

CHARTER TOWNSHIP OF WHITE LAKE

Approved Minutes of the Regular Board of Trustees Meeting

June 13, 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
Amy Bertin, Recording Secretary

Clerk Lilley amended the Agenda as follows: Add Items 6A, List of Bills dated 6-13-17; 6D4, Treasurer's Report dated 6-13-17; 11F, Property Purchase.

It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to approve the Agenda as amended: Add Items 6A, List of Bills dated 6-13-17; 6D4, Treasurer's Report dated 6-13-17; 11F, Property Purchase. The MOTION PASSED by a voice vote (6 yes votes).

PUBLIC COMMENTS

Gerry Herrington, 2240 Wiggen Lane. 10 months ago we had an election as well as a recount. We were elated with the results. She has been asked by residents when the library will be built. It's been 9 months you've been sitting on the bond. You say every vote counts but you're not abiding by that. In future bond issues you will have a group of people who are going to be very upset if you drag this and let it go on. One Board does not usurp the power over another. Please do your duty.

Susan Diehl, 9170 Twin Lakes Drive. At the special meeting between the Boards the Supervisor recommended they meet to discuss economies of scale or different options and ideas. She was wondering if that meeting has occurred.

CONSENT AGENDA

- A. LIST OF BILLS
- B. REVENUE AND EXPENSES
- C. CHECK DISBURSEMENTS

- D. DEPARTMENT REPORTS**
 - 1. POLICE**
 - 2. FIRE**
 - 3. COMMUNITY DEVELOPMENT**

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).

PRESENTATIONS

- A. LIFE SAVING AWARD SERGEANT MATT IVORY**
- B. LIFE SAVING AWARD OFFICER KEVAN DICLAUDIO**

Chief Keller presented a Life Saving Award to Sergeant Ivory and Officer DiClaudio for their quick actions in an incident where an injured party was able to get necessary preliminary treatment required to save his life. A 911 call was made reporting a male subject put his hand through a glass table and was bleeding profusely and uncontrollably. It was an arterial cut and it appeared he lost 1/3 of his blood supply. Every year the Fire Dept. trains our officers on the use of a CAT, Combat Application Tourniquet. The two officers applied the CAT effectively cutting off the blood supply to his arm. At the hospital the wound was stitched and he received four pints of blood. Two days later he was released and is making a full recovery.

MINUTES

- A. MAY 22, 2017 SPECIAL BOARD OF TRUSTEES JOINT LIBRARY BOARD MEETING (UNAPPROVED)**

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Powell to approve the Minutes dated May 22, 2017 as presented. The MOTION PASSED by a voice vote (7 yes votes).

- B. MAY 23, 2017 SPECIAL BOARD OF TRUSTEES MEETING (UNAPPROVED)**

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Voorheis to approve the Minutes dated May 23, 2017 as presented. The MOTION PASSED by a voice vote (7 yes votes).

- C. MAY 23, 2017 REGULAR BOARD MEETING (UNAPPROVED)**

Treasurer Roman requested two corrections be made. Page 8, first paragraph, last line, "PA" should read "PA-188". Page 31, second from last paragraph, second from last line, "energy" should read "synergies".

Trustee Powell requested two corrections be made. Page 25, fourth paragraph, change the word "vicarious" to "precarious". Page 31, third paragraph, "the memorial plaque" changed to

“a memorial plaque”.

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Powell to approve the Minutes dated May 23, 2017 as amended. The MOTION PASSED by a voice vote (7 yes votes).

PUBLIC HEARING WITH RESOLUTION

A. HEARING TO CONFIRM SPECIAL ASSESSMENT ROLL FOR SAD CASTLEWOOD SEWER CONNECTIONS

1. RESOLUTION #17-016, CONFIRM THE SPECIAL ASSESSMENT ROLL FOR THE SPECIAL ASSESSMENT DISTRICT DESIGNATED CASTLEWOOD SEWER CONNECTIONS

It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to Open Public Hearing to Confirm Special Assessment Roll for SAD Castlewood Sewer Connections. The MOTION PASSED by a roll call vote (Smith-yes/Voorheis-yes/Powell-yes/Ruggles-yes/Lilley-yes/Roman-yes/Kowall-yes).

Patty Leonard, 10570 Estola Avenue. How many houses did agree to hook up?

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Powell to Close Public Hearing to Confirm Special Assessment Roll for SAD Castlewood Sewer Connections. The MOTION PASSED by a roll call vote (Kowall-yes/Lilley-yes/Roman-yes/Ruggles-yes/Powell-yes/Voorheis-yes/Smith-yes).

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Powell to approve Resolution #17-016, Confirm the Special Assessment Roll for the Special Assessment District Designated Castlewood Sewer Connections. The MOTION PASSED by a voice vote (7 yes votes).

B. HEARING FOR M-59 SAD WATER MAIN EXTENSION CONTRACTS 5, 6, & 8

1. RESOLUTION #17-021, ESTABLISH AND MAINTAIN A SPECIAL ASSESSMENT DISTRICT TO BE KNOWN AS: M-59 WATER MAIN EXTENSION CONTRACTS 5, 6 & 8

It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to Open Public Hearing for M-59 SAD Water Main Extension Contracts 5, 6, & 8. The MOTION PASSED by a roll call vote (Roman-yes/Lilley-yes/Kowall-yes/Voorheis-yes/Powell-yes/Ruggles-yes/Smith-yes).

There were no comments by the Public at this time.

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Voorheis to Close Public Hearing for M-59 SAD Water Main Extension Contracts 5, 6 & 8. The MOTION PASSED by a roll call vote (Powell-yes/Ruggles-yes/Roman-yes/Kowall-yes/Lilley-yes/Voorheis-yes/Smith-yes).

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Ruggles to approve Resolution #17-021, Establish and Maintain a Special Assessment District to be known as: M-59 Water Main Extension Contracts 5, 6 & 8. The **MOTION PASSED** by a voice vote (7 yes votes).

RESOLUTIONS

A. RESOLUTION #17-017, MULTI-LAKE GATORS CHARITABLE GAMING LICENSES

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Treasurer Roman to approve Resolution #17-017, Multi-Lake Gators Charitable Gaming Licenses. The **MOTION PASSED** by a voice vote (7 yes votes).

B. RESOLUTION #17-018, INDEPENDENT CONTRACTOR AGREEMENT FOR WHITE LAKE LAKESIDE CEMETERY

Atty. Hamameh noted that if the Resolution is adopted, the language should reflect the correct cemetery name on both the Resolution and the contract attached as Exhibit A.

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Powell to approve Resolution #17-018, Independent Contractor Agreement for White Lake (Lakeside) Cemetery as amended. The **MOTION PASSED** by a voice vote (7 yes votes).

C. RESOLUTION #17-019, PURCHASE AGREEMENT FOR SALE OF 1408 CAPRICE

It was **MOVED** by Trustee Powell, **SUPPORTED** by Clerk Lilley to approve Resolution #17-019, Purchase Agreement for Sale of 1408 Caprice, authorizing the Supervisor to sign the documents if/when the sale is consummated by the purchaser. The **MOTION PASSED** by a voice vote (7 yes votes).

D. RESOLUTION #17-020, STIPULATED ORDER OF DISMISSAL RE: WHITE LAKE TOWNSHIP V MUNRO & FRANKLIN, INC. et al

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Clerk Lilley to approve Resolution #17-020, Stipulated Order of Dismissal Re: White Lake Township v Munro & Franklin, Inc., et al. The **MOTION PASSED** by a voice vote (7 yes votes).

E. RESOLUTION #17-022, MTA PRINCIPLES OF GOVERNANCE

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Smith to approve Resolution #17-022, MTA Principles of Governance. The **MOTION PASSED** by a voice vote (7 yes votes).

NEW BUSINESS

A. REQUEST BY PROPERTY OWNERS TO RECTIFY BILLING ERROR IN CONTRACT 6

It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to approve the Request by Property Owners to Rectify Billing Error in Contract 6:

LaBreche, Parcel ID 12-21-252-012. Motion to grant a credit in the amount of \$2553.75, to apply to the water main capital recovery charge balance for this property in order to correct the clerical errors assessed against it in Water Contract No. 6.

LaVasseur, Parcel ID 12-22-151-002. Motion to grant credit in the amount of \$11,457.52, to apply to the water main capital recovery charge balance for this property as agreed-upon compensation for having to abandon the well on the property in order for the DEQ to issue construction permit for the project in Water Contract No. 6.

The MOTION PASSED by a voice vote (7 yes votes).

B. METRO ACT PERMIT

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Powell to approve Resolution #17-023, the Metro Act Permit, with added language in Para. 5 "authorizing the Supervisor to execute the documents upon final review and approval by the Township Attorney". The MOTION PASSED by a voice vote (7 yes votes).

C. GRINDER STATION PURCHASE FOR STOCK

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Powell to approve the purchase of 10 Grinder Stations, authorizing up to \$30,000 to be taken from Improvement Revolving and put into the Sewer Grinder Fund. The MOTION PASSED by a voice vote (7 yes votes).

It was MOVED by Trustee Powell, SUPPORTED by Trustee Ruggles to approve the purchase of Simplex Pump Stations in increments of five (5) upon recommendation of the in-house staff, authorizing the Supervisor to sign the appropriate documents. The MOTION PASSED by a voice vote (7 yes votes).

D. RECYCLE COACH

Supervisor Kowall brought this item to the Board as an FYI. There is a company called Recycle Coach out of Toronto, Canada. They are part of the new age of communication and technology. They would develop an application for us that would be a tool to allow residents to link from the Township website and have access to pick-up schedules so they would know what weeks they are going to have their pick-up, especially during holidays so if there are any

changes the carrier will apply the information to the website schedule. It will also allow residents to schedule special and bulk item pick-up and be advised of events such as a Hazardous Drop-Off Days. There are two levels of service available. One is free and the other is a pay level. With the pay level a resident could notify the Township of things such as a downed tree or chuck hole which could create a notification and eventually lead to a work order.

E. CIVIC CENTER DISCUSSION

Supervisor Kowall stated his intent with this item was to give the Trustees an opportunity to have a brief discussion about the future civic center. His intent is to set up a Civic Center Advisory Committee made up of a group to look at the needs of the community in a civic center campus setting. The members will consist of a representative from the police and fire dept., two members of the Library Board, two members of the Township Board, one member of the Senior Center, one member from Planning and an outside planning consultant. The purpose of this group would be to assess the needs and the services of this community and to provide collaborative information as to the future needs and services in a civic center campus like setting. As we move forward, we'll use this information to try to get the best services to the community in the most economical means of doing so. He would like to give the Trustees an opportunity to provide input or concerns and ideas regarding the committee.

Trustee Smith read into the record a statement from the Library Board president, Glenn Rossow. "Supervisor Kowall and all Township Trustees. When the library requested to be put on the agenda, it was based on our understanding the June meeting was to be held on the 20th. Due to the acceleration of our meeting schedule, we are not able to have facts to share and we would rather speak with factual data or opinions based on factual data rather than what we think. Based on this, we request you remove the library's proposed discussion from your agenda. But in its place, we formally request the Trustees to take the required action to have the voter approved sale of the bonds take place as soon as possible to meet the timing that was presumed in the ballot. In the meeting held on Thursday, June 8, 2017 with Supervisor Kowall, Trustee Smith, Trustee Powell, Jason from the Planning Dept., Assistant Director, Denise Sefanick, Treasurer, Joe Fennell and Library President, Glenn Rossow, we agreed to establish a committee to work together on the site plan of the two individual sites to reduce the infrastructure costs as much as possible by working together with the Township. This committee was not to focus on a shared building but rather a site plan. Mr. Supervisor was going to send me two names to represent the Township and hire an outside consulting firm to support this team. Once we get the names we will schedule a meeting as soon as possible. We did not discuss the timeline for this group, but I would expect them to be supportive of the timeline provided to the Township on May 2nd. Again, our apologies for not being able to attend this evening. Sincerely, Glenn Rossow, Library Board President on behalf of the Library Board."

Trustee Powell has had the privilege in the past to represent a half dozen communities in Oakland County over the past years of his professional life. As a civil engineer he contributed to the layout of the hall for Waterford, Novi and Commerce Twp. He is very concerned this Township not act too quickly on the use of the newly secured property. Most communities would wish to be in the position that White Lake is right now. The property is the White Lake Township resident's property. This is our one and only chance to have a blank piece of paper to create the most efficient and cost effective lay out of a Township campus with different uses. It would irresponsible of this Board to not consider the advice of the experts. He is discouraged at the Library Board's seeming lack of flexibility in plan design and timing. He is in total support of the Township having a new library and hall. He is in full favor of the suggested committee. It would be a shame to act too quickly without doing the best we can for the residents.

Clerk Lilley is in full agreement of the Supervisor's concept for a committee. There is a lot to be learned. Only time will tell where and how much money will be saved. This isn't just building a building. This has a lot to do with building a corridor and how it is developed and there are many aspects to that.

Trustee Ruggles agrees with the comments already made. We have a responsibility to the residents. We need to take our time and do our homework. It is more than just one building. It is putting together a vision for what we want as a community. He agrees with the concept of a committee. This is an exciting time. Hopefully, everyone will be open minded and is willing to do what is best for the citizens.

Trustee Smith. To honor the library's request we will speak to them at a later date. It is important to mention that this Board does have a fiduciary responsibility. The future is exciting. We have a chance to do many things. She is in favor of the committee. It is always important to open the lines of communication.

Trustee Voorheis is also in agreement with the concept of a committee. Her only suggestion would be to consider allowing a citizen to participate and offer input.

Treasurer Roman. The ballot language did not mention any specific timing. It is his understanding the Library Board does not want to bend on the fact that they want their own building. The library's response to the question of their urgency in moving forward with their plans was because of promises made to the library patrons. Now recently it was said they will run out of operating funds in September. Hopefully, our Board would be willing to help out the library so they don't run out of funds. He fully supports the idea of a committee.

Dennis Fiems, 9095 Satellite. His understanding is in Waterford the library preceded the construction of the hall. It was the library that led the way. In Commerce Twp. and Novi the library is a separate building. The Library Board has earned a millage and are in the process of

designing a building. It is the people's money and it's your ministerial obligation to allow them to access those funds.

Ms. Diehl. The township purchased 25 acres and the library nine. Is the civic center concept considering using the whole 34 or just the 25? It seems as though there is a we/they concept. As a taxpayer it belongs to all of us. If the new building is built with the library bond, who owns that? Are the funds commingled?

Sheldon Greenblatt, 9055 Huron Bluffs Drive. I believe there should be a separate library. But as a taxpayer, it would mean a bigger tax bill. The proposed library building design is a 30,000 sq. feet. There would only be a 10% increase in costs to add a second story. Unfortunately, for the last five years the Library and Township Boards have not talked. If they can cooperate, the library structure can be started in such a way that when the Township is ready to build it can be put on top without interfering. The two sides have to start talking.

Roger Herrington, 2240 Wiggen Lane. There hasn't been a library built in the last 40 years that has been combined with the Township Hall. He doesn't see why there is an objection to the library having a freestanding building. The library acquired the property and worked to pass the bond. He agrees with the idea of a community complex but where has the Township been over the past years with this idea.

Mr. Fiems. The Township Board members don't understand or appreciate the urgency that those who support the library feel. If you put a date stating these meetings will conclude on a particular date it will give people some sense of closure. Meetings can go on ad infinitum. There is pressure from the community. A 30,000 sq. ft. building for a community this size barely meets the required standards. The longer you wait, the more construction costs will be.

Joyce Fennell, 6040 N. Bryan. What is your expectation about continuing the building of the library? Are they supposed to just tell the architects and the construction people to stop and wait for the Township? What does the Library Board tell the people who are working on it?

Richard Fessler, 1993 Porter Road. When a committee is appointed, something might get done within six months to a year. A task force, something will get done in a year. A study committee, that means two or three years. A time limit needs to be put on the advisory committee. Who will pay for the consulting firm? By delaying you are making people in the community angry. If you go for a millage, you will have difficulty.

F. PURCHASE OF PROPERTY

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Voorheis to approve Resolution #17-024, Purchase of Property, Parcel ID #12-09-476-005, authorizing the Supervisor to approve and sign the Purchase Agreement as well as the Resolution, total amount not to

exceed \$20,000, funds to come out of the Township Fund Equity and/or the Parks and Recreation Dept. Savings. The MOTION PASSED by a roll call vote (Smith-yes/Voorheis-yes/Powell-yes/Ruggles-yes/Roman-yes/Lilley-yes/Kowall-yes).

TRUSTEE COMMENTS

Trustee Smith. She went to the Police Dept. Open House which was very well attended. Thanks to the Police for all the hard work they did to provide this free event for the community. The new iron filter in Village Acres is now serving residents. The next regular Library meeting is June 28th at 6:45. She attended the architect presentation at Old Town Hall. They are still in the first phase of design work. If you have input to offer, please share it. The next meeting is June 22nd at Old Town Hall at 9 a.m. to finalize the concept for site plans. Following that, the next meeting is July 6th at Old Town Hall at 10 a.m. to go over the drawings again. The summer reading program has begun. Congratulations and best wishes to all the White Lake Township graduates. She also recently attended the pancake breakfast on Memorial Day as a fund raiser for the fireworks which will be July 1st. There are also fireworks scheduled for Cedar Island. There was a nice Memorial Day ceremony at White Lake Cemetery. She thanked the small group of dedicated citizens who put on that ceremony. Regarding the Civic Center discussion, she is in favor of very efficient and effective meetings with a deadline. Thank you to Dena Potter for all her work at White Lake. She is very appreciated.

Trustee Voorheis. Thank you to Trustee Smith for her compliments on the Memorial Day presentation that was given at White Lake Cemetery. Her grandparents started that. She is now the third generation to carry it on. The fireworks sponsored by the Citizens League will take place July 1st. It will be a 30 minute presentation with two barges. Thank you to Chief Keller for helping her 7 yr. old neighbor to have a great adventure at the Police Open House.

Trustee Ruggles. He commented regarding the fact there was transfer of our solid waste collection company. A couple years ago this Board reviewed a number of companies that submitted bids. There was a committee formed which reviewed every contract and took many things into consideration. We issued a contract to Republic on those merits. They since sold the services they are going to provide to the residents. If we wanted GFL, we would have hired them. In Republic's contract they have the right to sell it. Against our wishes, they are done and they sold it to whoever they wanted. He is very much opposed to it. He wishes Republic would have continued their obligation to us. He personally will do more due diligence the next time a garbage contract is issued.

Trustee Powell. He learned a great deal at the library presentation to the public. His only concern is it would be very difficult for many people to attend a 1 p.m., 9 a.m. and 10 a.m. meeting. It is disconcerting that these meetings are held when most people are working or getting their kids out of the house for school. He would urge them to set the meetings in the

evening sometime when the public can attend. Also, his grandchildren were thrilled to attend the Police Open House. At a recent ZBA meeting a builder purchased two homes on Jackson Blvd. and wanted to put one large house there. As the size of the home wasn't proper, the ZBA declined that opportunity to the builder. The maximum size home for a property zoned R1D is only 20% of the area of the lot. This Board might want to consider having the Planning Dept. revisit and see whether the percentage coverage might need to be massaged a bit. He would urge the residents to please be careful when using the lakes in the summer months.

Clerk Lilley. It appears the Library Board has overextended itself time wise with the purchase of this property. He does agree that the proposed committee needs to have specific guidelines for projects and time periods so there is a clear direction of where we're headed. He is looking for a positive outcome.

Treasurer Roman. Thank you to everyone who attended tonight. If you're here it is because you're passionate about White Lake and keeping it a great place to live. Also, regarding the Library Board meetings, is there a way to post an Agenda on the website? For some good news, in about two weeks' time he will be mailing everyone their tax bill.

Supervisor Kowall. A lot has been said here tonight with more conversation that needs to take place. There are no bad ideas, it is just some are better than others. We can't afford to make an error in our haste to move forward. Thank you to everyone who attended the Police Open House. We went through lots of hotdogs and it was great to see all the kids there. Thanks to all for attending tonight's meeting.

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 Clerk Lilley, SUPPORTED by Trustee Powell 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 (Lilley-yes/Roman-yes/Ruggles-yes/Powell-yes/Voorheis-yes/Smith-yes/Kowall-yes).

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

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Powell to authorize the township supervisor to direct the township attorney to include the new owner of 8565 Pontiac Lake Rd. in the lawsuit. The MOTION PASSED by a voice vote (7 yes votes).

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

The meeting was adjourned into Executive Session at 10:12 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 June
13, 2017 regular board meeting minutes.

Terry Lilley, Clerk
White Lake Township
Oakland County, Michigan