



**CITY OF WALLED LAKE
REGULAR COUNCIL MEETING
TUESDAY, SEPTEMBER 15, 2015
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 Robertson

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

ABSENT: Council Member Ambrose

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

OTHERS PRESENT: City Manager Whitt, Police Chief Shakinias, Interim Fire Chief Coomer, Finance Director Coogan, City Attorney Vanerian, Deputy City Clerk Stuart and Confidential Assistant Rodgers

CM 09-01-15 MOTION TO EXCUSE COUNCIL MEMBER AMBROSE FROM TONIGHT'S MEETING

Motion by Owsinek, seconded by Robertson, CARRIED UNANIMOUSLY: To excuse Council Member Ambrose from tonight's meeting.

REQUESTS FOR AGENDA CHANGES:

Council Member Loch requested council's consideration to add proposed resolutions 2015-29 Maple Road Construction Cost Participation, 2015-30 SMART Contract Addendum for new bus FY 2016 and 2015-31 Valve Hydrant Repair Decker Road to the agenda. Items added as New Business 1, 2, and 3.

APPROVAL OF MINUTES:

CM 09-02-15 APPROVAL OF THE AUGUST 4, 2015 REGULAR COUNCIL MEETING MINUTES

Motion by Sturgeon, seconded by Owsinek, CARRIED UNANIMOUSLY: To approve the August 4, 2015 Regular Council Meeting Minutes.

AUDIENCE PARTICIPATION:

James Geoffrey, 382 Decker Road – said he is really unhappy with city trash collection. He said he has had to call the trash service eight separate times. He stated when he had phoned in to the trash company for missed trash they once told him he should not have used white trash bags. He said he no longer leaves it out the night before because of snow plows in the winter and raccoons in the summer. He said he was on the phone last time and he cannot get through to them and he is told it would be picked up. He said the last time he called he was at work and on hold and was told it would be picked up that evening; the trash was not picked up. He said he hopes council will address this regardless of the contractual obligations. He said he is fed up with the trash service. He said he lives in a small house; he cannot leave it in his home. He said service has been dreadful and he is tired of the trash service. He said he was told by City staff to approach Council and write letters and that is why he was speaking tonight.

City Manager Whitt said the City does contract out with a service. He said when services are contracted out the control of service is missed. He said it will be reviewed and Duncan will be put on notice.

Vicki Marnon, 248 W Walled Lake Drive - said she is here tonight to discuss what appears to be the running of a non-licensed halfway house at 274 W Walled Lake Drive. She said she spoke with Code Enforcement Officer Rondeau. She said she was told by him that since there was an overdose incident at the sight this is the first the City was aware of this home. She provided signed petition form to Council. She said she personally has had to have the property owner come and collect individuals who live there from her property. She said there are a lot of small children on the street and with addicts, relapse, and the unpredictably has neighbors concerned. She said she spoke with her neighbor Ms. Tuttle who had someone who was evicted from the home, pound on her door in the middle of the night. She said it is unfair to let the neighbors have to deal with it. She said she is asking how to rectify the situation.

Police Chief Shakinas said the Police Department is aware of it as well as the Fire Department and they are addressing it. He said a complaint has been made to State of Michigan.

Sue Helke, 1361 Shaw - said she would like to make a few comments about the Walled Lake Historical Commission. She said some people do not like or don't care about history but many people do care and she is one of those people. She said she cares about history a lot. She said as a Walled Lake resident of over 22 years, she has seen events disappear. She said she has seen committees shrink, volunteers come and go. She said she has watched City Council vote to give thousands of dollars to very worthy charities but some of them aren't even based in Walled Lake. She said about 15 years ago the city established the Walled Lake Historical Commission. She said last year council named Darlene Williams a commissioner. She said in June Mrs. Williams requested a budget of \$900. She said she was at a couple of City Council meetings when this was discussed and she felt really enthusiastic about the whole project. She said she spoke with Mrs. Williams about volunteering in her organization. She said then she started to hear about the problems such as how they don't have anywhere to store artifacts or documents accept through the generosity of the library. She said the Commission still has no operating budget after a

year's time. She said she was told they cannot get on the city website. She said the Commission has made repeated requests to get on the City Council agenda and for the last year they have not been able to do so. She said Walled Lake has a rich and interesting history. She said she didn't know until about six months ago the city had a movie theater in town. She said she just found out this morning her neighbor and her husband had owned the old gas station on at Pontiac trail and East Lake Drive. She said the City has the farmhouse, the Commerce Area Historical Society and now the Walled Lake Historical Commission. She said she would like to know what it would take to get these three groups to work together and move them all forward and get things going. She said the farmhouse has been sitting there for a really really long time. She said she felt history is like an endangered animal, once you lose it its gone forever.

She stated Mrs. Williams is at work at the library until 8 pm but she would be here to use her three minutes of audience participation time as a resident. She said she joins with Mrs. Williams in urging the Council to help move forward with the historical commission so that the City can preserve some of the history of Walled Lake which she cherishes.

COUNCIL CONSIDERATION:

1. Swearing in of Police Officers M. Debano and T. Comiskey

Deputy Clerk Stuart provided the ceremonial swearing in of Police Officers Debano and Comiskey.

2. Resignation of Janine Cole from the Parks and Recreation Commission

CM 09-03-15 MOTION TO ACKNOWLEDGE AND ACCEPT RESIGNATION FROM JANINE COLE FROM THE PARKS AND RECREATION COMMISSION

Motion by Robertson, seconded by Sturgeon, CARRIED UNANIMOUSLY: To acknowledge and accept resignation from Janine Cole from the Parks and Recreation Commission.

3. Wixom-Walled Lake Lions Club – Minty Candy Days

Wendy Kuechle, President of Wixom Walled Lake Lions Club asked for City permission to collect for their Mint Candy Days September 25, 26 and 27 between the hours of 8:30 a.m. and 4:30 p.m.

CM 09-04-15 MOTION TO APPROVE WIXOM WALLED LAKE LIONS CLUB MINT CANDY DAYS SEPTEMBER 26-27, 2015

Motion by Owsinek, seconded by Yezbick, CARRIED UNANIMOUSLY: To approve Wixom Walled Lake Lions Club Mint Candy days September 26-27, 2015.

MAYOR'S REPORT:

Mayor Ackley said the City of Walled Lake lost a local resident, former Council Member Heather Hill.

COUNCIL REPORT: None

CITY MANAGER'S REPORT:

City Manager Whitt reported the sidewalk along Decker Road is behind schedule but could possibly be completed this week and it will be ADA compliant.

1. Executive Session to discuss two (2) personnel issues

CM 09-05-15 MOTION TO ENTER INTO EXECUTIVE SESSION TO DISCUSS TWO (2) PERSONNEL ISSUES

Motion by Sturgeon, seconded by Yezbick, CARRIED UNANIMOUSLY: To enter into executive session to discuss two (2) personnel issues.

Roll Call Vote:

Yes: (6) Loch, Owsinek, Robertson, Sturgeon, Yezbick, Ackley
No: (0)
Absent: (1) Ambrose
Abstain: (0)

(6-1) MOTION CARRIED

2. Departmental / Divisional Statistical Reports

CM 09-06-15 MOTION TO RECEIVE AND FILE DEPARTMENTAL/ DIVISIONAL STATISTICAL REPORTS

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

CORRESPONDENCE: None

ATTORNEY'S REPORT:

1. Executive Session to discuss pending litigation

CM 09-07-15 MOTION TO ENTER INTO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION

Motion by Sturgeon, seconded by Robertson, CARRIED UNANIMOUSLY: To enter into executive session to discuss pending litigation.

2. Executive Session to discuss Consent Judgement on prior litigation

**CM 09-08-15 MOTION TO ENTER INTO EXECUTIVE SESSION TO DISCUSS
CONSENT JUDGEMENT ON PRIOR LITIGATION**

Motion by Sturgeon, seconded by Loch, CARRIED UNANIMOUSLY: To enter into executive session to discuss Consent Judgment on prior litigation.

UNFINISHED BUSINESS: None

NEW BUSINESS:

**1. Proposed Resolution 2015-29 Cost Participation Agreement for resurfacing of
Maple Road from Pontiac Trail to Welch Road**

Council Member Loch requested proposed resolution be read into the record, Deputy Clerk Stuart completed.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF WALLED LAKE

A RESOLUTION TO APPROVE THE COST PARTICIPATION
AGREEMENT WITH OAKLAND COUNTY FOR THE
RESURFACING OF MAPLE ROAD FROM PONTIAC TRAIL
TO WELCH ROAD

RESOLUTION 2015-29

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 15th day of September 2015, at 7:30 p.m.

WHEREAS, the City of Walled Lake desires to reconstruct and improve Maple Road from Pontiac Trail to Welch Road, and

WHEREAS, the United States Department of Transportation, Federal Highway Administration has programmed federal funds under the High Priority Project Program for the project, and

WHEREAS, the City of Walled Lake desires to coordinate additional improvements along Maple Road with the resurfacing project for cost reductions to be achieved as a result of said coordination, and

WHEREAS, the Michigan Department of Transportation and Board of County Road Commissioners of the County of Oakland, Michigan, is authorized by the City of Walled Lake to administer all phases of the project on behalf of the City, and

WHEREAS, the estimated project cost and participation breakdown is as follows:

Federal Funds	\$404,000
City Funds	\$355,300
County Funds	\$27,350
Road Commission Funds	\$168,350
Total Project	\$955,000

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the Cost Participation Agreement with the Oakland County Road Commission for Commission Project No. 48701 and the necessary expenses to be incurred by the City of Walled Lake,

BE IT FURTHER RESOLVED that the City Council authorizes the City Manager to sign and execute the agreement, a copy of which is attached as exhibit "A."

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

AYES: ()
NAYS: ()
ABSENT: ()
ABSTENTIONS: ()

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
)SS
COUNTY OF OAKLAND)

L. DENNIS WHITT
City Manager/Clerk

LINDA S. ACKLEY
Mayor

Mayor Pro Tem Robertson said Walled Lake does not intersect with Welch Road. Finance Director Coogan said the entire project is titled that however the City portion does not include Welch Road.

**CM 09-09-15 MOTION TO APPROVE RESOLUTION 2015-29 MAPLE ROAD
CONSTRUCTION COST PARTICIPATION**

Motion by Loch, seconded by Sturgeon, CARRIED UNANIMOUSLY: To approve Resolution 2015-29 Maple Road Construction Cost Participation.

2. Proposed Resolution 2015-30 SMART Addendum for purpose of accepting a new passenger bus

Council Member Loch requested proposed resolution be read into the record, Deputy Clerk Stuart completed.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF WALLED LAKE

APPROVE AN ADDENDUM TO ANNUAL AGREEMENT WITH THE
SUBURBAN MOBILE AUTHORITY FOR REGIONAL TRANSPORTATION
(SMART) FOR THE PURPOSE OF ACCEPTING A NEW PASSENGER BUS

RESOLUTION 2015-30

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 15th day of September, 2015 at 7:30 p.m.

WHEREAS, the City of Walled Lake does participate in the SMART Macomb, Oakland, Wayne and Monroe community transit system to increase transportation opportunities for older adults and persons with disabilities; and

WHEREAS, the City of Walled Lake residents did approve a dedicated millage which is disbursed directly to SMART; and

WHEREAS, the City of Walled Lake does provide Monday through Saturday transportation services through use of the SMART vehicles; and

WHEREAS, the City of Walled Lake has had consistent repair and maintenance problems with the existing SMART bus and has been waiting for a new vehicle to be available through the SMART program; and

WHEREAS, SMART receives revenue from City, State and Federal sources offers reimbursement to the City for capital and operating costs if the City contracts with SMART for said credits; and

WHEREAS, SMART received a limited number of new vehicles which are available for participating communities;

NOW, THEREFORE BE IT RESOLVED, that this Council approves the use of \$77,686.00 of SMART revenue for purchase of a new vehicle to service City of Walled Lake residents.

BE IT FURTHER RESOLVED that the City Council authorizes the City Manager to sign and execute the addendum authorizing the acceptance of a new SMART vehicle.

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

AYES: ()
NAYS: ()
ABSENT: ()
ABSTENTIONS: ()

RESOLUTION DELCARED ADOPTED.

STATE OF MICHIGAN)
)SS
COUNTY OF OAKLAND)

L. DENNIS WHITT
City Manager /Clerk

LINDA S. ACKLEY
Mayor

**CM 09-10-15 MOTION TO APPROVE RESOLUTION 2015-30 SMART
ADDENDUM FOR PURPOSE OF ACCEPTING A NEW
PASSENGER BUS**

Council Member Sturgeon asked where the funds are from. Finance Director Coogan said from SMART as part of the participation agreement.

Motion by Loch, seconded by Robertson, CARRIED UNANIMOUSLY: To approve Resolution 2015-30 SMART Contract Addendum for new bus Fiscal Year 2016.

3. Proposed Resolution 2015-31 Water Valve and Hydrant repair East side of Decker Road

L. DENNIS WHITT
City Manager/Clerk

LINDA S. ACKLEY
Mayor

**CM 09-11-15 MOTION TO APPROVE RESOLUTION 2015-31 VALVE
HYDRANT REPAIR DECKER ROAD**

Council Member Sturgeon asked if this was budgeted for this fiscal year. Finance Director Coogan said it was not and funds will be used Water Fund and she would be coming before Council for a budget amendment.

Motion by Sturgeon, seconded by Owsinek, CARRIED UNANIMOUSLY: To approve Resolution 2015-31 Valve Hydrant Repair Decker Road.

AUDIENCE PARTICIPATION:

Darlene Williams, 1543 Bolton, said she submitted at the June council meeting for a budget of \$900. She said she hopes Council has had an opportunity to look it over. She said she is encouraging Council to provide an operating budget to the Historic Commission to create a brochure informing the public of it. She said they want to preserve the history. She said the Commission has lost quite a few of the historic homes. She said the people who resided in them as part of the City's history. She said the City has a cemetery with historic value and she would like to obtain an historic marker from the State. She said Roberta Falkenburg has sent in her application to become a member of the Historic Commission. She said the application was submitted in October of last year.

Mayor Ackley said she would like to have a meeting with Ms. Williams and review what the commission was established for. She said it was not established as broad as it is being requested to be. She said it was created to categorize the homes in the city and help those people if they wanted any historical designation. She said it is not a historical society it's not for the preservation of artifacts.

COUNCIL COMMENTS:

Mayor Pro Tem Robertson said he was glad to have Council Member Yezbick back.

CM 09-12-15 BILLS FOR APPROVAL

Motion by Robertson, seconded by Sturgeon, CARRIED UNANIMOUSLY: To authorize the Treasurer to make disbursements and transfers on Warrant #9-2015 in the amount of \$708,576.57 this being the best interest of the City.

Council recessed 8:10 p.m.

Council entered into executive session at 8:25 p.m.

Council rose from executive session at 9:16 p.m.

City Attorney Vanerian said there is one more revision that was recommended by the Finance Director, paragraph ten (10) line four (4), where the word "assessed" would be replaced with "assessed and taxable value of \$2,400,000."

CM 09-13-15 MOTION TO APPROVE THE AMENDED WALLED LAKE VILLA PILOT SUBJECT TO THE EXHIBITS BEING ATTACHED AND 1) REVIEWED BY CITY ATTORNEY AND CITY ADMINISTRATION APPROVAL WITH COMPLETE AND FINAL EXHIBIT PACKET; 2) TRANSFER OF OWNERSHIP AND ISSUANCE OF THE MORTGAGE LOAN CONTEMPLATED BY THE AMENDED AND RESTATED CONSENT JUDGEMENT; 3) FINAL APPROVAL OF THE MUNICIPAL EMERGENCY SERVICES AGREEMENT REVIEWED BY THE CITY ATTORNEY AND CITY MANAGER

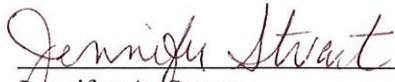
Motion by Sturgeon, seconded by Loch, CARRIED UNANIMOUSLY: To motion to approve the amended Walled Lake Villa PILOT subject to the exhibits being attached and 1) reviewed by City Attorney and City Administration for approval with complete and final exhibit packet; 2) transfer of ownership and issuance of the mortgage loan contemplated by the amended and restated consent judgement; 3) final approval of the Municipal Emergency Services Agreement reviewed by the City Attorney and City Manager.

Roll Call Vote:

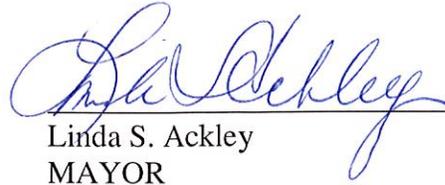
Yes: (5)	Loch, Owsinek, Robertson, Sturgeon, Ackley
No: (0)	
Absent: (2)	Ambrose, Yezbick
Abstain: (0)	

(5-2) MOTION CARRIED

Meeting adjourned 9:25 p.m.



Jennifer A. Stuart
DEPUTY CITY CLERK



Linda S. Ackley
MAYOR