



**CITY OF WALLED LAKE
REGULAR COUNCIL MEETING
MONDAY, NOVEMBER 5, 2018
7:30 P.M.**

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

Pledge of Allegiance led by Mayor Ackley.

Invocation led by Mayor Pro Tem Owsinek.

ROLL CALL: Mayor Ackley, Mayor Pro Tem Owsinek, Council Member Ambrose, Council Member Costanzo, Council Member 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 Shakinas, Fire Chief Coomer, Finance Director Barlass, City Attorney Vanerian, and City Clerk Stuart

PRESENTATION:

**1. 2018 Year-end Financial Statements -
Presented by Independent Auditors Pfeffer, Hanniford, and Palka**

Manager Whitt explained item number 2 under the City Manager report involves the independent auditors who are present this evening to provide a presentation on the 2018 year-end financial statements. Manager Whitt requested that discussion follow the auditor presentation. Mayor Ackley added that item to be addressed directly after the presentation.

Mr. John Pfeffer, a CPA and auditor with Pfeffer, Hanniford, and Palka said it is a pleasure working with the City. Mr. Pfeffer explained over the past years of working with the City, the audit team has gone through a lot of different items in Walled Lake and the City continues to grow financially stronger. Mr. Pfeffer said the City staff does a fantastic job with assisting in the audit process and the importance of this is that his firm's audit team comes in with a crew of eight people and ask of the city staff's time to answer questions. Mr. Pfeffer stated that he wanted Council Member to understand the city staff is phenomenal to work with; this is important. Mr. Pfeffer said the minutes are the audit team's bible and the audit reviews are based on motions made by Council, the minutes are very important in order to complete a timely independent audit. Mr. Pfeffer explained to the Council Members that City performance continues to get better as demonstrated by the fact that his audit team is here now in early November to present the audit as compared to in the past when the City's audit had been as late as January.

Mr. Pfeffer said Mrs. Barlass is the City's current Finance Director and explained the audit team goes over all the financial records and part of the review is of proposed journal entries. There were very few proposed adjustments for this audit and this means the financial information Council is receiving during the year is accurate. Mr. Pfeffer said in early audit years when they first started with the City there were sixty to seventy proposed journal entries and now it is down to four or five and this is very important to note as well.

Mr. Pfeffer explained the City received the highest level of opinion an independent auditor can issue, an unmodified opinion for this audit cycle. Mr. Pfeffer stated that means the City's financial statements are presented fairly. Mr. Pfeffer explained the importance of this highest-level opinion because it reflects on the City's state sharing revenues to make sure they continually flow and helps with obtaining higher bond ratings if the City should chose to bond a project.

Mr. Pfeffer explained the City Administration has continued with tight fiscal policies and kept the city staff levels down while addressing the rehabilitation of the contaminated site on E. West Maple; in addition to adding sidewalks, improving parks, and improved infrastructures within the City. Mr. Pfeffer explained before 2010 there were difficult retirement obligations that Council had been working with, and since that time Council has continually made improvement to reduce these obligations by limiting the liability. Mr. Pfeffer explained to the Council Members that the audit report should be submitted to the state by December 31st and he asked for Council to receive and file the audit report and for permission to file with the State of Michigan.

City Manager Whitt opined to Council Members that Mr. Pfeffer was requesting not for approval but to receive and file the audit report and submission to the state by the deadline.

CM 11-1-18 MOTION TO RECEIVE AND FILE THE AUDIT AND FILE THE 2018 YEAR-END FINANCIAL STATEMENTS WITH THE STATE

Motion by Loch, seconded by Lublin, UNANIMOUSLY CARRIED: To receive and file the 2018 year-end financial statements and file with the State.

Discussion

Mayor Ackley explained Council needs to read the audit and can invite Mr. Pfeffer back the first of the year.

Council Member Costanzo asked why a letter is separate from the book and that he could not find the letter in the book. Mr. Pfeffer explained to Council Member Costanzo the nature of a management letter and that the management letter is not part of the audit report book. Mr. Pfeffer explained to Council Member Costanzo that the management letter only contains suggestions which many of the items suggested had already been taken and addressed by City Administration.

Mayor Ackley explained to Council Member Costanzo that a management letter is provided every year.

Council Member Costanzo said he had a few points of information. He would like to have the letter included into the record for the public, so they can see what Council is seeing.

City Manager Whitt explained to Council Member Costanzo that the management letter is public record and is included in the presentation and that is why Council Member Costanzo had a copy of the letter. Mayor Pro Tem Owsinek explained to Costanzo that the management letter and the financial report is all a matter of public record.

The independent auditor, Mr. Pfeffer confirmed that City Manager Whitt's, Council Member Owsinek's and Mayor Ackley's explanation to Council Member Costanzo that the information is public record and the management letter is filed with the State of Michigan and it is on record.

Council Member Costanzo asked the auditor how much over budget was Council on an account. Mr. Pfeffer explained to Council Member Costanzo that the City was not over budget in total expenditures. City Manager Whitt explained to Council Member Costanzo that the city was not over budget and city expenditure were under budget by about a million dollars.

Mr. Pfeffer said the City was within the budget. There will be expenses during the year that come up and explained that all paid time off was approved, signed, and came out fine.

City Manager Whitt explained the paid time off is the accrued leaves that are either guaranteed by union contract or personal contract. The City does not budget for that payout on PTO, but that is an unfunded liability. Mr. Whitt explained that if an employee who either takes the time off or replace them because they are off with another employee, then you move the money around. That is an unfunded liability the City owes that money to whoever leaves that has accrued liability. Mr. Whitt explained that the City Manager manages the overall budget that the City underspent and therefore saved a million dollars in this year's budget.

Council Member Costanzo asked what was meant by segregation of accounting duties and asked Mr. Pfeffer if this comment means the person writing checks is also balancing the check. Mr. Pfeffer explained to Council Member Costanzo that every audit that goes to the State of Michigan has similar comments. Mr. Pfeffer explained to Council Member Costanzo that the City Administration has really good segregation of duties, but it cannot be perfect unless the City hired another three to five people.

City Manager Whitt explained to Council Member Costanzo that the persons signing checks are not going to the bank and there is segregation of duties. Mr. Whitt explained that there has been no overspending of the City budget. The audit very clearly states the City has substantial savings and an increase of the City's fund balances. Mr. Whitt asked Assistant City Manager Pesta how much the Downtown Development Authority (DDA) fund balance had increased.

Assistant City Manager Pesta said the DDA has had a 20% increase in its savings.

City Manager Whitt explained to Council Member Costanzo that the City did not overspend the budget and came in a million dollars under budget.

CM 11-2-18 MOTION TO FILE AND RECEIVE 2018 YEAR-END FINANCIAL STATEMENTS

Motion by Loch, seconded by Lublin, UNANIMOUSLY CARRIED: To receive and file the 2018 Year-end financial statements.

Roll Call Vote

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

CITY MANAGER REPORT:

2. Proposed Resolution 2018-51 Authorizing Independent Auditing Service

CM 11-3-18 MOTION TO APPROVE RESOLUTION 2018-51 A RESOLUTION OF THE CITY COUNCIL DIRECTING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR INDEPENDENT AUDITING SERVICE TO COMPLY WITH THE CITY CHARTER AND STATE REQUIREMENTS FOR AN INDEPENDENT AUDIT IN YEARS ENDED 2020, 2021, AND 2022

Motion by Owsinek, seconded by Loch, UNANIMOUSLY CARRIED: To approve resolution 2018-51 a resolution of the City Council directing and authorizing the City Manager to execute an agreement for independent auditing service to comply with the City Charter and State requirements for an independent audit in years ended 2020, 2021, and 2022.

Roll Call Vote:

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

Mayor Ackley said Council commends the City staff and it was nice to hear the positive comments about the City staff from an outside source.

PUBLIC HEARING

1. Community Development Block Grant (CDBG) Program Year 2019

Finance Director Barlass explained the recommendation of the 2019 CDBG funds which includes 30 % to HAVEN and the remainder to mobile home repairs for roof repairs or replacements, hot water heaters, furnaces or any other types of minor repairs.

Mayor Ackley opened Public Hearing 7:50 P.M.

Comments from public

Sue Perlin, Board Member of HAVEN, thanked Council for their past support and continued support. Ms. Perlin explained as of June 20, 2018 there have been 21 Walled Lake residents served including fielding seven crisis calls. Ms. Perlin said the Walled Lake residents have utilized all the services HAVEN provides and thanked Council for their support.

Mayor Ackley closed Public Hearing 7:52 p.m.

REQUESTS FOR AGENDA CHANGES:

Mayor Pro Tem Owsinek requested two resolutions be added under Council Report.

Council Member Costanzo requested to add discussion of resolution 2018-24 the Interlocal Agreement for SMART Transportation to Unfinished Business.

City Manager Whitt explained there is no need to specifically add to agenda. This item will be reported on under City Manager Report.

Council Member Costanzo requested discussion on prior council motion, CM 4-12-18 motion to post Boards and Commission meeting agendas to city website.

APPROVAL OF THE MINUTES:

1. Regular Council Meeting of October 16, 2018

CM 11-4-18 TO APPROVE THE OCTOBER 16, 2018 REGULAR COUNCIL MEETING MINUTES

Motion by Owsinek, seconded by Lublin, MOTION CARRIED: To approve the October 16, 2018 Regular Council Meeting Minutes.

Discussion

Council Member Costanzo said there was no mention of what he requested to have noted in the minutes noted in the minutes. Council Member Costanzo explained that he would like certain items that he discussed to be added to the minutes.

Council Member Costanzo stated his points of information and made a motion to add his request for point of information to be in the record.

**CM 11-5-18 MOTION TO ADD COUNCIL MEMBER COSTANZO'S
STATEMENT A POINT OF INFORMATION TO THE OCTOBER
16, 2018 MINUTES FOR PUBLIC INFORMATION THAT A FIRE
TRUCK WAS PURCHASED FOR \$203,000**

Motion dies due to lack of support.

Council Member Costanzo opined a discrepancy in the minutes because the minutes should be vague but give a broad an accurate picture of the discussion.

Mayor Ackley explained the minutes do not reflect every discussion that occurs. The City Clerk puts the minutes together, all that has to be in the minutes are the motions made and if they were approved or denied.

**CM 11-6-18 MOTION TO AMEND RECORD TO REFLECT GOING WITH
OAKLAND COUNTY WATER RESOURCE COMMISSION
COULD COST UP TO \$30,000 PER INCIDENT**

Motion died to due to lack of support.

Roll Call Vote on CM-11-04-18

Yes (6)	Loch, Lublin, Owsinek, Robertson, Ambrose, Ackley
No (1)	Costanzo
Absent (0)	
Abstain (0)	

AUDIENCE PARTICIPATION:

Steve Atwell, 902 N. Pontiac Trail – thanked Council for putting together the Tri-A ad hoc committee. Mr. Atwell explained he was at that meeting, it got pretty heated and he learned a lot from that meeting and a lot of neighborhoods will be dealing with the same thing. Mr. Atwell said he likes the direction Council took and are doing a fantastic job that way. Mr. Atwell said everybody was unhappy with the direction taken prior to this and the money being spent on diversionary places like the trail. Mr. Atwell said the money is better spent on safety items and safety feature, items that are needed and said being a major tax payer he appreciates the adjustment.

COUNCIL REPORT:

Mayor Pro Tem Owsinek introduced a resolution of the City Council authorizing and directing the City Mayor to issue a proclamation.

CM 11-7-18 MOTION TO APPROVE RESOLUTION 2018-52 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALLED LAKE AUTHORIZING AND DIRECTING THE CITY MAYOR TO ISSUE A PROCLAMATION COMMEMORATING THE 243 YEARS OF MARINE CORPS MILITARY EFFICIENCY AND SOLDIERLY VIRTUE; AND ON THE BIRTHDAY OF THE CORPS DECLARING THAT NOVEMBER 10, 2018 IS "UNITED STATES MARINE CORPS SERGEANT JUSTINE LEE VICTOR DAY"

Motion by Owsinek, seconded by Ambrose: UNANIMOUSLY CARRIED: To approve resolution 2018-52 a resolution of the City Council of the City of Walled Lake authorizing and directing the City Mayor to issue a proclamation commemorating the 243 years of Marine Corps military efficiency and soldierly virtue; and on the birthday of the Corps declaring that November 10, 2018 is "United States Marine Corps Sergeant Justine Lee Victor Day".

Proposed resolution 2018-52 read into the record by City Clerk Stuart.

*STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF WALLED LAKE*

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALLED LAKE AUTHORIZING AND DIRECTING THE CITY MAYOR TO ISSUE A PROCLAMATION COMMEMORATING THE 243 YEARS OF MARINE CORPS MILITARY EFFICIENCY AND SOLDIERLY VIRTUE; AND ON THE BIRTHDAY OF THE CORPS DECLARING THAT NOVEMBER 10, 2018 IS "UNITED STATES MARINE CORPS SERGEANT JUSTIN LEE VICTOR DAY"

RESOLUTION 2018-52

At a Regular Meeting of the City Council of the City of Walled Lake, Oakland County, Michigan, held in the Council Chambers at 1499 E. West Maple, Walled Lake, Michigan 48390, on the 5th day of November 2018 at 7:30 p.m.

WHEREAS, on November 10, 1775, a Corps of Marines was created by a resolution of Continental Congress. Since that date many thousands of men and women have borne the name "Marine". In memory of those from Walled Lake who serve it is fitting that the Citizens of Walled Lake who appreciate the Marine Corps should commemorate the birthday of the United States Marine Corps by calling to mind the glories of its long and illustrious history and designation of one of our own as an exemplary Marine; and

WHEREAS, the record of the Marine Corps is one which will bear comparison with that of the most famous military organizations in the world's history; and

WHEREAS, during the 243 years of its existence the Marine Corps has been in action against our great Nation's foes. From the Battle of Trenton to the Argonne, Vietnam, Afghanistan and Iraq, Marines have won foremost honors in war, and in the long eras of tranquility at home, generation after generation of Marines have grown gray in war in both hemispheres and in every corner of the seven seas, that our country and the citizens of Walled Lake might enjoy peace and security;

WHEREAS, in every battle and skirmish since the birth of the corps, Marines have acquitted themselves with the greatest distinction, winning new honors on each occasion until the term "Marine" has come to signify all that is highest in military efficiency and soldierly virtue; and

WHEREAS, this high name of distinction and soldierly repute those who are Marines today have received from those who preceded them in the corps. With it they have also received from them the eternal spirit which has animated their corps from generation to generation and has been the distinguishing mark of the Marines in every age, and now in the twenty first century; and

WHEREAS, a Walled Lake resident and Walled Lake Western High School graduate, Justin Lee Victor is one of those distinguished Marines; and

WHEREAS, on November 15th, 2012 Justin Lee Victor while attending high school took the oath of a United States Marine. In June of 2013 Justin, a resident of the City of Walled Lake, Michigan graduated from Walled Lake Western High School. Justin left for bootcamp at Paris Island, South Carolina on October 27th, 2013; and

WHEREAS, Justin graduated in January 2014 with a meritorious promotion from bootcamp to the rank of E-2 Private First Class. He completed his military occupational specialty schooling in Communications specializing in Electrical Engineering, later reporting to the Miramar, California. While stationed in San Diego was promoted to E-3 Lance Corporal to E-4 Corporal; and

WHEREAS, in 2016 Justin was deployed to Kuwait serving six months later returning stateside to San Diego where he was promoted again, this time to Marine Sergeant. Sergeant Victor was ordered to Camp Lejeune, North Carolina where he served as a noncommissioned officer until March 2018 when he left for Okinawa, Japan; and

WHEREAS, So long as that spirit continues to flourish Marines will be found equal to every emergency in the future as they have been in the past, and the men and women of our Nation will regard Marines like Justin Lee Victor as exemplary members of the Corps as worthy successors to the long line of

illustrious men and women who have served as "Soldiers of the Sea" since the founding of the Corps.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Walled Lake, County of Oakland, State of Michigan that:

Section 1. Effective immediately the Mayor and City Manager are authorized and directed to issue a proclamation and public notice recognizing the Marine Corps' November 10th, 2018 birthday and the 242 years of Corps service to the Nation and to the City of Walled Lake.

Section 2. Effective immediately Justin Lee Victor is designated an Exemplary Marine and the Mayor is authorized and directed and to issue a proclamation recognizing the birthday of the Corps, November 10th, 2018 as "United States Marine Corps Sergeant Justin Lee Victor Day".

Motion to approve Resolution was offered by Owsinek and seconded by _____.

AYES: ()

NAYS: ()

ABSENTS: ()

ABSTENTIONS: ()

RESOLUTION DECLARED ADOPTED.

*STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)*

*JENNIFER A. STUART, CMC
City Clerk*

*LINDA S. ACKLEY
Mayor*

Roll Call Vote

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

Mayor Pro Tem Owsinek introduced a resolution that the City of Walled Lake publicly stand with all Veterans and condemns "Stolen Valor".

CM 11-8-18 MOTION TO APPROVE RESOLUTION 2018-53 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALLED LAKE PUBLICLY STANDING WITH ALL VETERANS AND CONDEMNING "STOLEN VALOR"; AUTHORIZING AND DIRECTING THE CITY MAYOR TO ISSUE A PROCLAMATION COMMEMORATING VETERANS DAY; AND PROVIDING FOR A VETERANS DAY CEREMONY ON NOVEMBER 11, 2018; PROVIDING FOR PUBLIC NOTICE

Motion by Owsinek, seconded by Costanzo: UNANIMOUSLY CARRIED: To approve resolution 2018-53 a resolution of the City Council of the City of Walled Lake publicly standing with all Veterans and condemning "Stolen Valor"; authorizing and directing the City Mayor to issue a proclamation commemorating Veterans Day; and providing for a Veterans Day ceremony on November 11, 2018; providing for public notice.

Proposed Resolution 2018-53 read into the record by Assistant City Manager Pesta.

*STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF WALLED LAKE*

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALLED LAKE PUBLICLY STANDING WITH ALL VETERANS AND CONDEMNING "STOLEN VALOR"; AUTHORIZING AND DIRECTING THE CITY MAYOR TO ISSUE A PROCLAMATION COMMEMORATING VETERANS DAY; AND PROVIDING FOR A VETERANS DAY CEREMONY ON NOVEMBER 11TH, 2018; PROVIDING FOR PUBLIC NOTICE

RESOLUTION 2018-_____.

At a Regular Meeting of the City Council of the City of Walled Lake, Oakland County, Michigan, held in the Council Chambers at 1499 E. West Maple, Walled Lake, Michigan 48390, on the 5th day of November 2018 at 7:30 p.m.

WHEREAS, Veterans Day is an official United States public holiday previously observed as Armistice Day; and

WHEREAS, Veterans Day has been observed annually on November 11th since 1954 and, honors military veterans, who served in the United States Armed Forces; and

WHEREAS, Veterans Day parallels other holidays, including Armistice Day and Remembrance Day, celebrated in other nations that mark the

anniversary of the end of World War I; major hostilities of World War I were formally ended at the 11th hour of the 11th day of the 11th month of 1918, when the Armistice with Germany became effective; and

WHEREAS, all Veterans recognize Memorial Day, the United States holiday in May; Veterans Day celebrates the service of all America's military veterans, while Memorial Day honors those who died while in military service; and

WHEREAS, a military veteran is a person who has served and is no longer serving in the American armed forces; and

WHEREAS, "Stolen Valor" is a term for the misbehavior of military imposters including individuals who lie about their military service; and

WHEREAS, Congress has passed laws to address the issue of persons claiming to have been awarded military awards to which they were not entitled and exploiting their deception for personal gain. Pretending to be a veteran while campaigning would be an example, and another example is of, as of June 2, 2006, there were only 120 living Medal of Honor recipients, but there were many more known imposters; and

WHEREAS, because of this stolen valor the Stolen Valor Act of 2013 (Pub. L. 113-12; H.R. 258) was passed by the 113th United States Congress. The national law amends the federal criminal code to make it a crime for a person to fraudulently claim having received a valor award specified in the Act, with the intention of obtaining money, property, or other tangible benefit by convincing another that he or she received the award; and

WHEREAS, the City of Walled Lake stands against stolen valor and stands with our veterans; and

WHEREAS, veterans are those men and women that have had direct exposure to acts of military conflict may also be referred to as war veterans or combat veterans for those persons who have fought in combat during a war or a skirmish against a declared enemy and may still be serving in the military; and

WHEREAS, the City Council desires to celebrate the service of all American military veterans with a solemn ceremony commemorating those who served the Nation, the State of Michigan and the City of Walled Lake.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Walled Lake, County of Oakland, State of Michigan that:

Section 1. The city council stands with all American veterans and condemns "Stolen Valor" and the misbehavior of military imposters including

individuals who lie about their military service exploiting their deception for personal gain.

Section 2. Effective immediately the Mayor and City Manager are authorized and directed to issue a proclamation and public notice commemorating Veterans Day.

Section 2. The City Manager is authorized and directed to provide for a solemn ceremony at the City Hall and Public Safety Campus on November 11th, 2018.

Motion to approve Resolution was offered by Owsinek and seconded by _____.

AYES: ()

NAYS: ()

ABSENTS: ()

ABSTENTIONS: ()

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

JENNIFER A. STUART, CMC
City Clerk

LINDA S. ACKLEY
Mayor

Roll Call Vote

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

Council Member Costanzo said he attended the recent Tri-A committee meeting last week and he provided a quick update.

Mayor Ackley said a lot of the resident frustration also comes from misinformation from people walking the neighborhood passing along incorrect information. She explained there is now a specific committee created and entrusted with this assignment.

CITY MANAGER'S REPORT:

1. Departmental / Divisional Statistical Reports

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

CM 11-9-18 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 said he had one question on the reports that on page 26 of the Clemis reports, police reports, there is a substantial increase under the Violation of Controlled Substance acts.

Roll Call Vote:

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

Manager Whitt explained the SMART bus service agreement between Highland and Walled Lake has been finalized and the transition has occurred. Assistant City Manager Pesta said it has been 3 weeks now with a good transition.

Manager Whitt explained this agreement should have happened years ago, the Highland Township Supervisor is really on board with the SMART transportation system and there have been no complaints from the substantial users from the Villa. Manager Whitt said he did hear from Villa residents that the service is more efficient now. Manager Whitt thanked Assistant City Manager Pesta and Deputy Clerk Gross for working through the agreement and transition.

Manager Whitt confirmed there was discussion about the Water Resource Commission (WRC) agreement at last council meeting and Council Member Costanzo's comments did not have to have a motion request. City Manager Whitt stated that the City will be transitioning over to the 21st century in our water division come January 1, 2019 with expectations of a more efficient

water reading system, more efficient billing system, more efficient services to the Walled Lake residents that they did not have before, and the benefit of on call professional emergency crews who know what needs to occur during an emergency and will respond to the call instead of struggling with calling people who do not answer the phone on an emergency. Mr. Whitt said WRC has a solid group of professionals and stated this is a better service for the tax payers of Walled Lake.

2. Proposed Resolution 2018-51 Authorizing Independent Auditing Service

Motion made prior in the meeting after auditor presentation.

3. Boards and Commission Agendas to Website

Manager Whitt explained the posting of agendas will be reviewed. The packets go out with the agendas.

Council Member Costanzo explained the motion was not just about the council agendas it pertained to all the City's Boards and Commission such as the DDA and Parks and Recreation Commission those packets are not posted to the website.

Manager Whitt reported the Tri-A ad hoc committee was chaired by Chuck Jackson and he did a good job. Manager Whitt explained he met with several people after the meeting and further insight about the misinformation given out at the non-public meetings that Council Member Costanzo had attended and out of that meeting came a lot of misinformation. Manager Whitt said if Mr. Costanzo was not the one who passed the misinformation, he certainly did not relay this to Council. Manager Whitt explained people came up to him to talk and express their frustration with being misled.

Manager Whitt explained the Tri-A committee is working to provide solutions, it is not a political event and council members should not be meeting in somebody's home to talk about something that is before the City Council. If that Council Member does, then they should be reporting to Council what they did and if they did misstep, they should admit it. Misinformation was given to a hoard of people in Tri-A and that is what angered people. Mr. Whitt said Bob Robertson never supported a SAD assessment; he is opposed to it from day one. Manager Whitt said, clearly from all that has taken place, a special assessment district will not happen. Manager Whitt said the December 4th Tri-A committee will be discussing of a citywide millage like what Farmington Hills has for local roads. Mr. Whitt said the engineer will be there December 4th for questions. Mr. Whitt said that nobody on this Council supported a special assessment district and another item that was peddled was that City Administration lost a \$1.5 million-dollar grant because we did not answer Senator Kowall's phone call. Again, this is not true. Senator Kowall has never contacted the city and the city never lost \$1.5 million dollars in grants.

Council Member Ambrose explained the timeliness of the meeting, Chairman Jackson called the meeting date to expedite the process and Mr. Jackson delivered flyers door to door.

Manager Whitt explained that the City publishes meetings as required and meets the Open Meetings Act publication requirement. The City has gone over the legal requirement of notice of meetings. Manager Whitt said he does dispute the implication of holding a meeting without notice. The next Tri-A ad hoc committee meeting is December 4, 2018. Manager Whitt explained the improvement to the water service will be acted upon. Mr. Whitt explained the initial anger from misinformation was whittled down and residents are concerned about an increase to their taxes. Manager Whitt explained the construction design has to be discussed first and then the funding, keeping in mind the funding cannot come from the city general fund it is not there.

Council Member Ambrose explained without the engineer there it provided opportunity to obtain the top questions so now the engineer has these questions to work on and provide answers to them.

CORRESPONDENCE: None

ATTORNEY'S REPORT: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

- 1. First Reading C-343-18 Wireless Communication Facilities DAS Small Cell Facilities in Public Right-of-Way Amendment**

CM 11-10-18 TO APPROVE FIRST READING C-343-18 AN ORDINANCE TO AMEND CHAPTER 70, "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES" TO ENACT A NEW ARTICLE V. "WIRELESS COMMUNICATION FACILITIES" TO ADOPT REGULATIONS FOR THE PLACEMENT AND MAINTENANCE OF WIRELESS COMMUNICATION FACILITIES WITHIN THE PUBLIC RIGHT OF WAY

Motion by Robertson, seconded by Owsinek, UNANIMOUSLY CARRIED: To approve first reading C-343-18 an ordinance to amend Chapter 70, "Streets, sidewalks and other public places" to enact a new Article V. "Wireless Communication Facilities" to adopt regulations for the placement and maintenance of wireless communication facilities within the public right of way.

Roll Call Vote

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

2. First Reading C-344-18 Illicit Stormwater Discharge Ordinance Amendment

CM 11-11-18 TO APPROVE FIRST READING C-344-18 AN ORDINANCE TO AMEND CHAPTER 34, "ENVIRONMENT" OF THE CITY OF WALLED LAKE CODE OF ORDINANCES TO ENACT A NEW ARTICLE V. "ILLICIT STORMWATER DISCHARGES" TO ADOPT STATE MANDATED REGULATIONS AND ENFORCEMENT OF ILLICIT DISCHARGES INTO STORMWATER MANAGEMENT FACILITIES.

Motion by Lublin, seconded by Loch, UNANIMOUSLY CARRIED: To approve first reading C-344-18 an ordinance to amend Chapter 34, "Environment" of the City of Walled Lake Code of Ordinances to enact a new Article V. "Illicit Stormwater Discharges" to adopt state mandated regulations and enforcement of illicit discharges into stormwater management facilities.

Discussion

Council Member Costanzo said he has points of inquiry on page 74, but maybe the City Attorney should answer the question, it says the City's zoning officer or authorized enforcement agency shall be allowed to enter onto all properties for the purpose of inspection, observation, etc. Does that mean they are able to walk on the property without permission?

Mayor Pro Tem Owsinek explained to Council Member Costanzo that the Code Enforcement officer already has that authorization

Assistant City Manager Pesta explained to Council Member Costanzo that the City is part of the Alliance Rouge Community (ARC) and for the City to be a part of ARC we have to qualify for this permit, this requirement has gone to all of the ARC communities. Mrs. Pesta explained the City has been working on this permit process for over two years, this ordinance is a requirement of the MDEQ as part of their approval requirements for permit issuance.

City Manager Whitt explained to Council Member Costanzo that this is the MDEQ template and is required by them to obtain the permit. Mr. Whitt explained this ordinance does not grant any further authority than what the City already does for enforcement.

Roll Call Vote:

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

3. Proposed Resolution 2018-54 Approving the 2019 Schedule of Regular Meetings

Council discussed the proposed schedule hosting meetings on the third Tuesday of each month but changed the November meeting date to the first Monday, November 4th and the December meeting to the first Tuesday, December 3rd.

CM 11-12-18 MOTION TO APPROVE RESOLUTION 2018-54 A RESOLUTION ESTABLISHING THE TIME, PLACE AND THE 2019 SCHEDULE OF REGULAR MEETINGS FOR THE CITY OF WALLED LAKE PURSUANT TO CITY CHARTER; PROVIDING FOR PUBLICATION

Motion by Loch, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve resolution 2018-54 a resolution establishing the time, place and the 2019 Schedule of Regular Meetings for the City of Walled Lake pursuant to City Charter; providing for publication.

Roll Call Vote

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

Discussion was held about cancellation of the December 2018 council meeting.

CM 11-13-18 MOTION TO CANCEL THE DECEMBER 18, 2018 REGULAR COUNCIL MEETING

Motion by Robertson, seconded by Loch, MOTION CARRIED: To cancel the December 18, 2018 Regular Council Meeting.

Roll Call Vote

Yes (6) Lublin, Owsinek, Robertson, Ambrose, Loch, Ackley
No (1) Costanzo
Absent (0)
Abstain (0)

COUNCIL COMMENTS:

Council Member Loch thanked everyone for coming out today and encouraged people to vote in the November 6, 2018 election tomorrow.

Council Member Lublin said he likes the work he is seeing at the lake and the Maher building is looking great.

Council Member Costanzo said I just have one quick comment here around the Michigan Airline Trailway bridge. There are different narratives floating around out there so I kind of like to read something for the record. There is a narrative circulating around our city in regard to the Michigan Airline Trailway Bridge. The trailway bridge is located in Commerce was paid for by grant through the Congestion Mitigation and Air Quality program otherwise known as CMAQ. Additional funding was provided by Commerce Township. No funds to the bridge were provided by the two other municipalities in the trailway council, Walled Lake and Wixom. The previous Commerce Township, Tom Zoner administration and several trustees pushed to amend the designs of the structures and not accept the free bridge. In addition to that they allocated \$500,000 to beautify and attach it as a gateway to the Lakes as part of the Great Lake to Lake trails system. The bridge belongs to M-Dot not Commerce Township or the trailway council. The trailway council owns the trailway property and MDOT dropped the bridge on the Trailway Council's property which would build a path to both sides of the bridge helping to complete to the Great Lake to Lake trail system. Commerce Township is responsible for maintaining the lighting system that was added to the bridge as part of the beautification system. The Michigan Airline Trail received a \$2.2 million grant from the Ralph C. Wilson foundation in addition to that the Mike Levine Family Foundation donated the entire cost of the design and engineering plans for the project valued at approximately \$225,000. This grant funding the Ralph C Wilson foundation was crucial to unlocking an additional \$2.1 million from the Transportation Alternative Program the TAP grant program administered by the Michigan Department of Transportation for the trail construction. This was used to supplement the local already committed to by the trailway's three communities, Walled Lake, Wixom, and Commerce.

Mayor Ackley explained to Council Member Costanzo the City of Walled Lake's tax dollars did not go to pay for the bridge, but every Walled Lake taxpayer's tax dollars is State of Michigan tax dollars did, so the bridge was not tax free.

Manager Whitt explained that the cost of the trailway has been tremendous and the bridge cost so much money that there was no grant money left to address the trailhead depot building in the City of Walled Lake.

Council Member Ambrose explained there were discussion about the M-5 bridge at the recent Tri-A meeting.

Manager Whitt explained the money for the trail and bridge does come from tax payers, the trail project has never been a "no cost" trail to the tax payer project.

Mayor Pro Tem Owsinek explained tomorrow is the general election and encouraged everyone to get out and vote. He congratulated the owners of the Green House as they were the first to receive a state license to supply medical marijuana.

Manager Whitt explained there has been no business licenses issued by the City of Walled Lake for medical marijuana under the current law. Mr. Whitt explained that the license for medical marijuana is issued by the State of Michigan.

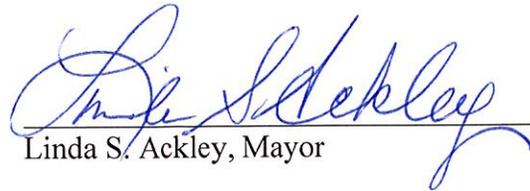
MAYOR'S REPORT:

Mayor Ackley said the Veterans service is 1:00 p.m. on Veterans Day, November 11th. Mayor Ackley said Green House, LLC will be hosting a veteran's luncheon event on November 12th at noon in partnership with other local businesses such as Dave and Amy's and Maher

ADJOURNMENT

Meeting adjourned at 9:00 p.m.


Jennifer A. Stuart, City Clerk


Linda S. Ackley, Mayor

approved
1-15-19