



**CITY OF WALLED LAKE  
REGULAR COUNCIL MEETING  
TUESDAY, DECEMBER 19, 2017  
7:30 P.M.**

The Meeting was called to order at 7:30 p.m. by Mayor Ackley.

Pledge of Allegiance led by Mayor Ackley.

Invocation led by Mayor Pro Tem Owsinek.

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

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

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

**PRESENTATION:**

- 1. Presentation of 2017 Year-End Financial Statements – Under Budget by One-Million Dollars presented by Independent Auditors Pfeffer, Hanniford, and Palka**

Mr. Pfeffer said the city audit is complete and based on the status of the books, he is confident council is being provided accurate information throughout the year which is critical for good decision-making. He explained that his firm began with the city in 2010 at which time the prior auditing firm told him there were possibilities of the city being placed in receivership by the governor. Mr. Pfeffer said Mr. Whitt overhauled the process internally, including the financial aspects under Finance Director Coogan. Since that time the city has been moving in a positive direction. Mr. Pfeffer said this audit provides council with financial statements that came in under budget by one-million dollars in governmental funds and his firm has issued an unqualified opinion which is the highest-level opinion independent auditors can provide.

**CM 12-01-17                    MOTION TO RECEIVE AND FILE THE 2017 YEAR-END  
FINANCIAL STATEMENTS**

Motion by Lublin, seconded by Ambrose, CARRIED UNANIMOUSLY: To receive and file the 2017 Year-End financial statements.

Roll Call Vote

Yes (7)            Ambrose, Costanzo, Helke, Loch, Lublin, Owsinek, Ackley  
No (0)  
Absent (0)  
Abstain (0)

Finance Director Coogan provided a brief presentation showcasing the accomplishments over the last year as part of Council's strategic goals: new sidewalks, Maple Road resurfacing, Public Safety Campus redesign, updated library entrance and lighting, enhanced city website and social media usage, new city server, new bucket truck for DPW, and public safety vehicles. She said the city continued its legacy debt reduction in pension and OPEB balances and all of this was completed still closing the fiscal year under budget by one million dollars in tax revenue funds. Coogan said the city's fund balance is a healthy \$2.8 million dollars in general reserves.

City Manager Whitt said the council has made great strides to bring the finances into control. He said staff was down-sized and each of the staff members are wearing several different hats completing multiple jobs. Whitt said the auditor explained the situation of the city in 2010 well and he is proud of the current audit report and the staff for the jobs they do.

Mayor Ackley said she is proud of the city staff as well.

**CEREMONIAL OATH OF OFFICE PRESENTATION:**

**1. Oath Office administered to new Police Officer Caleb Dendy**

City Clerk Stuart provided ceremonial Oath of Office.

**2. Oath of Office administered to new Police Officer Kerry Bartsch**

City Clerk Stuart provided the ceremonial Oath of Office.

**REQUESTS FOR AGENDA CHANGES:**

Council Member Costanzo requested an agenda item be added for discussing the recording council meetings. Mayor Ackley added as item number 6 under New Business.

**APPROVAL OF THE MINUTES:**

**1. Regular Council Meeting of November 6, 2017**

**CM 12-02-17 TO APPROVE THE NOVEMBER 6, 2017 REGULAR COUNCIL MEETING MINUTES**

Motion by Owsinek, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve the November 6, 2017 Regular Council meeting minutes.

Roll Call Vote

Yes (7) Costanzo, Helke, Loch, Lublin, Owsinek, Ambrose, Ackley  
No (0)  
Absent (0)  
Abstain (0)

**2. Organizational Meeting of November 13, 2017**

**CM 12-03-17 TO APPROVE THE NOVEMBER 13, 2017 ORGANIZATIONAL COUNCIL MEETING MINUTES**

Motion by Loch, seconded by Lublin, UNANIMOUSLY CARRIED: To approve the November 13, 2017 Organizational Council meeting minutes.

Roll Call Vote

Yes (7) Helke, Loch, Lublin, Owsinek, Ambrose, Costanzo, Ackley  
No (0)  
Absent (0)  
Abstain (0)

**AUDIENCE PARTICIPATION:**

Tim Moore, Chairman of the Parks and Recreation Commission said he and Commission Member Kyle Hecht were present on behalf of the Commission requesting to put together a subcommittee consisting of Council, DDA, and Parks and Recreation Commission members for the upcoming Summer Fest. He said the Commission desires better communication between the three groups, a smoother process and a bigger event. Mayor Ackley said once the initial organizational meeting is held and information is collected, further meetings involving the residents will happen.

Cheryl Flammer, 3557 Clark Circe – said she is here representing the Lakes Area Community Foundation and the Banks Dolbeer Historical project. She said she wants to confirm their relationship with the city as a community volunteer committee with the city. She said the committee is working under the 1999 agreement. She said she has copies for council, she does not know if council ever saw the agreement. She said they do not know if the agreement is still in effect and they would like council to review the agreement. She said she hopes to have the Banks Dolbeer historical home open for the community to use as it was originally planned. She said they continue to raise funds for the restoration of the home and would like to work with the city as other historical commissions do in White Lake, Wixom and Novi. She said after the November election more ideas formed for the committee. She said Bob Robertson was a prior council member who was acting as the construction manager and contact person, the committee

does not know if he is still interested and if he will participate. Ms. Flammer said in the past there were volunteers allowed to work in home after signing a waiver with the city. She said they have been considering purchasing their own insurance to co-sponsor the work inside the home. She asked if there could be a council person assigned as a liaison to their committee. She said the committee requested to meet with Mr. Whitt to arrange a meeting and the committee never got back with him on dates, she is asking to arrange a meeting in the near future. She said they continue to fund raise and they hope to continue to have a working relationship with council.

City Manager Whitt said he encourages a meeting with Ms. Flammer to discuss issues she has. He said those who worked on the home were not working as council members they were working as volunteers. He said Mr. Robertson did not go there as a council member he went there as a volunteer. He did not become unvolunteered because he was not reelected. He said the renovation has been going on 20 plus years and the restoration is still not done.

Anthony Virga, 1607 E. Lake Drive – said he is the owner of Bazonzoes here in Walled Lake and thanked council for letting him serve the community. He said he utilized medical marijuana for his Crones disease in lieu of multiple medications to manage his disease. He said he opened his business in 2010 and enjoys being able to serve those in need and has helped many people. He said since 2010 the Police Chief, Fire Chief, Planning Commission and City Council have provided clear expectations and Bazonzoes have embraced those and they hope to succeed in every expectation allowed to serve their patients. He said Oakland County suspended their provisioning center operation until they apply for their State license. He said they have been preparing for this license diligently since their closure and their team is ready to proceed. He said his mission is to provide treatment for people and a safe access point. He said this is a safe town and people feel comfortable coming here.

Ryan McMullen, 1745 Decker Road – said Bazonzoes is trying to provide patients a safe access point. He said his staff is the most knowledgeable and it is very important to spend time with the patient and develop relationships with them to provide the best care. He said they serve some of the sickest patients and he asked council to allow Bazonzoes to be there for their patients.

Marion Munro, 114 Hibbard Court South – said thank you to the city for acknowledging the medical marijuana laws. She said a lot of cities are sweeping medical marijuana under the rug. She said the benefits to the patients is why she stands behind medical marijuana. She supports the changes within the news laws, they will benefit everyone. She said there are also many risks. She said the new law helps the city and state by providing state tax revenues to pay for more law enforcement, and other opportunities that help us grow as a City and State. She said beyond the various medical treatments she knows how important it is for medical purposes to not depend on other pharmaceutical methods that have horrible negative side effects.

Denise Mannick, 274 W. Walled Lake Drive – said she is representing the Lakes Area Community Coalition and is here to address the youth of the community and address the pending legislation and changes in the medical marijuana ordinance. Ms. Mannick said the coalition wants to make sure council makes an informed decision. She said they represent over 15,000 students within the Walled Lake School District. The City of Walled Lake is just 2.2 square

miles and the unintended consequences of the decisions made here are vast. She said the coalition works exclusively with the Walled Lake School District educating students and parents to make healthier choices. She said having marijuana provisioning and dispensaries in such a small square mile area will have an adverse impact on the health of our youth. She said the coalition is asking council to study the information and take under advisement that there are potentially unintentional consequences from the decisions made here today.

David Scott, Commerce Township Supervisor – spoke for three minutes.

Representative Klint Kesto said he was present as a neighboring state representative and wanted to congratulate the two officers sworn in tonight, Officers Caleb Dendy and Kerry Bartsch and provide a thank you to Police Chief Shakinas. He said congratulations and thanked the officers for severing the community. He said the State created medical marijuana legislation to provide communities opportunities for their own destinies and make decisions based on their constituents and community's needs.

David Rigoy, 104 W. Forest St. – said he is the head attorney representing Bazonzoes. He said he knows Bazonzoes feels very blessed at the opportunity the city provided for them to participate in the system while the state law was very uncertain. He said he wanted to bring to everybody's attention, the draft ordinance submitted for second-reading in tonight's council packet has a discrepancy with the legal distance requirement that was recommended by the Planning Commission. He said he does not understand the discrepancy, this discrepancy will severely limit the businesses such as Bazonzoes to be able to comply with this ordinance which is what they want to do and stay here, continuing to serve the members of this community.

Steve Atwell, 902 N. Pontiac Trail – said he has a piece of property that fits the criteria for a medical marijuana facility. He said he has been in business in this city for 40 years and employs 42 people of this community. He said he has a protected limited landlocked property that he would like to open a grow facility.

Duane Dianco, 1020 Decker – said he read the minutes of the Planning Commission. He said information needs to be clarified for A, B, and C licenses and stackable options. He said he has property behind his facility at 1020 Decker and he is proposing three class C stackable licenses, 1,500 plants for each license. He said Michigan State University is still inquiring about the use of his property to become their laboratory that will employ numerous people.

Kenneth Kolke, 179 Spring Park – said he supports medical marijuana. He said the FDA needs to be contacted.

Janice Leonhart, 232 W. Walled Lake Drive – said the non-profit group is almost on the home stretch for restoration of the Banks Dolbeer project. She said she is very encouraged to hear support for the Banks Dolbeer restoration completion and would like to see it incorporated within the Master Plan and Parks and Recreation Master Plan. She said she would like to find out if CDBG funds may be utilized to help fund the restoration cost of the Banks Dolbeer home. She understands financial issues and applauds the council efforts to see the bottom line. She said she and her husband attended the court hearing for the Community Education Center (CEC) building which was postponed. She said in the school's rebuttal, she was very disconcerted with the idea

that they believe they do not have to answer to the City of Walled Lake or address the building codes.

Chris Shiwee, 1158 Beta – said he has known the folks of Bazonzoes for a couple of years. He said he has gone through two bouts of cancer and today is cancer free. He said Bazonzoes operates by the letter of the law. He said they were raided which was unnecessary and caused a lot of harm. He said Bazonzoes closed rather than be raided again. He thanked council for the time to speak and wished everyone a happy holiday.

Connie Norman, 8476 Cascade Street – said she is asking council to take under consideration the youth in the community as they will be passing and allowing dispensaries in our community. She said it is a fact that marijuana is a gateway drug to other drugs. She said she personally has a son who was charged with multiple felonies and his first drug was marijuana. She said her son is not the first child to be affected in this community. She said the community has had multiple overdoses, this is a very scary sad time for our youth in this community. She said she understands the needs of having medical marijuana but dispensaries walking in asking for the changing of setbacks laws and things that were put in place to protect our youth in the community she does not feel is legitimate. She asked council to research their decisions that affect the youth of our community.

Chris Olivero, 1258 S. Commerce – said of his business clientele, 78% were over the age of 40, 33% were senior citizens, and 58% were Walled Lake residents. He said he understands the people who are using these facilities and it is not the youth of the community.

#### **COUNCIL REPORT:**

Mayor Ackley said a local business, American Plastics was on national television yesterday in a positive light. She said they are a successful Michigan based company.

#### **CITY MANAGER'S REPORT:**

##### **1. Departmental / Divisional Statistical Reports**

- a. Police**
- b. Fire**
- c. Code Enforcement**
- d. Finance**
  - Investment Report**
  - Warrant Report #12-2017**
  - Financials through October 2017**

**CM 12-04-17 TO RECEIVE AND FILE THE MONTHLY DEPARTMENTAL / DIVISIONAL STATISTICAL REPORTS**

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

## Discussion

Council Member Costanzo asked for clarification on the monthly summaries year to date item - operating under the influence of liquor or drugs was up 19%, was increase due to liquor or drugs. He asked if the police officers carried Narcan.

Police Chief Shakinias replied 90% of the incidents are alcohol related. He said the police officers do not carry Narcan, the fire department staff trained in emergency medicine carry Narcan.

## Roll Call Vote:

Yes (7) Loch, Lublin, Owsinek, Ambrose, Costanzo, Helke, Ackley  
No (0)  
Absent (0)  
Abstain (0)

City Manager Whitt addressed concerns about the CEC building and said the City Attorney was prepared to take action, it was not the city who postponed the case. He said the parcel must be developed, there will be something done there.

City Attorney Vanerian said the complaint against the school district has been filed and he has been in communication with the school's attorney. He said he has prepared a motion to stop the demolition of the CEC building, this motion will go before a judge for final ruling. He said once the ruling is received the city will respond appropriately. He said the city requested written assurances that the building will not be demolished until the judge determines the case.

## CORRESPONDENCE:

### **1. Thank you from Kathleen Chestnut regarding the November election**

City Clerk Stuart said the note was a thank you from a poll watcher who witnessed the City's election process for the November 7<sup>th</sup> General Election.

## ATTORNEY'S REPORT:

### **1. Confidential Attorney Client Communication – City of Walled Lake v. Walled Lake Consolidated School District**

City Attorney Vanerian said there is no council action at this time. He provided an explanation under City Manager's report and has nothing further to add. If council desires a closed session he is available.

**UNFINISHED BUSINESS:**

**1. Second Reading C-334-17 Ordinance to amend Chapter 51 - adopting Language pertaining to Marijuana Facilities**

City Attorney said the first reading was presented June of 2017. Council referred to the Planning Commission for review. The Planning Commission has held required public hearing and before council tonight are their recommendations. He highlighted the recommendations including the requirement of a Special Land Use approval.

Discussion was held, and Mayor Ackley suggested to table for further review.

**CM 12-05-17 MOTION TO TABLE SECOND READING UNTIL THE JANUARY 16, 2018 MEETING**

Motion by Owsinek, seconded by Loch, UNANIMOUSLY CARRIED: To table second reading until the January 18, 2018 meeting.

Discussion

Council Member Lublin asked if the council can make sure there are no grow houses in the residential neighborhoods. City Attorney Vanerian stated the proposed ordinance limits provisioning centers to commercial and industrial areas.

Council Member Costanzo asked if the city has a marijuana ordinance. Mayor Ackley said yes. City Attorney Vanerian explained to Council Member Costanzo the City's local ordinances.

Mayor Ackley called motion to question.

Roll Call Vote:

Yes (7) Lublin, Owsinek, Ambrose, Costanzo, Helke, Loch, Ackley  
No (0)  
Absent (0)  
Abstain (0)

**NEW BUSINESS:**

**1. First Reading C-335-17 Amended Minor in Possession Ordinance**

City Attorney Vanerian said this amendment brings the current ordinance into compliance with new State laws.

**CM 12-06-17 APPROVE FIRST READING OF C-335-17 AN ORDINANCE TO AMEND CHAPTER 50 "OFFENSES AND MISCELLANEOUS PROVISIONS," ARTICLE VIII, DIVISION 2 "ALCOHOLIC**

**LIQUORS,” SECTION 50-279 TO PROHIBIT THE PURCHASE,  
POSSESSION OR CONSUMPTION OF ALCOHOL BY MINORS  
AND TO PROVIDE PENALTIES AND SANCTIONS FOR  
VIOLATIONS THEREOF**

Motion by Loch, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve first reading of C-335-17 an ordinance to amend Chapter 50 “Offenses and miscellaneous provisions”, Article VIII, Division 2 “Alcoholic liquors,” Section 50-279 to prohibit the purchase, possession or consumption of alcohol by minors and to provide penalties and sanctions for violations thereof.

Roll Call Vote

Yes (7) Owsinek, Ambrose, Costanzo, Helke, Loch, Lublin, Ackley  
No (0)  
Absent (0)  
Abstain (0)

**2. Proposed Resolution 2017-81 Approve Settlement Agreement – Prior  
Employee Catherin Buck Post Health Care Benefits**

**CM 12-07-17 TO APPROVE RESOLUTION 2017-81 THE SETTLEMENT  
AGREEMENT WITH PREVIOUS EMPLOYEE CATHERINE  
BUCK FOR POST EMPLOYMENT HEALTH CARE BENEFITS**

Motion by Owsinek, seconded by Lublin, UNANIMOUSLY CARRIED: To approve resolution 2017-81 The settlement agreement with previous employee Catherine Buck for post health care benefits.

City Manager Whitt said this resolution is similar to the settlement of another retiree. He said this resolution eliminates another long-term liability the city is paying now. He said for the long-term health of Walled Lake, he recommends approval of the resolution.

Roll Call Vote

Yes (7) Ambrose, Costanzo, Helke, Loch, Lublin, Owsinek, Ackley  
No (0)  
Absent (0)  
Abstain (0)

**3. Proposed Resolution 2017-82 Trailway Council Budget for January through  
December 31, 2018**

**CM 12-08-17 TO APPROVE RESOLUTION 2017-82 THE COMMERCE,  
WALLED LAKE AND WIXOM TRAILWAY MANAGEMENT  
COUNCIL BUDGET FOR JANUARY 1, TO DECEMBER 31, 2018**

Motion by Ambrose, seconded by Loch, UNANIMOUSLY CARRIED: To approve resolution 2017-82 the Commerce, Walled Lake and Wixom Trailway Management Council budget for January 1, to December 31, 2018.

Roll Call Vote

Yes (7) Costanzo, Helke, Loch, Lublin, Owsinek, Ambrose, Ackley  
No (0)  
Absent (0)  
Abstain (0)

**4. Proposed Resolution 2017-83 Approval to Purchase Police Patrol Cars**

Discussion was held on the three-bids received. Mayor Ackley said she would like to support the City's local businesses and purchasing from a local business is in the best interest of the city, Council concurred.

**CM 12-09-17 TO APPROVE RESOLUTION 2017-83 THE PURCHASE OF TWO NEW 2018 DODGE CHARGER POLICE PACKAGE PATROL CARS AND ONE DODGE CHARGER POLICE UNMARKED PATROL CAR FROM SHUMAN CHRYSLER/DODGE BEING IN THE BEST INTEREST OF THE CITY**

Motion by Loch, seconded by Lublin, UNANIMOUSLY CARRIED: To approve resolution 2017-83 the purchase of two new 2018 Dodge Charger police package patrol cars and one Dodge Charger police unmarked patrol car from Shuman Chrysler/Dodge in the best interest of the City.

Roll Call Vote

Yes (7) Helke, Loch, Lublin, Owsinek, Ambrose, Costanzo, Ackley  
No (0)  
Absent (0)  
Abstain (0)

**5. Proposed Resolution 2017-84 The 2018 Regular Meeting Schedule**

Council Member Lublin said the proposed meeting date for September 2018 conflicts with Yom Kippur. He suggested moving the date of the September meeting to Monday, September 17, 2018.

**CM 12-10-17 TO APPROVE RESOLUTION 2017-84 ESTABLISHING THE TIME, PLACE AND THE 2018 SCHEDULE OF REGULAR MEETINGS FOR THE CITY OF WALLED LAKE PURSUANT TO CITY CHARTER; PROVIDING FOR PUBLICATION WITH**

**ADJUSTMENT OF SEPTEMBER'S MEETING TO MONDAY,  
SEPTEMBER 17, 2018**

Motion by Owsinek, seconded by Lublin, UNANIMOUSLY CARRIED: To approve resolution 2017-84 establishing the time, place and the 2018 schedule of regular meetings for the City of Walled Lake pursuant to City Charter; providing for publication with adjustment of September's meeting to Monday, September 17, 2018.

Roll Call Vote

Yes (7) Loch, Lublin, Owsinek, Ambrose, Costanzo, Helke, Ackley  
No (0)  
Absent (0)  
Abstain (0)

**6. Recording of the Council Meetings**

**CM 12-11-17 MOTION TO HAVE THE CITY VIDEO RECORD ALL CITY COUNCIL MEETINGS AND TO POST THE MEETING VIDEO NO MORE THAN SEVEN DAYS OF BEING RECORDED TO THE CITY WEBSITE BEGINNING WITH THE FEBRUARY 2018 CITY COUNCIL MEETING**

Motion by Costanzo, seconded by Helke,

Discussion

City Manager Whitt said this will not happen by February 2018 even with majority of council approval, the time frame is too short. He said the previous individual quit and the city does not have the facilities on site to post by February. He said a budget needs to be created to address cost of professionals to provide this service. He said information can be collected and provided to council at the next meeting.

Council Member Costanzo said he is requesting to spend city funds to provide videos of council meetings on the city website. He said the cost of recording will cost a couple thousand. He opined the community wants this.

Mayor Ackley said she does not recommend placing a deadline on implementing this in February, there is information to be collected and that will take time.

City Manager Whitt said there is a cost, it is not for free, there is personnel needed to operate it and the responsibility of upkeep.

**CM 12-12-17 TO TABLE MOTION CM 12-11-17 TO HAVE CITY VIDEO RECORD ALL CITY COUNCIL MEETINGS AND POSTPONE TO NEXT MEETING**

Motion by Costanzo, seconded by Helke, UNANIMOUSLY CARRIED: To table motion to have the city video record all city council meetings and post pone to next meeting. City Manager Whitt said council has a hard copy of the master plan which is on the website and has been since he began with the city. He said there is a hard copy of the two-year hard budget book that has been provided. He recommended council move to receive and file these items.

**CM 12-13-17 MOTION TO RECEIVE AND FILE HARD COPY OF THE 2018-2019 BUDGET BOOK**

Motion by Ambrose, seconded by Owsinek, UNANIMOUSLY CARRIED: To receive and file the hard copy of the 2018-2019 budget book.

Roll Call Vote

Yes (7) Owsinek, Ambrose, Costanzo, Helke, Loch, Lublin, Ackley  
No (0)  
Absent (0)  
Abstain (0)

**CM 12-14-17 MOTION TO RECEIVE AND FILE THE HARD COPY OF THE MASTER PLAN**

Motion by Owsinek, seconded by Ambrose, UNANIMOUSLY CARRIED: To receive and file the hard copy of the Master Plan.

Roll Call Vote

Yes (7) Ambrose, Costanzo, Helke, Loch, Lublin, Owsinek, Ackley  
No (0)  
Absent (0)  
Abstain (0)

City Manager said the Master Plan is not new it is a republication dated December 2017.

**MAYOR'S REPORT:**

**1. Annual Review and Evaluation of the Performance of the City Manager Pursuant to Council Resolution 2015-05 and Section 6 of the Employment Agreement**

Mayor Ackley asked City Manager Whitt if he requested his review in a closed session. Mr. Whitt said yes pursuant to Section 8(e) of the Open Meetings Act.

**CM 12-15-17 MOTION TO ENTER INTO CLOSED SESSION TO DISCUSS THE ANNUAL REVIEW AND EVALUATION OF THE PERFORMANCE OF THE CITY MANAGER PURSUANT TO COUNCIL RESOLUTION 2015-05 AND SECTION 6 OF THE EMPLOYMENT AGREEMENT**

Motion by Owsinek, seconded by Costanzo, UNANIMOUSLY CARRIED, to enter into Closed Session to discuss the annual review and evaluation of the performance of the City Manager pursuant to Council Resolution 2015-05 and Section 6 of the Employment Agreement.

Roll Call Vote

Yes (7) Costanzo, Helke, Loch, Lublin, Owsinek, Ambrose, Ackley  
No (0)  
Absent (0)  
Abstain (0)

**3. Proposed Resolution 2017-85 Accepting the Mayor's nomination to appoint John Owsinek to the Planning Commission**

Mayor Ackley said prior Council Member Robertson had previously served as liaison to the Planning Commission. She made the nomination of John Owsinek to the Planning Commission.

**CM 12-16-17 TO APPROVE RESOLUTION 2017-85 ACCEPTING THE MAYOR'S NOMINATION TO APPOINT JOHN OWSINEK TO THE PLANNING COMMISSION PURSUANT TO THE REQUIREMENTS OF THE CITY CHARTER; MAKING AN APPOINTMENT TO THE PLANNING COMMISSION FOR AN UNEXPIRED TERM**

Motion by Costanzo, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve resolution 2017-85 accepting the Mayor's nomination to appoint John Owsinek to the Planning Commission pursuant to the requirements of the City Charter; making an appointment to the Planning Commission for an unexpired term.

Roll Call Vote:

Yes (7) Helke, Loch, Lublin, Owsinek, Ambrose, Costanzo, Ackley  
No (0)  
Absent (0)  
Abstain (0)

Mayor Ackley provided a report to council on the investigation she has been conducting since June of 2016 per resolution 2016-31. She requested council to review the documentation and the resolution provided. Mayor Ackley stated the resolution being provided this evening is within

her authorities granted to investigate and report back to council. She said she has prepared a four-page report outlining the basis of her findings and is requesting council to set a hearing date in January 2018. She said her report includes affidavits from Ms. Gross, Mrs. Pesta, and Mr. Whitt.

**CM 12-17-17 MOTION TO APPROVE RESOLUTION 2017-86 A RESOLUTION CITING COUNCIL MEMBER SUSAN HELKE TO APPEAR AT A SPECIAL MEETING OF CITY COUNCIL FOR A HEARING; TO SHOW CAUSE WHY SHE SHOULD NOT BE REMOVED FROM OFFICE ON CHARGES AND SPECIFICATION; SETTING A SPECIAL MEETING DATE FOR HEARING; INSTRUCTING THE CLERK TO GIVE NOTICE**

Motion by Owsinek, seconded by Loch, MOTION CARRIED: To approve resolution 2017-86 a resolution citing Council Member Susan Helke to appear at a special meeting of city council for a hearing to show cause why she should not be removed from office on charges and specifications; setting a special meeting date for hearing; instructing the Clerk to give notice.

Roll Call Vote

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

(5-2) MOTION CARRIED

Entered closed session at 9:45 p.m.

Arose from closed session at 10:11 p.m.

**CM 12-18-17 MOTION TO APPROVE RESOLUTION 2017-87 A RESOLUTION APPROVING EMPLOYMENT AGREEMENT WITH L. DENNIS WHITT AND AUTHORIZING THE CITY MAYOR TO EXECUTE THE AGREEMENT**

Motion by Owsinek, seconded by Lublin, MOTION CARRIED: To approve resolution 2017-87 a resolution approving employment agreement with L. Dennis Whitt and authorizing the City Mayor to execute the agreement.

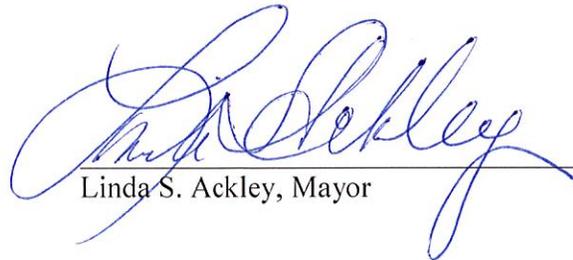
Roll Call Vote

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

(5-2) MOTION CARRIED

Meeting adjourned at 10:12 p.m.

  
Jennifer A. Stuart, City Clerk

  
Linda S. Ackley, Mayor

approved 2/20/18