



**CITY OF WALLED LAKE
REGULAR COUNCIL MEETING
FEBRUARY 19, 2013**

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

Pledge of Allegiance led by Mayor Roberts.

Invocation led by Mayor Pro Tem Ackley.

ROLL CALL: Mayor Roberts, Mayor Pro Tem Ackley, Council Member Ambrose, Council Member Owsinek, Council Member Robertson, Council Member Sturgeon, Council Member Yezbick

ABSENT: None

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

OTHERS PRESENT: City Manager Whitt, Deputy Clerk Williams, Deputy Treasurer Stuart, Fire Chief VanSparrentak, Finance Director Coogan, Deputy Police Chief Kirby and City Attorney Vanerian

REQUESTS FOR AGENDA CHANGES:

City Manager Whitt requested that discussion of a new lease agreement for a new location for the Downtown Development Authority office be added as Item #5 under the City Manager's Report.

Council Member Owsinek requested that a Request to Enter into Executive Session be added as Item #8 under New Business to discuss the Commerce, Walled Lake and Wixom Trailway Management Council.

APPROVAL OF MINUTES

**CM 02-08-13 APPROVAL OF THE JANUARY 15, 2013 AND FEBRUARY 5, 2013
REGULAR COUNCIL MEETING MINUTES**

Motion by Ackley, seconded by Robertson, CARRIED UNANIMOUSLY: To approve the January 15, 2013 and February 5, 2013 Regular Council Meeting Minutes.

AUDIENCE PARTICIPATION: None

COUNCIL CONSIDERATION: None

MAYOR'S REPORT: None

COUNCIL REPORT:

Council Member Robertson reported to the City Council that the Planning Commission met on Tuesday, February 12, 2013 and they were given the revisions of the Master Plan to review. Once the Planning Commission has reviewed and approved the revisions, the Master Plan will be presented to City Council for final approval.

MANAGER'S REPORT:

1. Departmental Statistical Reports

CM 02-09-13 MOTION TO RECEIVE THE DEPARTMENTAL STATISTICAL REPORTS

Motion by Robertson, seconded by Ackley, CARRIED UNANIMOUSLY: To receive the monthly departmental statistical reports.

2. Resolution 2013-6 to Approve 2012-13 Budget Amendments

Finance Director Coogan reported to City Council on the need for the proposed budget amendments to the General Fund.

CM 02-10-13 APPROVE RESOLUTION 2013-6 TO AMEND THE 2012-13 BUDGET FOR \$4,568,089 TO THE GENERAL FUND

Motion by Sturgeon, seconded by Ackley, CARRIED UNANIMOUSLY: To approve Resolution 2013-6 to amend the 2012-13 Budget for \$4,568,089 to the General Fund.

3. Request to Enter into Executive Session to Discuss Labor Negotiations

CM 02-11-13 APPROVE THE REQUEST TO ENTER INTO EXECUTIVE SESSION TO DISCUSS LABOR NEGOTIATIONS AT THE END OF THIS MEETING

Motion by Robertson, seconded by Ackley, CARRIED UNANIMOUSLY: To approve the request to enter into Executive Session to discuss Labor Negotiations.

Roll Call Vote:

Yes: Ackley, Ambrose, Owsinek, Robertson, Sturgeon, Yezbick, Roberts
No: None
Absent: None

4. Report on the Duncan Disposal Solid Waste and Recycling Services

City Manager Whitt advised council that Jennifer Stuart had been appointed as acting Department of Public Works (DPW) Coordinator during the authorized absence of the DPW Coordinator.

City Manager Whitt asked Acting DPW Coordinator Stuart to brief the City Council on the current solid waste and recycling services contract with Duncan Disposal Systems, Inc. Ms. Stuart informed council that under the current contract with Duncan there are three options available. The city may extend the current contract for a three-year period, the city may negotiate a new five-year contract or order a “requests for bids” and the city administration will prepare an RFP. Stuart explained that, according to Duncan, the five-year contract option guarantees their rates for 2013/2014 and 2014/2015 fiscal years.

**CM 02-12-13 REQUEST THAT THE CITY MANAGER PREPARE A
RESOLUTION FOR THE AGREEMENT WITH DUNCAN DISPOSAL
TO BE PLACED ON THE MARCH 5, 2013 CITY COUNCIL AGENDA**

Motion by Owsinek, seconded by Ackley, CARRIED UNANIMOUSLY: To request the City Manager prepare a Resolution for the Agreement with Duncan Disposal to be placed on the City Council Agenda for March 5, 2013.

5. Discussion of the Downtown Development Authority Lease Agreement

City Manager Whitt informed City Council that in his capacity as Executive Director of the Downtown Development Authority (DDA) he had been negotiating with Philip Edison & Company to secure a temporary one-year lease agreement for the DDA to return their offices to the previous location, 718 N. Pontiac Trail. The lease agreement is for zero dollars and at no cost to the DDA or City.

**CM 02-13-13 APPROVE THE CITY MANAGER ON BEHALF OF THE DDA TO
ENTER INTO A CONTRACT WITH PHILIP EDISON FOR 718
NORTH PONTIAC TRAIL, LOCATED IN THE WALLED LAKE
COMMONS SHOPPING CENTER, FOR ONE YEAR WITH NO
RENT COST FOR THE YEAR**

Motion by Ambrose, seconded by Ackley, CARRIED UNANIMOUSLY: To approve the City Manager on behalf of the DDA to enter into a contract with Philip Edison for 718 N. Pontiac Trail, located in the Walled Lake Commons Shopping Center, for one year with no rent cost for the year.

City Manager Whitt also explained that at the last council meeting Council Member Owsinek stated that there appears to be no ordinance creating or establishing the Department of Public Works (DPW) as required by City Charter. The request by Council Member Owsinek for an ordinance creating the DPW to make the code comply with the charter was not on the agenda for this evening because research was not completed and that the four ordinances amending and updating the codes that are currently on the agenda should be done first. City Manager Whitt stated the DPW Ordinance should follow these amendments.

CORRESPONDENCE: None

ATTORNEY’S REPORT:

Request to enter into Executive Session to discuss confidential Attorney-Client information.

**CM 02-14-13 APPROVE THE REQUEST TO ENTER INTO EXECUTIVE SESSION
TO DISCUSS CONFIDENTIAL ATTORNEY-CLIENT
INFORMATION**

Motion by Ackley, seconded by Robertson, CARRIED UNANIMOUSLY: To approve the request to enter into Executive Session to discuss Confidential Attorney-Client information.

Roll Call Vote:

Yes: Ambrose, Owsinek, Robertson, Sturgeon, Yezbick, Roberts, Ackley
No: None
Absent: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

1. Consideration of Banking Proposal from Citizens Bank

Finance Director Coogan explained that if the City switched their banking services to Citizens Bank, there would be an approximate cost savings of \$10,000 a year. Their system is more compatible with the needs of the City and would allow for greater productivity for the staff.

**CM 02-15-13 APPROVE THE RECOMMENDATION TO CHANGE THE
PRIMARY BANK SERVICES OF THE CITY OF WALLED LAKE TO
CITIZENS BANK**

Motion by Ackley, seconded by Ambrose, CARRIED UNANIMOUSLY: To approve the recommendation to change the primary bank services of the City of Walled Lake to Citizens Bank.

2. Resolution 2013-7 Approving the proposed Agreement for Police Services

Council Member Owsinek stated that he Council Member Robertson and other members of the City Council recognize an urgent and immediate need to protect our children by providing additional public safety and security services to our community schools. He proposed a policy in keeping with the best interest of the children in the Walled Lake Consolidated School District recommended the following:

**CM 02-16-13 APPROVE RESOLUTION 2013-7 PROPOSING AN AGREEMENT
FOR POLICE SERVICES TO BE PROVIDED BY THE CITY OF
WALLED LAKE POLICE DEPARTMENT FOR THE WALLED
LAKE CONSOLIDATED SCHOOL DISTRICT**

Motion by Owsinek, seconded by Ackley, **CARRIED UNANIMOUSLY**: To approve Resolution 2013-7 proposing an agreement for Police Services to be provided by the City of Walled Lake Police Department for the Walled Lake Consolidated School District.

City Manager Whitt and Deputy Chief Kirby explained to the City Council that the Police Chief and Deputy Chief will offer this proposal to the Superintendent of WLCSD or his designated appointee to work out details of the proposed agreement. The council's proposal would allow the Walled Lake Police Department to offer security services to the schools located outside of their jurisdiction and full police services to the schools within the jurisdiction. The police department will work to encourage all schools in the city to become a part of this program.

- 3. Consideration of Contract Renewal for Duncan Disposal – laid over to the March 5, 2013 City Council Meeting**
- 4. First Reading of C-306-13 Amending the Code regarding the Duties and Qualifications of the Office of the City Manager**

CM 02-17-13 APPROVE THE FIRST READING OF C-306-13 AMENDING THE CODE REGARDING THE DUTIES AND QUALIFICATIONS OF THE OFFICE OF THE CITY MANAGER

Motion by Robertson, seconded by Owsinek, **CARRIED UNANIMOUSLY**: To approve the First Reading of C-306-13 Amending the Code regarding the Duties and Qualifications of the Office of the City Manager.

- 5. First Reading of C-307-13 Establishing a Finance and Budget Department**

CM 02-18-13 APPROVE THE FIRST READING OF C-307-13 ESTABLISHING A FINANCE AND BUDGET DEPARTMENT

Motion by Ackley, seconded by Owsinek, **CARRIED UNANIMOUSLY**: To approve the First Reading of C-307-13 Establishing a Finance and Budget Department.

- 6. First Reading of C-308-13 Amending the Code regarding the Police Department**

CM 02-19-13 APPROVE THE FIRST READING OF C-308-13 AMENDING THE CODE REGARDING THE POLICE DEPARTMENT

Motion by Ackley, seconded by Robertson, **CARRIED UNANIMOUSLY**: To approve the First Reading of C-308-13 Amending the Code regarding the Police Department.

- 7. First Reading of C-309-13 Amending the Code regarding the Fire Department**

CM 02-20-13 APPROVE THE FIRST READING OF C-309-13 AMENDING THE CODE REGARDING THE FIRE DEPARTMENT

Motion by Ackley, seconded by Robertson, **CARRIED UNANIMOUSLY**: To approve the First Reading of C-309-13 Amending the Code regarding the Fire Department.

8. Request to Enter into Executive Session to Discuss the Commerce, Walled Lake and Wixom Trailway Management Council

CM 02-21-13 APPROVE THE REQUEST TO ENTER INTO EXECUTIVE SESSION AT THE END OF THE MEETING TO DISCUSS THE COMMERCE, WALLED LAKE AND WIXOM TRAILWAY MANAGEMENT COUNCIL

Motion by Ackley, seconded by Robertson, CARRIED UNANIMOUSLY: To approve the request to Enter into Executive Session to Discuss the Commerce, Walled Lake and Wixom Trailway Management Council.

Roll Call Vote:

Yes: Owsinek, Robertson, Sturgeon, Yezbick, Roberts, Ackley, Ambrose
No: None
Absent: None

AUDIENCE PARTICIPATION: None

COUNCIL COMMENTS:

Council Member Robertson is happy to have the revised Master Plan and to begin reviewing it.

Council Member Owsinek is also happy that the Planning Commission has the revised Master Plan.

Council Member Sturgeon – None

Council Member Ambrose thanked the City Council, City Manager, Department Heads and Staff for the action taken at tonight's meeting. The cost savings for switching bank providers, the security to be offered at the local schools are all signs of the forward movement of the City.

Council Member Yezbick echoed Council Member Ambrose's remarks. He too is pleased with the direction the City is taking.

Mayor Pro Tem Ackley noted that the City Council has done a lot over the years but she believes tonight's meetings was one of the most significant and a sign that we are moving in the right direction.

CM 02-22-13 BILLS FOR APPROVAL

Motion by Ackley, seconded by Owsinek, CARRIED UNANIMOUSLY: To authorize the Treasurer to make disbursements and transfers on Warrant #3-2013 in the amount of \$345,773.45 this being in the best interest of the City.

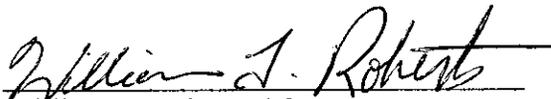
The meeting recessed at 8:29 p.m. and reconvened in Executive Session at 8:35 p.m. The Executive Session concluded at 9:03 p.m.

**CM 02-23-13 MOTION INSTRUCTING AND DIRECTING THE CITY
ATTORNEY TO PROVIDE A LEGAL RESPONSE TO THE
MICHIGAN AIR-LINE RAILWAY LETTER AND TO FILE A
LIEN FOR NON-PAYMENT OF WATER AND SEWER
SERVICES.**

Motion by Owsinek, seconded by Ackley, CARRIED UNANIMOUSLY: To instruct and direct the city attorney to provide a legal response to Michigan Air-Line Railway (MAL) Railway's denial letter regarding delinquent water/sewer fees incurred for past service to the MAL railway property and to file a lien for non-payment of water and sewer services in the amount of \$17,010.

The meeting adjourned at 9:03 p.m.

Tamara Williams, Deputy Clerk



William T. Roberts, Mayor