

CHARTER TOWNSHIP OF WHITE LAKE

Approved Minutes of the Regular Board of Trustees Meeting

August 18, 2015

Supervisor Baroni called the meeting to order at 7:00 p.m.

Supervisor Baroni led the Pledge of Allegiance.

Clerk Lilley called the roll:

Present: Greg Baroni, Supervisor
Terry Lilley, Clerk
Mike Roman, Treasurer
Rik Kowall, Trustee
Scott Ruggles, Trustee
Andrea Voorheis, Trustee

Absent: Carol Burkard, Trustee

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

Clerk Lilley amended the Agenda as follows: Add Item 5A, New List of Bills dated 8-7-15; Item 5C, Treasurer's Report; Item 11O, Heating & Cooling Unit, Police Dept.; Item 11P, Sale of Property. Remove Item 9A, Resolution #15-024, Approve Part-Time Wages; Item 10A, Consideration to Enter Into Agreement To Provide Dept. Programs & Improvements; Item 10B, Building Dept. Response Against Outsourcing Building Dept.; Item 11D, Worthington Crossing (PDA), File #15-008; Item 11F, Options for Water Contracts 5, 6 & 8.

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Ruggles to approve the following Amendments to the Agenda: Add Item 5A, New List of Bills dated 8-7-15; Item 5C, Treasurer's Report; Item 11O, Heating & Cooling Unit, Police Dept.; Item 11P, Sale of Property. Remove Item 9A, Resolution #15-024, Approve Part-Time Wages; Item 10A, Consideration to Enter into Agreement to Provide Dept. Programs & Improvements; Item 10B, Building Dept. Response Against Outsourcing Building Dept.; Item 11D, Worthington Crossing (PDA), File #15-008; Item 11F, Options for Water Contracts, 5, 6 & 8. The **MOTION PASSED** by a voice vote (6 yes votes).

CONSENT AGENDA

- A. LIST OF BILLS
- B. REVENUE AND EXPENSES
- C. DEPARTMENT REPORTS
 - 1. TREASURER
 - 2. POLICE

- 3. FIRE
- 4. COMMUNITY DEVELOPMENT
- 5. OVERTIME REPORT
- D. BUDGET AMENDMENT

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

PUBLIC COMMENTS

Evan Barretts, 218 Melinda Circle. He is a new resident, homeowner and taxpayer. He would like to get more involved with local politics, have a voice, get to know his school district and representatives. He is looking forward to taking part in the process tonight.

Bob Marantette, 4786 Ormond Road. He is returning this evening to comment on blight in the township, particularly by his neighbor. There are 20 warnings and a court order. When is it going to stop? He has been fighting this for 15 years. If the new ordinance officer can't fix the problem, he is willing to take it to the next level.

Sue Vanderwill, 10259 Cedar Island Road. She presented to the Board members a proposal. The main ideas were borne out of her real life challenges with her cognitively impaired daughter, Emily. Socialization is a struggle due to the venues available for Emily and her population as it relates to the safest, yet least restrictive, environment. The cognitive impaired community does not have a place to socialize amongst one another that is local and safe but is fun.

Similar to senior citizens, their ability to commute and communicate is often hindered. Many have additional struggles with physical barriers but long for companionship and friendship outside the walls of their own home. She is proposing to cross-pollinate the usage of the Dublin Community Senior Center to include the cognitively impaired community. The mission of the center, with the exception of the age parameters, is exactly what her daughter, friends and people like her need. Her concept would be to endorse usage of the Dublin Center to encompass cognitively impaired members ages 14 and up on select Saturdays each month from 6 to 11 p.m. for activities, holiday and birthday parties and enrichment classes. She is hoping this will be the first step in growing and fostering relationships in the community. Through your example of embracing this concept we could be acknowledged as the first township that took a chance and led by example for other communities.

Susan Work, 8144 Kenwick. In response to Ms. Vanderwill's proposal, she suggested that the Board members investigate the community and recreation center in Auburn Hills. They are a real example, offering classes, activities and have facilities for all ages.

PRESENTATION

A. SWEARING IN OF OFFICER CHULUMOVICH

Chief Kline introduced Officer Ryan Chulumovich who was sworn in as a member of the White Lake Police Dept. by Clerk Lilley. He graduated from Grand Valley State University with a bachelor of science degree in April of 2014. In June 2015 he graduated the Oakland Police Academy. He was our first choice after completing a lengthy vetting process which consists of a written test, interview, background investigation, medical and psychological exam.

B. PRESENTATION FROM SENATOR KOWALL FOR TRUSTEE CAROL BURKARD

Senator Kowall presented to Trustee Burkard two proclamations, one from Oakland County and another from the State of Michigan. Ms. Burkard was recognized for her 20 years of leadership and achievements. We greatly appreciate her work and service to White Lake Township. She brought to work every day a sense of duty. Personally, he considers her a friend and confidant. She was one of the first people he met in the Township, encouraging him to join the Planning Commission. She has been an integral part of the community. She is a single mom with five children, six grandchildren and two great-grandchildren. She was in a terrific car accident in 2003 which claimed her leg but her spirit has not diminished. She has kept active and wants to show disabled people everywhere that disability does not have to stop you. She has earned herself the title of People's Partner.

Clerk Lilley read into the record White Lake Township's proclamation to Ms. Burkard

"Carol Burkard served in the White Lake Township Library from 1989 to 2000 as Head of Circulation.

1994-1996, she co-chaired with Terry Lilley and Mike Kowall for the planning of the future of White Lake's downtown area with citizen and business input.

1994, she was a Hometown Leadership Award Essay Winner which benefited White Lake Township with a \$5000.00 award.

1993, she received the Unsung Hero Award from the State of Michigan for her Commitment and Devotion to helping others in the community.

Before becoming Clerk, she was on the Board of Directors of the White Lake Township Business Association, plus the Board of Directors of Open Door Outreach and Board of Directors of Twin Lakes Village. While on these Boards, Carol held numerous fundraisers which helped purchase the four "Welcome to White Lake" signs and also raised enough money to help the Open Door

Outreach Center move to a new location and continue to help residents in need. Carol was also on many committees including the Properties Committee, Clean Water and Natural Beauty Roads, and the Township's Time Capsule just to name a few.

As a single mom, Carol raised her family of five children in Twin Lakes Village. Her children are Linda, Cheryl, Richard, Lisa and Heidi. Grandchildren are Justin, Andrew, Jessica, Kayla, Charles & Elena. Great Grandchildren are Gabriella and Elliott.

Carol believes her best asset is Communication, keeping citizens informed and active in their community, keeping Board members and residents informed on all sides of an issue, and communication with her family is what makes for a lifetime of successes. Carol was in a horrific head on accident in 2003 in which she had numerous injuries including the loss of a leg, this confined her to a wheelchair for the rest of her life. She has kept active and would like to be an example to the disabled to never stop being useful.

Carol is retiring from the Board but still intends to remain active from her home.

She served White Lake Township's Board both as Trustee and Clerk since 1996 until Present. Her Title of "The People's Partner" is truly deserved."

Trustee Burkard's grandson, Charlie, read into the record a portion of the letter she wrote for the time capsule.

"Remember to get involved in your town as this belongs to you. It is your heritage. Keep your lakes clean, keep your library supplied with every bit of information both by books and computers for all to use free of charge. Get involved with your historical society. Run for office if you are inclined. Never feel that you cannot do something to make this a better community to live in. You, every one of you, can make a difference. Just get involved. Volunteer to make this special place even more special with your hard work attached to the next future generations. Build a town gazebo for all to enjoy. Continue traditions of parades, Christmas tree lighting ceremonies, start new traditions.

Always remember to help the less fortunate people or the elderly or sick in this community and God will always bless each and every one of you for also being good stewards of his people. There are always going to be challenges. Example, our infrastructure will get old, streets will need repairing, dams will need fixing, sewers will need updating. We too are facing the same problems. Keep yourself aware of any grant monies that the state may have to help you out. Keep your budget under control and put aside monies for improvements. Also, remember, people are our best resources. If money runs out, find volunteers who are experienced in many different fields of work.

Now, as I say good-bye to you, I want to give you my blessings. Love your Township. Love your family and friends. Especially, love this wonderful country that we are all blessed to either live in now or rest in now. God Bless and keep each and every one of you safe and happy. Have a great future."

MINUTES

A. JULY 21, 2015

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Kowall to approve the Minutes dated July 21, 2015. The **MOTION PASSED** by a voice vote (6 yes votes).

PUBLIC HEARING

A. MANDON LAKE IMPROVEMENTS

1. RESOLUTION #15-024, MANDON LAKE SPECIAL ASSESSMENT DISTRICT

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Ruggles to Open Public Hearing on Resolution #15-024, Mandon Lake SAD. The **MOTION PASSED** by a voice vote (6 yes votes).

A resident inquired what the SAD monies would be used for and was informed this is simply a renewal of approval for monies which are for lake treatment and maintaining of the pump.

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Kowall to Close Public Hearing on Resolution #15-024, Mandon Lake SAD. The **MOTION PASSED** by a voice vote (6 yes votes).

It was **MOVED** by Trustee Ruggles, **SUPPORTED** by Trustee Voorheis to approve Resolution #15-024, Mandon Lake Special Assessment District. The **MOTION PASSED** by a voice vote (6 yes votes).

NEW BUSINESS

A. MERS UNIFORM TRANSFER PROVISION

It was **MOVED** by Trustee Kowall, **SUPPORTED** by Treasurer Roman to approve Resolution #15-025, MERS Uniform Transfer Provision. The **MOTION PASSED** by a voice vote (6 yes votes).

Jason Hudson was sworn in by Clerk Lilley as the new Ordinance Officer for White Lake Township.

B. FITNESS EQUIPMENT PURCHASE (FIRE DEPT.)

It was MOVED by Clerk Lilley to Table the request for Fitness Equipment Purchase (Fire Dept.).
MOTION RESCINDED.

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Voorheis to postpone the request for Fitness Equipment Purchase (Fire Dept.) The MOTION PASSED by a voice vote (6 yes votes).

C. FIRST READING, ORDINANCE 122, FIRE CODE

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Kowall to move to Second Reading, Ordinance 122, Fire Code. The MOTION PASSED by a voice vote (6 yes votes).

E. REZONING FROM (AG) AGRICULTURAL TO (SF) SUBURBAN FARMS

It was MOVED by Trustee Kowall, SUPPORTED by Trustee Voorheis to approve Rezoning from (AG) Agricultural to (SF) Suburban Farms. The MOTION PASSED by a voice vote (6 yes votes).

G. FIRE DEPT. & BUILDING DEPT. FIRE SUPPRESSION CONSULTANTS FEE SCHEDULE

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Kowall to approve the Fire Dept. & Building Dept. Fire Suppression Consultants Fee Schedule. The MOTION PASSED by a voice vote (6 yes votes).

H. APPROVAL OF FULL-TIME POSITION FOR BUILDING DEPARTMENT

It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to approve moving Dawn Brotherton to a full-time position for the Building Dept. The MOTION PASSED with a voice vote (6 yes votes).

I. HISTORICAL FISK FARM MASTER PLAN

It was MOVED by Trustee Kowall, SUPPORTED by Trustee Voorheis to approve the Historical Fisk Farm Master Plan to be completed by Johnson Hill Land Ethics Studio, the amount not to exceed \$10,580. The MOTION PASSED by a voice vote (4 yes votes/2 no votes-Lilley & Ruggles as they felt by using our own internal expertise the plan could be done much cheaper).

J. CONSIDERATION OF BIDS RECEIVED FOR WASTE HAULING CONTRACT

Clerk Lilley reported the findings of the Committee appointed to consider the new garbage proposals. An RFP was put together, a meeting was held to explain it to all those who put together a quote. We seriously considered every one of the proposals. The Committee

worked hard. During the process of evaluation, after the first meeting we received letters from one of the bidders. It was my contention we not avoid letters, but whether we would consider the additional information contained within it, he didn't feel was right. After two meetings we decided to make a recommendation to the Board. We considered the amount of the bids, the potential disruption of service, and we looked for a better option for the Township. The Committee ranked the four applicants and feel confident in recommending we retain our current services with Republic.

Trustee Kowall suggested this might be a situation where a special meeting should be held for further clarification of the bids. He had a number of additional questions regarding the services offered. He noted there was a dollar difference in the contract. The Republic bid came in at \$7,947,440. The Rizzo bid came in at \$8,849,400. What are we getting for our dollars? Republic stated some of their vehicles might exceed the five year restriction. There is a difference in the number of items allowed for bulk pick up and the need to call ahead. He questioned how many landfills each company had versus incinerating waste. Will government surcharges be passed on to the residents?

Mr. Cowan, representative for Rizzo, felt there was some information the committee did not have which necessitated writing a clarifying letter. We understand you have flexibility with respect to this process. We've adjusted our bid to \$7,578,000. We are so confident about that figure and the ability to improve service that we're willing to put in a condition that after a year if you don't like us you have sixty days to get rid of us. We would respectfully request your acceptance. We are happy to meet with the committee or the Board to answer any further questions.

Trustee Roman questioned how lowering their bid at this stage in the process would be unfair to other bidders. Mr. Cowan responded this was not a sealed bid process. The language used allows the Township to negotiate with companies to accept or reject all bids. You can go back to Republic and ask them if they can beat a number. It is to drive competition and drive down costs.

Mr. Ciurlik questioned whether we are really comparing apples to apples if one company is doing bulk pick up and one is not? He was told by the Republic representative, it will be unlimited pick up under the future contract.

Ms. Work doesn't have a problem calling for bulk pick up in advance. Her concern is if she throws out a refrigerator and they pick it up, where will it end up? We don't want it in the landfill.

Mr. Barretts stated that in the previous community he lived in, they had nothing but trouble with Republic. As he drives through communities who are serviced by Rizzo, he noticed their

trucks and cans are newer and beautiful. It looks like the best of breed company. He wants to see his property and house appreciate and appearance and service is important. Also, it is good to support a local company.

Todd Birkle questioned what was the cost per household of Rizzo compared to Republic. He was informed for the first year Republic was \$12.60 and Rizzo was \$15.05.

Laurie Lewsley questioned whether either contract provided for Hazmat materials and was informed they both do.

Trustee Voorheis was in favor of postponing making a decision between the two bidders to further evaluate the differences in the bids. She was advised by Atty. Hamameh the concern with delaying is the Roll has to be confirmed in September. Notices have to be published in the newspaper and mailed. The drop dead date for the assessor is Thursday of next week.

Ed Mamou, owner of the Root Restaurant and VP of Royal Oak Recycling. He argued the fact that the Township knows their level of investment and dedication to the community. We are here to educate. You know us. It will not be a surprise. Everything we've done in this community exceeds expectations.

Treasurer Roman felt the Board needs to look at the intent of the process we went through. Was the intent to receive bids, beat them up and then come back or was it for the contractors to give us their initial best bids. He agreed the committee did its job. Republic's bid was lower.

Richard Prueter, resident. He agreed this is not about the companies, this is about the taxpayers. He doesn't mind waiting another week but part of the proposal should be to set a deadline that these companies need to have something to you by a certain date. Otherwise, we're going with your initial bid to make our decision on. The committee's hard work and recommendation shouldn't be dismissed at the eleventh hour.

It was MOVED by Trustee Voorheis, SUPPORTED by Trustee Kowall to Postpone Consideration of Bids Received for Waste Hauling Contract until the Special Township Board Meeting on August 25, 2015.

(Whereupon a brief recess was taken from 10:04 to 10:15 p.m.)

Supervisor Baroni called the meeting back to order. There is currently a Motion on the table for Postponement of Consideration of Bids Received for Waste Hauling Contract.

It was MOVED by Trustee Voorheis, SUPPORTED by Trustee Kowall to Postpone Consideration of Bids Received for Waste Hauling Contract until the Special Township Board Meeting on August 25, 2015. The MOTION FAILED by a roll call vote (Voorheis-no/Kowall-no/Roman-

no/Lilley-no/Ruggles-no/Baroni-no).

It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to award Republic the Waste Hauling Contract. The MOTION PASSED by a roll call vote. (Voorheis=yes/Kowall-no, as the Committee didn't due their diligence far enough to understand the environmental impact/Roman=yes/Lilley=yes/Ruggles=yes/Baroni=yes).

K. MEDICAL EQUIPMENT LOAN PROGRAM

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Ruggles to approve the Medical Equipment Loan Program, adding Hold Harmless and Indemnification Language to the contract and moving the program over to the Dublin Center. The MOTION PASSED by a voice vote (4 yes votes/2 no votes-Lilley & Voorheis, as they are not in favor of using the Park & Rec Building for storage).

L. AGREEMENT FOR CEMETERY SEXTON SERVICES

It was MOVED by Trustee Kowall, SUPPORTED by Treasurer Roman to approve Huron Cemetery Maintenance as the new Sexton, authorizing the Supervisor to execute the agreement. The MOTION PASSED by a voice vote (5 yes votes/1 no vote-Ruggles, as he is concerned with the increase in fees).

M. FIRST READING, ORDINANCE NO. 129, FEE ORDINANCE

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Voorheis to approve moving to Second Reading, Ordinance No. 129, Fee Ordinance. The MOTION PASSED by a voice vote (6 yes votes).

**N. RESOLUTION #15-026, TO APPROVE AGREEMENT BETWEEN SPEEDWAY
AND THE TOWNSHIP OF WHITE LAKE**

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Voorheis to approve Resolution #15-026, Agreement between Speedway and the Township of White Lake, authorizing the Supervisor to sign the agreement. The MOTION PASSED by a voice vote (6 yes votes).

O. HEATING AND COOLING UNIT FOR POLICE DEPT.

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Ruggles to approve the Heating and Cooling Unit for the Police Dept. in the amount of \$8,876. The MOTION PASSED by a voice vote (6 yes votes).

P. SALE OF PROPERTY

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Kowall to approve the Sale of Property in the amount of \$1,000, attorney's fees of \$500, and authorizing the Supervisor to sign the purchase agreement. The **MOTION PASSED** by a voice vote (6 yes votes).

FYI

A. APPLICANT LIST FOR OPEN TRUSTEE POSITION

Supervisor Baroni stated that Trustee Carol Burkard's last day as trustee falls on Friday, August 21, 2015. A special meeting will be held on Tuesday, August 25, 2015 at 7 p.m. There are 12 applicants, Todd Birkle, Matt Carr, Dave Lewsley, Allen Linson, Anthony Noble, Pete Piccinato, Mike Powell, Richard Prueter, Sue DuBois, Scott Rolando, Mike Smith and Gene Straley.

It was suggested that each candidate be allowed three minutes to speak. The Board members will each compile three questions and email them to the Supervisor. The Supervisor will question each candidate from the pool of questions supplied by the Board members.

**B. NEEDS ASSESSMENT FOR WHITE LAKE FIRE DEPT. & DUBLIN
COMMUNITY SENIOR CENTER**

Supervisor Baroni advised that CHMP did a needs assessment for the Fire Department and Dublin Center. In short summary, the fire stations are located in good spots but need to be enlarged. Dublin Center has many good activities but also needs to expand.

EXECUTIVE SESSION

**A. APPROVAL TO RECESS INTO CLOSED SESSION TO CONSIDER
PURCHASE OF PROPERTY ACCORDING TO MCL 15. 268 (d)**

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

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Kowall to adjourn into Executive Session to consider the purchase of property in accordance with MCL 15.268 (d) and attorney/client privileged communication in accordance with MCL 15.268 (h). The **MOTION PASSED** by a roll call vote (Voorheis-yes/Kowall-yes/Roman-yes/Lilley-yes/Ruggles-yes/Baroni-yes).

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Kowall for the board to reconvene back into general session. The **MOTION PASSED** by a roll call vote (Voorheis-yes/Kowall-yes/Roman-yes/Lilley-yes/Ruggles-yes/Baroni-yes).

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Treasurer Roman to proceed on both Item A (MCL 15.268 d) and Item B (MCL 15.268 h) as discussed in executive session. The **MOTION PASSED** by a roll call vote (Voorheis-yes/Kowall-yes/Roman-yes/Lilley-yes/Ruggles-yes/Baroni-yes).

It was **MOVED** by Trustee Kowall, **SUPPORTED** by Trustee Voorheis to adjourn at 12:29 A.M. The **MOTION PASSED** by a voice vote (6 yes votes).

The meeting was adjourned at 12:29 a.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 August 18, 2015 regular board meeting minutes.

A handwritten signature in cursive script, appearing to read "Terry Lilley", is written over a horizontal dashed line.

Terry Lilley, Clerk
White Lake Township
Oakland County, Michigan