

CHARTER TOWNSHIP OF WHITE LAKE

Approved Minutes of the Regular Board of Trustees Meeting

January 19, 2010

Clerk Lilley called the Board of Trustees regular meeting to order at 7:00 p.m. He led the Pledge of Allegiance.

Trustee Powell led the invocation, praying for a special blessing on those that are unemployed, all those who are suffering in Haiti, and thanking God for our country.

Treasurer Spoor called the roll:

Present: Terry Lilley, Clerk
Beverly J. Spoor, Treasurer
Forrest Jay Brendel, Trustee
Mike Powell, Trustee
Todd Birkle, Trustee
Carol Burkard, Trustee
Absent: Mike Kowall, Supervisor

Also Present: Greg Need, Attorney
Ole Anderson, PE
Sean O'Neil, Planning Director
Amy Bertin, Recording Secretary

It was MOVED by Treasurer Spoor, SUPPORTED by Trustee Brendel, that Clerk Lilley officiate the Regular Township Board Meeting of January 19, 2010. The MOTION PASSED by a voice vote (6 yes votes).

PUBLIC COMMENTS

Trustee Powell announced the birth of his granddaughter, Makenna Corrin Spencer, at 10:00 a.m. today, January 19, 2010.

MINUTES

- A. December 15, 2009**
- B. December 21, 2009**
- C. December 28, 2009**

It was MOVED by Treasurer Spoor, SUPPORTED by Trustee Burkard to approve the Minutes of December 15, 2009, December 21, 2009, December 28, 2009. 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. BUILDING**
- D. APPROVAL OF NEW IRS MILEAGE RATE**
- E. APPROVAL OF MTA ATTENDANCE**
- F. MMRMA COVERAGE OVERVIEW**

It was **MOVED** by Treasurer Spoor, **SUPPORTED** by Trustee Burkard, to approve the Consent Agenda. The **MOTION PASSED** with a voice vote (6 yes votes).

PRESENTATIONS

Chief Stephens announced two promotions. Matthew Silverthorn was promoted to the rank of sergeant. He has been with the White Lake Police Department for 13 years. He was previously an officer for the city of Howell. He graduated from high school in Pinckney. He has an Associate's degree in criminal justice from Washtenaw Community College and graduated from Washtenaw County Police Academy. He spent three years in the U.S. Army.

Adam Kline was promoted to the rank of lieutenant. He has been a White Lake police officer for 22 years. He is married and has five children. He was in the U.S. Army for three years. He graduated from high school in Clarkston. He has an Associate's degree from Central Texas College in Killeen, Texas. He graduated from the Detroit Police Academy in 1988. He graduated from Northwestern University School of Staff and Command in 2006.

RESOLUTIONS

- A. #10-001 - AUTHORIZE USE OF A RECEIVING BOARD FOR ELECTIONS**

It was **MOVED** by Trustee Birkle, **SUPPORTED** by Trustee Burkard, to approve Resolution #10-001 - Authorize use of a Receiving Board for Elections conducted in White Lake Township. The **MOTION PASSED** by a voice vote (6 yes votes).

- B. #10-002 - SUPPORT OF HOUSE BILL 5325 ACT 312**

It was **MOVED** by Trustee Powell, **SUPPORTED** by Trustee Birkle, to approve Resolution #10-002 - Support of HB5325 Act 312. The **MOTION PASSED** by a voice vote (6 yes votes).

C. #10-003 - CLASS C LIQUOR LICENSE TRANSFER

It was **MOVED** by Treasurer Spoor, **SUPPORTED** by Trustee Brendel, to approve Resolution #10-003 - Class C Liquor License Transfer. The **MOTION PASSED** by a voice vote (6 yes votes).

OLD BUSINESS

A. SECOND READING, AMENDMENT TO ORDINANCE NO. 32-A (Traffic Code Ordinance)

It was **MOVED** by Treasurer Spoor, **SUPPORTED** by Trustee Burkard to accept the Amendment to Ordinance No. 32-A (Traffic Code Ordinance). The **MOTION PASSED** by voice vote (6 yes votes).

B. SECOND READING, AMENDMENT TO ORDINANCE NO. 71 (Omnibus Criminal Ordinance)

It was **MOVED** by Trustee Birkle, **SUPPORTED** by Treasurer Spoor to accept the Amendment to Ordinance No. 71 (Omnibus Criminal Ordinance). The **MOTION PASSED** by a voice vote (6 yes votes).

C. SECOND READING, REVISED FEE ORDINANCE AFFECTING SEWER FROM COMMERCE TWP.

It was **MOVED** by Treasurer Spoor, **SUPPORTED** by Trustee Powell to Table the Revised Fee Ordinance Affecting Sewer From Commerce Township. The **MOTION PASSED** by a voice vote (6 yes votes).

NEW BUSINESS

A. GEM Request For Amendment to Water Main Connection

It was **MOVED** by Trustee Birkle, **SUPPORTED** by Trustee Powell to Table until the next meeting the GEM Request for Amendment to Water Main Connection. The **MOTION PASSED** by a voice vote (6 yes votes).

B. DISCUSSION OF POSSIBLE VICIOUS ANIMAL ORDINANCE

Clerk Lilley wanted to make the Board aware of this ordinance. There have been a number of residents inquire about vicious animals. There are many sides to consider. I'd like to get

input from the Board and the general public. I'm concerned about a vicious animal getting out and biting somebody. This ordinance would provide an avenue on what to do with a vicious animal and specific time limits set.

Some concerns cited by the Board members were: How to determine whether an animal is truly vicious or responding to a circumstance; the ramifications of being breed specific; who will monitor and enforce the ordinance; whether electric/invisible fences are adequate; will it really make a difference or help the Township residents.

Resident. I was troubled with a neighbor's dog. I spoke with the police department. They told me that the State of Michigan has all the requirements for a dog owner in the computer. There are 19 pages. I sent a copy of those pages to my neighbor and I haven't been bothered by that dog since. It says in there that the dog has to be fenced or on a leash. It doesn't specify breed or size. 19 pages, State of Michigan, it is all there. So why are we fooling with it here at this level?

Thomas Johnson. 9136 Buckingham, White Lake. I'm a snake expert and I've worked with dogs for the last 15 years. You can't determine a vicious dog by breed alone. A dog needs to be either confined on their residential property or under control, meaning on a leash. A dog might just being protective of its property. What you need to look at is, is it vicious, is it protecting something, is it going through a certain period of life. Forget the breed. An animal who is surprised might sometimes strike. The main thing is owner responsibility.

Jean Philippe Loew. 247 Rosario Lane, White Lake. When I am jogging or walking, sometimes you see a dog running toward you and you are wondering, is he in an electric fence not, what should I gamble? Should I run faster or should I stop and freeze? There is a situation where some people have electric fences but some don't. It would be nice if they put a sign on it so I know what is going to happen.

Sharon Stoia. 6992 Biscayne. I go walking all the time and I had been walking a Lab down the street. A house had three Pit Bulls that came out. They may have had an electric fence. They charged to the edge of the property. I was scared. I decided to go up to the house across the street whether I knew the people or not. I just want to feel safer when walking down the street.

Caryn Robinson. 4475 McKeachie. I work for a rescue in Warren and I'm also in Pontiac. I have worked with animals for a very long time, all kinds. It is not the animal, it is the owner responsibility. Let's get reasonable here. You people have enough to do. Who is going to enforce that ordinance? You can pick one breed but it isn't the Pit Bull that is guilty, it is the human being for not training it and not being responsible. I really don't want to see White

Lake take on something like a vicious animal ordinance when none of us are qualified to deem what that really is.

Sean O'Neil wanted to point out there does exist within the Zoning Ordinance 4.45 Maintenance of Animals Section. 4.45K is a rather large paragraph. That is a very generic regulation for an animal that would be a nuisance or a threat to public health. This ordinance has been on the books for several years. The procedure is laid out here, there has to be an evaluation and a hearing. We do have something that addresses animals that could be a nuisance or a threat to public health.

C. JOB TITLE ADDITION

It was **MOVED** by Trustee Brendel, **SUPPORTED** by Trustee Birkle, to add the Title of Community Development Block Grant Director to Administrative Assistant. The **MOTION PASSED** by a voice vote (5 yes votes, 1 no vote – Trustee Powell).

D. BUDGET AMENDMENT

It was **MOVED** by Trustee Birkle, **SUPPORTED** by Trustee Powell to approve the Budget Amendment effecting the CDBG portion of the Senior Director's Wages. The **MOTION PASSED** by a voice vote (6 yes votes).

E. PAID ON CALL FIRE FIGHTERS TENTATIVE AGREEMENT

It was **MOVED** by Trustee Brendel, **SUPPORTED** by Trustee Birkle to move to Executive Session the Paid On Call Fire Fighters Tentative Agreement. The **MOTION PASSED** by a voice vote (6 yes votes).

FYI

A. CORRESPONDENCE FROM DEQ REGARDING DRINKING WATER GRANT

It was **MOVED** by Trustee Brendel, **SUPPORTED** by Trustee Birkle to adjourn into Executive Session at 8:30 p.m. to discuss attorney/client privilege and collective bargaining pursuant to section 8 of the open meetings act. The **MOTION PASSED** with a voice vote (6 yes votes).

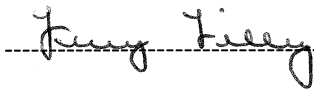
It was **MOVED** by Trustee Brendel, **SUPPORTED** by Trustee Birkle to move to regular session. The **MOTION PASSED** with a voice vote (6 yes votes).

It was **MOVED** by Trustee Brendel, **SUPPORTED** by Trustee Birkle to table the paid on call firefighters contract until the next meeting. The **MOTION PASSED** with a voice vote (6 yes votes).

**It was MOVED by Trustee Brendel, SUPPORTED by Trustee Birkle to adjourn the meeting.
The MOTION PASSED with a voice vote (6 yes votes).**

The meeting was adjourned at 10:50 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
January 19, 2010 regular board meeting minutes.

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Terry Lilley, Clerk
White Lake Township
Oakland County, Michigan