



**CITY OF WALLED LAKE
REGULAR COUNCIL MEETING
TUESDAY, JANUARY 18, 2022
7:30 P.M.**

Confidential Assistant Ms. Hana Jaquays described the hybrid format of the meeting and explained this open public meeting is being livestreamed on the City's YouTube page and public participation is available in-person and through ZOOM telephone call-in. Ms. Jaquays introduced those in person, City Manager Whitt, Police Chief Shakinas, DPW Superintendent Dan Ladd, Fire Chief Coomer, Assistant City Manager Pesta and City Clerk Stuart.

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

PLEDGE TO FLAG & INVOCATION

ROLL CALL Mayor Ackley, Mayor Pro Tem Lublin, Council Member Ambrose, Council Member Fernandes, Council Member Loch, Council Member Owsinek, Council Member Woods

City Council members attending virtually announced their attendance for meeting within Walled Lake, Oakland County and Alpena, Michigan.

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

OTHERS PRESENT City Manager Whitt, Confidential Assistant Jaquays, Assistant City Manager Pesta, Police Chief Shakinas, Deputy Police Chief Kolke, Fire Chief Coomer, City Attorney Vanerian, DPW Superintendent Ladd and City Clerk Stuart

PARLIAMENTARY PROCEDURES

1. Proposed Resolution 2022-01 Adopt Robert's Rule of Order

**CM 01-01-22 MOTION TO APPROVE RESOLUTION 2022-01 A
RESOLUTION TO ADOPT ROBERT'S RULE OF ORDER
12TH EDITION FOR PARLIAMENTARY PROCEDURES
DURING MEETINGS PURSUANT TO THE
REQUIREMENTS OF THE CITY CHARTER AND THE
OPEN MEETINGS ACT**

Motion by Lublin, seconded by Fernandes, UNANIMOUSLY CARRIED: To approve resolution 2022-01 a resolution to adopt Robert's Rule of Order 12th

edition for parliamentary procedures during meetings pursuant to the requirements of the City Charter and the Open Meetings Act.

Roll Call Vote

Ayes (7) Ambrose, Fernandes, Loch, Lublin Owsinek, Woods, Ackley
Nays (0)
Absent (0)
Abstain (0)

SERGEANT AT ARMS

1. Proposed Resolution 2022-02 Appoint Sergeant-at-Arms

**CM 01-02-22 MOTION TO APPROVE RESOLUTION 2022-02 A
RESOLUTION FOR APPOINTMENT OF SERGEANT AT
ARMS**

Motion by Owsinek, seconded by Woods, UNANIMOUSLY CARRIED: To approve resolution 2022-02 a resolution for appointment of Sergeant at Arms.

Roll Call Vote

Ayes (7) Fernandes, Loch, Lublin, Owsinek, Woods, Ambrose, Ackley
Nays (0)
Absent (0)
Abstain (0)

REQUESTS FOR AGENDA CHANGES

Council Member Owsinek requested to add under new business scheduling of performance review pursuant to employee contract for City Manager Whitt and City Attorney Vanerian.

Mayor Ackley added to agenda under New Business as item #6.

PRESENTATION

1. Auditor Pfeffer, Hanniford and Palka present the Financial Audit for Fiscal Year 2021

Assistant City Manager/Finance Director Pesta explained as instructed by council, the audit was filed timely with the state. Finance Director Pesta said she is asking council for a motion to receive and file the audit for fiscal year 2021.

**CM 01-03-22 MOTION TO RECEIVE AND FILE THE AUDIT FOR
FISCAL YEAR 2021**

Motion Woods, seconded by Owsinek, UNANIMOUSLY CARRIED: To receive and file the audit for fiscal year 2021.

Discussion

Council Member Fernandes asked to whom she can address her questions regarding the audit.

City Manager Whitt explained he is available, or we can have auditors here to answer them.

Roll Call Vote

Ayes (7) Loch, Lublin, Owsinek, Woods, Ambrose, Fernandes, Ackley
Nays (0)
Absent (0)
Abstain (0)

AUDIENCE PARTICIPATION None

APPROVAL OF MINUTES

1. Regular Council Meeting of October 19, 2021

**CM 01-04-22 MOTION TO APPROVE REGULAR COUNCIL MEETING
MINUTES OF OCTOBER 19, 2021**

Motion by Fernandes, seconded by Lublin, UNANIMOUSLY CARRIED: To approve regular council meeting minutes of October 19, 2021.

Roll Call Vote

Ayes (6) Lublin, Owsinek, Woods, Fernandes, Loch, Ackley
Nays (0)
Absent (0)
Abstain (0)

**2. Organizational/Regular Council Meeting and Public Hearing November 9,
2021**

**CM 01-05-22 MOTION TO APPROVE REGULAR COUNCIL MEETING
AND PUBLIC HEARING MINUTES OF NOVEMBER 9,
2021**

Motion by Owsinek, seconded by Woods, UNANIMOUSLY CARRIED: To approve regular council meeting and public hearing minutes of November 9, 2021.

Roll Call Vote

Ayes (6) Owsinek, Woods, Fernandes, Loch, Lublin, Ackley
Nays (0)
Absent (0)
Abstain (0)

3. Special Council Meeting of December 6, 2021

**CM 01-06-22 MOTION TO APPROVE SPECIAL COUNCIL MEETING
MINUTES OF DECEMBER 6, 2021**

Motion by Woods, seconded by Owsinek, UNANIMOUSLY CARRIED: To approve special council meeting minutes of December 6, 2021.

Roll Call Vote

Ayes (6) Woods, Fernandes, Loch, Lublin, Owsinek, Ackley
Nays (0)
Absent (0)
Abstain (0)

COUNCIL REPORT

Mayor Pro Tem Lublin said the library is open and there is a library board meeting this Friday, January 21st.

Council Member Fernandes explained the Parks and Recreation Commission approved the annual calendar of events at their last meeting.

CITY MANAGER'S REPORT

1. Departmental / Divisional Statistical Reports

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

-Warrant

**CM 01-07-22 MOTION TO RECEIVE AND FILE THE
DEPARTMENTAL / DIVISIONAL STATISTICAL
REPORTS**

Motion by Woods, seconded by Fernandes, UNANIMOUSLY CARRIED: To receive and file the departmental / divisional statistical reports.

Roll Call Vote

Ayes (7) Ambrose, Fernandes, Loch, Lublin, Owsinek, Woods, Ackley
Nays (0)
Absent (0)
Abstain (0)

City Manager Whitt said the City has been and is affected by COVID-19. City Manager Whitt explained we are hoping all staff is recovering. City Manager Whitt explained there have been promotions which include that of DPW Superintendent Dan Ladd and Police Captain Heather Kolke to Deputy Chief of Police. City Manager Whitt said we are proud to have these staff members.

2. Discussion of Budget Work Session Dates for Fiscal Year 2023

City Manager Whitt explained the proposed budget work sessions dates are tentative and dates will be finalized in the future.

CORRESPONDENCE None

ATTORNEY'S REPORT

City Attorney Vanerian explained the meeting format of council this evening is a hybrid format. City Attorney Vanerian explained the state legislature has adopted the option to have meetings held electronically. City Attorney Vanerian explained prior to COVID-19, there was really no language in the Open Meetings Act for this however, holding of electronic meetings was very recently addressed middle of July last year. City Attorney Vanerian said the language does provide provisions and a due date specifically that allow electronic meetings and electronic participation to occur past those dates. City Attorney Vanerian explained the council is holding a traditional physical meeting, with a quorum of council, administrative staff, and it is open to public. City Attorney Vanerian explained people can participate during the public meeting. City Attorney Vanerian explained the hybrid meeting is a traditional meeting, with added element of electronic participation. City Attorney Vanerian explained there are members who are attending electronically and in person. City Attorney Vanerian opined this creates a higher level of transparency and in his opinion, the meeting this evening does comply with the Open Meetings Act.

NEW BUSINESS

1. Proposed Resolution 2022-03 Employment Agreement Police Chief Paul Shakinas

City Manager Whitt said there were discussions within a closed session at a prior council meeting regarding employment agreement for Police Chief Shakinas. City Manager Whitt explained the salary is different than what came out of last discussion, more was offered with regard to retention issues. City Manager Whitt said Police Chief Shakinas is highly trained, is a police officer, is also fire fighter, holds two master's degrees and has been Police Chief for over 12 years.

CM 01-08-22 MOTION TO APPROVE RESOLUTION 2022-03 A RESOLUTION APPROVING EMPLOYEE AGREEMENT WITH PAUL SHAKINAS; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT

Motion by Owsinek, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve resolution 2022-03 a resolution approving employee agreement with Paul Shakinas; and authorizing the City Manager to execute the agreement.

Roll Call Vote

Ayes (7) Fernandes, Loch, Lublin, Owsinek, Woods, Ambrose, Ackley
Nays (0)
Absent (0)
Abstain (0)

2. Proposed Resolution 2022-04 Defined Contribution Plan Division Closure

CM 01-09-22 MOTION TO APPROVE RESOLUTION 2022-04 A RESOLUTION OF THE CITY COUNCIL TO CLOSE DEFINED CONTRIBUTION PLAN (DIVISION #106949) AS THERE ARE NO PARTICIPANTS THAT WILL BE ELIGIBLE TO JOIN THE PLAN

Motion by Owsinek, seconded by Woods, UNANIMOUSLY CARRIED: To approve resolution 2022-04 a resolution of the City Council to close defined contribution plan (Division #106949) as there are no participants that will be eligible to join the plan.

Roll Call Vote

Ayes (7) Loch, Lublin, Owsinek, Woods, Ambrose, Fernandes, Ackley
Nays (0)

Absent (0)
Abstain (0)

3. Proposed Resolution 2022-05 2021 Surplus Auto Auction Bid Results and Award

CM 01-10-22 MOTION TO APPROVE RESOLUTION 2022-05 A RESOLUTION FOR ACCEPTANCE OF BIDS AND DETERMINATION OF AWARD APPROVED BY CITY COUNCIL FOR THE 2021 AUTO AUCTION – DPW SURPLUS VEHICLES AND TO AUTHORIZE THE SALE OF SAID ITEMS

Motion by Lublin, seconded by Fernandes, UNANIMOUSLY CARRIED: To approve resolution 2022-05 a resolution for acceptance of bids and determination of award approved by City Council for the 2021 auto auction – DPW surplus vehicles and to authorize the sale of said items.

Roll Call Vote

Ayes (7) Lublin, Owsinek, Woods, Ambrose, Fernandes, Loch, Ackley
Nays (0)
Absent (0)
Abstain (0)

4. Proposed Resolution 2022-06 Fire Department Vehicle Transfer

CM 01-11-22 MOTION TO APPROVE RESOLUTION 2022-06 A RESOLUTION FOR DIRECT TRANSFER OF THE WALLED LAKE FIRE DEPARTMENT 1999 SEAGRAVE PUMPER TRUCK TO THE HAWKINS COUNTY VOLUNTEER FIREMAN'S ASSOCIATION AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE PURCHASE AGREEMENT

Motion by Woods, seconded by Fernandes, UNANIMOUSLY CARRIED: To approve resolution 2022-06 a resolution for direct transfer of the Walled Lake Fire Department 1999 Seagrave Pumper Truck to the Hawkins County Volunteer Fireman's Association and to authorize the City Manager to execute the purchase agreement.

Roll Call Vote

Ayes (7) Owsinek, Woods, Ambrose, Fernandes, Loch, Lublin, Ackley
Nays (0)

Absent (0)
Abstain (0)

5. Proposal for Construction Engineering Services Mercer Beach Improvements, Phase I

DPW Superintendent Ladd explained this proposal is for Boss Engineering to provide engineering for Phase I of the Mercer Beach project.

CM 01-12-22 MOTION TO APPROVE BOSS ENGINEERING PROPOSAL LETTER DATED NOVEMBER 5, 2021 IN THE AMOUNT OF AND NOT TO EXCEED \$26,000

Motion by Owsinek, seconded by Woods, UNANIMOUSLY CARRIED: To approve Boss Engineering proposal letter dated November 5, 2021 in the amount of and not to exceed \$26,000.

Roll Call Vote

Ayes (7) Woods, Ambrose, Fernandes, Loch, Lublin, Owsinek, Ackley
Nays (0)
Absent (0)
Abstain (0)

6. Performance Evaluation pursuant to employee contract of City Manager Whitt and City Attorney Vanerian

Mayor Ackley opined City Manager Whitt and City Attorney Vanerian are doing fabulous work for the city.

City Manager Whitt said City Attorney Vanerian has clearly done a great job.

Council Member Owsinek said we have seen the fruits of their labor. Council Member Owsinek said these employees have followed through with items we have asked them to do. Council Member Owsinek said he recommends a blanket approval.

Mayor Ackley said the City Attorney has been successful in the courts with all we have had to deal with.

City Manager Whitt explained these evaluations are annual per employee contacts and the motions need to be separate.

CM 01-13-22 MOTION TO AGREE CITY ATTORNEY VANERIAN PERFORMED SATISFACTORY FOR THE PRECEDING YEAR OF HIS EMPLOYMENT

Motion by Owsinek, seconded by Woods, UNANIMOUSLY CARRIED: To agree City Attorney Vanerian performed satisfactory for the preceding year of his employment.

Discussion

Council Member Fernandes asked when council extended the attorney contract.

City Manager Whitt explained it was done last year and per City Attorney Vanerian's employee contract an annual review is part of the agreement. City Manager Whitt explained the council may have a meeting and a closed session request may be provided should the employee desire one.

Council Member Fernandes explained City Attorney Vanerian was provided a raise last year.

Roll Call Vote

Ayes (7) Ambrose, Fernandes, Loch, Lublin, Owsinek, Woods, Ackley
Nays (0)
Absent (0)
Abstain (0)

**CM 01-14-22 MOTION TO AGREE CITY MANAGER WHITT
PERFORMED SATISFACTORY FOR THE PRECEDING
YEAR OF EMPLOYMENT**

Motion by Lublin, seconded by Owsinek, UNANIMOUSLY CARRIED: To agree City Manager Whitt performed satisfactory for the preceding year of employment.

Roll Call Vote

Ayes (7) Fernandes, Loch, Lublin, Owsinek, Woods, Ambrose, Ackley
Nays (0)
Absent (0)
Abstain (0)

UNFINISHED BUSINESS

1. **Second Reading C-360-21 Amendment to Chapter 51, Section 51-21.13
Fence, Wall and Privacy Screen Regulations**

**CM 01-15-22 MOTION TO APPROVE SECOND READING C-360-21
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
51-21.13 "FENCE, WALL AND PRIVACY SCREEN
REGULATIONS" BY AMENDING RESIDENTIAL FENCE
HEIGHT AND LOCATION REQUIREMENTS AS
PROVIDED BY THIS ORDINANCE**

Motion by Woods, seconded by Fernandes: UNANIMOUSLY CARRIED: To approve second reading of C-360-21 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 51-21.13 "Fence, wall and privacy screen regulations" by amending residential fence height and location requirements as provided by this ordinance.

Roll Call Vote

Ayes (7) Lublin, Owsinek, Woods, Ambrose, Fernandes, Loch, Ackley
Nays (0)
Absent (0)
Abstain (0)

COUNCIL COMMENTS

Council Member Fernandes thanked Chairman O'Rourke of the Parks and Recreation Commission and DPW Superintendent Ladd for all their efforts with the parks and events.

Council Member Ambrose thanked City Manager Whitt, City Attorney Vanerian, Mayor and Council, City Clerk Stuart. DPW Superintendent Ladd and entire city staff for their amazing work. Council Member Ambrose said the campus looks beautiful; everybody does great work.

Council Member Lublin said he is proud of the entire city staff and departments. Council Member Lublin said he is looking forward to the projects slated for 2022. Council Member Lublin said he is proud of the city boards and commissions.

Council Member Woods expressed a happy new year to everyone. Council Member Woods said he hopes 2022 is good and everyone stays healthy. Council Member Woods said when reflecting on 2021, there were big events. Council Member Woods said the real work belongs to the boards and commissions and city staff. Council Member Woods said this is a testament to people who work with us and for us; thank you and he appreciates the work. Council Member Woods said everything is moving in the right direction.

MAYOR’S REPORT

Mayor Ackley welcomed newest Council Member Mr. Casey R. Ambrose.

1. Mayor’s nomination and appointment of Dennis O’Rourke to the Walled Lake Improvement Board

CM 01-15-22 MOTION TO APPROVE RESOLUTION 2022-07 A RESOLUTION ACCEPTING THE MAYOR’S NOMINATION TO FILL A POSITION ON THE WALLED LAKE IMPROVEMENT BOARD PURSUANT TO THE REQUIREMENTS OF THE CITY CHARTER, MAKING AN APPOINTMENT TO THE WALLED LAKE IMPROVEMENT BOARD FOR AN UNEXPIRED TERM

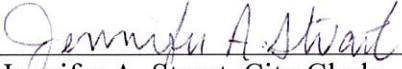
Motion by Woods, seconded by Fernandes, UNANIMOUSLY CARRIED: To approve resolution 2022-07 a resolution accepting the Mayor’s nomination to fill a position on the Walled Lake Improvement Board pursuant to the requirements of the City Charter, making an appointment to the Walled Lake Improvement Board for an unexpired term.

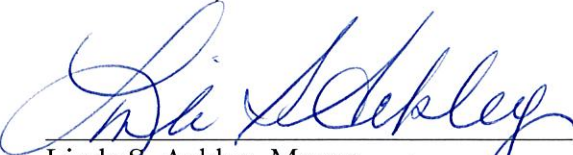
Roll Call Vote

Ayes (7) Lublin, Owsinek, Woods, Ambrose, Fernandes, Loch, Ackley
Nays (0)
Absent (0)
Abstain (0)

ADJOURNMENT

Meeting adjourned at 8:45 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.

approved 2/15/22