



**CITY OF WALLED LAKE  
REGULAR COUNCIL MEETING  
TUESDAY, SEPTEMBER 20, 2016  
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 Ackley.

**ROLL CALL:** Mayor Ackley, Mayor Pro Tem Ambrose, Council Member Helke, Council Member Lublin, Council Member Loch, Council Member Owsinek, Council Member Robertson

**ABSENT:** None

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

**OTHERS PRESENT:** City Manager Whitt, Assistant City Manager Rodgers, Police Chief Shakinas, Fire Chief Coomer, City Attorney Vanerian, and City Clerk Stuart

**REQUESTS FOR AGENDA CHANGES:** None

**APPROVAL OF THE MINUTES:**

- 1. Regular Council Meeting of August 16, 2016 and Special Council Meeting of September 7, 2016**

**CM 09-06-16 APPROVAL OF THE AUGUST 16, 2016 REGULAR COUNCIL MINUTES AND SEPTEMBER 7, 2016 SPECIAL COUNCIL MEETING**

Motion by Owsinek, seconded by Lublin, **CARRIED UNANIMOUSLY:** To approve the August 16, 2016 Regular Council Minutes and the September 7, 2016 Special Council Minutes.

**AUDIENCE PARTICIPATION:**

Karen Kolke, 179 Spring Park – expressed concerns about the Public Safety Campus redesign.

**MAYOR'S REPORT:**

**1. Proposed Resolution 2016-35 Accepting the Mayor's nomination to fill a vacancy on the Downtown Development Authority Board**

Mayor Ackley announced the nomination of Michael Maurer to the Downtown Development Authority Board and presented Council with a resolution to accept her nomination and requested City Clerk Stuart read into the record.

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
THE CITY OF WALLED LAKE

MAYOR'S NOMINATION  
TO FILL THE VACANCY ON THE DOWNTOWN DEVELOPMENT  
AUTHORITY BOARD

The duty of the Mayor prescribed by Section 4.5 (g) of the City of Walled Lake Charter states in pertinent part that:

“It shall be the duty of the Mayor to nominate qualified persons to the Council and various Boards and Commissions, and it shall be the Council's duty to accept or reject those nominations.”

Pursuant to Section 4.5 of the Charter, the undersigned nominates:

Michael Maurer

to fill the vacancy in the Downtown Development Authority for the unexpired original term and submits said nomination to the Council to make a final determination if that person is qualified and to accept or reject this nomination.

SUBMITTED to City Council in session at its Regular Council Meeting on this 20th day of September, 2016.

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Linda S. Ackley, Mayor  
City of Walled Lake

CM 09-07-16

**APPROVE RESOLUTION 2016-35 ACCEPTING THE MAYOR'S  
NOMINATION AND APPOINTING MICHAEL MAURER TO  
FILL THE VACANCY ON THE DOWNTOWN DEVELOPMENT  
AUTHORITY BOARD**

Motion by Robertson, seconded by Ambrose, CARRIED UNANIMOUSLY: To approve Resolution 2016-35 accepting the Mayor's nomination and appointing Michael Maurer to fill the vacancy on the Downtown Development Authority Board.

**DISCUSSION:**

Council Member Helke asked what the unexpired term was. Mayor Ackley said it was for the vacancy of Mr. Kimmel's seat. She explained there are other board members that have not been present to meetings and she is addressing the matter.

City Manager Whitt said Mr. Maurer is a qualified engineer, a resident of the City, and currently serves on the Planning Commission. He explained the resolution vacates the position and it makes the appointment of Mr. Maurer.

**2. Executive Session for update on Resolution 2016-31 Directing and authorizing the Mayor to make inquiry into the activities and complaint filed against a sitting Council member of the City pursuant to the City Charter**

**CM 09-08-16 APPROVE TO ENTER INTO EXECUTIVE SESSION FOR UPDATE ON RESOLUTION 2016-31**

Motion by Robertson, seconded by Owsinek, CARRIED UNANIMOUSLY: To enter into executive session for update on Resolution 2016-31.

**Roll Call Vote:**

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

(7-0) CARRIED UNANIMOUSLY

**COUNCIL REPORT:**        None

**CITY MANAGER'S REPORT:**

- 1. Departmental / Divisional Statistical Reports**
  - a. Police**
  - b. Fire**
  - c. Code Enforcement**
  - d. Finance – Warrant Report #9-2016**

**CM 09-09-16 TO RECEIVE AND FILE THE MONTHLY DEPARTMENTAL /  
DIVISIONAL STATISTICAL REPORTS**

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

City Manager Whitt reported to Council the Finance Director Coogan and Deputy Treasurer Barlass were attending a conference and would be in attendance at the next meeting. He said there is a four page memorandum provided by railway representative, Finance Director Coogan, of the recent railway meeting held on September 14, 2016 that requires Councils review.

He explained Oakland County Road Commission is doing signalization work along Decker Road. The Road Commission had called in Miss Dig orders for underground work. He said there are projects further outside of the City along Maple Road for sidewalk installation.

**CORRESPONDENCE:**

**1. Letter from Mr. Jim Lambertson**

Council received correspondence letter.

**ATTORNEY'S REPORT**

**1. Executive Session to discuss Attorney Client Communication – Janine Feinberg v. City of Walled Lake**

**CM 09-10-16 APPROVE TO ENTER INTO EXECUTIVE SESSION TO DISCUSS  
ATTORNEY CLIENT COMMUNICATION – JANINE FEINBERG  
V. CITY OF WALLED LAKE**

Motion by Owsinek, seconded by Robertson, CARRIED UNANIMOUSLY: To enter into executive session to discuss Attorney Client Communication – Janine Feinberg v. City of Walled Lake.

Roll Call Vote:

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

(7-0) CARRIED UNANIMOUSLY

**UNFINISHED BUSINESS:**

**1. Rizzo Environmental Consent and Waiver Agreement**

City Manager Whitt explained he is currently in negotiations with Rizzo and there is nothing for Council to vote on tonight.

Randy Duncan, Duncan Disposal explained they are requesting Council to sign the waiver and consent agreement with Rizzo. He asked council if they wish to renegotiate the contract with Rizzo to do so but still agree to move forward with Rizzo. He said it means a lot to their family to sign the contract over to Rizzo as they have transitioned their other clients.

City Manager Whitt explained the waiver and consent that Rizzo prepared is different than what the City Attorney recommends. He said they are not opposed to signing with Rizzo however; there is a need for a revised waiver and consent agreement. City Attorney Vanerian said he will have a revised waiver and consent document for the October council meeting.

**2. Capital Purchase 60" Zero Turn Mower**

Assistant City Manager Rodgers explained the replacement mower is a Capital Improvement Purchase which was approved at the August 16, 2016 regular council meeting. She explained the original quote from Weingartz was for a smaller scale mower than what the City requested, due to the inadequate quote provided by Weingartz, they gave more for the trade in unit and the new quote is \$8,788.

**CM 09-11-16                    APPROVE CAPITAL PURCHASE OF 60" ZERO TURN MOWER  
FOR \$8,788 FROM LINE ITEM 101-000-900-981**

Motion by Lublin, seconded by Loch, CARRIED UNANIMOUSLY: To approve the Capital purchase of the 60" Zero Turn Mower for \$8,788 from line item 101-000-900-981.

**NEW BUSINESS:**

**1. First Reading C-327-16 Recovery Home Ordinance Amendment**

City Attorney Vanerian explained this is a proposed amendment to the Zoning Ordinance regarding recovery homes. Council previously adopted a moratorium for further investigation. Since 2006 there have been several cases tried and since then case law provides for a need for proposed amendments to update the ordinance. He explained the ordinance amendment will have to go before the Planning Commission for review and will come back to Council with their recommendations and then it can move forward with a second reading before Council. He will be sending the amendments to the Federal Fair Housing Group to request their feedback before final adoption.

**CM 09-12-16            APPROVE FIRST READING C-327-16 RECOVERY HOME  
ORDINANCE AMENDMENT**

Motion by Robertson, seconded by Owsinek, CARRIED UNANIMOUSLY: To approve First Reading C-327-16 Recovery Home Ordinance amendment.

**2. Proposed Resolution 2016-36 Ratifying the Agreement with the Walled Lake Professional Fire Fighters Association (MAFF) from July 1, 2016 – June 30, 2019**

Police Chief Shakinis said the agreement is for three years with no base wage increase or adjustment to pensions. He explained that the MAFF union did file a petition with the Michigan Employment Relations Commission (MERC) to have the part time fire fighters merged with the full time fire fighters union unit. This contract negates that petition with MERC. In addition within the three year agreement there is a one year clause to maintain the two full time employees in the bargaining unit.

**CM 09-13-16            APPROVE RESOLUTION 2016-36 RATIFYING THE  
AGREEMENT WITH THE WALLED LAKE PROFESSIONAL  
FIRE FIGHTERS ASSOCIATION (MAFF) FROM  
JULY 1, 2016 – JUNE 30, 2019**

Motion by Owsinek, seconded by Lublin, CARRIED UNANIMOUSLY: To approve Resolution 2016-36 Ratifying the Agreement with the Walled Lake Professional Fire Fighters Association (MAFF) from July 1, 2016 – June 30, 2019.

**3. Proposed Resolution 2016-37 OAK TAC Membership**

Police Chief Shakinis said this is a county wide training program which utilizes county wide funding to help keep costs down. He explained the several advantages to the program.

**CM 09-14-16            APPROVE RESOLUTION 2016-37 OAK TAC MEMBERSHIP**

Motion by Lublin, seconded by Ambrose, CARRIED UNANIMOUSLY: To approve Resolution 2016-37 OAK TAC Membership.

**4. Proposed Resolution 2016-38 Walled Lake Braves Charitable Gaming License**

City Clerk Stuart explained this is non-profit organization that encourages sports for boys and girls age eight through fifteen. They are requesting acknowledgement by resolution from the City in order to obtain a charitable gaming license from the State of Michigan for a fundraising event they wish to host November 17-20, 2016.

**CM 09-15-16            APPROVE RESOLUTION 2016-38 WALLED LAKE BRAVES  
CHARITABLE GAMING LICENSE**

Motion by Lublin, seconded by Owsinek, CARRIED UNANIMOUSLY: To approve Resolution 2016-38 Walled Lake Braves Charitable Gaming License.

#### **5. Capital Improvement purchase Ambulance Stretcher**

Fire Chief Coomer explained the new ambulance has arrived and that there is a new standard for stretchers since February of 2016. The new ambulance has the holding mechanisms in place but the old stretcher cannot be retrofitted. The new stretcher meets the State of Michigan minimum crash test requirements and can accommodate for bariatric patients. Stryker EMS equipment is the vendor of choice.

**CM 09-16-16                    APPROVE PURCHASE OF POWER PRO XT STRETCHER FROM STRYKER EMS EQUIPMENT FOR PRICE NOT TO EXCEED \$15,000**

Motion by Ambrose, seconded by Loch, CARRIED UNANIMOUSLY: To approve purchase of Power PRO XT stretcher from Stryker EMS equipment for price not to exceed \$15,000.

#### **AUDIENCE PARTICIPATION:**

Dennis Burks – expressed discontent with the decision made by the Zoning Board of Appeals on July 25, 2016 regarding the Maher project. He said Mr. Maher cannot show a hardship on his property and should never have been granted variances for anything. He continued beyond the allowed three (3) minutes for audience participation and Mayor Ackley informed Mr. Burks the three (3) minutes were up and he continued. She called a recess to the meeting to avoid disturbance.

Council recessed 8:07 p.m.

Council reconvened 8:10 p.m.

#### **COUNCIL COMMENTS:**

Council Member Lublin said he noticed the subdivisions asphalt roadways need maintenance and repair.

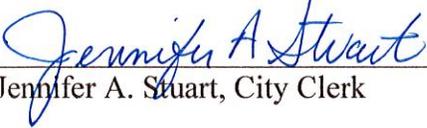
Council Member Helke announced the Commerce Area Historical Society and the Walled Lake Area Historical Society are having a joint meet and greet at Stonecrest Monday, September 26, 2016 at 7:00 p.m.

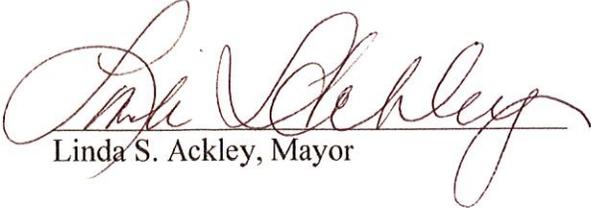
Council recessed 8:13 p.m.

Council entered into executive session 8:21 p.m.

Council rose from executive session 8:52 p.m.

Meeting adjourned at 8:56 p.m.

  
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Jennifer A. Stuart, City Clerk

  
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Linda S. Ackley, Mayor