



**CITY OF WALLED LAKE
REGULAR COUNCIL MEETING
TUESDAY, NOVEMBER 15, 2022
7:30 P.M.**

Confidential Assistant Ms. Hana Jaquays welcomed everyone to the regularly scheduled November City Council meeting. Ms. Jaquays introduced City Officials; City Attorney Vanerian, City Clerk Stuart, Finance Director Pesta, Assistant to City Manager Scott Schrader, DPW Superintendent Ladd, Fire Chief Coomer, Police Chief Shakinias, and Deputy Chief Kolke.

The meeting was called to order at 7:30 p.m. by Mayor Pro Tem Lublin.

PLEDGE TO FLAG & INVOCATION

Invocation by Mayor Pro Tem Lublin.

ROLL CALL

Mayor Ackley, Mayor Pro Tem Lublin, Council Member Ambrose, Council Member Fernandes, Council Member Lublin, Council Member Owsinek, and Council Member Woods

Those attending the meeting virtually attended from Long Rapids Township, Michigan.

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

OTHERS PRESENT

City Manager Whitt, Confidential Assistant Jaquays, Finance Director Pesta, Assistant to City Manager Scott Schrader, Police Chief Shakinias, Deputy Chief Kolke, Fire Chief Coomer, DPW Superintendent Ladd, City Attorney Vanerian, and City Clerk Stuart

CM 11-01-22 MOTION TO EXCUSE COUNCIL MEMBER LOCH FROM TONIGHT'S MEETING

Motion by Fernandes, seconded by Woods, UNANIMOUSLY CARRIED: To excuse Council Member Loch from tonight's meeting.

PUBLIC HEARING

1. Community Development Block Grant Program Year 2023

Finance Director Pesta explained the approximate grant amount will be \$29,186. Finance Director Pesta explained the proposed recommendation is to provide \$3,012.80 to HAVEN and \$26,173.20 to Fire Station Equipment for the purchase of firefighter turnout gear.

Open Public Hearing 7:32 p.m.

There was no audience participation.

Close Public Hearing 7:40 p.m.

REQUESTS FOR AGENDA CHANGES

Council Member Owsinek explained he would like to have added to the agenda the contractually required annual performance reviews of City Attorney Vanerian and City Manager Whitt. Mayor Pro Tem Lublin added as new business item #8.

AUDIENCE PARTICIPATION

City Clerk Stuart explained the clerk's office received communication from DDA Board Member Millen and requested it be read into the record.

*Jerry Millen
103 East Walled Lake Drive*

Dear Esteemed Council and Mayor Ackley,

Ist I would like to take a moment and thank you for all the time and energy you put into making Walled Lake a better place. I am writing you concerning an ordinance that you are considering to allow downtown businesses to operate from 8 am until 11 pm. I would respectfully ask that you vote NO on this ordinance and in doing so not passing it. My thinking is simple, I understand we are trying to draw more business downtown but if this passes and you also allow other businesses in other parts of our City to stay open that late I feel it will become a problem for the residents of Spring Park being that they are located right next to a dispensary. I don't feel the residents of Spring Park need this extra traffic nuisance on their street, especially at this time of night. So, I am asking you to vote this ordinance down and protect our residents.

Sincerely

Jerry Millen

APPROVAL OF MINUTES

1. Regular Council Meeting of October 18, 2022

**CM 11-02-22 MOTION TO APPROVE REGULAR COUNCIL MEETING
MINUTES OF OCTOBER 18, 2022**

Motion by Woods, seconded by Owsinek, UNANIMOUSLY CARRIED: To approve regular council meeting minutes of October 18, 2022.

Roll Call Vote

Ayes (6) Lublin, Owsinek, Woods, Ambrose, Fernandes, Ackley
Nays (0)
Absent (1) Loch
Abstain (0)

COUNCIL REPORTS None

CITY MANAGER'S REPORT

1. Departmental / Divisional Statistical Reports

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

**CM 11-03-22 MOTION TO RECEIVE AND FILE THE DEPARTMENTAL
/ DIVISIONAL STATISTICAL REPORTS**

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

Roll Call Vote

Ayes (6) Lublin, Owsinek, Woods, Ambrose, Fernandes, Ackley
Nays (0)
Absent (1) Loch
Abstain (0)

City Manager Whitt explained the Farmer's Market hosted its last venue for the season. City Manager Whitt requested Ms. Jaquays to share the video of the grand opening of the pedestrian bridge and trailhead. City Manager Whitt said thank you to Ms. Lori Whitt for recruiting volunteers and continuing the project with the Monarch butterfly sanctuary that will be instituted in the spring of next year near the pedestrian bridge. City Manager Whitt explained the Mercer Beach fencing has been placed and opined it changes the whole atmosphere down there. City Manager Whitt explained the home next to the beach was recently sold and the new owners are

cleaning up the site. City Manager Whitt explained there is more work with landscaping at the beach coming this year.

City Manager Whitt explained the stretch of Pontiac Trail in Walled Lake has been paved and striped. City Manager Whitt explained there were a lot of items accomplished this year and he is proud of that. City Manager Whitt explained Mrs. Pesta will be heading up the Tree Lighting Ceremony this year. The details are being worked out and the date is December 5, 2022. Walled Lake Northern and Walled Lake Western bands have confirmed their attendance. City Manager Whitt said the Parks and Recreation Commission Chairman Dennis O'Rourke will be chairing the tree lighting event. City Manager Whitt said there were reports of an unapproved event downtown this past weekend that was hosted by The Beach Tiki Bar and Boil. City Manager Whitt explained Walled Lake Police and Oakland County Sheriff were called there. City Manager Whitt explained there were instructions to arrest Tiki Bar personnel who caused this disturbance of the peace. City Manager Whitt said The Beach Tiki Bar and Boil personnel will be held accountable. City Manager Whitt said there were numerous phone calls and reports regarding this illegal event. City Manager Whitt said he also gave instruction to conduct investigations of reports that The Beach Tiki Bar and Boil employees were intoxicated while working and serving patrons.

Council Member Woods said he received calls from residents that the people driving by in their vehicles were throwing items at the surrounding neighbors who live downtown. Council Member Woods said he and Council Member Ambrose picked up two bags of trash after the event. Council Member Woods said this cannot happen. Council Member Woods said this action is not the way Walled Lake wants to move forward.

City Manager Whitt explained when there are events, they are reviewed to address public safety, staffing, and clean-up schedules. City Manager Whitt explained he is not opposed to having the council and the residents see what this restaurant caused and how bad a corporate neighbor The Beach Tiki Bar and Boil is to the city and its residents. City Manager Whitt explained there are multiple events throughout the year in the city and the applicants work with the city. City Manager Whitt explained The Beach Tiki Bar and Boil had no communication with the city about this event. City Manager Whitt explained with the use of social media, a flash mob is something that can occur and did occur. City Manager Whitt explained, however, the city will not clean up after the Tiki Bar every time they throw an impromptu event. City Manager Whitt explained city administration will review the legislation to prohibit these types of events. City Manager Whitt said he will pursue disturbance of the peace, and someone will be going to jail.

Council Member Ambrose said his family's restaurant has hosted car shows, there is significant planning involved. Council Member Ambrose said he personally cleans up after their car shows. Council Member Ambrose explained the lack of planning from party hosts is not fair to the people who live here and work here.

City Manager Whitt explained that The Beach Tiki Bar and Boil is not a good corporate neighbor, they do not participate, and do nothing but create more problems and push back.

Mayor Pro Tem Lublin explained there are many events within the city and there is organization and cooperation.

City Manager Whitt said with advanced notice, there can be extra people to address the squealing of tires and disturbing of the peace. City Manager Whitt said The Beach Tiki Bar and Boil caused this problem when they invite people down and have no communication with the city.

Council Member Fernandes said it was not a good event, cars were parked without permission in the yards of the people who live down there. Council Member Fernandes said she is glad our city administration and the police will bring this into order.

City Manager Whitt said it is not just this event, there are intoxicated employees serving patrons. City Manager Whitt said there are issues at The Beach Tiki Bar and Boil. City Manager Whitt explained all of this will be reviewed.

Council Member Ambrose said the Walled Lake Police Officers that were able to assist with no notice to address that chaos, thank you.

CORRESPONDENCE None

ATTORNEY'S REPORT None

UNFINISHED BUSINESS

**1. Second Reading C-364-22 Zoning Board of Appeals Ordinance Amendment
Chapter 51 Zoning, Article 23**

**CM 11-04-22 MOTION TO APPROVE SECOND READING C-364-22 AN
ORDINANCE TO AMEND CHAPTER 51, "ZONING", OF TITLE
V, "ZONING AND PLANNING", THE CITY OF WALLED LAKE
ZONING ORDINANCE, TO AMEND ARTICLE 23.00, "ZONING
BOARD OF APPEALS", AS PROVIDED BY THIS ORDINANCE**

Motion by Owsinek, seconded by Woods, UNANIMOUSLY CARRIED: To approve second reading C-364-22 an ordinance to amend Chapter 51, "Zoning", of Title V, "Zoning and Planning", the City of Walled Lake Zoning Ordinance, to amend Article 23.00, "Zoning Board of Appeals", as provided by this ordinance.

Roll Call Vote

Ayes (6) Owsinek, Woods, Ambrose, Fernandes, Lublin, Ackley
Nays (0)
Absent (1) Loch
Abstain (0)

NEW BUSINESS

1. Request for approval of the recommendation of CDBG funds for the Program Year 2023

CM 11-05-22 MOTION TO APPROVE THE RECOMMENDATION OF CDBG FUNDS FOR THE PROGRAM YEAR 2023 ARE \$3,012.80 TO HAVEN TO ASSIST BATTERED AND ABUSED SPOUSES AND CHILDREN AND \$26,173.20 TO FIRE STATION EQUIPMENT FOR THE PURCHASE OF TURNOUT GEAR

Motion by Woods, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve the recommendation of CDBG funds for the program year 2023 are \$3,012.80 to HAVEN to assist battered and abused spouses and children and \$26,173.30 to Fire Station Equipment for the purchase of turnout gear.

Roll Call Vote

Ayes (6) Woods, Ambrose, Fernandes, Lublin, Owsinek, Ackley
Nays (0)
Absent (1) Loch
Abstain (0)

2. Traffic Control Order 22-07 No Left Turn Guest Elementary

CM 11-06-22 MOTION TO APPROVE TRAFFIC CONTROL ORDER 22-07 NO LEFT TURN INTO 1655 DECKER ROAD

Motion by Woods, seconded by Fernandes, UNANIMOUSLY CARRIED: To approve Traffic Control Order 22-07 No Left Turn into 1655 Decker Road.

Roll Call Vote

Ayes (6) Ambrose, Fernandes, Lublin, Owsinek, Woods, Ackley
Nays (0)
Absent (1) Loch
Abstain (0)

3. Traffic Control Order 22-08 No Stopping Standing Parking Guest Elementary

CM 11-07-22 MOTION TO APPROVE TRAFFIC CONTROL ORDER 22-08 NO STOPPING, STANDING, OR PARKING BETWEEN 1655 DECKER ROAD AND BOLTON STREET

Motion by Owsinek, seconded by Woods, UNANIMOUSLY CARRIED: To approve Traffic Control Order 22-08 No stopping, standing, or parking between 1655 Decker Road and Bolton Street.

Discussion

Council Member Woods said the PTA group from the school was very happy with this TCO.

Roll Call Vote

Ayes (6) Fernandes, Lublin, Owsinek, Woods, Ambrose, Ackley
Nays (0)
Absent (1) Loch
Abstain (0)

4. Traffic Control Order 22-09 No Left Turn – 1760 E. West Maple Road

CM 11-08-22 MOTION TO APPROVE TRAFFIC CONTROL ORDER 22-09 NO LEFT TURN 1760 E. WEST MAPLE ROAD

Motion by Woods, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve Traffic Control Order 22-09 No left turn at 1760 E. West Maple Road.

Discussion

City Manager Whitt explained he has seen several potential accidents and has almost been in one due to the high volume of traffic turning left out of 1760 E. West Maple Road and the patrons coming out of the gas station and other surrounding businesses.

Roll Call Vote

Ayes (6) Lublin, Owsinek, Woods, Ambrose, Fernandes, Ackley
Nays (0)
Absent (1) Loch
Abstain (0)

5. Proposed Resolution 2022-38 Proposed Schedule of Meetings for 2023

CM 11-09-22 MOTION TO APPROVE RESOLUTION 2022-38 A RESOLUTION ESTABLISHING THE TIME, PLACE, AND THE 2023 SCHEDULE OF REGULAR MEETINGS FOR THE CITY OF WALLED LAKE PURSUANT TO THE CITY CHARTER; PROVIDING FOR PUBLICATION

Motion by Owsinek, seconded by Fernandes, UNANIMOUSLY CARRIED: To approve resolution 2022-38 a resolution establishing the time, place, and the 2023 Schedule of Regular meetings for the City of Walled Lake pursuant to the City Charter; providing for publication.

Discussion

Council Member Ambrose asked if there are any conflicting dates. City Clerk Stuart explained it was checked but there is always the possibility of changes to address items.

Roll Call Vote

Ayes (6) Lublin, Owsinek, Woods, Ambrose, Fernandes, Ackley
Nays (0)
Absent (1) Loch
Abstain (0)

6. Proposed Resolution 2022-39 Meeting Cancellation of the December 6, 2022 City Council Meeting

CM 11-10-22 MOTION TO APPROVE 2022-39 A RESOLUTION TO CANCEL THE REGULARLY SCHEDULED CITY COUNCIL MEETING OF DECEMBER 6, 2022

Motion by Owsinek, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve resolution 2022-39 a resolution to cancel the regularly scheduled City Council meeting of December 6, 2022.

Roll Call Vote

Ayes (6) Owsinek, Woods, Ambrose, Fernandes, Lublin, Ackley
Nays (0)
Absent (1) Loch
Abstain (0)

7. Proposed Resolution 2022-40 2022 Auto Auction Vehicle Surplus

Police Chief Shakinis explained there were six surplus vehicles that went for auction. Chief Shakinis explained the resolution provides the listing of the highest bidders and he recommends council approval. Police Chief Shakinis explained the highest bids received were:

1.	2009 GMC 3500	VIN 9669	\$8,500.00
2.	2005 Ford F-150	VIN 6638	\$3,300.00
3.	2001 Kubota Tractor		\$7,530.00
4.	2017 Dodge Charger	VIN 9632	\$6,500.00
5.	2015 Dodge Charger	VIN 9190	\$13,000.00
6.	2015 Dodge Charger	VIN 9191	\$4,700.00

CM 11-11-22 MOTION TO APPROVE 2022-40 A RESOLUTION FOR ACCEPTANCE OF BIDS AND DETERMINATION OF AWARD APPROVED BY CITY COUNCIL FOR THE 2022 AUTO AUCTION – POLICE, FIRE, AND DPW SURPLUS AND TO AUTHORIZE THE SALE OF SAID ITEMS

Motion by Woods, seconded by Fernandes, UNANIMOUSLY CARRIED: To approve resolution 2022-40 a resolution for acceptance of bids and determination of award approved by the city council for the 2022 Auto Auction – Police, Fire and DPW surplus and to authorize the sale of said items.

Roll Call Vote

Ayes (6) Woods, Ambrose, Fernandes, Lublin, Owsinek, Ackley
Nays (0)
Absent (1) Loch
Abstain (0)

8. Performance Reviews for City Attorney Vanerian and City Manager Whitt

City Attorney Vanerian Annual Review

CM 11-12-22 TO FIND AND DETERMINE THE CITY ATTORNEY’S ANNUAL PERFORMANCE REVIEW DURING THE CALENDAR YEAR OF 2022 WAS SATISFACTORY

Motion by Owsinek, seconded by Ambrose, UNANIMOUSLY CARRIED: To find and determine the City Attorney’s annual performance review during the calendar year of 2022 was satisfactory.

Discussion

City Manager Whitt explained under City Attorney Vanerian’s employee contract he has the right to discuss the findings. City Manager Whitt explained in his view City Attorney Vanerian’s performance has been excellent much more than satisfactory. City Manager Whitt explained City Attorney Vanerian is partly responsible for why the city is a success, the city has won everything he has taken on. City Manager Whitt said City Attorney Vanerian gives him good legal advice, gives council good legal advice and he wins every time.

Roll Call Vote

Ayes (6) Ambrose, Fernandes, Lublin, Owsinek, Woods, Ackley
Nays (0)
Absent (1) Loch
Abstain (0)

City Attorney Vanerian said thank you to the council. City Attorney Vanerian explained winning is a team effort, the city has a very good staff who do a very good job and makes his job easier. City Attorney Vanerian said a craftsman is only as good as the tools and materials he uses, he said he has been given very good tools and materials to work with here at the city.

City Manager Whitt Annual Review

CM 11-13-22 TO FIND AND DETERMINE THE CITY MANAGER'S ANNUAL PERFORMANCE REVIEW DURING THE CALENDAR YEAR OF 2022 WAS SATISFACTORY

Motion by Owsinek, seconded by Woods, UNANIMOUSLY CARRIED: To find and determine the City Manager's annual performance review during the calendar year of 2022 was satisfactory.

Discussion

Council Member Owsinek explained there were several accomplishments under the direction of City Manager Whitt. Council Member Owsinek said Decker Road, Mercer Beach. the drainage issues downtown has been remediated, and the public safety campus and its expansion, it has been an outstanding year and is due to the fine efforts of City Manager Whitt and his staff.

Council Member Ambrose explained the management of the city and the entire team of the city is great. City Manager Whitt is a great person to work with and as a leader, above satisfactory, amazing job, thank you

City Manager Whitt said his success is due to his staff.

Roll Call Vote

Ayes (6) Fernandes, Lublin, Owsinek, Woods, Fernandes, Ackley
Nays (0)
Absent (1) Loch
Abstain (0)

COUNCIL COMMENTS

Council Member Fernandes said congratulations to City Clerk Stuart and her team on the elections it is a flawless process, and she appreciates that. Council Member Fernandes said the Christmas Tree lighting and Menorah Lighting will be posted on the city website shortly and encouraged everyone to attend the festivities. Council Member Fernandes also wished fellow councilman Ambrose a happy birthday. Council Member Fernandes said happy thanksgiving and count your blessings as everyone has them.

Council Member Woods explained election lines were quick and movement was in and out at a good pace being it was a two-page ballot. Council Member Woods explained the bridge opening, Bikes, Bridges and Butterfly's was more than just a bridge opening, it was a celebration of all the work done throughout the city and the campus expansion. Council Member Woods explained there was much work done such as the new park equipment at Riley park, grant money that was obtained for road work on Pontiac Trail and Decker Road, the purchase of a new fire truck, the purchase of new police vehicles, paying off the bond debt for the DPW building, sidewalk improvements, etc. and the pedestrian bridge opening was a culmination of all of it. Council Member Woods said the council, mayor, city administration, staff, police, fire, DPW, all the boards and commission members, it is a team effort, and it is amazing to see all of it coming together and where we are going.

Council Member Ambrose said he cannot say enough about the staff with the city, it has only been a month since the last council meeting and there is a new fence at Mercer Beach and the grand opening of the city's trailhead. Council Member Ambrose said it is great to be a resident and business owner in the city. Council Member Ambrose said it really shows how all of this benefits the community we call home.

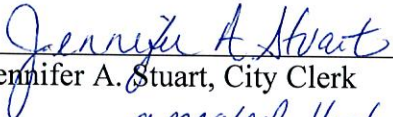
Council Member Owsinek said it is incumbent on the younger folks to carry on what this council has done, it is going to be the younger generation to come forward.

Mayor Pro Tem Lublin said we get great production out of everyone. Mayor Pro Tem Lublin wished everyone a good holiday and said we have many blessings.

MAYOR'S REPORT None

ADJOURNMENT

Meeting adjourned at 8:36 p.m.



Jennifer A. Stuart, City Clerk
approved 11/17/23

Linda S. Ackley, Mayor