



**CITY OF WALLED LAKE
SPECIAL ORGANIZATIONAL MEETING
REGULAR COUNCIL MEETING
PUBLIC HEARING
TUESDAY, NOVEMBER 12, 2019
8:00 P.M.**

The Meeting was called to order at 8:00 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 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 Captain Kolke, Fire Chief Coomer, Finance Director Barlass, Deputy City Clerk Gross, and City Clerk Stuart

Mayor Ackley explained this meeting is set up in a format much different than regular meetings due to the fact it is the closing meeting of the current council sine die and the swearing in and seating of the new council. Mayor Ackley thanked Council Member Robertson for his years of service and hopes he lends his knowledge and experience to one of the city boards or commission and suggested obtaining an application from the clerks' office.

Mayor Ackley explained that she and City Manager Whitt held a meeting with Mr. Jerry Millen. Mayor Ackley stated, "in moving forward, we as a city can heal from the wounds of a very strong and opiniated election on both sides." Mayor Ackley explained part of the healing and moving forward was to request Mr. Millen to drop the Personal Protection Order (PPO) against council candidate Jeffrey Rondeau. Mayor Ackley said Mr. Millen complied with City Manager Whitt request and dropped the PPO complaint against Jeffrey Rondeau. Mayor Ackley explained it is her hope that the new council pull together and work towards building a great Walled Lake and that the welfare of the city is her goal.

CURRENT COUNCIL:

- 1. Proposed Resolution 2019-46 Ratifying the November 5, 2019 General Election Results for the Office of Council Member – Ambrose**

**CM 11-1-19 TO APPROVE RESOLUTION 2019-46 RATIFYING THE
NOVEMBER 5, 2019 GENERAL ELECTION RESULTS FOR THE
OFFICE OF COUNCIL MEMBER - AMBROSE**

Motion by Loch, seconded by Lublin, UNANIMOUSLY CARRIED: To approve resolution 2019-46 ratifying the November 5, 2019 General Election Results for the Office of Council Member – Ambrose.

Roll Call Vote

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

**2. Proposed Resolution 2019-47 Ratifying the November 5, 2019 General
Election Results for the Office of Council Member – Loch**

**CM 11-2-19 TO APPROVE RESOLUTION 2019-47 RATIFYING THE
NOVEMBER 5, 2019 GENERAL ELECTION RESULTS FOR THE
OFFICE OF COUNCIL MEMBER – LOCH**

Motion by Ambrose, seconded by Owsinek, UNANIMOUSLY CARRIED: To approve resolution 2019-47 ratifying the November 5, 2019 General Election Results for the Office of Council Member – Loch

Roll Call Vote

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

**3. Proposed Resolution 2019-48 Ratifying the November 5, 2019 General
Election Results of the Office of Council Member – Woods**

**CM 11-3-19 TO APPROVE RESOLUTION 2019-48 RATIFYING THE
NOVEMBER 5, 2019 GENERAL ELECTION RESULTS FOR THE
OFFICE OF COUNCIL MEMBER – WOODS**

Motion by Loch, seconded by Lublin, UNANIMOUSLY CARRIED: To approve resolution 2019-48 ratifying the November 5, 2019 General Election Results for the Office of Council Member – Woods.

Roll Call Vote

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

4. Sine Die

The Mayor concluded with the sine die of the current City Council and the new City Council was seated.

ORGANIZATIONAL MEETING:

1. Swearing in of New Council Members for a new four-year term of office beginning 8:00 p.m., November 12, 2019

Judge Kathleen Ryan, Chief Probate Judge of the 6th Circuit Court provided the ceremonial Oaths of Office.

2. Introduction of newly elected City Council

Mayor introduced the new City Council members.

3. Mayor's seating assignment of new City Council

Mayor Ackley assigned seating for new City Council members.

4. Proposed Resolution 2019-49 Ratifying the election of Casey Ambrose as Mayor Pro Tem.

CM 11-4-19 TO APPROVE RESOLUTION 2019-49 A RESOLUTION RATIFYING THE APPOINTMENT OF COUNCIL MEMBER CASEY AMBROSE AS MAYOR PRO-TEM

Motion by Lublin, seconded by Loch: UNANIMOUSLY CARRIED: To approve resolution 2019-49 a resolution ratifying the appointment of Council Member Ambrose as Mayor Pro-Tem.

Roll Call Vote

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

**5. Swearing in of Mayor Pro Tem for new two-year term of office beginning
8:00 p.m., November 12, 2019**

Judge Kathleen Ryan, Chief Probate Judge of the 6th Circuit Court provided the ceremonial Oath of Office.

PARLIAMENTARY PROCEDURES:

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

**CM 11-5-19 TO TABLE RESOLUTION 2019-50 A RESOLUTION TO
ADOPT ROBERT'S RULES OF ORDER 11TH EDITION FOR
PARLIAMENTARY PROCEDURES DURING MEETINGS
PURSUANT TO THE REQUIREMENTS OF THE CITY CHARTER
AND THE OPEN MEETINGS ACT**

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

Roll Call Vote

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

SERGEANT AT ARMS

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

**CM 11-6-19 TO TABLE RESOLUTION 2019-51 A RESOLUTION FOR THE
APPOINTMENT OF SERGEANT AT ARMS**

Motion by Costanzo, seconded by Loch, UNANIMOUSLY CARRIED: To table resolution 2019-51 a resolution for the appointment of Sergeant at Arms.

Roll Call Vote

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

Discussion was held about cancellation of December 3, 2019 regular council meeting providing more time to be with family and friends during the holiday season.

CM 11-7-19 MOTION TO CANCEL THE DECEMBER 3, 2019 COUNCIL MEETING

Motion by Loch, seconded by Owsinek, UNANIMOUSLY CARRIED: To cancel the December 3, 2019 regular scheduled council meeting.

Roll Call Vote

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

Council recessed 8:15 p.m.
Council reconvened 8:31 p.m.

PRESENTATION:

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

Discussed later in the meeting.

REQUESTS FOR AGENDA CHANGES:

Finance Director Barlass requested to add under New Business item #5, Community Development Block Grant recommendation.

PUBLIC HEARING:

- 1. Community Development Block Grant (CDBG) Program Year 2020**

Finance Director Barlass explained the Community Development Block Grant (CDBG) program and the potential funding for the 2020 Program Year.

Finance Director Barlass explained the recommended funding for PY 2020 as follows:

1. 30% or \$8,755 for Public Services to HAVEN (Emergency Services 730137)
2. \$20,431 for Mobile Home Repair (Housing 731227)

Open Public Hearing 8:35 p.m.

Jasmine Valentine, a HAVEN representative provided a handout to council with facts about HAVEN. Ms. Valentine explained that last year 31 Walled Lake residents were serviced by HAVEN and thanked council for their support.

Close Public Hearing 8:39 p.m.

APPROVAL OF THE MINUTES:

1. Regular Council Meeting of October 15, 2019

**CM 11-8-19 MOTION TO APPROVE THE REGULAR COUNCIL MEETING
MINUTES OF OCTOBER 15, 2019**

Motion by Owsinek, seconded by Lublin, UNANIMOUSLY CARRIED: To approve the Regular Council Meeting Minutes of October 15, 2019.

Roll Call Vote

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

AUDIENCE PARTICIPATION:

Sun Barker, Liz's Cleaner – said she attended the October 15th meeting to report concerns about her sidewalks in front of her store. Ms. Barker explained her sidewalk needs to be fixed. Ms. Barker said her sidewalks are a hazard and it is long overdue.

COUNCIL REPORT:

Trailway representative Owsinek explained the ribbon cutting scheduled for Wednesday the 13th has been postponed due to inclement weather with the rescheduled date to be determined. Mr. Owsinek reminded the trail is not open; it is not finished yet.

Council Member Woods explained he and Council Member Costanzo attended a meeting with a representative from Oakland County at the Walled Lake Library and discussion was held about planting oak trees throughout Oakland County.

CITY MANAGER REPORT:

1. Departmental / Divisional Statistical Reports

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

CM 11-9-19 TO RECEIVE AND FILE THE MONTHLY DEPARTMENTAL / DIVISIONAL STATISTICAL REPORTS

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

Discussion

Council Member Costanzo asked about the concrete expense on front area of the Public Safety Campus in the amount of \$3,000.

City Manager Whitt explained the area of repair was done due to the concrete being installed inappropriately.

Roll Call Vote

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

City Manager Whitt explained Police Captain Kolke will be attending council meetings regularly as Chief Shakinas is in attendance of the fire academy.

CORRESPONDENCE: None

ATTORNEY'S REPORT: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

1. Proposed Resolution 2019-52 Beachwood PUD Master Deed and Bylaws

CM 11-10-19 TO APPROVE RESOLUTION 2019-52 A RESOLUTION TO APPROVE MASTER DEED AND BY LAWS FOR THE BEACHWOOD PLANNED UNIT DEVELOPMENT

Motion by Lublin, seconded by Owsinek, CARRIED: To approve resolution 2019-52 a resolution to approve Master Deed and By Laws for the Beachwood Planned Unit Development.

Discussion

Council Member Costanzo stated he had a point of inquiry on page 108 section 10.2, "increase in number of units for a period of six years" and asked why that language is in the agreement if Council approved only 36 units.

City Manager Whitt explained there is an opinion memo from the City Attorney explaining the agreement and said the language is standard contractual language but if Council deemed to strike it, they have the authority.

Karen Brown, representative from Pulte Homes explained this is standard language within their contracts however, this PUD cannot be increased without the approval of Council. Ms. Brown explained the language provides in the event, if more property were to be acquired by Pulte and they wished to increase the number of homes there is language already in place to address this. Ms. Brown explained this, however, is not the intent of Pulte and said Council can strike the language should they chose.

Council Member Lublin explained as he understood the language that if land was added to the PUD, the PUD could increase the number of homes, but the approval still has to come from Council.

Mayor Ackley explained that further in the same section, it read that it is Council's decision to allow more homes or not even if additional property is purchased.

Manager Whitt explained it is Council's decision, they can approve or deny. Manager Whitt said City Council will always have the say even if the language is removed.

Council Member Lublin explained this is an option for the developer, they wish to hold onto the ability to broaden the condo area, but it will always be subject to Council's approval.

Manager Whitt explained this language does not take any authority away from Council.

Council Member Costanzo stated the PUD conflicts with the Master Plan and stated, "I am not a fan of the project."

Roll Call Vote

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

2. Proposed Resolution 2019-53 approving the 2020 Schedule of Regular Meetings

CM 11-11-19 TO APPROVE RESOLUTION 2019-53 APPROVING THE 2020 SCHEDULE OF REGULAR MEETINGS

Motion by Owsinek, seconded by Lublin, UNANIMOUSLY CARRIED: To approve resolution 2019-53 approving the 2020 Schedule of Regular Meetings.

Discussion

Council Member Costanzo said he has heard from residents that 7:30 p.m. is too late. Mr. Costanzo said Wixom, Wolverine Lake, and Commerce begin at 7:00 p.m.

Roll Call Vote

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

3. Proposed Resolution 2019-54 Winter Special Assessment 2019 Tax Roll

CM 11-12-19 TO APPROVE RESOLUTION 2019-54 A RESOLUTION APPROVING THE 2019 SPECIAL ASSESSMENTS FOR REPAIR AND MAINTENANCE OF THE GREENAWAY DRAIN, LEON DRAIN, TAYLOR-LADD DRAIN AND NORTON DRAIN TO BE PLACED ON THE DECEMBER 2019 TAX ROLL

Motion by Lublin, seconded by Loch, UNANIMOUSLY CARRIED: To approve resolution 2019-54 a resolution approving the 2019 Special Assessments for repair and maintenance of the Greenaway Drain, Leon Drain, Taylor-Ladd Drain and Norton Drain to be placed on the December 2019 tax roll.

Discussion

Council Member Costanzo asked who places these special assessments.

Finance Director Barlass explained the Oakland County Drain Commissioner's Office places these special assessments.

Council Member Costanzo asked when the hearings were held to discuss placement of the special assessments on the roll.

Finance Director Barlass explained the Oakland County Drain Commissioner's Office hosts all the required meetings and they have the authority to place these special assessments not the city. Mrs. Barlass explained the at-large and the individual properties are assessed. Mrs. Barlass explained the homeowners are not receiving a huge assessment, it is a minor amount ranging from \$0.13 to \$20.00, with the larger ones being commercial properties. Mrs. Barlass explained the Beachwood PUD does not have tax parcels assigned yet, so the Leon Drain special assessment is clearly not due to the PUD project.

Council Member Costanzo said when the PUD came before the city the Leon Drain was supposed to be paid for by the developer.

City Manager Whitt explained the assessment is authorized by the Drain Code of 1956, the Drain Commissioner was assigned the duty of creating districts, determination of work to be done and the assessment to each parcel affected. Manager Whitt said through the years, the Drain Commissioner transitioned to the Water Resource Commission and the drain rolls are submitted to the Oakland County Treasurer's Office and then submitted to the local municipalities as the tax collector on the Counties behalf. Manager Whitt stated there is no connection between the PUD and the Leon Drain, the Drain Commissioner established what drains and special assessments are assigned.

Roll Call Vote

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

4. Proposed Resolution 2019-55 Amendment to Voting Precinct Boundaries

City Clerk Stuart explained with the new election laws and voter registration precinct boundaries needed to be reviewed. The state mandates the volume of voters per precinct, after review, the determination was made to add a third precinct to accommodate the volume of voters and stay within the mandated precinct volume.

**CM 11-13-19 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WALLED LAKE APPROVING POLLING LOCATIONS AND
CHANGES IN BOUNDARIES FOR VOTING PRECINCTS**

Motion by Ambrose, seconded by Owsinek, UNANIMOUSLY CARRIED: To approve resolution 2019-55 a resolution of the City Council of the City of Walled Lake approving polling locations and changes in boundaries for voting precincts.

Roll Call Vote

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

5. Community Development Block Grant PY 2020

**CM 11-14-19 TO APPROVE THE RECOMMENDATION FOR THE CDBG PY
2020 OF \$8,755 FOR PUBLIC SERVICES TO HAVEN
(EMERGENCY SERVICES 730137) AND \$20,431 FOR MOBILE
HOME REPAIR (HOUSING 731227)**

Motion by Owsinek, seconded by Loch, UNANIMOUSLY CARRIED: To approve the recommendation for the CDBG PY 2020 of \$8,755 for Public Services to HAVEN (Emergency Services 730137) and \$20,431 for Mobile Home Repair (Housing 731227).

Roll Call Vote:

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

COUNCIL COMMENTS:

Council Member Lublin thanked the voters for coming out and voting down Proposal 1.

Council Member Owsinek wished everyone a good holiday.

Council Member Costanzo wished everyone a good holiday.

Council Member Loch thanked everyone for coming out for the November 5th election and she is honored to serve another four years.

Council Member Woods thanked everyone for their support, his neighborhood, friends and family. Mr. Woods complimented Fire Chief Coomer on the departments recent successful audit.

Mayor Pro Tem Ambrose thanked the residents for voting and their support, thanked his wife and family for their support. He thanked the residents for voicing their concerns on Proposal 1 and wished everyone a nice holiday.

MAYOR'S REPORT:

Mayor Ackley thanked the voters for coming out. Mayor Ackley said the Trunk or Treat was successful and she hopes it continues to next year. Mayor Ackley thanked the local businesses for all their efforts with Trunk or Treat.

PRESENTATION:

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

City Manager Whitt explained the auditors were held up at another meeting and could not make it. Manager Whitt explained Council can instruct him to work with the independent auditors to ensure a timely filing with the State. Manager Whitt explained the audit has been completed. The auditors can make their presentation at the next council meeting.

CM 11-15-19 MOTION TO INSTRUCT THE CITY MANAGER TO WORK WITH THE INDEPENDENT CITY AUDITOR TO ENSURE A TIMELY FILING OF THE AUDIT WITH THE STATE

Motion by Owsinek, seconded by Lublin, UNANIMOUSLY CARRIED: To instruct the City Manager to work with the independent city auditor to ensure a timely filing of the audit with the State.

Roll Call Vote

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

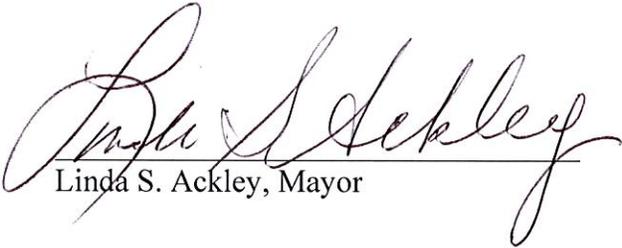
ADJOURNMENT

Meeting adjourned at 9:20 p.m.



Jennifer A. Stuart, City Clerk

approved
1-21-2020



Linda S. Ackley, Mayor