

CHARTER TOWNSHIP OF WHITE LAKE

Approved Minutes of the Regular Board of Trustees Meeting

December 19, 2017

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 - Late Arrival
Andrea Voorheis, Trustee

Also Present: Lisa Hamameh, Attorney
Sean O'Neil, Planning Director
Aaron Potter, Water Dept. Director
Amy Bertin, Recording Secretary

Clerk Lilley amended the Agenda as follows: Add Item 6D, Budget Amendments. Also, all Trustees have three FYIs; the MTA Chapter Meeting is January 25, 2018, a reminder of the 2018 Meeting dates, and some correspondence from citizens.

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Ruggles to approve the Agenda as amended: Add Item 6D, Budget Amendments. The MOTION PASSED by a voice vote (6 yes votes).

PUBLIC COMMENTS

Thomas Johnson, 9136 Buckingham. Over the past year, we have agreed to disagree many times on many different subjects and will on many more. He thanked the Board for what they are doing even though he isn't happy all the time. Merry Christmas and Happy New Year to all the Board members and their families.

CONSENT AGENDA

- A. LIST OF BILLS**
- B. REVENUE AND EXPENSES**
- C. CHECK DISBURSEMENTS**
- D. BUDGET AMENDMENT**
- E. DEPARTMENT REPORTS**
- 1. POLICE**

- 2. FIRE**
- 3. COMMUNITY DEVELOPMENT**
- 4. TREASURER'S REPORT**

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Powell to approve the Consent Agenda as amended. The MOTION PASSED by a voice vote (6 yes votes).

MINUTES

A. APPROVAL OF MINUTES - SPECIAL BOARD MEETING, NOVEMBER 21, 2017

It was MOVED by Trustee Ruggles, SUPPORTED by Trustee Voorheis to approve the Minutes dated November 21, 2017 as presented. The MOTION PASSED by a voice vote (6 yes votes).

(Trustee Smith is now present at the meeting.)

RESOLUTION

A. RESOLUTION #17-044, POVERTY GUIDELINES FOR 2018

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Ruggles to approve Resolution #17-044, Poverty Guidelines for 2018. The MOTION PASSED by a voice vote (7 yes votes).

NEW BUSINESS

A. REQUEST FROM LIBRARY FOR WAGE INCREASE

Clerk Lilley reported the deficiency of the library owed to the Township is \$315,278.64. He received a request from the library to authorize giving Ms. Stefanick an increase in salary and also to provide retro pay.

He has been asked what his authority is as far as approving/disapproving expenditures. Personally, he doesn't have any. His authority is from the Board or statutory responsibilities. He was taken aback in that the library is currently already borrowing money from the Township and now they are going to add to it. His purpose in bringing this to the Board tonight is to say, in his opinion, this is on hold waiting for the Board to make a decision moving forward whether we're going to continue paying the obligations of the library until such time as repayment can be made.

From the very beginning, whenever the Township looked at property there was sufficient property for the library as part of our complex. He is disappointed that we're looking at a library separate from the Township Hall but that decision has been made. The Library Board

purchased the property, hampering their ability to operate. In the past we gave them the opportunity to operate on their own and now we're financing their obligations. He's worried in the future when the library is built whether they can maintain the expenses associated with it and is surprised these increases keep coming when there's already obligations there.

Trustee Powell wanted to make sure the public knows this Township Board and the Township general tax dollars don't have any responsibility to maintain paying the township library to stay open. It is only under the openness of the administration that the fees have been being paid to keep the library open. Otherwise, their staff would have been working for free over the last four or five months. In the Library Board meeting of September 27, 2017 four people voted to grant a promotion to Denise Stefanick for co-chair of the White Lake Township Library Board. Without making a budget amendment they are adding \$10,000 to their operating budget and expecting the Township to pay that. Ms. Stefanick is asking for a future increase in pay and also a check for retro pay. That is an inappropriate request as the Township is loaning the library money to stay open and they now want more money. Those are his concerns.

Trustee Voorheis agreed those were her concerns as well. Regardless of the fact we are loaning them money, it is just an inappropriate time.

Treasurer Roman commented that Ms. Stefanick does have added responsibilities since Mr. Ostrowski has fallen ill. He would like to take a moment to offer the Ostrowski family his prayers for his recovery. She is putting in extra hours to take care of the library without Larry there and then on top of that she's got the new building to deal with. Our Board has no authority over the library's pay rates or the personnel. As far as the pay raise itself, in relation to the monthly operating expenses it is totally immaterial. In hindsight, the library bond should have included a draw feature. Since that did not occur, the library spent operating funds on costs related to their new building. The result was the library was looking at closing its doors for the later part of 2017.

He's had several discussions with the bonding attorney and his message was very clear, the two Boards need to work together as opposed to fighting each other. The simplest way to take the place of the draw feature was to have the Township pay for the portion of library operating costs that we've always done for years. But instead of getting reimbursed on a monthly basis, we could have them begin repaying once the millage revenue kicked in again which is mid-December. His recommendation would be to move forward with the game plan that is taking place.

Joe Fennell, Library Treasurer. We have agreed that we would start repaying the bills that are in arrears in January and will continue making payments. When the bonds were sold, anything that was still in arrears would get caught up at that point. Nobody has come to the Library

Board meetings and explained that they had an issue with that. It's been our understanding that that's satisfactory.

Supervisor Kowall commented there is a lot of history with the Township being used as a pass thru for a temporary funding mechanism. His understanding is, as long as can be remembered, the Township has provided a payroll service. It's a little distressing things have worked out the way they have and the fact the library has run into this difficulty.

Trustee Smith. Mr. Lilley put this on the Agenda. It is a request from the library for a wage increase. It is a housekeeping issue from the payroll to recognize Ms. Stefanick's promotion. It is not a raise as it's been indicated. She just asked to be paid appropriately. This also could have been resolved with Mr. Lilley and Library Board if he had chosen to communicate with them or myself. First of all, I don't believe this should be on our Agenda. I would have hoped that this Board had learned their lesson that we are not in charge of an autonomous separate elected Board. It is unfortunate they are mixing the obligations of the bonds and the repayment with a promotion of an employee. Those two things are separate. Also, we shouldn't be micro managing their minutes. There is a plan in place, it is temporary, and they do plan to repay.

Supervisor Kowall does not view this as a request for us to approve or not approve a promotion, it is for more funds to be forwarded. He would think at this point in time it would probably be in the best interest of all if consideration would be given to stay the course until we get through this until some repayments have been made. And until the Township is made whole he would not allow this increase in funds to be disbursed from our funding.

Trustee Smith. Ms. Stefanick was requesting that this Agenda item be removed because she is willing to wait for her payment until January.

Clerk Lilley. Number one, the Board approved our budget in December and there is no money that has been set aside for library purposes for any reason whatsoever. We need to amend our budget to include enough money to make these payments. Number two, none of us individually has the authority to make an agreement unless it comes to the Board. The Board needs to make a motion to make these payments until the bonds have been received. Number three, this communication was not sent to me, it was sent to the accounting department. It is the library who continually doesn't communicate properly.

Trustee Smith. To clarify, the co-director promotion is within the library's budget.

It was MOVED by Supervisor Kowall, SUPPORTED by Treasurer Roman to Table the Request from the Library for Wage Increase. The MOTION PASSED by a voice vote (6 yes votes, 1 no vote-Lilley).

B. WHITE LAKE TOWNSHIP LIBRARY PRELIMINARY SITE PLAN CONSIDERATION

Mr. O'Neil, Planning Director. The request before the Board tonight is for File #17-018 which is the White Lake Township Library Preliminary Site Plan. The location is on the west side of Elizabeth Lake Road, south of M-59, approx. nine acres in size, zoned as agricultural. This matter was first considered by the Planning Commission at their November 2, 2017 meeting at which time the special land use required and the planning enabling act approvals were both granted. The Preliminary Site Plan before you tonight was tabled by the Planning Commission due to a required design change, primarily of the driveway. Additionally, the parking lot was shown in a future right of way which could cause problems if the road was to be expanded. On December 7, 2017 the revised layout was proposed and the Planning Commission recommended approval to the Township Board of the Preliminary Site Plan with some conditions which can be found in the Minutes of that meeting.

Some concerns regarding the plan were connectivity of the sidewalk and cross connection for vehicles and pedestrians. It was recommended that be shown on the Final Site Plan. The engineering design standards require certain basin types be fenced if they are a certain slope. With the design and depth of the two basins being proposed, they are not required to put fencing but rather landscape and soften the slope. A bike rack is being requested. The issue of looping of the water main needs to be addressed by this Board.

Trustee Ruggles has concerns regarding the retention ponds. Ponds holding three or four feet of water can be dangerous when surrounded by children. Planting bushes doesn't change that. Maybe some underground work can be done to get the water out of there and use the area for swings or things that promote children activity. If not, we need protection around the exposed water. Also, his opinion is the looping of the water has got to exist.

Trustee Smith also shares in the concerns regarding fencing being placed around the retention ponds.

Trustee Powell. The health, safety and welfare of the people that visit are of concern. The side slope of 1:4 is a relatively flat slope. It is meant to be a temporary system. It's got an overflow that won't allow it to get over three ft. deep and will only be there for 24 to 48 hrs. He is not a fan of fencing which is an eye sore and inhibits maintenance. He would recommend the engineer designing a perforated system so the water perks all the way down the pipe and maybe a dry well in the bottom of the basin and forebay so the water dries up. A safe water system is required from every developer in this Township and it is important we have the system looped.

Clerk Lilley outlined some items he felt must be addressed. First, looping of the water line be a requirement. Regarding the retention areas, if the slope is appropriate, no fence be required.

Cross easement access, the easement be brought to the property line as well as including an agreement for future connection. Trash dumpster location be reconsidered for ease of the garbage trucks backing out into the parking area. Fire Dept. turn radius' need to be adhered to. The Road Commission requirements need to be met. Consider options for snow removal placement. All comments of the consultants and Planning Commission be adhered to.

Trustee Smith questioned the Township's position regarding sharing water main costs for this project with the library.

Supervisor Kowall commented now that the site plans have reached this level of review and have been looked over by the Township engineer, water superintendent and Planning Commission, he would agree the looped system does need to be put in place for a matter of public safety, health and well-being. It needs to be part of this project at the library's expense. The Township is not currently in a position to forward further financial resources.

Treasurer Roman stated the lesson learned from Flint, Michigan is to never jeopardize the health of the residents because of money. The loop needs to be put in. Regarding covering the costs for it, if you go first and you go alone the cost to develop is always more than what you think, especially regarding water and sewer. He would definitely like to see bike racks as well as vehicle and pedestrian cross access. If it could be safely done, he would prefer no fencing be put around the water basins.

Theresa Johns, Steephollow. She questioned what Board Trustee Smith considers herself to be a part of. It seems as though the questions she has are related to protect the library. For someone who is a liaison, these questions should have been done months ago.

Debby DeHart, 11178 Sugden Lake Rd. She is concerned about the detention ponds. She doesn't like the look of fences but was concerned if the water sat there for 48 hrs. a toddler can easily drown in three ft. of water. The suggestion of a dry well system is a great idea. There are many expenses which will come up during the design of this new library and fiscally it makes sense to slow down and try to get this done correctly. Sharing one building would have been one way to share costs.

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Powell to approve the Library Preliminary Site Plan, File #17-018 with the following recommendations:

- 1. Looping of the water line is a requirement, installation per J&A's recommendations and the Township's engineering design standards.**
- 2. The detention areas include a sub drain system to allow water to dissipate faster and perk away in lieu of fencing.**

3. The cross access easement and improvements be built to the lot line, including an operation agreement for the property owner to the other side be connected at a later date.
4. The trash dumpster location be looked at.
5. The Fire Dept. turn radius' be adhered to.
6. The Road Commission requirements be met.
7. Consideration for placement of snow removal.
8. Approval subject to all comments from staff consultants and comments noted in the December 7, 2017 Planning Commission meeting.

The MOTION PASSED by a roll call vote (Smith-yes/Voorheis-yes/Powell-yes/Ruggles-yes/Lilley-yes/Roman-yes/Kowall-yes).

C. REQUEST FOR CONTRACT RENEWAL, HYDRO CORP. CROSS CONNECTION/BACKFLOW PREVENTION 2018-2020

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Ruggles to approve the Contract Renewal, 3 yr. professional service agreement with Hydro Corp. Cross Connection/Backflow Prevention 2018-2020, authorizing the Township Supervisor to sign the contract. The MOTION PASSED by a voice vote (7 yes votes).

D. REQUEST FROM DUBLIN SENIOR CENTER FOR MASSAGE LICENSE

It was MOVED by Trustee Ruggles, SUPPORTED by Trustee Voorheis to approve the Request from Dublin Senior Center for Massage License. The MOTION PASSED by a voice vote (7 yes votes).

E. REQUEST FOR TRANSFER OF CLASS C LIQUOR LICENSE TO LAFAYETTE MARKET & OAKLAND CO. PARK/REC

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Voorheis to approve Transfer of Class C Liquor License to Lafayette Market & Oakland Co. Park/Rec. The MOTION PASSED by a voice vote (7 yes votes).

OLD BUSINESS

A. SECOND READING, FEE ORDINANCE AMENDMENTS - ORDINANCE 129

Trustee Ruggles has a problem with raising the fees for the cemetery.

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Powell to adopt the Fee Ordinance

Amendments - Ordinance 129. The MOTION PASSED by a voice vote (6 yes votes/1 no vote-Ruggles).

B. STATUS OF CIVIC CENTER CONSULTING PROJECT

Mr. O'Neil. The consultants were a bit behind schedule in getting this to us. He hasn't had an opportunity to go through the draft. They should have it in final form after the first of the year. It is a compilation of all the information and recommendations to the Township to give us direction on where to go. It would be a good idea to set up a joint meeting of the Planning Commission and Township Board to talk about it. The scope and detail of the project went beyond what was anticipated. It will be a useful tool to guide future growth in that area.

TRUSTEE COMMENTS

Trustee Voorheis. She publicly thanked Chief Keller for talking to Boy Scout Troop 42. Their goal was to speak with Township leadership. They were very excited to speak with the Chief and other officers and look at the equipment that was there from the Police Dept. It was a very successful Santa at Fisk Farm weekend. She thanked Trustee Smith and her committee for the tree lighting. Supervisor Kowall had encouraged herself and her husband to take part in the Holiday Extravaganza Parade in Downtown Pontiac which represents White Lake, Waterford, Pontiac and Auburn Hills. White Lake as a community needs to embrace this parade. It is growing every year. She wished everyone a safe and happy holiday season.

Trustee Smith. She apologized to her colleagues and the residents for being a few minutes late to tonight's meeting. It was a fantastic tree lighting event. It turned out to be the largest one yet. She thanked the committee and the sponsors that made it possible as well as the volunteers that helped set up and tear down. The Fire Dept. was very helpful. A special thanks to Greg Baroni for helping her with the event.

She also attended the grand opening of Ulta. Their opening numbers were the highest in the nation right here in White Lake. Also, she attended the water filtration opening. Great job to Mr. Potter. Thanks to everyone who participated in the Shop with a Cop program. 65 kids were helped through that event. Thanks to the Senior Center for hosting the Supervisor, Treasurer Roman, Clerk Lilley, and herself for a lovely luncheon today.

The Regular monthly Library Board Meeting is tomorrow at 6:45 in the lower level. To clarify her job as the Library Liaison, it is a bit different from other trustees who participate on other boards. She is not a voting member. She does the best she can to facilitate communication. It has improved. There is communication behind the scenes. As a community we need to heal. There is a plan to move forward and we need to focus on working together. A safe and Merry Christmas, Happy Holidays and Happy New Year to everyone.

Trustee Ruggles. This is the time of year when programs such as the CDBG are important to anyone in need. Tomorrow he will be donating a bunch of Christmas trees. Hopefully, we can find some families with children who need a tree. Merry Christmas.

Treasurer Roman. Thanks to all of the Township employees. Over the years there has been a Jean's Day on Friday where employees donate dollars. Over \$1000 has been collected. In conjunction with the Huron Valley Optimist Club, the money will be distributed in the form of food cards to needy White Lake families. Thanks to everyone for attending tonight's Board Meeting. Happy Holidays to Carol Burkhard and all residents.

Clerk Lilley wished everyone a Merry Christmas and a Happy New Year. Although he and his fellow Board members have differences of opinion, we really have made some good decisions in the past and will in the future.

Trustee Powell. Thank you to the Supervisor for providing correspondence from Leroy and Laveda Powers. He wondered if correspondence from residents could be provided on a more regular basis to get a sense of what they were feeling. The senior luncheon was very good.

Also, there have been a number of concerns regarding sanitary sewers on Lakeview and the end of Farnsworth south of Hutchins. That area is in desperate need of sanitary sewers and they can't get their act together to sign a petition. He'd like to request a meeting with the Supervisor, the township engineer, Aaron and possibly DPW to see if we can come up with a conceptual plan and maybe initiate public hearing for the establishment of a special assessment district by this Board.

Merry Christmas and Happy New Year to all the residents and thank you all very much for caring about this community.

Supervisor Kowall. Merry Christmas and Happy New Year to everyone. Thanks to John Wheaton who pulled the DTE Energy Float in the Pontiac Parade. After looking at the kids and the people that enjoyed the parade, it may take us to another level of participation because people need to know that we're here and we support our surrounding communities.

Also, thanks to Doug Utter, our building maintenance person. He came in on his own time and decorated the Hall. It truly is a winter wonderland. Greg Baroni should get an award for his dedication to the tree lighting event. Kudos to Mr. Potter for the Village Acres filtration system. At some point in the future we'd like to bring the Aspen Meadows plant on line also which would give us excellent water quality and major reduction in iron through the entire water system. Particular thanks to Trish Pergament and Kelly Lang. Trish came in during turbulent waters and has done a phenomenal job. Be safe, be careful and God bless everyone.

FYI - HOME OCCUPATION ORDINANCE REVIEW - ZONING ORDINANCE #58

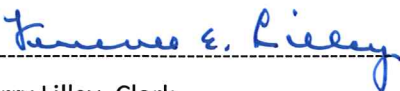
Mr. O'Neil. He and the Planning Commission were requested to look at the Zoning Ordinance, in particular, the Home Occupation Section. We spent a couple of months studying it and looking at other communities ordinances. After significant discussion we determined it was in the best interest of the Township to leave our Ordinance as it stands.

ADJOURNMENT

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

The meeting was adjourned at 9:02 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 December 19, 2017 regular board meeting minutes.



Terry Lilley, Clerk
White Lake Township
Oakland County, Michigan