

CHARTER TOWNSHIP OF WHITE LAKE

Approved Minutes of Regular Meeting October 18, 2011

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

Clerk Lilley called the roll.

Present: Greg Baroni, Supervisor
Terry Lilley, Clerk
Forrest J. Brendel, Treasurer
Carol Burkard, Trustee
Todd Birkle, Trustee
Michael Powell, Trustee
David Lewsley, Trustee

Also present: Greg Need, Township Attorney
Ed Harris, Police Chief
Tony Maltese, Fire Chief
Sean O'Neil, Community Development Director
Brian Parrick, Becket & Reader, Planners
Kathy Gordinear, Senior Center Director
Dena Potter, Administrative Assistant
Lillian Walker, Acting Recording Secretary

PUBLIC COMMENTS

Mr. John Kuzo of Clarkston spoke on behalf of Neighbor to Neighbor, requesting funding for his group's efforts to assist people who are in danger of eviction or foreclosure, utility shut-offs, etc., stating that their assistance has included 56 people in White Lake last year.

MINUTES

September 20, 2011

It was **MOVED** by Trustee Powell, **SUPPORTED** by Trustee Burkard, to approve the minutes of September 20, 2011, with a correction on Page 7 to replace "\$37,000" with "\$37,000". The **MOTION CARRIED** unanimously.

AGENDA AMENDMENTS

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Powell, to add Items to the agenda under Community Development: the updated List of Bills. the Bloomer Park Budget Amendment and Soil Borings and Survey for Bloomer Park. The **MOTION CARRIED** unanimously.

PRESENTATIONS

A. Police Department

Police Chief Ed Harris requested a moment of silence in honor of the Walker, Michigan, police officer who was killed by two fleeing bank robbers.

Chief Harris then presented Officer Harding with a commendation for his off-duty work in assisting Officer John Kirken at the scene of a drunk driving arrest during which the driver assaulted Officer Kirken and forced the police officers to use Tasers twice. He stated that, unfortunately, Officer Harding has filed his termination papers with the department because he was moving to Colorado to join his family. He stated that Officer Harding will be missed.

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B. Fire Department

Fire Chief Tony Maltese introduced seven new paid on call firefighters and Clerk Lilley swore in paid on-call firefighters: Dustin DeVore, Neil Graff, Miles Pierce, Chaz LaBlanc, Mark Berkholz, Julian Gross, and Larry Ostrowski. He described the rigorous testing that each had to undergo and the serious commitment they make when they apply to become firefighters. He also expressed his appreciation for the families of the new firefighters for having raised such fine men.

COMMUNITY DEVELOPMENT

A. First Reading: Ordinance 133, Ordinance to Confirm the Establishment of the Planning Commission.

Planning Director Sean O'Neil stated that this ordinance is the result of a change in State Law in 2008.

It was **MOVED** by Trustee Birkle, **SUPPORTED** by Clerk Lilley, to move Ordinance 133 to Second Reading. The **MOTION CARRIED** unanimously.

B. 2011 Master Plan

It was **MOVED** by Trustee Powell, **SUPPORTED** by Trustee Burkard, to adopt the 2011 Master Plan. The **MOTION CARRIED** unanimously.

C. Parks & Recreation, Hidden Pines Park

Some Board members expressed dissatisfaction with the fact that information on the Hidden Pines Park plan had not been included in their meeting packet. Trustee Burkard stated that she thought the property would be used for a future fire station. Trustee Lewsley explained that a future fire station will still be possible since the land required would not be developed as part of the park but would be set aside. He stated that the appearance of haste was caused by the fact that an unneeded backstop from Vetter Park was available now, and that grindings from M-59 were available for use in the parking lot. Trustee Powell had obtained a copy of the plan from the surveyor and shared it with other Board members. The Parks & Recreation Committee recommended that the Board approve the plan providing that a parks consultant be obtained. An informational meeting at the Dublin Center with the neighbors resulted in their approval of the ball diamond and parking lot in the park and that other amenities would be considered as part of Phase II, and the Fire Station property be set aside for the future.

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Lewsley, to approve the plan recommended by Parks & Recreation for the Hidden Pines ball diamond and parking lot. The **MOTION CARRIED** with a voice vote (5 yes, 2 no).

D. Parks & Recreation, Bloomer Park, Phase One Design

Brian Barrick of Becket & Raeder gave a video presentation of plans for Bloomer Park which would include trail access, viewing areas, a shelter, and a parking area. He stated that the park entrance and the driveway would be surfaced with crushed limestone, and the 16-car parking area would be grass or another permeable surface and would include two handicap spaces--one suitable for a van. He explained that the Michigan Natural Resources Trust Fund grant of \$350,000 would require a \$175,000 match from the Township, for a total of \$525,000; the plan details had been estimated at \$524,000 which falls within the budget. The viewing area would be raised above the vegetation, and rails would be reinforced with cables and screening that would not obstruct the view.

It was **MOVED** by Trustee Lewsley, **SUPPORTED** by Trustee Burkard, to approve the design plan for Bloomer Park as presented and allow Becker & Raeder to proceed with the construction phase of the project. The **MOTION CARRIED** unanimously.

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E. SURVEY AND SOIL BORINGS

It was **MOVED** by Trustee Lewsley, **SUPPORTED** by Treasurer Brendel, to approve Bloomer Park geological-technical surveying and soil borings and authorize Supervisor Baroni to enter into contracts with the successful bidders. The **MOTION CARRIED** unanimously.

F. PARKS AND RECREATION BUDGET AMENDMENT

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Treasurer Brendel, to approve the Parks & Recreation budget amendment. The **MOTION CARRIED** unanimously.

CONSENT AGENDA

- A. List of Bills
- B. Revenue and Expenses
- C. Department Reports
 - 1. Community Development
 - 2. Police Department
 - 3. Fire Department
 - 4. Overtime Report
 - 5. Treasurer
 - 6. Water
- D. Lake Neva Contract

Trustee Birkle requested a report as to who is working overtime in the Fire Department and why. The Fire Chief gave reasons for the need for overtime and stated that he would make such a report available.

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Treasurer Brendel, to approve the Consent Agenda. The **MOTION CARRIED** unanimously.

PUBLIC HEARINGS

A. 2012 Community Development Block Grant

It was **MOVED** by Trustee Birkle, **SUPPORTED** by Treasurer Brendel, to open a Public Hearing on the 2012 Community Development Block Grant monies. The **MOTION CARRIED** unanimously.

A representative from Haven spoke on behalf of her group in that they supported 171 White Lake residents through their programs and another 31 through their crisis program in the past year. They are asking for that support again.

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Treasurer Brendel, to close the Public Hearing. The **MOTION CARRIED** unanimously.

It was **MOVED** by Trustee Birkle, **SUPPORTED** by Clerk Lilley, to approve Resolution #11-026, and to authorize the Supervisor to sign the application for funding and to submit the application to Oakland County in the amounts of \$55,099 for Minor Home Repair (Acct. 731227), \$4,850 for Public Service (Acct. 73172), and \$4,850 for Public Service (Acct. 730137). The **MOTION CARRIED** unanimously.

Dena Potter, Administrative Assistant to the Supervisor, stated that wages for her time and the time of the Senior Center Director spent in administration of Community Development Block Grant monies can no longer be covered by Block Grant funds. She stated that previously 45% of the funds went to public service, but that has been decreased to 15% for 2012.

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B. Community Development Block Grant Reprogram of 2010 Funds

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Treasurer Brendel, to open the Public Hearing for reprogramming 2010 Community Development Block Grant funds. The **MOTION CARRIED** unanimously.

There were no public comments.

It was **MOVED** by Treasurer Brendel, **SUPPORTED** by Trustee Powell, to close the Public Hearing. The **MOTION CARRIED** unanimously.

It was **MOVED** by Trustee Birkle, **SUPPORTED** by Trustee Powell to reprogram 2010 funds from General Program Administration to Minor Home Repair in the amount of \$7,000. The **MOTION CARRIED** unanimously.

C. Coledale Bay Aquatic Weed Control

It was **MOVED** by Trustee Powell, **SUPPORTED** by Clerk Lilley, to open the Public Hearing for confirming the Special Assessment Roll for Coledale Bay Weed Control. The **MOTION CARRIED** unanimously.

There were no public comments.

It was **MOVED** by Trustee Powell, **SUPPORTED** by Treasurer Brendel, to close the Public Hearing. The **MOTION CARRIED** unanimously.

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Lewsley, to approve Resolution #11-023, confirming the special five-year assessment roll for Coledale Bay Weed Control and Lake Improvement consisting of 17 lots at a total of \$625 per lot. The **MOTION CARRIED** unanimously.

D. Lake Neva Stand Pipe Repair

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Birkle, to open the Public Hearing for Lake Neva Stand Pipe Repair. The **MOTION CARRIED** unanimously.

Mr. Greg Assenmacher, 1450 Ross Roy Court, who spoke in opposition to the apportionment of costs. He felt that non-riparians enjoy a lesser benefit and should not be assessed as much as riparians.

It was **MOVED** by Trustee Birkle, **SUPPORTED** by Trustee Powell, to close the Public Hearing. The **MOTION CARRIED** unanimously.

Clerk Lilley thanked the members of the Lakewood Village Association for their time and effort in bringing this matter to the Board. We appreciate their support and the support of our County Commissioner Jim Runstead.

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Burkard, to approve Resolution #11-024 confirming the special re-assessment roll for Lake Neva stand pipe repair and to get the drain fixed as soon as possible. The **MOTION CARRIED** unanimously.

RESOLUTIONS

A. Resolution #11-025, confirming Special Re-Assessment roll for the Special Assessment District designated 2011-2015 Residential Refuse Collection Project.

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Treasurer Brendel, to approve Resolution #11-025, confirming the Special Re-Assessment roll for the Special Assessment District designated 2011-2015, Residential Refuse Collection Project. The **MOTION CARRIED** unanimously.

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B. Resolution #11-022, 2012 Annual Permit for Work on State Trunkline Right of Way

It was **MOVED** by Trustee Powell, **SUPPORTED** by Trustee Burkard, to authorize the Supervisor to sign the application for a permit for work on state trunkline right of way. The **MOTION CARRIED** unanimously.

OLD BUSINESS

A. Cemetery Services Contract

It was **MOVED** by Trustee Lewsley, **SUPPORTED** by Trustee Burkard, to remove the cemetery contract from the table. The **MOTION FAILED** by a Roll Call Vote: (Trustee Lewsley, yes; Trustee Burkard, yes; Supervisor Baroni, yes; Trustee Powell, no; Trustee Birkle, no; Clerk Lilley, no; Treasurer Brendel, no) 3 yes, 4 no.

NEW BUSINESS

A. Policy and Procedure Change (Transportation Program)

It was **MOVED** by Treasurer Brendel, **SUPPORTED** by Trustee Powell, to approve the change of procedure in the transportation program as presented. The **MOTION CARRIED** unanimously.

B. Policy and Procedure Change (Political Activity)

After much discussion regarding the political activity change, it was decided that the language was too vague and also that consultation with the union should take place. It was also felt that the policy as presented is unfair to the employees.

It was **MOVED** by Treasurer Brendel, **SUPPORTED** by Trustee Birkle, to table the policy and procedure change regarding political activity and allow the Supervisor to investigate. The **MOTION CARRIED** unanimously.

C. Budget Amendments

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Treasurer Brendel, to approve the budget amendments for Senior Transportation, Lake Neva Stand Pipe Repair, and the various Special Assessment Districts for Coledale Bay, Grass Lake Augmentation, Grass Lake Pond, Cedar Island Improvement, Round Lake Improvement, Lake Ona Improvement, Meadow Lane Road, and Village Acres, as presented. The **MOTION CARRIED** unanimously.

D. First Reading: Amendment to Traffic Code Ordinance, Ordinance 32-A

It was **MOVED** by Treasurer Brendel, **SUPPORTED** by Trustee Powell, to move Ordinance 32-A, Traffic Code Ordinance, to Second Reading. The **MOTION CARRIED** unanimously.

E. Agreement for Deferment of Water Charges

Trustee Birkle asked what the hardship was that led to deferment of charges. The family's well had gone bad, and water was available in front of their home, but they did not have the money to connect. He asked how a hardship is confirmed. He stated that there should some sort of procedure in place. This action was done on an emergency basis, since the home had no water, and the owners could not afford to hook up to water.

It was **MOVED** by Treasurer Brendel, **SUPPORTED** by Trustee Burkard, to approve the deferment of water charges as specified. The **MOTION CARRIED** unanimously.

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F. Water Tower Cleaning, Repair, and Painting

Paul Shearlock, Water Department Director, recommended H2O Towers of Saline, Michigan, to clean the water tower located 6055 Highland Road near Meijer's, including painting and repair at a cost of \$8,750. It was explained that the low bidder was not chosen because he used cables to swing around the tower, and H2O used high-rise equipment. It was agreed that a policy should be established to determine hardship.

It was **MOVED** by Trustee Burkard, **SUPPORTED** by Treasurer Brendel to award the contract to clean, repair, and paint the water tower near Meijer's to H2O Towers for \$8,750. The **MOTION CARRIED** by a voice vote (6 yes votes, 1 no vote).

G. MERS Resolution for General, Police, and Fire

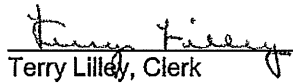
Clerk Lilley expressed concern about how the new MERS program might impact the present program. Supervisor Baroni stated that the Township was participating in a meeting with MERS the following day

It was **MOVED** by Trustee Birkle, **SUPPORTED** by Trustee Burkard, to approve the MERS resolutions for new employees as presented. The **MOTION CARRIED** unanimously.

It was **MOVED** by Treasurer Brendel, **SUPPORTED** by Trustee Birkle, to adjourn the meeting. The **MOTION CARRIED** unanimously.

The meeting was adjourned at 8:54 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 October 18, 2011, board meeting minutes.



Terry Lilley, Clerk
White Lake Township
Oakland County, Michigan