

# CHARTER TOWNSHIP OF WHITE LAKE

## Approved Minutes of the Regular Board of Trustees Meeting

July 17, 2018

Supervisor Kowall called the meeting to order at 7:00 p.m. He then led the Pledge of Allegiance.

Clerk Lilley called the roll:

Present: Rik Kowall, Supervisor  
Terry Lilley, Clerk  
Mike Roman, Treasurer  
Mike Powell, Trustee  
Scott Ruggles, Trustee  
Liz Smith, Trustee  
Andrea Voorheis, Trustee

Also Present: Lisa Hamameh, Attorney  
Sean O'Neil, Planning Director  
Amy Bertin, Recording Secretary

Clerk Lilley amended the Agenda as follows: Add Item 6A, New List of Bills dated 7-17-18.

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Powell to approve the Agenda as amended. The MOTION PASSED by a voice vote (7 yes votes).**

### PUBLIC COMMENTS

Tom Wiseman, 7647 Cedar Creek. He is here representing the Huron Valley Board of Education. He has two items to share. First, a Resolution was passed by the Board of Ed at the June meeting to publicly support local communities, Highland, Milford and White Lake's police, fire and library millage renewals. The second item concerns vaping in our community. This is a serious problem, especially pertaining to students, having negative health consequences and causing suspensions resulting in lost learning opportunities and poor grades. The Village of Milford recently passed a Vaping Ordinance that includes fines for vaping retailers selling to minors and minors in possession. At our next Board Meeting we plan to pass an anti-vaping resolution supporting the efforts of our host communities to combat its increasing use amongst minors. If White Lake currently has, is considering or in the future considers a similar ordinance, be assured the Huron Valley Schools and its Board of Education will support any effort to protect the safety and well-being of the children of this community. Working together benefits our entire Huron Valley Community.

Sharon Keller, 4606 Grass Lake Road, White Lake. She heard the Township Supervisor admit to

doing some conniving in Lansing to obtain \$1.5 million in grants. The lack of concern about the combined grants falling short of the projected cost of the proposed project is disturbing. The Supervisor gave personal property damage, accidents and a fatality as reasons for a section of Grass Lake Road leading to the neighborhood where a relative has a home needing to be straightened and paved.

Ralph Keller, 4606 Grass Lake Road. I'd like to remind the Board they have a fiduciary responsibility to all the citizens of White Lake Twp., not just friends and families. This Board passed a resolution to spend \$1.5 million on a part of the road that services less than 100 households in a community of 31,000 residents. At the June meeting the Supervisor claimed an extremely limited line of sight that resulted in a number of people's mirrors getting ripped off. The police reports from 2004-2017 do not list one incident where a mirror was ripped off. Also mentioned was a fatality a number of years ago but there is no documentation for that.

#### **CONSENT AGENDA**

- A. LIST OF BILLS**
- B. REVENUE AND EXPENSES**
- C. CHECK DISBURSEMENT**
- D. DEPARTMENT REPORTS**
  - 1. POLICE**
  - 2. FIRE**
  - 3. COMMUNITY DEVELOPMENT**
  - 4. TREASURER'S REPORT**

**It was MOVED by Clerk Lilley, SUPPORTED by Trustee Ruggles to approve the Consent Agenda as amended. The MOTION PASSED by a voice vote (7 yes votes).**

#### **PRESENTATION**

##### **A. LIFE SAVING AWARD - KRIS MESAROS**

Chief Keller stated on June 11, 2018 at approximately 12:38 p.m. Officer Mesaros was dispatched to the 200 block of Hurondale Drive for a report of a female subject who was passed out in her vehicle which was in the roadway. He arrived in less than two minutes. Upon arrival Ms. Pawlowski was slumped over the center console of the vehicle, was not breathing and had no pulse. He took immediate action. He pulled her from her vehicle and initiated CPR for 3-4 minutes until Star EMS arrived to take over. She was transported to Huron Valley Hospital. His quick thinking and lifesaving actions kept her alive until advanced life support arrived on the scene. For that reason he presented Officer Kris Mesaros with this life saving award.

## MINUTES

### A. APPROVAL OF MINUTES - REGULAR BOARD MEETING, JUNE 12, 2018

Trustee Powell had a correction on Page 6, under Executive Session. He was late to the meeting. He was able to come into the Executive Session and the Minutes should reflect his yes vote for the roll call vote in the motion to return to general open session and 7 votes for the remaining motions.

**It was MOVED by Trustee Powell, SUPPORTED by Treasurer Roman to approve the Minutes dated June 12, 2018 as amended. The MOTION PASSED by a voice vote (7 yes votes).**

## RESOLUTIONS

### A. RESOLUTION #18-017, AT&T METRO ACT PERMIT EXTENSION

**It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to approve Resolution #18-017, AT&T Metro Act Permit Extension for five (5) years, expiring 2023, conditioned upon receipt and review of the updated route maps and the certificates of insurance and any other listed conditions, authorizing the Supervisor to sign. The MOTION PASSED by a voice vote (7 yes votes).**

### B. RESOLUTION #18-018, PARKS AND RECREATION MILLAGE BALLOT PROPOSAL

Mr. O'Neil. At the February 7, 2018 Parks & Rec meeting the committee made a motion to recommend the Board place a .3 mill millage question on the November ballot. Today would be the day to take action if you so choose to place this on the ballot. Exhibit A in your packet outlines the proposed language. This will be a six year millage that will collect approximately \$336,000 in its first year.

Trustee Voorheis stated as the liaison for Parks & Rec we really need this. We haven't had a millage in many years. We have a slim budget. We are good fiduciaries and we would like to continue forward with a small budget to improve the parks.

Trustee Smith clarified that this issue will be on the November ballot, not the August primary.

**It was MOVED by Clerk Lilley, SUPPORTED by Trustee Voorheis to approve Resolution #18-018, Parks and Recreation Millage Ballot Proposal, six (6) years of millage collection to be placed on the November ballot. The MOTION PASSED by a voice vote (7 yes votes).**

### C. RESOLUTION #18-019, WHITE LAKE CHARTER TOWNSHIP DISSEMINATION AGREEMENT

**It was MOVED by Trustee Smith, SUPPORTED by Trustee Ruggles to approve Resolution #18-019, White Lake Charter Township Dissemination Agreement. The MOTION PASSED by a voice vote (7 yes votes).**

**D. RESOLUTION #18-020, COOLEY LAKE GOOSE NEST EGG DESTRUCTION 2018-2022**

Trustee Smith had a concern regarding the language in the resolution. The request by the resident is for the removal of one swan but the resolution language states Canadian goose egg and nest destruction. She would like the resolution language be modified to state they defer to the DNR's expertise regarding removal of one Mute swan.

Clerk Lilley stated the DNR/DEQ Office stated this resolution covers both the nest destruction and the swan removal. This was considered a generic resolution that could apply to all applications of this type.

Gary Ilcyn, 9018 Cooley Lake Road. We have a problem with one Mute swan. It is an invasive species. This swan is scaring the kids. It will come across the lake and attack the wave runners. We don't have a lake association on Cooley Lake. He has spoken with many of the residents and they have no problem with removal of the swan. It is a danger.

**It was MOVED by Trustee Powell, SUPPORTED by Treasurer Roman to approve Resolution #18-020, Cooley Lake Goose Nest Egg Destruction 2018-2022, amending Paragraph 1 to add language "Inclusive of Removal of Problematic Mute Swan". The MOTION PASSED by a voice vote (6 yes votes, 1 no vote-Smith for the reasons stated above).**

**E. RESOLUTION #18-021, OPPOSE TAXING LOCAL GOVERNMENT/RESIDENTS FOR REGIONAL TRANSIT AUTHORITY**

Jean Phillippe Loew, 247 Rosario Lane. He is curious to know what the millage amount would be for a typical homeowner. He was informed it is 1.5 mills which would be \$150 per year for twenty years on a \$100,000 house and the Township doesn't get anything out of it. He came from a small town in France. Instead of going downtown and getting stuck in the traffic you had some satellite parking lots.

**It was MOVED Trustee Ruggles. SUPPORTED by Trustee Powell to approve Resolution #18-021, Oppose Taxing Local Government/Residents for Regional Transit Authority. The MOTION PASSED by a voice vote (7 yes votes).**

**F. RESOLUTION #18-022, 123.NET METRO ACT PERMIT**

**It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to approve Resolution #18-022, 123.Net Metro Act Permit. The MOTION PASSED by a voice vote (7 yes votes).**

**NEW BUSINESS**

**A. APPOINTMENT OF ROSEANN FAILLA, JAN GROSS AND KAREN LAW TO THE SENIOR ADVISORY COUNCIL**

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Voorheis to approve appointment of Roseann Failla, Jan Gross and Karen Law to the Senior Advisory Council. The **MOTION PASSED** by a voice vote (7 yes votes).

**B. ASPEN MEADOWS PHASE II (PLANNED DISTRICT DEVELOPMENT AGREEMENT).**

It was **MOVED** by Trustee Powell, **SUPPORTED** by Trustee Ruggles to approve Aspen Meadows Phase II (Planned District Development Agreement) subject to the condition of signage being placed behind the homes identified to protect the conservation area, also subject to the Planning Commission recommendations regarding the condominium documents. The **MOTION PASSED** by a voice vote (7 yes votes).

**C. LITIGATION REQUEST FOR ORDINANCE VIOLATION, DIESEL EQUIPMENT REPAIR**

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Voorheis to approve the Litigation Request for Ordinance Violation, Diesel Equipment Repair, directing the Township Attorney to go to court to enforce the current consent judgment. The **MOTION PASSED** by a voice vote (7 yes votes).

**D. LITIGATION REQUEST FOR ORDINANCE VIOLATION, PARCEL Y-12-06-276-012, 6120 ORMOND ROAD**

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Powell to approve the Litigation Request for Ordinance Violation, Parcel Y-12-06-276-012, 6120 Ormond Road, to bring the parcel into compliance with the Township Zoning Ordinances. The **MOTION PASSED** by a voice vote (7 yes votes).

**E. REQUEST FOR YOUTH ASSISTANCE CONTRIBUTION**

Gail Innis, Huron Valley Youth Assistance caseworker. We service the Huron Valley School District geographic area. She is here tonight to thank White Lake Township for supporting young people in your community by the various programs and efforts you make. Youth Assistance was designed to reduce the incidences of juvenile delinquency, child neglect and child abuse by strengthening youth and family through community involvement. Also, to avoid having young people who make poor choices and have difficult life situations from being thrown into the juvenile justice system.

Huron Valley Youth Assistance with others strive to provide two levels of prevention through our programs, primary and secondary prevention. Primary prevention programs are designed and directed by local citizens within the school district. Secondary prevention is primarily administered by casework staff, providing casework and counseling services, responding to specific problems facing young people and their families.

Youth Assistance has received funding from local municipalities and the school district in addition to the county that provides casework staff. Funds from the Township's general fund would join with those from the other local sponsors. These funds would provide for the operational budget allowing for office support staff and the operation of a local office. Any additional funds for direct services and programs have been obtained through grants and fundraisers. I encourage you to consider funding Huron Valley Youth Assistance so that the office operations can continue in our local community to serve our families. Thank you for your support.

**It was MOVED by Supervisor Kowall, SUPPORTED by Trustee Smith to approve the request for Youth Assistance Contribution, authorizing an expenditure to support the YA Program in the amount of \$7916 to be appropriated from the General Fund. The MOTION PASSED by a voice vote (7 yes votes).**

## **OLD BUSINESS**

### **A. SECOND READING, AMENDMENT TO ZONING ORDINANCE, ORDINANCE NO. 58**

Trustee Powell suggested a modification to the portable business sign ordinance language to state that sandwich signs be allowed no closer than 20 ft. off the edge of pavement or outside the road right-of-way, whichever is greater.

Clerk Lilley. Part 8, Section 4.9, Item D should be removed and brought back for reconsideration.

Trustee Powell. On Pg. 14, Item 1, Density Bonus. Currently there is stated a range of 15% to 25%. He would suggest eliminating the minimum amount of 15%. Further down when discussing cluster housing, the range is between 15% and 25%. We should eliminate the maximum amount of 25%. This would apply to the bottom of Pg. 11 as well under Open Space Requirements, eliminating the maximum amount of 25%.

Mr. O'Neil noted a correction on Pg. 1 under Site Area, Net. It should read "public and private" rights-of-way.

**It was MOVED by Trustee Powell, SUPPORTED by Treasurer Roman to Approve the Amendments to the Zoning Ordinance, Ordinance No. 58 subject to the amendments discussed in tonight's meeting, removing Part 8, Section 4.9, Item D. The MOTION PASSED by a voice vote (7 yes votes).**

#### **B. DANGEROUS BUILDINGS**

**It was MOVED by Trustee Voorheis, SUPPORTED by Trustee Powell to approve extending the deadline thirty (30) days for the demolition and work with the future property owners to demolish without Township involvement if possible. The MOTION PASSED by a voice vote (7 yes votes).**

#### **TRUSTEE COMMENTS**

Trustee Voorheis. The month of July is a patriotic theme with an Open House at Fisk Farm on July 18<sup>th</sup> between 1 and 4 p.m. Her great uncle's uniform from WWII will be displayed. Her thoughts and prayers go out to the family members of the victim who drowned recently in White Lake. Kudos to Supervisor Kowall for his appointment to the SEMCOG organization and the Legislature Task Force.

Trustee Smith. She would also offer her condolences to those affected by the tragic drowning on White Lake. Please be safe on the lakes. She would like to acknowledge the retirement of our Library Director, Larry Ostrowski, and thank him for his excellent service. It was an honor to work alongside of him on the Library Board as well as on many committees in the Township. He did a wonderful job representing the Library. She congratulated him on ten years of service as Director for the White Lake Township Library. She encouraged everyone to stand and give him a round of applause to thank him for his service. The next Library Board meeting is Wednesday, July 25<sup>th</sup> at 6:45 p.m.

She would encourage all residents to get out and vote on August 7<sup>th</sup>. It is your civic duty to be an informed voter. There are three millages on the ballot this year, Fire, Police and Library. They are not tax increases but renewals only. Please do your homework, be educated, ask questions and please vote.

Trustee Ruggles would also encourage everyone to get out and vote on August 7<sup>th</sup>. The Historical Society will be sponsoring a bus tour on July 31<sup>st</sup>, visiting different locations. They will be stopping by his family's estate and he will be giving a small presentation.

Trustee Powell. He also would request our residents to get out and vote on August 7<sup>th</sup>. Please vote yes for the Police and Fire millage. This Township will be in sorry shape if the millages don't pass. The laptops to support an electronic Agenda for the Township Meetings

are great. His only suggestion would be to input the Minutes and some other items in an editable format to make it easier to make comments or changes. Chief Keller mentioned he is celebrating his 14<sup>th</sup> Wedding Anniversary. Last week was his 43<sup>rd</sup> Wedding Anniversary. Kudos to his wife for putting up with him all these years.

Clerk Lilley. We are busy in the office with absentee ballots. It looks like from the way ballots are coming in we are going to have a busy time for both the primary and general elections. To give an update on the Library, on 6-18-18 bills were presented in the amount of \$1,208,975.13. Those have been paid. Also, on 6-29-18 bills were submitted in the amount of \$199,346.61 for McCarthy and Smith. Those have been paid for a total of \$1,408,321.74. We are very pleased with how the accounting functions have come together. Thanks to Dawn and Elaine for all their help and hard work.

Treasurer Roman. Thanks to everyone for attending the Board Meeting tonight and their involvement. Special thanks to Gail Innis for addressing our Board.

Supervisor Kowall. We are trying to implement technological changes. He would like to thank Mr. O'Neil for his push in this direction. It allows this Board, the Planning Commission, the ZBA and other entities within the Township to have all this information at their fingertips. We are looking at a vaping ordinance regarding minors.

One of his jobs at this position is public safety director as well as supervisor. When he has an opportunity to pursue safety, he'll do so. If going after money to try to improve roads in this township is self-serving, he's guilty. If the grant goes through this December, it will be over a million dollars of state money to benefit our community. These are things that it is his job to do, to pursue the safety of this Township by whatever means necessary. He will not apologize or backtrack for it. This Board is fiscally responsible. Money is not frivolously spent. It is very cautious with what it does and how it spends its money.

#### **EXECUTIVE SESSION**

##### **A. APPROVAL TO RECESS INTO CLOSED SESSION TO CONSIDER ATTORNEY/CLIENT PRIVILEGED COMMUNICATION IN ACCORDANCE WITH MCL 15.268 (h).**

**It was MOVED by Supervisor Kowall, SUPPORTED by Treasurer Roman to approve adjourning into Executive Closed Session to consider attorney/client privileged communication in accordance with MCL 15.268 (h). The MOTION PASSED by a roll call vote (Ruggles-yes/Powell-yes/Voorheis-yes/Smith-yes/Roman-yes/Lilley-yes/Kowall-yes).**

##### **B. APPROVAL TO RECESS INTO CLOSED SESSION TO CONSULT WITH ITS ATTORNEY REGARDING TRIAL OR SETTLEMENT STRATEGY IN CONNECTION WITH COMMERCE TOWNSHIP**



**V. WHITE LAKE TOWNSHIP V. HURON VALLEY SCHOOL DISTRICT, OAKLAND COUNTY CIRCUIT COURT CASE NO. 2016-155404-CK, IN ACCORDANCE WITH MCL 15.268 (e).**

**It was MOVED by Supervisor Kowall, SUPPORTED by Treasurer Roman to approve adjourning into Executive Closed Session to consult with its attorney regarding trial or settlement strategy in connection with Commerce Township v White Lake Township v Huron Valley School District, Oakland County Circuit Court Case No. 2016-155404-CK, in accordance with MCL 15.268 (e). The MOTION PASSED by a roll call vote (Kowall-yes/Lilley-yes/Roman-yes/Ruggles-yes/Voorheis-yes/ Powell-yes/Smith-yes).**

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Smith to return to general session. The MOTION PASSED by a voice vote (7 yes votes).**

**It was MOVED by Supervisor Kowall, SUPPORTED by Treasurer Roman for township attorney to proceed as directed in executive session regarding Huron Valley Schools. The MOTION PASSED by a voice vote (7 yes votes).**

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Smith to adjourn the meeting. The MOTION PASSED by a voice vote (7 yes votes).**

The meeting was adjourned at 9:43 p.m.

I, Terry Lilley, the duly elected and qualified Clerk of the Charter Township of White Lake, County of Oakland, State of Michigan, hereby certify that the foregoing is a true copy of the July 17, 2018 regular board meeting minutes.

*Terry Lilley*  
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Terry Lilley, Clerk  
White Lake Township  
Oakland County, Michigan