



**CITY OF WALLED LAKE
REGULAR COUNCIL MEETING
TUESDAY, SEPTEMBER 17, 2024
7:30 P.M.**

City Clerk Stuart welcomed everyone to the regularly scheduled September City Council meeting and introduced Council Member Casey R. Ambrose, Council Member Mindy Fernandes, Council Member Tamra Loch, Council Member Bennett Lublin, Council Member John Owsinek, Mayor Pro Tem Ryan Woods, and Mayor Linda Ackley.

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

PLEDGE TO FLAG & INVOCATION

Invocation by Mayor Pro Tem Woods.

ROLL CALL

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

OTHERS PRESENT

City Manager Whitt, Assistant to the City Manager Jaquays, Finance Director Pesta, Public Safety Deputy Director Shakinas, Deputy Police Chief Kolke, Fire Chief Gonzalez, City Attorney Vanerian, DPW Superintendent Ladd, and City Clerk Stuart

REQUESTS FOR AGENDA CHANGES

Mayor Pro Tem Woods requested to add discussion of water backflow testing under City Manager's Report. Mayor Ackley added as item number 3.

AUDIENCE PARTICIPATION

None

APPROVAL OF MINUTES

1. Regular Council Meeting of August 20, 2024

CM 09-01-24 MOTION TO APPROVE REGULAR COUNCIL MEETING OF AUGUST 20, 2024

Motion by Ambrose, seconded by Woods, UNANIMOUSLY CARRIED: To approve regular council meeting minutes of August 20, 2024.

COUNCIL REPORT

Council Member Fernandes said the Parks and Recreation Commission discussed the success of summer series concerts, and all the bands agreed to come back. Council Member Fernandes expressed the commission would like to see more signage for the summer concerts. She said the Market Place is going great, every time she visits it is packed, and there will be a Harvest Festival in October.

City Manager Whitt said his daughter Ms. Loretta Whitt is a volunteer through the city operating the market while Police officer candidate Hall is in the academy. City Manager Whitt said the market place has become a destination for the vendors. He said every Wednesday the parking lot is full, the patrons keep coming back and recognition is due to this City Council and DDA for building and redesigning that site, providing a place for vendors to showcase their items.

Council Member Lublin said the Library Board will be meeting this Friday and he thanked the voters for their support of passing the library millage renewal.

Council Member Ambrose said he attended the September Planning Commission and DDA meeting. He explained at the DDA meeting that the downtown survey is still in process.

Council Member Owsinek said the Planning Commission had two cases, discussion on a gas station, and the applicant requested a full board be present for the meeting so that case was tabled. The Watermark Terrace Commercial Planned Unit (CPD) proposal is scheduled for a public hearing at the October Planning Commission meeting.

MAYOR'S REPORT

- 1. Mayor's Call for Legal Action and/or Other Enforcement Action**
 - Priority Waste**

Mayor Ackley said there is a bad situation with the trash service, talking to staff as far as complaints go, seems to be some improvement however when Wednesday pickups run into Friday and Saturday that is not sufficient. This has gone on long enough in Walled Lake. She said she is receiving phone calls and emails of missed pickups. Mayor Ackley explained there are two choices, to join our larger neighboring communities who have a much larger budget and engage the city attorney to pursue court action or refusal to pay.

City Manager Whitt said he and the Mayor are on different sides of this issue. City Manager Whitt said the city is not in the position to leverage this as the larger communities. City Manager Whitt said the Priority Waste contract with neighboring communities have a larger contract. Commerce Twp withheld payment to Priority and the Priority leadership addressed them. City Manager Whitt explained the city is much smaller and Priority can just walk away. City Manager Whitt said Sylvan Lake chose to engage a commercial waste company who has never done municipal pick up, they contracted with a company affiliated with Rizzo services. City Manager Whitt explained this company is related to Mr. Rizzo who was convicted of bribery and

sentenced to five years. City Manager Whitt said the city should be giving the trash company time. City Manager Whitt said if the city pursues legal action, abandonment of the contract, runs the risk of Priority not picking up the garbage at all. This becomes a safety health hazard. City Manager Whitt said the city trash is picked up but not on the service day. City Manager Whitt opined for council to be cautious with the approach to abandon Priority Waste. City Manager Whitt said when Priority Waste took over, the roll out was terrible everywhere. City Manager Whitt said working with Priority Waste to resolve is the course of action he recommends. City Manager Whitt said if after a time service does not improve he will call an emergency meeting and act.

Mayor Ackley said she sees three options, cancel the contract, withhold payment, or work with Priority Waste to resolve. Mayor Ackley said she cannot believe Priority Waste purchased GFL and cannot hold to their agreement.

City Manager Whitt said the trash trucks Priority Waste inherited from GFL were not road worthy, they cannot be placed back on the road. It has a lot to do with vehicles, Priority Waste is renting additional trucks through a company called Premier Truck rental. City Manager Whitt said Priority Waste's management failed in this purchase, this roll out and any resolution to resolve issues. City Manager Whitt said Priority Waste was clearly not prepared or educated.

Council Member Lublin said he has noticed his neighborhood is serviced on Thursday not Wednesday. He asked if the day could be changed. Council Member Lublin asked if the city is even getting picked up on Wednesday.

DPW Superintendent Ladd explained there are three items Priority collects: trash, recycling and yard waste. He explained trash may be picked up, but yard waste is delayed to the next day or vice versa.

Finance Director Pesta said she has been in discussion with Sam Caramagno from Priority Waste. Mr. Caramagno explained to her that Priority, since July 1, took over 72 communities. Mrs. Pesta said Priority Waste feels moving the Walled Lake to Thursday would address delays and all items would be picked up successfully in one day. Finance Director Pesta said she was told Priority Waste does not have a service on Thursday and Mr. Caramagno asked if the city would consider switching to Thursday.

City Manager Whitt said the city has a contract, and Priority is not honoring that. Our goal is to get the trash picked up. There is no reason to think moving the trash pick up to Thursday will end the trash not being picked up. Priority Waste is jerry-rigging every day to get things done. City Manager Whitt asked that council provide time for administration to work with Priority Waste and to move forward.

Mayor Ackley asked what days other communities are serviced.

Finance Director Pesta said Priority Waste services South Lyon Monday and Tuesday and Wixom on Wednesday.

Council Member Loch said she works in Commerce Twp, their trash day is Thursday. Council Member Loch agreed and said why would Thursday be better than Wednesday, Commerce Twp is much larger than us.

City Manager Whitt said we must give it time. City Manager Whitt explained he and Mrs. Pesta will meet with Priority Waste. City Manager Whitt said as he understands, all do agree the focus is to get the trash picked up.

Council Member Loch said she is fine changing the day, if it is consistent.

Mayor Pro Tem Woods said he agreed and asked when the last day for yard waste pick up is for the season.

Finance Director Pesta said just after Thanksgiving.

Mayor Ackley explained there could also be issues with how the trash is placed out for pick up. Mayor Ackley said the council needs to let the people know we are acting on this.

City Manager Whitt said administration will invite Priority Waste for the October meeting.

2. Mayor's Nominations and Appointments to Boards and Commissions

Mayor Ackley said she has been working on nominating someone from outside of old downtown and nominated Mr. Joe Raleigh from Suburban Exchange. Mayor Ackley said she has spoken with him several times, and he is excited to become a member of the DDA.

CM 09-02-24 MOTION TO APPROVE RESOLUTION 2024-31 A RESOLUTION ACCEPTING THE MAYOR'S NOMINATION TO APPOINT JOE RALEIGH TO THE DOWNTOWN DEVELOPMENT AUTHORITY BOARD PURSUANT TO THE REQUIREMENTS OF THE CITY CHARTER; MAKING AN APPOINTMENT TO THE DOWNTOWN DEVELOPMENT AUTHORITY

Motion by Owsinek, seconded by Loch, UNANIMOUSLY CARRIED: To approve resolution 2024-31 a resolution accepting the Mayor's nomination to appoint Joe Raleigh to the Downtown Development Authority Board pursuant to the requirements of the city charter; making an appointment to the Downtown Development Authority.

Roll Call Vote

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

CITY MANAGER'S REPORT

1. **Consent Agenda of Written Departmental / Divisional Statistical Reports**
 - a. **Police**
 - b. **Fire**
 - c. **Finance**
 - Warrant
 - d. **Code Enforcement**

CM 09-03-24 APPROVAL OF CITY MANAGER'S CONSENT AGENDA ITEMS

Motion by Woods, seconded by Fernandes, UNANIMOUSLY CARRIED: To approve City Manager's Consent Agenda items.

Roll Call Vote

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

2. Development Activities within the City

City Manager Whitt explained the property across from the beach is on the market and developer came before the Planning Commission this month to introduce a conceptual proposal. The applicant will go for required public hearing at October's Planning Commission meeting. City Manager Whitt explained the development at 14 Mile and Decker, from the city's point of view we have done what we needed to do. He said the developer is working through issues with Oakland County Road Commission (RCOC). It is still on the city's agenda, but the applicant needs to work through items with RCOC. City Manager Whitt said the Maple and Decker development the 7-Eleven Speedway project came before the Planning Commission and the applicant requested a full board be present and item was tabled. City Manager Whitt said there were a lot of remarks from the public during the meeting. City Manager Whitt said this site will get developed sooner or later, you cannot vote not to development because you do not want anything there. City Manager Whitt said the residents of the area are adamant this site must stay as is for wildlife; this is not possible. City Manager Whitt said the property at 615 N Pontiac Trail, the school property, is still currently vacant with no interest in developing. City Manager Whitt said the school board's agenda is not focused on development of this property now or in the future, there's no leadership there. City Manager Whitt said the development at 800 N. Pontiac Trail, Taco Bell is moving fast. City Manager Whitt said the downtown corner development on Liberty and E. Walled Lake Drive, is moving but slowly.

City Manager Whitt reminded council the community has Flock Safety cameras at each major intersection. City Manager Whitt explained there was another stolen car reported and our Flock camera made the hit, our own Chief of Police made the arrest.

Public Safety Deputy Director Shakinas said you cannot get into Walled Lake without going by a Flock Camera.

3. Backflow Testing

Mayor Pro Tem Woods said neighbors are grouping together to obtain quotes from vendors for the required backflow testing. Mayor Pro Tem Woods asked if there is anything the city can do to obtain a preferred contractor listing, provide the residents a preferred pricing.

City Manager Whitt said the city contracts with Oakland County Water Resources Commission (WRC) and they stay out of the business of creating a preferred pricing or contractor list. City Manager Whitt said as a city we can give the same list that WRC provides. City Manager Whitt said as manager, he does not want to say pick this company over another.

DPW Superintendent Ladd said WRC has a listing, about 30 contractors, and they are all certified to perform the testing.

City Manager Whitt said if the homeowner's associations wish to do this preferred list, they can create their own lists. The city should not get into to the business of having a preferred listing.

Council Member Lublin said he agrees he does not want to be in that business of providing a preferred listing.

DPW Superintendent Ladd explained all residents and commercial structures with baseboard radiant heat are required to have annual testing while irrigation systems are every 5 years.

Mayor Pro Tem Woods said this clarifies things for him, the irrigation systems are every five years not annually this changes his position somewhat for the preferred listing.

Council Member Ambrose said he received information that there was a water issue on Rosebud and asked for an update.

City Manager Whitt said there was a break and water was shut down just under four hours. There was a boil water notice for 24 hours.

City Manager Whitt said Ms. Pesta has put together the City Council's Boards and Commissions appreciation reception dinner this Friday the 20th and Bay Point golf course for the city volunteers that serve on the boards and commissions.

ATTORNEY'S REPORT

City Attorney Vanerian explained representatives of Shoreline Condominiums were in court regarding the falling down wall, this case pertains to a failing retaining wall. City Attorney Vanerian explained City Council had authorized the city condemnation power if needed. City Attorney Vanerian said he did prepare a contract for reimbursement; however, Shoreline

Condominiums figured out ways to remove the deteriorating wall without any condemnation proceedings.

UNFINISHED BUSINESS

None

NEW BUSINESS

1. Proposed Resolution 2024-32 Authorizing an Interlocal Agreement with Oakland Community Health Network

Public Safety Deputy Director Shakinis introduced Siiri Sikora, Director of Justice Initiatives with Oakland County. Deputy Director Shakinis explained the interlocal agreement is between the City of Wixom, Village of Wolverine Lake, White Lake Township and the City of Walled Lake. Deputy Director Shakinis said collaboration between these communities would provide a social worker, a “co-responder” to assist with mental health crisis cases. Deputy Director Shakinis explained mental health responses have been an issue for the department over the last several years. Deputy Director Shakinis said there are two grants available to help with the cost of this interlocal agreement for the first two years, one of which is through ARPA funding. Deputy Director Shakinis said the interlocal agreement has been reviewed by City Attorney Vanerian and administration both support this agreement. Deputy Director Shakinis explained when officers respond to mental health calls, they are often relying on family members, friend, and possible neighbor relationships to help with the individual. Chief Shakinis said there are continual responses by the officers of repeat people, these types of service responses are outside the police purview and this interlocal agreement will help these people by providing a co-responder who will follow up with the individual and the care they need.

Council Member Ambrose said now when you call when you call 911, you are asked if the emergency is police, or fire, etc.

Deputy Director Shakinis said the co-responder is not responding to the emergency call by themselves, that is not how this works, the co-responder is assigned to assist the officers.

Director Sikora said there were several surveys and studies done to seek the peak times of calls when residents need may need mental health assistance. Director Sikora explained the individuals who need help will have help but also follow up care.

Council Member Fernandes clarified the grants will cover the first two years.

Deputy Director Shakinis explained the ARPA funding will cover the first year, and then the Michigan Commission of Law Enforcement Standards (MCOLES) for the next three years.

City Attorney Vanerian explained this interlocal agreement before council this evening is for a period of two year only. There is an option for any party to exit the contract with advance 90-day

notice. City Attorney Vanerian explained there are 11 different communities that utilize the co-responder services, assisting the police officers to transition the person in need of mental health assistance into the hands of the trained mental help staff members. City Attorney Vanerian explained some communities are adding additional co-responders.

**CM 09-04-24 MOTION TO APPROVE 2024-32 A RESOLUTION
AUTHORIZING THE ADOPTION OF MULTI-JURISDICTIONAL
INTERLOCAL AGREEMENT WITH THE CITY OF WIXOM,
TOWNSHIP OF WHITE LAKE, VILLAGE OF WOLVERINE
LAKE, AND OAKLAND COMMUNITY HEALTH NETWORK
FOR A CO-RESPONDER TO WORK WITH THE WALLED LAKE
POLICE DEPARTMENT**

Motion by Lublin, seconded by Woods, UNANIMOUSLY CARRIED: To approve resolution 2024-32 a resolution authorizing the adoption of multi-jurisdictional interlocal agreement with the City of Wixom, Township of White Lake, Village of Wolverine Lake, and Oakland Community Health Network for a co-responder to work with the Walled Lake Police Department.

Discussion

City Manager Whitt said this contract is for two years. The funding source will have to be reviewed at the end of this contract period. City Manager Whitt said if the city council will fund this in the future that is yet to be determined. City Manager Whitt these services need to show this will benefit the city, there needs to be some legitimacy in this.

Roll Call Vote

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

2. Proposed Resolution 2024-33 Authorizing Department of Public Works to Purchase a new Zero-Turn Mower

**CM 09-05-24 MOTION TO APPROVE 2024-33 A RESOLUTION
AUTHORIZING THE PURCHASE OF A NEW ZERO-TURN
MOWER FOR THE DEPARTMENT OF PUBLIC WORKS**

Motion by Owsinek, seconded by Loch, UNANIMOUSLY CARRIED: To approve resolution 2024-33 a resolution authorizing the purchase of a new zero-turn mower for the Department of Public Works.

Roll Call Vote

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

3. Receive and File the Resignation Letter from Library Board Member Mordecai Abramowitz

CM 09-06-24 MOTION TO RECEIVE AND FILE THE RESIGNATION LETTER FROM LIBRARY BOARD MEMBER MORDECAI ABRAMOWITZ

Motion by Lublin, seconded by Owsinek, UNANIMOUSLY CARRIED: To receive and file the resignation letter from Library Board Member Mordecai Abramowitz.

Roll Call Vote

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

COUNCIL COMMENTS

Council Member Fernandes said thank you to the city staff for the support during and for the Market Place, this event highlights who we are as a city. Council Member Fernandes said it has been a great summer in Walled Lake, and encouraged all to enjoy what Walled Lake has to offer.

Council Member Lublin said he is looking forward to the Ladd Road resurfacing project. The city looks great we have a wonderful staff, and we appreciate you all.

Council Member Ambrose said he echoed his fellow members and said our staff is one of the best if not the best in the state. Council Member Ambrose said staff and council work nonstop advocating for the city, the ladies and gentlemen who support the city's boards and commission are great and he is looking forward to seeing them on the 20th.

Council Member Loch said she agrees with her fellow council members and the dinner this Friday will be an excellent event for all the city's volunteers.

Council Member Owsinek said thank you to the city staff and reminded everyone of Mayor Ackley's Trunk or Treat on October 27, 11am and 1pm

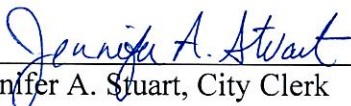
Mayor Pro Tem Woods said he is looking forward to this Friday's event as well and thank you to DPW Superintendent Dan Ladd on the improvements and cleanliness of Marshall Taylor Park. Mayor Pro Tem Woods said he did a ride along with Police Chief Shakinis and viewed the property owners that were in violation of the city's ordinances. Mayor Pro Tem Woods said the city needs to keep DTE on the radar.

MAYOR'S COMMENTS

Mayor Ackley said she is looking for Friday's event to thank the volunteer board and commission members for all they do.

ADJOURNMENT

Meeting adjourned at 9:05 p.m.



Jennifer A. Stuart, City Clerk
Approved 10/15/24

Linda S. Ackley, Mayor