



**CITY OF WALLED LAKE
REGULAR COUNCIL MEETING
TUESDAY, JUNE 18, 2019
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 Council Member Ambrose.

ROLL CALL: Mayor Ackley, Council Member Ambrose, Council Member Costanzo, Council Member Loch, Council Member Lublin, Council Member Robertson

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

OTHERS PRESENT: City Manager Whitt, Assistant City Manager Pesta, Police Chief Shakinias, Fire Chief Coomer, Finance Director Barlass, City Attorney Vanerian, Deputy City Clerk Gross, and City Clerk Stuart

**CM 6-1-19 MOTION TO EXCUSE MAYOR PRO TEM OWSINEK
FROM TONIGHT'S MEETING**

Motion by Loch, seconded by Ambrose: UNANIMOUSLY CARRIED: To excuse Mayor Pro Tem Owsinek from tonight's meeting.

PRESENTATION

1. 52nd 1st Division Judicial Introductions

52nd District Court Judges, the Honorable David Law and the Honorable Travis Reeds were introduced. Judge Law provided a brief introduction to the 52nd 1st Division court system and its processes. Judge Law said the Honorable Judge Robert Bondy was unable to attend due to a family commitment. Judge Law explained they were present at the meeting as an opportunity to stay connected with the communities and their members. Judge Law thanked Judge Reeds stating it is nice to have other people in the courthouse that you get along with and respect the job they do, and he stated he feels this way about Judge Reeds. Judge Law explained this court handles Walled Lake, Wixom, Novi, South Lyon, Lyon Township, Milford, Village of Wolverine Lake, Townships of Highland and Commerce. Judge Law thanked City Attorney Vahan Vanerian for his legal services to the city and Judge Reeds explained that Attorney Vanerian represents the City of Walled Lake extremely well in the courts.

Judge Reeds then further explained that the district court is commonly referred to as the people's court. Judge Reeds said the courts handle about 50,000 cases a year and this court addresses small claims to murder; any court in Michigan starts in the district court. Judge Reeds explained there are four divisions: civil, criminal, traffic, and probation with 67 employees. Judge Reeds said the courts handle Walled Lake on Tuesdays. Judge Reeds welcomed everyone to visit the courthouse. Judge Reeds explained there are various specialty courts which target intensive probationary cases for those that need particular help or tools to get their life back on track.

Judge Law said Judge Reeds, Judge Bondy and himself are judges who get involved in the communities. Judge Law said if there were ever issues that the communities wished to have the judges speak about, the judges are willing to participate.

In closing Judge Reeds complimented the Walled Lake Police Department opining that Walled Lake has an excellent police department and is a classic example of effective community policing. The Honorable Judge Reeds said the City of Walled Lake is one of the safest communities in the 52nd 1st division system. Judge Reeds explained that he appreciates working with Chief Paul Shakinas, opining that Chief Shakinas is an asset to the Walled Lake Community.

REQUEST FOR AGENDA CHANGES:

Council Member Costanzo requested to add discussion of 1275 E. West Maple. Mayor Ackley added under New Business Item 6.

APPROVAL OF THE MINUTES:

1. Regular Council Meeting and Public Hearing of May 21, 2019

CM 6-2-19 MOTION TO APPROVE REGULAR COUNCIL MEETING AND PUBLIC HEARING OF MAY 21, 2019

Motion by Lublin, seconded by Loch: CARRIED: To approve the Regular Council Meeting and Public Hearing of May 21, 2019.

Discussion

Council Member Costanzo stated, "I feel that again, there are significant omissions to the minutes". Mr. Costanzo opined the minutes do not fully capture for the record his own remarks and the full events of the previous council meeting.

Council Member Costanzo said either you put everything in the record or make the minutes completely obtuse. Council Member Costanzo further stated, "there is too much to list to add to the minutes at this point".

Roll Call Vote

Ayes (5)	Loch, Lublin, Robertson, Ambrose, Ackley
Nays (1)	Costanzo
Absent (1)	Owsinek
Abstentions (0)	

AUDIENCE PARTICIPATION:

Kyler Pilnick, 1428 N. Pontiac Trail – Mr. Pilnick asked that everyone speak into their microphones clearly.

Dena Potter, 1856 Meadowridge – attended the May 21st council meeting and was appalled at the behavior of the city council. Ms. Potter stated “You should all be ashamed of yourselves and your treatment of fellow council person. It is your job as council members to help the residents understand who, what, when, where and why you are doing what you do.”

Ms. Potter began a diatribe about the salaries of administration opining that Council Member Costanzo is the only one that had spoken truth to power and does not have a hidden agenda.

Darlene Ciampa, 1717 Ashstan, made a personal verbal attack on city officials and began a diatribe about her displeasure with the City Council, the City Manager and the City Clerk. Ms. Ciampa by reading a letter she said she posted on social media, sent out to the media, as well as the Michigan Attorney General’s Office. The letter is as follows:

May 24, 2019

*Walled Lake City Council, City Manager, City Clerk & City Attorney
1499 East West Maple Road
Walled Lake, Michigan 48390*

RE: Current Status of Walled Lake

Dear City Council, City Manager, City Attorney and City Clerk,

As a voting constituent of the City of Walled Lake, this is notice of my displeasure with developments and actions taken by the City Council, City Manager and City Clerk the past 3 years. Conspiracy and unsubstantiated charges against former City Council Woman Sue Helke and her subsequent removal from office by the City Council.

The City Manager's guaranteed salary of \$160,000 through the year 2023, with a new city vehicle and gas mileage paid.

The City's approval of \$171,000 of accrued, unused vacation time paid to the City Manager in the 2017-2018 Budget.

The lack of progress and restoration of the Tri-A Subdivision sewer and roads to mitigate the damage to homes and damaging property values.

The City Manager's ongoing proposal to withdraw from the Michigan Trailway Agreement with the State of Michigan, Wixom and Commerce.

The lack of responsiveness to the Auditor in Audit of the City of Walled Lake's Budget, not responding to the Auditor's questions or concerns.

The increase in salaries for 2 City Employees of \$5,000 each and an additional 5 weeks of vacation, 100% tuition reimbursement.

The 5/21/19 City Council Announcement to investigate Councilman Gabe Costanzo for questioning the City's passing of a motion to use \$579,300 from DDA funds to resurface Decker Road. This road is well outside of the DDA geographic map, per the 2008 DDA Plan.

The 5/21/19 City Council investigation into Gabe Costanzo with the purpose of removing him from office, against the voter's wishes. This is the 2nd attempt to remove a duly elected City Councilperson from Walled Lake City Council through accusations and conspiracy.

The lack of transparency in the Coeus vs. City of Walled Lake Lawsuit with the accusations of conspiracy leveled against the City of Walled Lake regarding Marijuana Licensing.

The City filed a lawsuit against the Michigan Association of Public Employees and will incur enormous legal fees.

As a citizen and taxpayer of Walled Lake, we deserve to have these egregious actions reported to the Local, State and Federal Authorities without fear of retribution by the City of Walled Lake under the Whistleblower Protection Act and all statutes affording us protection.

I ask the State and Federal Authorities to fully investigate the facts of this letter through a forensic financial audit and any investigative means necessary to bring the truth and government transparency to the City of Walled Lake.

Sincerely,

*Darlene Ciampa
Resident of Walled Lake*

Diane Crone, 139 Welfare – stated she was speaking to express her concern about the investigation into Gabe Costanzo related to inappropriate use of internet and negativity concerning Walled Lake. Ms. Crone stated she respected our DDA and respect their opinions,

but she also respected Mr. Costanzo. Ms. Cone opined that she really feels as she watches the investigating, is that we are forgetting who we really are and where we came from and in the words of Abraham Lincoln, I just want to say democracy is government of the people by the people and for the people. I

Tina Thurston, 1344 Delta – Ms. Thurston explained that she was not going to go into everything others in attendance had already said. Ms. Thurston opined that they all feel this way because they were all wearing red. Ms. Thurston stated she has not been happy with this Council, but she knows that the Council cannot make everyone happy.

Ms. Thurston explained that she knows there are things that Council is going to have do that some will not like and that is fine. Ms. Thurston states she had attended a few meetings and she was guilty; she can't make it to all. Ms. Thurston states, "I have a special needs kid and I do not have a babysitter and a husband that works about 80 hours a week. I have watched Mr. Whitt, disrespect Councilman Costanzo, blatantly and rudely and as a member of this community I'm disgusted and I'm shocked that you cannot hide the disdain or the disrespect. I do not have to tell you that I do not support the investigation of Council Member Costanzo. I do not think Mr. Whitt should be in charge of investigating Council Member Costanzo. I also feel that the allegations against Council Member Costanzo are not quite clear to us what he is being investigated for. I do feel we have the right to know that."

Ms. Thurston stated that Council Member Costanzo has said he does not agree with the DDA using money outside their parameters. Ms. Thurston stated "We feel the same way, we would like a nicer downtown, and one without a pot shop next to our beach. What has he done? We would like to know, and we have a right to know as people who have voted you in and out. What are the allegations and what has he done incorrect, I have seen it with Susan, if he has done something incorrect then it needs to be brought out, censure him or publicly shame him in front of us."

Lori Matheson, 1152 S Eddie – Ms. Matheson stated I'm going to call him Gabe because I feel like he has become my friend since coming to my home when he ran for the election in 2016. Ms. Matheson said she would like to say, I support Gabe. Ms. Matheson stated that this town used to be amazing and people used to come from all over to go to the amusement park, the casino, the dance hall and now we have pot shops. Ms. Matheson stated she did not want her kids around that. Ms. Matheson stated, "So, when I read in the Spinal Column that Gabe's being investigated, I am a voter and I just wonder why this person is being investigated when he is the most active one out there of all of you."

Ms. Matheson stated, "You need to lay off of Gabe and start thinking what you are doing for this town."

Rick Greenwell, 395 W. Walled Lake Drive – stated he has concerns and concern number one, is a quorum of four or more council people or the mayor that may have been taking place outside of scheduled meetings and this may be a violation of the open meetings act. Mr. Greenwell stated his concern number two was, "I would like to know about the cameras that were here last

meeting. I want to know what that was. Whose cameras, were they? Who authorized their use? What was the purpose of them? Why did Mr. Costanzo have an additional microphone hooked up to his mic? Who paid for these services?"

Mr. Greenwell stated concern number three, that he had found pictures on the internet of the Walled Lake chipping crew doing work down at Casey's Restaurant and that is a private business and. Mr. Greenwell opined that the city was doing work for a private business stating that "I do not believe we do chipping for private businesses. We do it for residents only. I think this is a conflict of interest or at least a serious ethics violation."

Mr. Greenwell stated his fourth concern is the lawsuits. Mr. Greenwell stated the first lawsuit has charges of fraudulent misrepresentation, silent fraud, plaintiff is COEUS the defendants are the City of Walled Lake; Mayor Ackley and City Manager Whitt and others. Mr. Greenwell stated the second lawsuit has charges of injunction relief and defamation the plaintiffs in that case, Eric Jones, Fleming, Yatooma & Borowicz, and COEUS and the defendants in that case are City of Walled Lake and City Manager Whitt and they are seeking over a million dollars in damage on that one. Mr. Greenwell opined that these lawsuits could financially ruin this city.

Mr. Greenwell state he had not heard much of that information from this board in any of your meetings, but it is out there, and it is public knowledge. Mr. Greenwell stated the third lawsuit involves City Manager Whitt and Greenwell opined that the City Manager was suing the union on the City's behalf over a couple small amount grievances. Mr. Greenwell opined that this should have easily been handled in house.

Mr. Greenwell stated that the City Charter requires that the City Manager to reside in the City but stated he understood that the state laws say otherwise, however, Greenwell state he believes the city's bylaws should be upheld as they have been in other matters. Mr. Greenwell stated the salary and benefits that the City Manager receives from the City of Walled Lake and his decision to not live here indicates that he has no vested interest in this city.

Jennifer Mehs, 919 Bluffton – stated what she understands about the Gabe investigation is, he disagrees with the DDA and he wants the money to go the Tri A sub instead of Decker. Ms. Mehs stated, "personally, I do not agree with it, I do not think it should go to Decker either. I want it to go to downtown. I want this to be developed. I want a community center, a community pool, something to bring in young families." Ms. Mehs stated to bring your investment in, we need to get these vacant properties developed, "I think the DDA should be spending their money, time, and efforts and developing that." The school property, the Pepino's property that is where we have opportunity. This will bring people into the city. I am not sure what he said but what I understand is it was just that he does not agree with them and he placed it on media. They should not be wasting the City Manager's time too, if it is proven he just stated his opinion, however if it is against him, that is fine. The City Manager has better things to do than to investigate. I am requesting that Council decide on this. I feel like this is ridiculous, they are paving it, and you are still deciding whether you want to be in the trail or not. The reason you said you did not want to be in is because the other cities they have more taxes coming in and we have a bigger portion. We are not going to pay for Commerce's bridge if it needs repair. I hope

we jumped on the depot refurbish offer. That is what's best for the city. There were comments about college degrees, so they know what they are talking about, that is not always true.

Marilyn Boylan, 761 E Walled Lake – states she has been a resident since 2011 and has attended some of the meetings and has been shocked at some of the treatment of Council Member Costanzo, sarcasm and stuff like that, there is no place for that and it is not professional. Ms. Boylan stated to Council Member Costanzo, “Good luck Gabe, I respect you.”

Marilyn Grocoff, 260 Gamma – stated that the contractor's construction crews are digging holes in Tri-A subdivision now and not putting anything around those holes, no protection, and the children are out of school. Ms. Grocoff explained that she was recording videos of the holes and anyone can see them. Ms. Grocoff explained that she observed Council Member Ambrose and City Manager Whitt surveying the Delta area site.

City Manager Whitt agreed with Ms. Grocoff that he and Council Member and DDA Chairman Ambrose were surveying the construction site at about 7 pm that evening, the issues are being checked into.

COUNCIL REPORT:

Council Member Costanzo said last week he attended the Michigan Airline Trailway council meeting. Mr. Costanzo said the development of the trail is occurring and the fine grading has started the paving is going to start early July.

Council Member Ambrose said that in addition to those remarks about the trail, both parties are waiting to get approval from their councils to approve the agreement which includes the splitting of the responsibilities equally among all three communities. Council Member Ambrose said, the depot building is in the City of Walled Lake, discussions are being had about sharing the cost of maintenance for the depot building between all three communities when the trail is finished, not leaving it all to Walled Lake. Council Member Ambrose said the other two communities apologized for taking a long time to get approval from their councils and will get back with the city. Council Member Ambrose stated that he had been told there is a group who is interested in the depot and relocating it to a historical site and then building a depot replica but meeting modern times.

Council Member Ambrose said there was a Lake Board meeting on June 11th and there were discussions of a portable wash station. Council Member Ambrose said the county has dollars available for portable wash stations however, you need a public access, and nobody wants a public access on Walled Lake. Council Member Ambrose said there is money and time spent on treatment of Walled Lake to take care of the invasive species that come in from other lakes via boats, then there are events on the lake, such as a bass tournament bringing in 20 or 30 new boats from others lakes. Council Member Ambrose suggested having conversations with Novi and maybe the wash stations could be located at the local fire stations.

Mayor Ackley explained there were discussions of Walled Lake removing themselves from the Trailway Council however, it was never to not have a trail. Mayor Ackley said this action was to draw attention to the fact Walled Lake taxpayers were paying much more than their share. Mayor Ackley said the city requested a new and fair agreement but the trail itself was always going to be completed whether Walled Lake was in the trailway council or not. Mayor Ackley said she hopes the new agreement will protect the taxpayers of Walled Lake and is fair.

City Manager Whitt said City Council never declared they were against the trail. Mr. Whitt said nine years ago, the City Council was just beginning with the trail council. Mr. Whitt explained that the emphasis of which community received grant monies had shifted, and now all the grant money went to Commerce Township. City Manager Whitt said certain members of the trailway council made decisions that cut other people out. City Manager Whitt said the money spent on the bridge in Commerce Township, the six-million-dollar bridge, some of that money was supposed to be applied to rehabilitate the depot building in Walled Lake. City Manager Whitt explained that is the argument the City Council has; the original agreement was unfair. Mr. Whitt said the other two communities were going to leave Walled Lake alone to maintain 100% of the depot and its perpetual maintenance fees, which in turn, the taxpayers would be paying for. City Manager Whitt said the expenditure of the grant money shifted with politics. City Manager Whitt clarified that monies donated were not to the City of Walled Lake, donated funds were dedicated to the trail, none of the donated monies was going to be spent on the restoration of the depot building. City Manager Whitt said if the parties are really at the table, then the resolution needs to be tabled again. City Manager Whitt said Walled Lake taxpayers are on the hook for a lot more than what they were told. City Manager Whitt explained the City Council was never not going to finish the trail.

Council Member Lublin clarified that the resolution is to remove the City from the Trailway Council not to abandon the trail development.

CITY MANAGER REPORT:

1. Departmental / Divisional Statistical Reports

- a. Police**
- b. Fire**
- c. Finance**
 - Warrant**

CM 6-3-19 TO RECEIVE AND FILE THE MONTHLY DEPARTMENTAL / DIVISIONAL STATISTICAL REPORTS

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

Discussion

Council Member Costanzo questioned staff on page 45 of the council packet, what the \$622-dollar reimbursement, the line item description was blank.

Council Member Lublin explained to Council Member Costanzo it was for the Adirondack chairs and reimbursement for art supplies for the Walled Lake Schools to decorate chairs for the beach party.

City Manager Whitt explained to Council Member Costanzo this is not a payment, it is a reimbursement. Manager Whitt further explained this council member put forth his own monies to help expedite the project and this is a reimbursement back to that council member.

City Manager Whitt explained the trail council resolution needs to be tabled again, as discussed prior. Manager Whitt explained that the City can administer the trail and its perpetual maintenance cheaper than if the City were to remain in the unfair interlocal agreement with the Trailway Council. Manager Whitt opined there are administration and operating fees and it is going to cost the Walled Lake taxpayers a lot more money than.

Roll Call Vote

Ayes (6)	Loch, Lublin, Robertson, Ambrose, Costanzo, Ackley
Nays (0)	
Absent (1)	Owsinek
Abstentions (0)	

City Manager Whitt explained the contractor for the Tri-A work has been alerted they need to pay more attention to safety issues. City Manager Whitt said the instance did not appear to be an immediate threat, but control of safety is extremely important. Mr. Whitt said the park is closed and signage has been put in place. Manager Whitt explained that there will be some inconvenience at times to those who live in the subdivision and these contractors are good with responses and accommodating residents.

Assistant City Manager Pesta explained that the end of July is the anticipated completion date for the Tri-A project.

City Manager Whitt said there is no property tax increase for the water main replacement, this was addressed at council's direction of an increase to the capital line maintenance fee. City Manager Whitt explained the next question is when and how to do the roads and the City Administration is in constant search for federal, state, or county funding. City Manager Whitt said the Tri-A Committee had spoken about the roads and had given direction to council.

ATTORNEY'S REPORT:

- 1. Confidential Attorney Client Communication – Planned Unit Development – Beachwood Condominiums**

City Attorney Vanerian said he has comments for closed session if council chooses, nothing for open session.

**CM 6-4-19 MOTION TO ENTER INTO CLOSED SESSION TO DISCUSS
CONFIDENTIAL ATTORNEY CLIENT COMMUNICATIONS
REGARDING BEACHWOOD CONDOMINIUMS PLANNED UNIT
DEVELOPMENT PURSUANT TO SECTION 8 (E) OF THE OMA**

Motion by Loch, seconded by Lublin: CARRIED: To enter into closed session to discuss confidential attorney client communications regarding Beachwood Condominiums Planned Unit Development pursuant to section 8 (e) of the OMA.

Discussion

Council Member Costanzo asked under what part of the Open Meetings Act is being cited for closed session.

City Attorney Vanerian explained to Council Member Costanzo it is for confidential attorney client communication of legal review and recommendation.

Roll Call Vote

Ayes (5)	Lublin, Robertson, Ambrose, Loch, Ackley
Nays (1)	Costanzo
Absent (1)	Owsinek
Abstentions (0)	

**2. Confidential Attorney Client Communication – Coeus, LLC v City of Walled Lake
Case No. 18-170030-CZ**

**CM 6-5-19 MOTION TO ENTER CLOSED SESSION TO DISCUSS
CONFIDENTIAL ATTORNEY CLIENT COMMUNICATIONS
REGARDING COEUS, LLC V CITY OF WALLED LAKE
PURSUANT TO SECTION 8 (E) OF THE OMA**

Motion by Loch, seconded by Robertson: UNANIMOUSLY CARRIED: To enter closed session to discuss confidential attorney client communications regarding Coeus, LLC v City of Walled Lake pursuant to section 8 (e) of the OMA.

Roll Call Vote

Ayes (6)	Robertson, Ambrose, Costanzo, Loch, Lublin, Ackley
Nays (0)	
Absent (1)	Owsinek
Abstentions (0)	

UNFINISHED BUSINESS:

1. Proposed Resolution 2019-2 Withdraw from the Commerce, Walled Lake, and Wixom Trailway Management Council

CM 6-6-19 MOTION TO TABLE RESOLUTION 2019-2 A RESOLUTION TO WITHDRAW FROM THE COMMERCE, WALLED LAKE, AND WIXOM TRAILWAY MANAGEMENT COUNCIL UNTIL THE NEXT REGULARLY SCHEDULED COUNCIL MEETING

Motion by Robertson, second by Ambrose: CARRIED: To table resolution 2019-2 a resolution to withdraw from the Commerce, Walled Lake, Wixom Trailway Management Council until the next regularly scheduled council meeting.

Discussion

Council Member Costanzo said the trail council is in the process of developing the trail right now, withdrawing from the trail right now would be premature, as the city has funds certified to Wixom that could jeopardize the grants that have been approved. Mr. Costanzo opined it could create problems withdrawing before the trail construction is completed.

Council Member Costanzo moved to table resolution indefinitely. Motion dies for lack of a second.

Main Motion
Roll Call Vote

Ayes (5)	Robertson, Ambrose, Loch, Lublin, Ackley
Nays (1)	Costanzo
Absent (1)	Owsinek
Abstentions (0)	

2. Second Reading C-345-19 Amendment to Chapter 86 Vegetation

CM 6-7-19 MOTION TO TABLE SECOND READING OF C-345-19 AN ORDINANCE TO AMEND CHAPTER 86, "VEGETATION" TO AMEND AND ADOPT REGULATIONS FOR THE REMOVAL AND PROTECTION OF TREES WITHIN THE CITY OF WALLED LAKE FOR FURTHER DISCUSSIONS

Motion by Ambrose, seconded by Robertson: UNANIMOUSLY CARRIED: To table second reading of C-345-19 an ordinance to amend Chapter 86, "Vegetation" to amend and adopt regulations for the removal and protection of trees within the City of Walled Lake for further discussions.

Roll Call Vote

Ayes (6) Ambrose, Costanzo, Loch, Lublin, Robertson, Ackley
Nays (0)
Absent (1) Owsinek
Abstentions (0)

NEW BUSINESS:

1. Proposed Resolution 2019-33 Delinquent Water, Sewer, and Refuse Receivables

CM 6-8-19 MOTION TO APPROVE RESOLUTION 2019-33 A RESOLUTION OF THE CITY OF WALLED LAKE AUTHORIZING THE TRANSFER OF THE 2018 DELINQUENT WATER, SEWER, AND REFUSE RECEIVABLES TO THE 2019 JULY TAX ROLLS

Motion by Lublin, seconded by Robertson: UNANIMOUSLY CARRIED: To approve resolution 2019-33 a resolution of the City of Walled Lake authorizing the transfer of the 2018 delinquent water, sewer, and refuse receivables to the 2019 July tax rolls.

Roll Call Vote

Ayes (6) Costanzo, Loch, Lublin, Robertson, Ambrose, Ackley
Nays (0)
Absent (1) Owsinek
Abstentions (0)

2. Proposed Resolution 2019-34 Delinquent Property Transfer Affidavit

CM 6-9-19 MOTION TO APPROVE RESOLUTION 2019-34 DELINQUENT PROPERTY TRANSFER AFFIDAVIT FEES TO BE PLACED ON THE 2019 JULY CITY OF WALLED LAKE TAX ROLL

Motion by Ambrose, seconded by Loch: UNANIMOUSLY CARRIED: To approve resolution 2019-34 a resolution to approving delinquent property transfer affidavit fees to be placed on the July 2019 City of Walled Lake tax roll.

Roll Call Vote

Ayes (6) Loch, Lublin, Robertson, Ambrose, Costanzo, Ackley
Nays (0)
Absent (1) Owsinek
Abstentions (0)

3. Proposed Resolution 2019-35 Adopting Pavement Warranty Program

CM 6-10-19 MOTION TO APPROVE RESOLUTION 2019-35 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALLED LAKE TO ADOPT A LOCAL PAVEMENT WARRANTY PROGRAM

Motion by Lublin, seconded by Ambrose: UNANIMOUSLY CARRIED: To approve resolution 2019-35 a resolution of the City Council of the City of Walled Lake to adopt a local pavement warranty program.

Discussion

Council Member Ambrose asked for a brief synopsis to be provided to the residents.

City Attorney Vanerian provided a brief explanation of the warranty program recommended by the Michigan Municipal League, all local road agencies adopt a pavement warranty program. Attorney Vanerian explained the warranty program is a statewide accepted format for implementing pavement warranties on road projects utilizing state or federal funding that include two million dollars or more in pavement related components. Attorney Vanerian explained the two companion resolutions provide the city the discretionary authority to require a pavement warranty on the project from the contractor. Attorney Vanerian said these resolutions provide flexibility and authority to require a special pavement warranty if necessary.

Roll Call Vote

Ayes (6)	Lublin, Robertson, Ambrose, Costanzo, Loch, Ackley
Nays (0)	
Absent (1)	Owsinek
Abstentions (0)	

4. Proposed Resolution 2019-36 Implementing Pavement Warranty Program

CM 6-11-19 MOTION TO APPROVE RESOLUTION 2019-36 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALLED LAKE TO IMPLEMENT A LOCAL PAVEMENT WARRANTY PROGRAM

Motion by Loch, seconded by Lublin: UNANIMOUSLY CARRIED: To approve resolution 2019-36 a resolution of the City Council of the City of Walled Lake to implement a local pavement warranty program.

Roll Call Vote

Ayes (6) Robertson, Ambrose, Costanzo, Loch, Lublin, Ackley
Nays (0)
Absent (1) Owsinek
Abstentions (0)

5. Proposed Resolution 2019-37 Intergovernmental Lockup Services Agreement with City of Wixom

CM 6-12-19 MOTION TO APPROVE RESOLUTION 2019-37 A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF WALLED LAKE AND CITY OF WIXOM TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE INTERGOVERNMENTAL AGREEMENT FOR LOCKUP SERVICES

Motion by Lublin, seconded by Loch: UNANIMOUSLY CARRIED: To approve resolution 2019-37 a resolution authorizing an agreement between the City of Walled Lake and City of Wixom to authorize the City Manager to execute the intergovernmental agreement for lockup services.

Discussion

Police Chief Shakinas explained the city has been in an agreement with Wixom since 2009, they are the closest 24-hour lockup to the city. Chief Shakinas explained the last agreement was renewed in 2011, there is a good working relationship, and if the city chose not to renew the interlocal agreement again with Wixom, officers would be transporting all the way to Pontiac.

Roll Call Vote

Ayes (6) Robertson, Ambrose, Costanzo, Loch, Lublin, Ackley
Nays (0)
Absent (1) Owsinek
Abstentions (0)

6. Discussion on 1275 E West Maple

Council Member Costanzo said earlier this year at the January council meeting, the city appropriated funds for the cleanup, restoration, and redevelopment of the property at 1275 E. West Maple known as the Farmer's Market. Council Member Costanzo said the city paid over a million dollars for the Farmer's Market property and even more when including the cleanup of this property. Council Member Costanzo said this property is extremely underutilized for city purposes, opining that the property should be on the city's tax rolls and that city recreational activities and that the Farmer's Market should be relocated.

Council Member Costanzo motioned that the Farmer's Market property be sold under City Charter, Section 1.2 (b) and all proceeds to be put aside from the general fund and dedicated strictly for the use of Tri-A Subdivision infrastructure road repairs and upgrades.

The motion by Council Member Costanzo to sell the city's Farmer's Market property received no second or support by council members but Mayor Ackley explained to Council Member Costanzo that she would like to see what this property can be used for, once the Airline Trail is completed.

Mayor Ackley called for public input on the use of the property and explained to Council Member Costanzo that there needs to be discussion before council members consider selling the Farmer's Market. Mayor Ackley suggested that she would entertain a motion that the council appoint a committee to hold a study session to research the opportunities for the use of the property or to decide if council would even sell the Farmer's Market property.

CM 6-13-19 MOTION TO ESTABLISH A COMMITTEE FOR A STUDY SESSION TO RESEARCH THE OPPORTUNITIES FOR THE 1275 E. WEST MAPLE ROAD PROPERTY

Motion by Costanzo, seconded by Ambrose: UNANIMOUSLY CARRIED: To establish a committee for a study session to research the opportunities for the 1275 E. West Maple Road property.

Discussion

Mayor Ackley called on council to determine the makeup of the committee. Council Members agreed to a five-member total; three council persons and two residents.

Roll Call

Ayes (6)	Ambrose, Costanzo, Loch, Lublin, Robertson, Ackley
Nays (0)	
Absent (1)	Owsinek
Abstentions (0)	

COUNCIL COMMENTS:

Council Member Costanzo thanked donors for their generous donations to the Michigan Airline Trailway project between phase 1 and phase 2 it is over \$2.1 million dollars. Council Member Costanzo thanked the residents who showed up for support and the many kind words that were said and many others who could not make it tonight and offered kind support. Mr. Costanzo said, "I will always listen and strive to be a better council person to those who elected me".

Council Member Ambrose explained he is available to discuss tree chipping. Council Member Ambrose said he does not have any trees his property. Mr. Ambrose said as council goes through

this and as the situation occurred with Council Member Costanzo, hindsight is 20/20 and it would have been nice to have a social media policy that addresses what can be placed on social media by staff, employees, department heads, and council members. Council Member Ambrose said this will all get straightened out, nobody is removing anybody, stop the rumors.

Council Member Loch thanked everybody for coming out tonight and invited all to the beach party this weekend.

Council Member Lublin explained there have been a lot of positives done within the eight years, this group has been there. Mr. Lublin said he was approached by a library employee who expressed her happiness with the council in trying to do what is best for the whole city such as Decker Road and future potential development.

MAYOR'S REPORT:

- 1. Proposed Resolution 2019-38 Accepting the Mayor's nomination to appoint Margaret Schwartz to the Election Commission**

CM 6-14-19 MOTION TO APPROVE RESOLUTION 2019-38 A RESOLUTION ACCEPTING THE MAYOR'S NOMINATION TO FILL A VACANCY ON THE ELECTION COMMISSION PURSUANT TO THE REQUIREMENTS OF THE CITY CHARTER; MAKING AN APPOINTMENT TO THE ELECTION COMMISSION FOR AN UNEXPIRED TERM

Motion by Ambrose, seconded by Lublin: UNANIMOUSLY CARRIED: To approve resolution 2019-38 a resolution accepting the Mayor's nomination to fill a vacancy on the Election Commission pursuant to the requirements of the City Charter; making an appointment to the Election Commission for an unexpired term.

Roll Call Vote

Ayes (6)	Costanzo, Loch, Lublin, Robertson, Ambrose, Ackley
Nays (0)	
Absent (1)	Owsinek
Abstentions (0)	

Mayor Ackley said a lot of ideas have been presented to council tonight, positive ideas have been presented to the council.

CM 6-15-19 MOTION TO RECESS

Motion by Costanzo, seconded by Loch: UNANIMOUSLY CARRIED: To recess meeting.

Recessed 8:54 p.m.

Reconvened 9:08 p.m.

Entered into Closed Session 9:09 p.m.

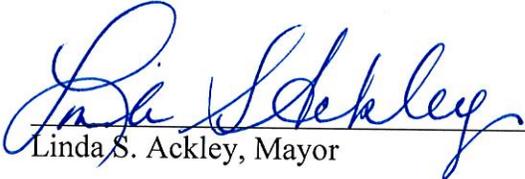
Arose from Closed Session 9:48 p.m.

ADJOURNMENT

Meeting adjourned at 9:49 p.m.



Jennifer A. Stuart, City Clerk



Linda S. Ackley, Mayor

*approved
with amendment
7-16-19*