

# CHARTER TOWNSHIP OF WHITE LAKE

## Approved Minutes of the Regular Board of Trustees Meeting

July 18, 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 - Late Arrival  
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 Items 6A, List of Bills dated 7-18-17; 6G, Treasurer's Report. Remove Item 11F, Gateway Project.

**It was MOVED by Clerk Lilley, SUPPORTED by Trustee Ruggles to approve the Agenda as amended: Add Items 6A, List of Bills dated 7-18-17; 6G, Treasurer's Report. Remove Item 11F, Gateway Project. The MOTION PASSED by a voice vote (6 yes votes).**

### PUBLIC COMMENTS

Cheryl Herrmann, 5611 Teton Trail. Her property abuts Scott Ruggles' property. Due to some tree trimming, the road was blocked on Arcadia with equipment and debris and dirt. She and some of the neighbors did not receive notification these things were going to take place. Her sod was destroyed as a result of equipment being left on her property. At this point there is still a significant amount of debris in the road. Also, she is very concerned regarding the library, particularly due to the fact people voted for it and the Township Board is holding them hostage for a bond.

Jackie Smiertka, President, Board of Directors of Faith in Action of Oakland County. They are planning a city by city sweep of Oakland County to be able to circle all the various volunteers throughout each city to be able to help and assist low income seniors, particularly in the area of home repairs. The White Lake Fire Dept. is on board, members from her church as well as many others. She provided a schematic to the Board members to show how it is to be done. We are working with OLHSA and Area Agency on Aging. We are hoping it is going to be city wide to help take care of our elderly in the county.

Keith Cotcher. The voters went to the polls and voted in a new bond for a new library building.

The Township Board is overriding 2500 voters. The old library building could be repurposed for the Township Hall space. You don't need a campus. A campus was previously voted down. It is unconscionable you are holding up the progress for the new library. We elected you to represent us. We voted yes for the library. You are holding it up. Release the bond money.

Theresa Johns, 9105 Steephollow Drive. She has researched the library bond issue for the last couple months. She was alarmed in what she found regarding the library's accounting or lack of. They are spending taxpayer money on something not covered in their current fiscal year budget. It makes no sense for a library to propose a building that's three times the current size when they will be losing a millage bond at the end of this year that contributes almost \$400,000 towards operating expenses. Are they planning to come back for another bond in addition to the one they just got? She appreciates this Board acting in its fiscal oversight role on behalf of the citizens.

Mark DeGroff, 9776 Bonnie Briar. 49.4 percent of the people voted no to a new library all together. I think it is a great compromise to have a facility that can be used for a library as well as a Township Hall. On another matter, on March 11, 2017 the power came back on after a three or four-day outage. When that happened our sewer system failed in our neighborhood and for six hours everybody's feces flowed down through my driveway, filled up my boat house and went straight out into Pontiac Lake. After battling and writing letters, his insurance company paid for some but not all the expenses. It doesn't seem like he is getting much of a response here. If you have a sewer system you may want to make certain that it is done correctly because they do fail and it makes an awful mess.

Dennis Fiems, 9095 Satellite. At the last meeting, someone said of the Library Board's plans, it is just paper. As a historian for more than 40 years, he has a greater respect for paper. Marriage licenses, the Township Charter and the Constitution are just paper, yet all of these govern our lives. The papers that are behind the library represent hundreds of hours of work of people filling out surveys and the work of the planner and architect. To dismiss this as just paper is a travesty. The library is the basis of the community. Please proceed with the issuance of the bond as rapidly as possible.

Denise Harris-Fiems, 9095 Satellite. This September she will have worked as a reference librarian for 10 years. Part of her job is to answer questions that people have. The most frequently asked question is when will we break ground for the new library? I tell people the library is waiting for the Township to issue the bonds they voted for nearly a year ago and they want the library to wait for different plans that include a Township Hall. The response every time is, we didn't vote for that, we voted for a new library. These library patrons, taxpayers, residents and voters wonder if their vote matters. The only people who think it is okay to delay building the library are those who don't use it.

Denise Stefanick, Library Assistant Director. She would like to clarify a few things. The

Library Board has agreed to meet with the Township to discuss a campus. The Library Board and Township Board are autonomous, separate, independent. It was voted that way back in February 24, 1975 by the people of the Township. The reason was to avoid this kind of thing. We would like to build the building we promised to the voters. The bond money was supposed to be available July 1<sup>st</sup>. We are committed to giving the community the best library service we can with the money that you give us.

Thomas Johnson, 9136 Buckingham. He's heard various information involving the library. We do need a library. If there is a way of incorporating the library with an additional building, they can use the money saved to purchase more technology. I honestly hope you can come to a mutual agreement that will be beneficial to both Boards and the citizens of White Lake.

Marie Collins, 3859 Broken Oak. In November 2016 the citizens of White Lake, by a majority, passed the millage proposal for the creation of a new library, period. White Lake Township officials are attempting to piggyback off of this under the guise of saving the taxpayers money. Please issue the bond so we can move forward with this project.

Gerry Herrington, 2240 Wigen Lane. We voted for it. You might get better response for your plans to have a campus if you fulfill your promises here. We are willing to help you work on a campus idea, but first of all give us our library. That might spark a lot of interest in people to want a campus there. Otherwise, you will get a lot of negative feedback in terms of votes. Please reconsider for the good of this growing community.

Karen Borgeson, 8648 Rosario Court. Her husband got transferred over here in '94. She floundered but as soon as she joined the library she started liking White Lake and the things around here. How can you legally and morally do this to the library?

Susan Diehl, 9170 Twin Lakes Drive. There isn't a person in this room that doesn't want a new library. We said as citizens we want a new library. The Library Board has gone forward with plans based on information they had at the time but the information has changed. To stick to a position when you have new information is not right. It is a dynamic situation. We all want to come together. We want to have a facility that works just not for today but into the future.

Mary Anne Carr, 2553 Porter Road. We've looked forward to being part of building a new library here in our community. We are hoping the Township Board will decide to move forward and issue the bonds that were approved. Supervisor Kowall brought up his mother in a previous meeting. She visited the library at least every other week and she always went home with an armful of books. Every time she visited the library she left behind a part of herself. If you can't hear her voice, you're not listening with your heart.

Maureen Selfon, 6456 Ellinwood Drive. She moved here in 1998 and one of the first places she visited was the library to find out what is going on in the community, to get books, CDs and to

join the book group. Now she brings her grandchildren there. We voted for this last fall. Please release the bond.

Howard Carr, 2553 Porter Road. The people did vote for the library. Hopefully, it is not something that this is going to be held hostage. We talk about the campus being one stop shopping. With everything located in one central area, it can be a dangerous situation. I don't want all these people coming in, mothers bringing small kids in that area. They want it separate and that's the way it should be.

#### **CONSENT AGENDA**

- A. LIST OF BILLS**
- B. REVENUE AND EXPENSES**
- C. CHECK DISBURSEMENTS**
- D. BUDGET AMENDMENT**
- E. 2<sup>nd</sup> QUARTER OVERTIME**
- F. DEPARTMENT REPORTS**
  - 1. POLICE**
  - 2. FIRE**
  - 3. COMMUNITY DEVELOPMENT**

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

#### **PRESENTATIONS**

- A. PROMOTE SERGEANT CHRIS HILD TO LIEUTENANT**
- B. PROMOTE OFFICER GREG GONDEK TO SERGEANT**
- C. PROMOTE OFFICER JEFF WAY TO SERGEANT**
- D. SWEAR IN NEW OFFICER, DYLAN MATTHEWS**
- E. INTRODUCE NEW CADETS**

Chief Keller stated he was going to present the listed Agenda items in reverse order, introducing the new cadets first. Emily and Nick are the newly appointed cadets. Emily graduated from Shrine High School in Royal Oak in 2012. She was on the honor roll, played varsity softball and was president of the Choir Department. She attends OCC and is working towards her degree in criminal justice. Nick Johnson graduated from Lakeland HS. He graduated with an associate's of applied science in criminology from OCC and is currently finishing up his bachelor's in criminology and law enforcement from Madonna University. His goal with his career is to strengthen the communication between citizens and law enforcement as he believes that only benefits the community as a whole.

Chief Keller introduced Officer Dylan Matthews who was sworn in by Clerk Lilley. He attended

Everett HS, playing on the varsity golf team. He went through the Police Academy at Ferris State University where he graduated with a BS in criminal justice. He is the first police officer in his family.

Chief Keller promoted Officer Jeff Way to sergeant who was then sworn in by Clerk Lilley. In 1995 he started his law enforcement career in Imlay City PD. He decided to further his academic career, graduating from U of M Flint with a bachelor's degree in criminal justice. He has been a police officer for White Lake since 2003. In 2016 he was Police Officer of the year. Since 2014 he has been adjunct instructor in criminal justice at Baker College.

Chief Keller promoted Officer Greg Gondek to sergeant who was then sworn in by Clerk Lilley. He graduated from Ferris State University in 2005 with a bachelor's degree in criminal justice. He was hired by White Lake PD in 2005. He is an instructor at Mott Community College in their police academy. In 2010 he was voted Officer of the year. He's had three meritorious service awards, one lifesaving award, three MADD lifesaver awards and one MADD outstanding officer award.

Chief Keller promoted Sergeant Chris Hild to Lieutenant. He attended Wayne State Univ. obtaining a bachelor's degree in social science and criminal justice. We hired him in spring of 1995. He obtained two citations for meritorious service from White Lake PD in 2008 and 2000. He has served in the patrol and command union as president, negotiating several contracts. He was promoted to sergeant in 2010. He has taught at the Mott Community College Police Academy since 2005 in traffic stops and occupant control instructor.

(Whereupon a brief recess was taken from 8:05 to 8:10 p.m.)

## **MINUTES**

### **A. JUNE 13, 2017 REGULAR BOARD MEETING (UPAPPROVED)**

Trustee Voorheis noted a correction to the Minutes on page 9, "he grandparents" be changed to 'her grandparents".

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Powell to approve the Minutes dated June 13, 2017 as corrected. The **MOTION PASSED** by a voice vote (7 yes votes).

## **PUBLIC HEARING WITH RESOLUTION**

### **A. HEARING TO CONFIRM SPECIAL ASSESSMENT ROLL FOR SAD M-59 WATER MAIN EXTENSION ON CONTRACTS 5, 6 & 8**

#### **1. RESOLUTION #17-026, CONFIRM THE SPECIAL ASSESSMENT ROLL FOR THE SPECIAL ASSESSMENT DISTRICT DESIGNATED M-59 WATER MAIN EXTENSION CONTRACTS 5, 6 & 8**

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Powell to Open Public Hearing to Confirm Special Assessment Roll for SAD M-59 Water Main Extension Contracts 5, 6 & 8. The MOTION PASSED by a voice vote (7 yes votes).**

There were no comments by the Public at this time.

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Ruggles to Close Public Hearing to Confirm Special Assessment Roll for SAD M-59 Water Main Extension Contracts 5, 6 & 8. The MOTION PASSED by a voice vote (7 yes votes).**

**It was MOVED by Trustee Ruggles, SUPPORTED by Trustee Powell to approve Resolution #17-026, Confirm the Special Assessment Roll for SAD M-59 Water Main Extension Contracts 5, 6 & 8. The MOTION PASSED by a roll call vote (Ruggles- yes / Voorheis-yes / Powell-yes / Smith-yes / Lilley-yes / Roman-yes / Kowall-yes).**

#### **RESOLUTIONS**

##### **A. RESOLUTION #17-025, RESOLUTION TO ESTABLISH A SPECIAL ASSESSMENT DISTRICT FOR EMERGENCY SEWER CONNECTION 2017-01**

**It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to approve Resolution #17-025, Resolution to Establish a Special Assessment District for Emergency Sewer Connection 2017-01, the next hearing to be held on August 15, 2017. The MOTION PASSED by a voice vote (7 yes votes).**

##### **B. RESOLUTION #17-027, RESOLUTION OF DISMISSAL IN MATTER OF WHITE LAKE TOWNSHIP VS. DUNLAP AND CIARAMITARO**

**It was MOVED by Clerk Lilley, SUPPORTED by Trustee Powell to approve Resolution #17-027, Resolution of Dismissal in matter of White Lake Township vs. Dunlap and Ciaramitaro, authorizing the Supervisor to execute the Order of Dismissal and Release of Lis Pendens. The MOTION PASSED by a roll call vote (Voorheis-yes / Powell-yes / Ruggles-yes / Smith-yes / Roman-yes / Lilley-yes / Kowall-yes).**

#### **NEW BUSINESS**

##### **A. CLERK II JOB DESCRIPTION**

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Voorheis to approve the Clerk II Job Description, job title and wage scale. The MOTION PASSED by a voice vote (7 yes votes).**

##### **B. FIRST READING, FEE ORDINANCE AMENDMENTS**

**It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to approve moving to Second Reading, Fee Ordinance Amendments. The MOTION PASSED by a voice vote (7 yes votes).**

**C. FISK FARM PATHWAY AND DRIVEWAY IMPROVEMENT**

Ejanphilippe Loew, 247 Rosario Lane. During the Parks & Rec meeting it was mentioned to the west of Fisk Farm there is a mobile home park. It would be of great benefit to have a crossing for the residents of that community.

Barb Allison, 6455 Cooley Lake Road. Just to clarify, the Historical Society did not specifically approach Parks & Rec and ask them to put in a sidewalk for us. It was meant to benefit the public. As has already been said, it's part of what the Parks & Rec has been trying to do for some time. When the sidewalk goes in, it doesn't supply a safe crossing for the people coming from the mobile home community over into the Wal-Mart and shopping area. We just thought while this project is being done, maybe that could be part of the plan.

**It was MOVED by Clerk Lilley, SUPPORTED by Trustee Powell to approve the Fisk Farm Pathway and Driveway Improvement, J&A design and contract administration, including permits, amount not to exceed \$9000. The MOTION PASSED by a voice vote (7 yes votes).**

**D. M-59 PATHWAY ACROSS THE ITC CORRIDOR**

**It was MOVED by Clerk Lilley, SUPPORTED by Trustee Smith to recuse Trustee Powell from voting on this item as he participated in completing the designs for Redwood. The MOTION FAILED by a voice vote (6 yes votes, 1 no vote-Roman)**

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Voorheis to approve the M-59 Pathway Across the ITC Corridor, including permits and the cost of the pathway, amount not to exceed \$15,000. The MOTION PASSED by a voice vote (7 yes votes).**

**E. CIVIC CENTER DISCUSSION AND CONSULTING PROPOSAL**

Sean O'Neil, Planning Director. What you have before you is a memo recommending the consulting firm of InForm Studio and the scope of services to be provided. There are three tasks outlined. One, analysis, which will take three weeks. Two, ideas and concepts, taking three weeks. Three, draft concept plans, three weeks. They actually feel they may need to add a couple weeks to the process. The Supervisor has assembled a committee of various individuals throughout the township who will sit down with this firm and weigh the pros and cons.

Clerk Lilley feels this violates our purchasing policy. Because of the amount of money involved, a RFP should have been developed and sealed bids gotten. As it currently stands, as the Clerk, he cannot support the fact that sealed bids were not obtained for this amount of money.

Supervisor Kowall pointed out this is an engineering service and so is exempt from the procurement policy.

Trustee Smith commented that the library didn't participate in this decision and has no knowledge of it. This shouldn't be a one-sided committee. The library should have been informed. I believe we should follow the will of the people and the vote and protect the integrity of our elections. I am for moving forward and for saving money when able but \$45,000 is excessive.

Treasurer Roman stated it was pointed out in their discussions with InForm Studio that a significant amount of citizens are in support of the library being a separate building. The feedback from them was they need to give serious consideration to that option. Nothing is in stone. We need to take a step back and look at what is best for the community as a whole.

Ms. Stefanick. The library was not consulted at all regarding this consulting firm. If we want to be a partner with you, you need to include us in the decision making. It implies that you are not thinking of us as a partner. We need to be included in the process.

Martin Ciurlik, 4050 Orr Road. His question is directed to legal counsel. As it was worded on the bond, was there any language in there pertaining to the combination of a civic center? They are a private entity and that bond was approved for that private entity and not the entity of a city. Does the library file their own taxes or have their own filings? I think the library needs to consult counsel.

Karen Borgeson, Rosario Court. To me it just seems like you want to spent \$45,000 to renegotiate the library millage that we voted for and it passed. It might have been a good idea maybe a year ago, but not after the library has been approved.

April (inaudible), Elizabeth Lake Road. You didn't get bids because no one wants to spend those hours putting that together and not getting the job. \$45,000 for a consultant? That seems awfully high. Where is the money coming from?

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Powell to approve the Civic Center Consulting Proposal by InForm Studio, amount not to exceed \$45,000, InForm Studio to take charge of the advisory committee and help develop alternative plans. The MOTION PASSED by a roll call vote (Smith-no/Voorheis-yes/Ruggles-yes/Powell-yes/Roman-yes/Lilley-no/Kowall-yes).**

#### **TRUSTEE COMMENTS**

Trustee Smith. The next regular Library meeting is July 26<sup>th</sup> at 6:45. They will be finalizing their schematic design and are currently waiting for the bonds to be issued. She was asked by Trustee Powell at last month's Board meeting to look into why the time change of some



meetings. They are working committee meetings, not Board meetings. The public is welcome to attend but because they have so many schedules to coordinate with architects, consultants and such there are time differences. Hopefully, everyone is enjoying their summer and staying safe.

Trustee Voorheis. She attended the White Lake PD Dare golf outing last Friday. It was a very successful outing. They are almost outgrowing the Brentwood and Beacon Hill Golf Courses. As a Parks and Rec liaison, you can see that we're a pretty active committee.

Trustee Ruggles responded to some comments made concerning him during Public Comment. Trustee Ruggles contacted Mrs. Herrmann's Homeowner's Association president to give him all the information regarding what he intended to do with his parcel of property. Trustee Ruggles met with Mrs. Herrmann's husband when they voiced concern and cleaned the road up. If Mrs. Herrmann has any more questions, he is happy to meet with them.

Clerk Lilley recently experience a small home fire. For the last three weeks they have been living in a hotel. He is going to take some afternoons and a day off here and there to try and get everything in order. He will try to make himself available for meetings. He hasn't taken much personal time in the years he's been clerk and would appreciate any support he can get.

Treasurer Roman thanked Clerk Lilley for all the effort he put forth in contacting a whole bunch of residents and businesses in this community on these water contracts. Without his efforts it couldn't have gotten where it is. He is shocked they got so much participation. He is meeting Thursday morning at 8:30 with a couple of the Library Board members to discuss their cash flow needs and where they think they will come up short. Winter bills go out December 1<sup>st</sup> which will help bring in revenues. His intent is to meet with them, see where they are at, what their needs are and get back with this Board.

Trustee Powell. He would like to state for the record to his colleagues and to the public, if he has anything to say about it, we are going to have a new library. We need a new library and it will happen. He questioned Mr. O'Neil regarding percent lot coverage on smaller lots. Also, some residents are having problems with people placing generators and air conditioning units between homes that are maybe only 10 ft. apart. We don't have an ordinance that looks at that. How might this Board request the Planning Commission look at some of these items and see whether or not they need to be addressed in our ordinances? Also, the cost of the sanitary sewer taps in White Lake Twp. is fairly large because of our commitment to Commerce Twp. It is way past time for us to sit down with Commerce and see if we can't have some meeting of the minds on a modification of the intergovernmental agreement on sewer rates and charges as it relates to us. He wondered if the Supervisor might be able to move that along a bit. .

Supervisor Kowall. There is going to be a change in the company that hauls our trash. We experienced some difficulty in the month of June. In the transition from Republic to GFL, 14

truck drivers didn't show up for work. That threw a wrench in the works for a period of time. We worked through it. GFL is a firm out of Toronto. They are not Rizzo, related to Rizzo or have anything to do with Rizzo. They are taking over and absorbing Republic's route. Monday, July 31<sup>st</sup> will be the first week the changes will be in effect. A flyer will be sent out to all the residents updating them on all the details. We will have some canisters here as a courtesy to the residents if they need it. The Dare outing went very well. We are very fortunate to have dedicated police officers. They deserve all the kudos coming to them for making our community better.

#### **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 Trustee Powell, **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 (Kowall-yes/Lilley-yes/Roman-yes/Ruggles-yes/Voorheis-yes/Powell-yes/Smith-yes).

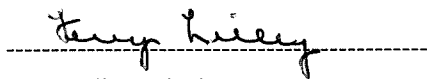
It was **MOVED** by Trustee Powell, **SUPPORTED** by Treasurer Roman to approve returning to general session. The **MOTION PASSED** by a roll call vote (Kowall-yes/Lilley-yes/Roman-yes/Ruggles-yes/Voorheis-yes/Powell-yes/Smith-yes).

It was **MOVED** by Trustee Powell, **SUPPORTED** by Trustee Ruggles to authorize the supervisor to approve the stipulated order to clarify the judge's opinion and order in the matter of Pontiac Lake Motel. The **MOTION PASSED** by a voice vote (7 yes votes).

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

The meeting was adjourned at 10:18 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 18, 2017 regular board meeting minutes.



Terry Lilley; Clerk, CMC, CMMC  
White Lake Township  
Oakland County, Michigan