (E) #	SUPERFLEET MASTERCARD PROGRAM	CITY MANAGER	732-000	172	96.51
				POLICE	732-000	300	2,328.30
				CODE ENFORCEMENT	732-000	371	40.76
				DPW	732-000	441	526.21
				CHECK PAYAB 194 (E) TOTAL FOR FUND			<u>2,991.78</u>
				Total for fund 101 GENERAL FUND			6,525.24

Banks: PAYAB

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 401 DEBT SERVICE FUND							
01/10/2020	PAYAB	192 (E)	CAPITAL ONE PUBLIC FUNDING, LLC	BUILDING BOND PAYMENT	991-006	218	100,000.00
				BUILDING BOND PAYMENT	995-006	218	3,200.75
				CHECK PAYAB 192 (E) TOTAL FOR FUND			<u>103,200.75</u>
				Total for fund 401 DEBT SERVICE FUND			103,200.75
			TOTAL - ALL FUNDS				109,725.99

'#'-INDICATES CHECK DISTRIBUTED TO MORE THAN ONE DEPARTMENT



CITY OF WALLED LAKE

POLICE DEPARTMENT

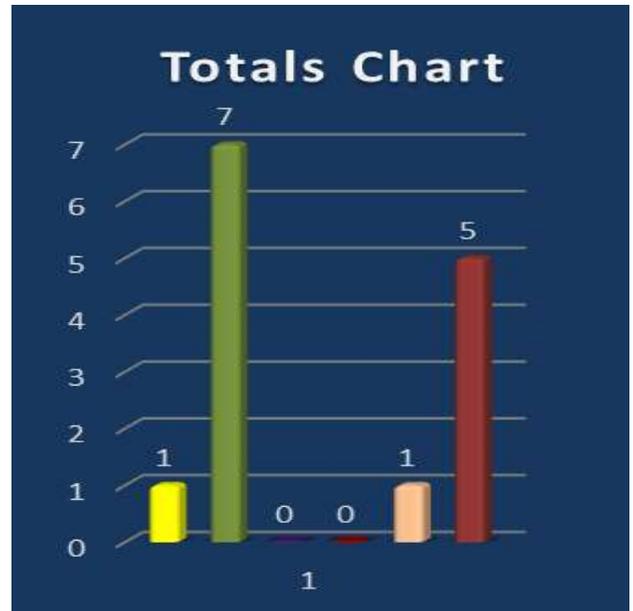


1499 East West Maple Road
 Walled Lake, Michigan 48390
 Dispatch: (248) 624-3111 · Administration: (248) 624-3120 · Fax: (248) 960-8898
www.walledlake.com

Code Enforcement Monthly Status Report January 2020

Category	Current Month Active	Current Month Resolved	Current Month No Violation	Previous Months Active	Previous Months Resolved	Total Category
Blight	0	1	0	0	1	2
Junk Cars	0	1	0	1	0	2
Noxious Weeds/Grass	0	0	0	0	0	0
Property Maintenance	0	3	0	0	0	3
Stop Work	0	0	0	0	0	0
Unsafe Property Conditions	1	0	0	0	0	1
Working w/o a Permit	0	0	0	0	0	0
Zoning Violation	0	2	0	0	4	6
Total	1	7	0	1	5	14

Totals	
Active	1
Resolved	7
No Violation	0
Tickets	0
Previous Active	1
Previous Resolved	5



Serving the Community

Code Enforcement Monthly Status Report
January 2020

Current Month Events	Date	Active	Resolved	No Violation
1270 S Commerce/Junk Behind Store	1/6/2020	0	1	0
142 Welfare/Siding Missing off of the House	1/7/2020	0	1	0
Maple Manor/Abandoned Vehicles	1/13/2020	0	1	0
110 Ladd/Hoarding-Poor Living Conditions	1/15/2020	1	0	0
Parcel #17-34-379-015/Boat in Water	1/15/2020	0	1	0
Area of Pontiac Trail-Decker/Snow on sidewalk	1/27/2020	0	1	0
307 Ladd/Snow on Sidewalk	1/29/2020	0	1	0
Area of Eagle Pond-Post Office/Snow on sidewalk	1/31/2020	0	1	0

Current Month Details	Date
Beachwood PUD/SESC Inspection	1/2/2020
1729 Ashstan/Fence Hole Inspection	1/6/2020
Business Emergency Contact Project	1/8/2020
Follow ups	1/14/2020
Beachwood PUD/SESC Inspection	1/27/2020
Sign removal -City Wide	1/29/2020

Serving the Community

Code Enforcement Monthly Status Report
January 2020

Previous Months Active Events	Date	Active	Resolved
566 E Walled Lake/Zoning Issue	10/2/2019	0	1
164 Spring Park/Several Unlicensed Cars	12/11/2019	1	0
105 Liberty/Boats stored on property	12/13/2019	0	1
765 E Walled Lake/Pole in Lake	12/18/2019	0	1
1705 E West Maple/Too Many Cars in Lot	12/27/2019	0	1
1869 Decker Rd/Dumping-Blight	12/27/2019	0	1

Respectfully Submitted,



Paul Barch
Code Enforcement Officer



MEMORANDUM

City of Walled Lake · 1499 E. West Maple Road · Walled Lake, MI 48390 · (248) 624-4847

To: Walled Lake City Council

From: Sandra Barlass, Finance Director

Date: February 18, 2020

Re: Adoption of Water Supply Cross Connection Rules (Sec. 82-80) and Inspections for Cross Connections (Sec. 82-81) Ordinance Amendment

Attached for first reading is an Adoption of Water Supply Cross Connection Rules and Inspections for Cross Connections ordinance amendment. The ordinance amendment includes two changes: 1) It adopts Oakland County's Cross Connection Control Program (82-80) and 2) Appoints Oakland County Water Resources Commission (WRC) as the designated agent (82-21).

Background: The Michigan Department of Environment, Great Lakes and Energy (EGLE) and the State of Michigan Public Act 399, 1976 Rule #325.11401 require that public water suppliers develop a comprehensive Cross Connection Control Program (CCCP) for the elimination and prevention of all commercial, industrial and residential cross connections. A CCCP is designed to protect drinking water. It does that by preventing contaminants from entering the public water supply system through a reversal of flow (backpressure or back-siphonage).

Currently, the City of Walled Lake's CCCP includes commercial only. The City contracts with WRC to perform inspections of approximately 339 commercial sites. Walled Lake is then responsible for all further customer service, notification, follow-up, enforcement and reporting. Walled Lake does not presently have a CCCP for its 2,100+ residential accounts.

Implementing a residential program is a high priority for two important reasons. First and foremost, as mentioned above, a CCCP is designed to protect customer drinking water quality. It reduces the risk to public health and safety by preventing contaminants from entering the public water supply during backflow or back-siphonage. Secondly, EGLE is increasing their review and enforcement of programs and there is risk of non-compliance, fines, etc.

WRC has a CCCP that is approved by EGLE and has been in effect in Oakland County since 1976. The onset of the program focused on commercial and industrial facilities and was expanded in 2002 to include residential customers. This update occurred in response to changes in State rules and regulations in an effort to better protect our potable (drinking) water systems from pollution or contamination.

As part of its role as the City's water system operator, WRC is able to implement their CCCP on behalf of the City. In doing so, WRC will handle all inspection, notification, customer education, plumber verification, device test form entry and tracking, enforcement, follow-up, customer service calls, and compliance reporting to the State.

Recommendation: That Council approve first reading to amend sections 82-80 and 82-81 of the City Code of Ordinances to reflect the adoption of Oakland County's CCCP and appoint WRC as the designated agent.

**STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF WALLED LAKE**

ORDINANCE NO. C-348-20

**AN ORDINANCE ADOPTING THE OAKLAND COUNTY
CROSS CONNECTION CONTROL PROGRAM AND
DESIGNATING OAKLAND COUNTY AS THE AGENT FOR
ADMINISTERING THE PROGRAM**

THE CITY OF WALLED LAKE ORDAINS:

Section 1 of Ordinance

Chapter 82 “Utilities”, Article III “Water Service”, Section 82-80 “Adoption of water supply cross-connection rules” is hereby amended in its entirety to read as follows:

Sec. 82-80. Adoption of Water Supply Cross Connection Rules.

The City adopts and incorporates by reference the Oakland County Cross Connection Control Program run in accordance with the Michigan Department of Environment, Great Lakes and Energy and the state of Michigan Public Act 399, 1976 Rule # 325.11401, a copy of which is on file and available for public inspection at the office of the City Clerk.

Section 2 of Ordinance

Chapter 82 “Utilities”, Article III “Water Service”, Section 82-81 “Inspections for Cross Connections” is hereby amended in its entirety to read as follows:

Sec. 82-81. Inspections for Cross Connections.

It shall be the duty of the City, by and through its designated agent, to cause inspections to be made of all property served by the public water system where cross connections with the public water supply are deemed possible. The frequency of the inspections and re-inspections based on potential health hazards involved shall be established by the department of public works and/or its designated agent. The following shall further apply:

a) *Right of access to property and information.* Representatives of the department shall have the right to enter at any reasonable time any property served by a connection to the public water supply system of the city for the purpose of inspecting the piping system or systems thereof for cross-connections. On request the owner, lessee or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding

the piping system or systems on such property. The refusal of such information or refusal access, when requested, shall be deemed evidence of the presence of cross-connections.

b) *Disconnection and restoration of water service.* The department is authorized and directed to discontinue water service after reasonable notice to any property wherein any connection in violation of this section exists and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water supply system. Water service to such property shall not be restored until the cross-connection has been eliminated in compliance with the provisions of this section.

c) *Protection from contamination.* The potable water supply made available on the properties served by the public water supply shall be protected from possible contamination as specified by this section and by the Michigan Plumbing Code. Any water outlet which could be used for potable or domestic purposes and which is not applied by the potable system must be labeled in a conspicuous manner as: Water Unsafe for Human Consumption.

d) *Conflict resolution.* Nothing in this section shall supersede the Michigan Plumbing Code. Provided, however, in any case where a provision of this section is found to be in conflict with any provision of state statute or City Code, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

e) *Designation of agent.* The Oakland County Water Resource Commission, Operation and Maintenance Division is hereby designated the agent, authority and administrator of the Cross-Connection Control Program.

Section 3 of Ordinance

Amended only as specified above and in this ordinance, the City of Walled Lake Code of Ordinances shall remain in full force and effect. Only those provisions of the Code Ordinances in direct conflict with this ordinance are hereby repealed.

Section 4 of Ordinance

If any provision of this ordinance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision.

Section 5 of Ordinance

All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this ordinance takes effect are saved and may be consummated according to the law when they were commenced.



MEMORANDUM

City of Walled Lake · 1499 E. West Maple Road · Walled Lake, MI 48390 · (248) 624-4847

To: Walled Lake City Council
From: Vahan Vanerian, City Attorney
Re: *Proposed Amendment of Marijuana Facility Site Plan Expiration Provisions*
Date: February 10, 2020

Attached for first reading please find a proposed zoning ordinance amendment that would amend the site plan expiration provisions applicable to Marijuana Facilities under section 21-50 of the zoning ordinance. Under the current site plan expiration provisions, site plan approval of a Marijuana Facility expires 180 days after approval, plus one additional 90-day extension if requested. Issuance of a state operating license tolls the expiration of an approved site plan for a Marijuana Facility. All other approved site plans for all other developments expire one year after approval.

The shortened 180-day site plan expiration provisions applicable to Marijuana Facilities have proven unworkable and difficult to satisfy due to the state application process and the difficulty of completing development and construction of a new facility within 180 days. Specifically, the state licensing process requires issuance of a certificate of occupancy for a new facility before the state will issue a state operating license. The City's local approval process generally gives priority to new developments as compared to applications proposing re-use of older existing buildings. Accordingly, successful applicants who have perfected priority status by proposing new construction have encountered difficulty in meeting the City's shortened site plan expiration provisions despite reasonable efforts to move the development forward in an expeditious manner.

The proposed amendment would repeal the shortened 180-day site plan expiration provisions applicable to Marijuana Facilities and impose the one (1) year expiration period that applies to all other approved site plans for all other developments. When the City's Marijuana Facility ordinances were initially introduced, it was emphasized that the field of Marijuana Facility approval and licensure was a new and evolving area of regulation rife with many unknowns and uncertainties particularly with respect to the practical implementation of the entirely new state and local licensing/approval process and the unknown interplay between the state and local process. Accordingly, it has been consistently emphasized throughout the City's ordinance adoption process that, as the source of difficulties and conflicts became known, future

amendments to the City Marijuana Facility ordinances would inevitably be required in an effort to improve a more cohesive mesh between the state and local process. The proposed amendment of the shortened 180-day site plan expiration provisions represents one of those inevitable occasions requiring a relatively minor adjustment to the City's process.

Following first reading of a proposed zoning ordinance amendment, a public hearing must be noticed and held by the Planning Commission in accordance with the amendment procedures set forth in Article 24.00 of the City's Zoning Ordinance. Following the public hearing, the Planning Commission makes a recommendation to City Council regarding adoption of the proposed zoning ordinance amendment, including any recommended text revisions. Pursuant to section 24.02(c) of the City's Zoning Ordinance, City Council may then decline to adopt the proposed amendment or may adopt it in whole, in part, or with or without additional changes. Council may also refer the proposed amendment back to Planning Commission for further study and review or for additional public hearings.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF WALLED LAKE

ORDINANCE NO. C-349-20

AN ORDINANCE TO AMEND CHAPTER 51, “ZONING”, OF TITLE V, “ZONING AND PLANNING”, THE CITY OF WALLED LAKE ZONING ORDINANCE, TO AMEND ARTICLE 21.00 “GENERAL PROVISIONS”, SECTION 21.50 “MARIJUANA FACILITIES” BY AMENDING THE SITE PLAN EXPIRATION PROVISIONS SET FORTH IN SUB-PARAGRAPH (I) AS PROVIDED BY THIS ORDINANCE

THE CITY OF WALLED LAKE ORDAINS:

Section 1. Purpose

The purpose of this Zoning Ordinance Amendment is to adopt supplemental requirements, procedures and land use regulations pertaining to Marijuana Facilities as provided by the *Medical Marihuana Facilities Licensing Act*, MCL 333.27102, *et. seq.* (“Act”) and further pursuant to the *Michigan Zoning Enabling Act* (“MZEA”), MCL 125.3101, *et seq.*

Section 2. Amendment to Article 21.00

The City of Walled Lake Zoning Ordinance is hereby amended at Article 21.00, “General Provisions”, Section 21.50 “Marijuana Facilities” by amending subsection (I) in its entirety to read as follows:

(I) A site plan for a Marijuana Facility approved at any time pursuant to the City’s zoning ordinance shall be deemed valid for one year following the date of approval. If no building permit for the approved project is obtained within one (1) year of site plan approval or if no work is commenced within six (6) months after the issuance of a building permit, the site plan approval expires and is of no further force or effect, unless extended as provided by this subsection. Upon written request and a showing of good cause, the City Manager, or his/her designee, may extend the expiration date of an approved site plan for a Marijuana Facility.

Section 2. Severability

If any section, clause or provision of this ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any court of competent jurisdiction, such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this ordinance; but the remainder of this ordinance shall stand and be in full force and effect.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF WALLED LAKE

A RESOLUTION RESCHEDULING THE FISCAL YEAR
BUDGET PRESENTATION SPECIAL COUNCIL MEETING OF
MONDAY, MAY 18, 2020 TO THE REGULAR COUNCIL
MEETING OF TUESDAY, MAY 19, 2020

Proposed RESOLUTION 2020-09

At a Regular Meeting of the City Council of the City of Walled Lake, Oakland County, Michigan, held in the Council Chambers at 1499 E. West Maple, Walled Lake, Michigan 48390, on the 18th day of February 2020 at 7:30 p.m.

WHEREAS, the City Charter calls for the Budget Officer to prepare and submit to the Council on the third Monday in May each year, at a special meeting of the Council at 8:00 p.m., of each year, a recommended budget; and

WHEREAS, Section 2.4 of the City Charter grants the exercise of power in that “if alternate procedures are to be found in different statutes, then the Council shall select that procedure which it deems to be most expedient and to the best advantage of the city and its inhabitants,”; and

WHEREAS, each Council meeting involves staffing, publishing, and other operational costs; and

WHEREAS, Council has a regularly scheduled meeting on May 19, 2020, the third Tuesday of May.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Walled Lake, County of Oakland, State of Michigan that:

Section 1. The required third Monday in May Special Council meeting for budget presentation is rescheduled to the regularly scheduled Council meeting of May 19, 2020.

Motion to approve Resolution offered by _____ and seconded by _____.

AYES: ()

NAYS: ()

ABSENT: ()

ABSTENTIONS: ()

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

JENNIFER A. STUART
City Clerk

LINDA S. ACKLEY
Mayor

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF WALLED LAKE

A RESOLUTION FOR THE CITY OF WALLED LAKE TO PARTICIPATE IN THE WATER RESIDENTIAL ASSISTANCE PROGRAM TO AID LOW INCOME WALLED LAKE WATER CUSTOMERS WITH BILL ASSISTANCE AND OTHER WATER SERVICES THAT PROVIDE FINANCIAL RELIEF

Proposed RESOLUTION 2020-10

At a Regular Meeting of the City Council of the City of Walled Lake, Oakland County, Michigan, held in the Council Chambers at 1499 E. West Maple, Walled Lake, Michigan 48390, on the 18th day of February 2020 at 7:30 p.m.

WHEREAS, in March 2016, the Water Residential Assistance Program (WRAP) was launched by a team of Advisory Group members consisting of representatives of agencies from Macomb, Oakland, and Wayne Counties, and Community Action Agencies in the Great Lakes Water Authority (GLWA) service area; and

WHEREAS, WRAP offers benefits for qualified low-income retail customers of communities served by GLWA with bill assistance, home water audits for households with above average water usage, home repairs to fix minor plumbing issues that are causing high water usage, water saving kits and training classes, and promotes resource conservation and self-sufficiency; and

WHEREAS, the WRAP program is funded by GLWA and administered by Oakland Livingston Human Service Agency (OLHSA), therefore there is no increased cost to the City or its residents; and

WHEREAS, the Water Resources Commissioner (WRC), who provides water billing services for the City of Walled Lake, will act on the City's behalf to assist OLHSA in administering WRAP;

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Walled Lake, County of Oakland, State of Michigan that:

Section 1. The Council agrees to participate in the Water Residential Assistance Program to provide financial assistance and other services to qualified City residents.

Section 2. The Council does hereby approve the Water Resources Commissioner's Office to act on the behalf of the City of Walled Lake in signing a Memorandum of Agreement (Exhibit A) with Oakland Livingston Human Service Agency to administer the Water Residential Assistance Program.



**Memorandum of Agreement
Between**

<p>Wholesale Customer: Water Resources Commissioner's Office On behalf of City of Walled Lake 1499 E. West Maple Rd. Walled Lake, MI 48390 Attn: Jim Nash</p>	<p>CA Alliance: Oakland Livingston Human Service Agency (OLHSA) 196 Cesar E Chavez Pontiac, MI 48343</p>
---	--

Project: The Water Residential Assistance Program (“WRAP”) is a universal service delivery model to help residential customers of the Great Lakes Water Authority access bill assistance, water conservation measures, and navigate resources and supports on a pathway toward self-sufficiency.

Duration: OLHSA (“CA Alliance”) is entering into a Memorandum of Agreement with the **City of Walled Lake, a Michigan municipal corporation, (“Wholesale Customer” or “City”)** effective March 1, 2020 until parties agree to terminate the agreement with 30 days' written notice pertaining to the WRAP program (the Project) operated by the CA and Wayne Metro Community Action Agency (Project Administrator).

The City of Walled Lake agrees to:

- Understand and accept the WRAP Universal Service Delivery Model design. (Attached hereto as Attachment A and made a part of this Agreement.)
- Provide to WRAP CA Alliance Agency a main point of contact who will be responsible for:
 - Receiving and reviewing reports of enrolled WRAP residents on regular basis.
 - Receiving and responding to CA Alliance questions regarding individual WRAP residential customer cases on an as needed basis.
 - Acting as liaison to Wholesale Customer billing department regarding payments made by CA Alliance.
 - Attending WRAP Wholesale Customer meetings held by CA Alliance.
- For those WRAP residents who enroll with arrearage/past due amounts, Wholesale Customer will:
 - Freeze arrearages for 12 months or until a resident exits from WRAP program.
 - Waive penalties for WRAP participants.

- Stop pending shutoffs once resident appointment confirmation is received from CA Alliance to Wholesale Customer.
 - For Residents for whom water has been shut off, it is understood by both parties that Resident is solely responsible for payment of applicable turn on/turn off fees.
 - Exempting from tax rolls. Provide CA with taxes due date (Semi-Annual, Annual)
 - Other protocols as deemed mutually agreeable in writing between both parties:
- Provide CA Alliance access, to past customer billing history, previous or current enrollment in payment plans, previous or current enrollment in Wholesale assistance plans, and/or customer alerts.
 - Engage with CA Alliance in shared WRAP marketing and outreach activities to residential customers in Wholesale Customer's community.

Oakland Livingston Human Service Agency Agrees to:

- Provide a Single Service Point of Entry for GLWA regional resident to the WRAP Program; all calls will be processed through a dedicated telephone number- (313) 386-WRAP (9727) and via online Program Request Form.
- Pre-screen WRAP applicants for program eligibility and schedule residents for intake appointments based on pre-screening at time of call.
- Schedule intake appointments at CA Alliance Service Center accessible to residents.
- Inform and secure resident agreement of WRAP Program expectations and responsibilities via WRAP Client Contract.
- Provide an appeal process. **(SEE ATTACHMENT A)**
- Refer eligible residents with water usage at or above 120% of normal usage for Home Water Conservation audit. Conduct Home Water Audit and perform minor home plumbing repairs eligible within scope of project. **Homeowners Only**
- Provide a main point of contact to the Wholesale Customer who will be responsible for:
 - Providing reports of enrolled WRAP residents on a regular basis.
 - Reporting to Wholesale Customer at mutually agreed upon intervals on payment status of enrolled WRAP residential customers via electronic report.
 - Sending batched bill credit payments (based on \$25 per month) monthly and arrearage payments (bi-annually) to Wholesale Customer by the 21st day of the month for enrolled residents verified as in good standing with WRAP. Payment information will include: name, address, and account number.
 - Providing reports of WRAP residents who exit and/or are terminated from the program.

- Acting as liaison to Wholesale Customer regarding the WRAP Program.
- Engaging with Wholesale Customer in shared marketing and outreach activities around WRAP to residential customers.
- Collect and maintain program data, including but not limited to:
 - Scheduled appointments of residents residing in Wholesale Customer Community.
 - Status of enrolled residents in WRAP from Wholesale Customer Community receiving bill payment assistance and home water conservation audits.
 - Reconciliation of total assistance paid to Wholesale Customer including bill payment plan assistance, amount of arrearages paid (total and average).
 - Number of households assisted.

Hold Harmless: To the fullest extent permitted by law, the Parties agrees to indemnify, defend, pay on behalf of, and save harmless the other Party, and its elected and appointed officials, shareholders, officers, consultants, agents, volunteers and employees from and against all loss or expense (including costs and attorney's fees) by reason of liability imposed by law upon the parties or its elected and appointed officials, consultants, agents, volunteers and employees for damages, arising out of or in consequence of the performance of this Agreement, to the extent due to the negligence of the other party.

Notices: All notices, requests, demands or other communications hereunder shall be in writing and deemed given (a) when delivered personally or on the day said communication is sent by registered or certified mail, return receipt requested, postage prepaid, or (c) on the next business day after notice is sent by facsimile, electronic mail or pdf, or (d) on the day said communication is deposited with a nationally recognized overnight courier service, as the case may be, as follows:

If to The Water Resources Commissioner's Office
On behalf of City of Walled Lake

If to OLHSA CAA

AND

AND

Copy to: Susan Harding, CEO

Copy to: Jim Nash
Water Resource Commissioner

Termination: This agreement shall be in effect from March 1, 2020 until either party agrees to terminate with 30 days written notice.

Should either party issue Notice of Termination, both parties agree that residents enrolled in WRAP prior and up to the date of written notice will continue to receive WRAP assistance until the first 12 months of resident enrollment is completed or resident termination.

Modifications: This MOA may be amended upon written approval of the parties at any time. No agent of the City shall have power to revoke, alter, enlarge or relax the stipulations or requirements of this Agreement, without the prior formal written authorization to do so, by ordinance, resolution or official action of the City.

Venue and Choice of Law: The Parties concur that any dispute concerning the interpretation of this Agreement shall be brought in the applicable state court located in the County of Wayne, Michigan, and that Michigan law shall control.

Counterparts: This Agreement may be executed and delivered in any number of counterparts, each of which so executed and delivered shall be deemed to be an original and all of which shall constitute one and the same instrument. A party may deliver executed signature pages to this Agreement by facsimile transmission or electronic mail to the other party, which facsimile or electronic copies shall be deemed to be an original executed signature page binding on the party that so delivered the executed signature page by facsimile or electronic mail.

Severability: If any term or portion of this Agreement, or the application thereof, to any person or circumstance shall, to any extent, judicially be determined to be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected thereby, and each provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

Signed for OLHSA Community Action Agency:

Susan Harding, CEO

Date

Signed for City of Walled Lake

Jim Nash
Water Resource Commissioner

Date

Attachment A

Water Residential Assistance Program (WRAP) Components

Residential Assistance- Water Bill Payment Plan

- Maximum assistance per resident- \$1,000 annually
 - Water bill payment plan assistance consists of \$300 annual bill credit (\$25 per month for 12 months) for residents who are verified as staying current on regular bill payments (per billing cycles).
 - Up to \$700 annually in assistance for past due/ arrearage amounts. Arrearages will be paid in two installments:
 - At 6 months of successful payment history, up to \$350(50%) will be applied
 - At 12 months of successful payment, up to \$350 (second 50%) can be applied.
 - Additional assistance via other CA Alliance funding sources may be leveraged with WRAP based on client eligibility and fund availability.
 - On-going case management will be provided to ensure client success in the WRAP program and to build other self-sufficiency supports.
 - Wholesale customers (i.e. City municipalities billing for GLWA water and/or sewer) will be engaged in regular communication and processing with CA Alliance agencies to monitor customer success in the WRAP program and track payment history.
 - Participants can remain in the program for up to 24 months. Participants must re-apply annually.
 - Participants who have been terminated from the program may request an appeal within 10 days of notification of termination. Participants may be granted an appeal if extenuating circumstances exist and the participant is able to pay the past due monthly charges (minus arrears at the time of enrollment) within 30 days of the appeal decision. Review and decision is at the discretion of the CA Alliance. Notice of the decision will be provided to Wholesale Customer. CA Alliance will request review of the customer's account after 30 days to determine whether bill has been paid to current date. If bill has been paid, customer will be allowed to remain in WRAP.

Residential Assistance- Home Water Audit Conservation

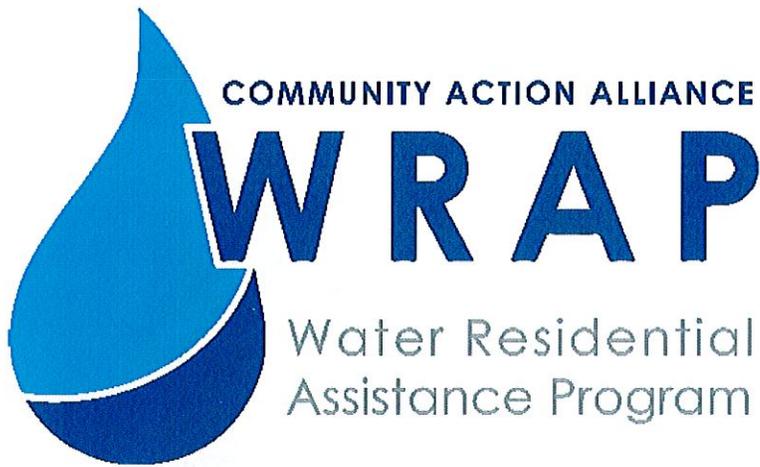
- Households presenting at intake with documented water usage above 120% of average usage will be referred for a Home Water Conservation audit, as performed by CA Alliance.
- Households can receive up to \$1,000 per household for water conservation and minor home plumbing repairs annually.
- Conservation measures and simple leak repairs will be completed during the Home Water Audit. Minor Home Repair and toilet replacement will be referred for a Minor Home Repair visit. Minor Plumbing Repairs will be completed by licensed plumbers following all applicable permitting laws.
- Eligible WRAP measures may include: Faucet aerators
 - Spigot protectors

- Low-flow toilets
- Low-flow showerheads
- Leaking faucets (indoor / outdoor)
- Hose bib leaks (outdoor)
- Pipe joint leaks (if easily accessible)
- Items not covered through WRAP:
- Emergency Repairs
- Plumbing that involves sewer/wastewater work
- Garbage disposals
- Dish washing machines
- Washing machines
- Repairs behind walls or underground
- Repairs in areas that pose a risk to contractors due to environmental hazards or structural deficiencies

WRAP Resident Eligibility Guidelines:

- Income-eligibility at 150% FPL or below based on 90 day look back from date of application.
- Bill must be in client/"tenant" name. Address must match client I.D.
- Proof of homeownership; If renter, lease must indicate tenant responsible for water*
- Must have income source.
- Account holder must attend appointment.
- Shut off notice is not required.
- Bill does not have to be past due.
- For bill plan assistance, client participation in other education/trainings is not mandatory.
- Subsidized housing participants are eligible for assistance.

* Eligibility may be based on non-owner occupied registration with Wholesale Customer community.



WRAP funding is made possible by the Great Lakes Water Authority

PROGRAM BENEFITS

- Assistance **up to \$1,000** per household.
- \$25 monthly bill credit and help with arrears. First arrearage payment of up to \$350 made at initial enrollment.
- Home water audit & minor plumbing repairs **up to \$1,000** for homeowners above 120% of average usage.
- Water saving kits and consumer training classes.
- Supportive WRAP-Around Services.
- Continuous enrollment for eligible households.

WRAP PARTICIPANT QUALIFICATIONS

- Have income at or below 150% of poverty threshold
- Provide proof of residency and income
- Provide renter's proof of responsibility for water on lease
- Stay current on monthly bill payment

CALL: 313.386.WRAP (9727)

or visit www.waynemetro.org/WRAP



COMMUNITY ACTION ALLIANCE WRAP PROGRAM

Community Action Alliance will deliver WRAP through our **Empowerment Pathway Model** - a custom designed service plan to help residential customers in the Great Lakes Water Authority service area to access bill assistance, water conservation measures, and navigate resources and WRAP-around supports on a pathway toward self-sufficiency.



HOUSEHOLD INCOME ELIGIBILITY FOR WRAP IS 150% OF POVERTY:

HOUSEHOLD MEMBERS	HOUSEHOLD INCOME
1	\$18,735
2	\$25,365
3	\$31,995
4	\$38,625
5	\$45,255
6	\$51,885
7	\$58,515
8	\$65,145
9	\$71,775
10	\$78,405

.....

WRAP's mission is to administer the distribution of WRAP funding to eligible, low-income households in GLWA service areas with a vision to create a transformative water utility assistance program focusing on bill assistance, conservation, and self-sufficiency initiatives.

.....

CALL: 313.386.WRAP (9727)

or visit www.waynemetrol.org/WRAP

* City of Detroit residents who are not eligible for WRAP assistance can enroll in the DWSD 10/30/50 Payment Plan. The plan allows for customers to pay down arrears by spreading them across future payments. For more information please call 313.267.8000 or visit www.detroitmi.gov/dwsd.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF WALLED LAKE

A RESOLUTION OF THE CITY COUNCIL PROVIDING
RECOGNITION OF AND EXPRESSING GRATITUDE WITH
APPRECIATION TO MR. TIM MOORE FOR HIS YEARS OF
VOLUNTEER SERVICE TO THE CITY COUNCIL BY
SERVING AS A PARKS AND RECREATION COMMISSION
MEMBER

Proposed RESOLUTION 2020-11

At a Regular Meeting of the City Council of the City of Walled Lake, Oakland County, Michigan, held in the Council Chambers at 1499 E. West Maple, Walled Lake, Michigan 48390, on the 18th day of February 2020 at 7:30 p.m.

WHEREAS, per City Charter Section 4.5, it shall be the duty of the Mayor to nominate qualified persons to the Council and various Boards and Commissions; and

WHEREAS, per City Charter Section 4.5, City Council approves the nomination for said appointment; and

WHEREAS, with approval of the City Council, Tim Moore served as a volunteer member of the City's Parks and Recreation Commission since 1992; and

WHEREAS, during his twenty-eight years of service with the Parks and Recreation Commission, Mr. Moore has participated in the process of many successful events and projects throughout the City; and

WHEREAS, as a member of the Parks and Recreation he participated in the process of updating of the City's Parks and Recreation Master Plan document; and

WHEREAS, Mr. Moore has volunteered many hours of time as a Parks and Recreation Commission member providing valued input into shaping the City of Walled Lake's appeal with the implementation of the Parks and Recreation Master Plan document; and

WHEREAS, Mayor Linda S. Ackley has requested that Tim Moore be recognized for his services.

NOW, THEREFORE BE IT RESOLVED that the City Council recognizes and expresses sincere gratitude and appreciation to Mr. Tim Moore for his twenty-eight years of service to the City Council, to the City, and to the Citizens of Walled Lake, Michigan.

Motion to approve Resolution offered by _____ and seconded by _____.

AYES: ()

NAYS: ()

ABSENT: ()

ABSTENTIONS: ()

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

JENNIFER A. STUART
City Clerk

LINDA S. ACKLEY
Mayor