

**CHARTER TOWNSHIP OF WHITE LAKE**  
**Approved Minutes of the Regular Board of Trustees Meeting**  
**January 19, 2021**

Supervisor Kowall called the meeting to order at 7:01 p.m. The meeting was held via Zoom video conferencing. He then led the Pledge of Allegiance.

Clerk Noble called the roll:

Present: Rik Kowall, Supervisor  
Anthony L. Noble, Clerk  
Mike Roman, Treasurer  
Michael Powell, Trustee (arrived late)  
Andrea C. Voorheis, Trustee  
Liz Smith, Trustee  
Scott Ruggles, Trustee

Also Present: Aaron Potter, DPS  
Sean O'Neil, Planning Director  
Lisa J. Hamameh, Attorney  
Jeanine Smith, Assessor  
Cathy Derocher, Human Resource Manager  
Michael Lueffgen, DLZ Engineering  
Jennifer Edens, Recording Secretary

**AGENDA**

Supervisor Kowall added the following item to the Agenda:

- Item 9 – IAFF Tentative Agreement
- Item 9E – Resolution 21-005
- Item 9G – Settlement Agreement

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Trustee Ruggles to approve the Agenda, as amended. The motion **PASSED** by roll call vote (Kowall/yes, Noble/yes, Roman/yes, Ruggles/yes, Smith/yes, Voorheis/yes).

**PUBLIC COMMENT**

Mathew Kobliska, 280 View Drive. He asked for the meeting passcode to log into the Zoom call with video.

**CONSENT AGENDA**

- A. REVENUE AND EXPENSE**
- B. CHECK DISBURSEMENTS**
- C. LIST OF BILLS**
- D. DEPARTMENT REPORTS**
  - 1. POLICE**

2. FIRE – DECEMBER 2020 AND 2020 ANNUAL INCIDENT SUMMARY
3. COMMUNITY DEVELOPMENT
4. TREASURER

It was **MOVED** by Clerk Noble, **SUPPORTED** by Treasurer Roman to approve the Consent Agenda. The motion **PASSED** by roll call vote (Kowall/yes, Noble/yes, Roman/yes, Ruggles/yes, Voorheis/yes).

#### **MINUTES**

##### **A. APPROVAL OF MINUTES – REGULAR BOARD MEETING, DECEMBER 15, 2020**

It was **MOVED** by Trustee Ruggles, **SUPPORTED** by Treasurer Roman to approve the Minutes of December 15, 2020. The motion **PASSED** by roll call vote (Kowall/yes, Roman/yes, Noble/yes, Ruggles/yes, Voorheis/yes).

(Trustee Smith absent from vote due to connectivity difficulty when she was not on line )

#### **PUBLIC HEARINGS WITH RESOLUTIONS**

##### **A. PUBLIC HEARING – ESTABLISHMENT OF NORTH HULBERT SEWER MAIN SPECIAL ASSESSMENT DISTRICT**

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Treasurer Roman to open the public hearing regarding the establishment of North Hulbert Sewer Main Special Assessment District. The motion **PASSED** by roll call vote (Noble/yes, Voorheis/yes, Roman/yes, Ruggles/yes, Kowall/yes).

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Trustee Voorheis to close the public hearing regarding the establishment of North Hulbert Sewer Main Special Assessment District. The motion **PASSED** by roll call vote (Kowall/yes, Noble/yes, Voorheis/yes, Roman/yes, Ruggles/yes).

1. **RESOLUTION #21-001; DETERMINING SUFFICIENCY OF PETITIONS AND NECESSITY OF IMPROVEMENTS, AND DESIGNATING A SPECIAL ASSESSMENT DISTRICT FOR NORTH HULBERT SEWER MAIN**

It was **MOVED** by Trustee Ruggles, **SUPPORTED** by Trustee Voorheis to approve Resolution #21-001; Determining Sufficiency of Petitions and Necessity of Improvements, and Designating a Special Assessment District for North Hulbert Sewer Main. The motion **PASSED** by roll call vote (Smith/yes, Noble/yes, Voorheis/yes, Roman/yes, Ruggles/yes, Kowall/yes).

##### **B. PUBLIC HEARING – ESTABLISHMENT OF OAK RIDGE PARK SANITARY SEWER MAIN SPECIAL ASSESSMENT DISTRICT**

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Treasurer Roman to open the public hearing regarding the establishment of Oak Ridge Park Sanitary Sewer Main Special Assessment District. The motion **PASSED** by roll call vote (Kowall/yes, Smith/yes, Noble/yes, Voorheis/yes, Roman/yes, Ruggles/yes).

Leslie Burleson, 1465 Langfield Avenue. She questioned exactly how much this is going to cost and if they will have to pay anymore if they want city water to come through. She understands from a letter she received that this would

come down Langfield and Hillway Drive. She indicated that she never received anything to sign which indicated if it was wanted or not. She furthered that there are a lot of people who do not want this as the cost is too high. She stated that it is assessing \$10,000 to have a sewer pipe come down the street and a lot of the older people cannot afford it and they cannot opt out of it. She understands that a lot of lake front people want it because it will raise their property values, but that the back-lot people cannot afford this. She asked how they are going to be able to pay for this.

Attorney Hamameh clarified that the purpose of the public hearing is to hear objections regarding the establishment of this district and that this is the only opportunity for the residents to voice their objections or waive their right to take this to the Tax Tribunal if they choose to in the future. She also explained that this came to the Board by petition of at least 50% of the residents within the district. They brought it to the Township Board asking for the establishment of the district, and now the Board is considering whether to establish it. She further informed that the dollars asked about by the caller will not be decided until an estimate has been obtained. The residents will then have an opportunity to object at the next public hearing on this topic, which would be a resolution to confirm the role and that is the part where dollar amounts are established.

Leslie Burleson, 1465 Langfield Avenue. She further questioned if there is a public list of residents that want this. To which Supervisor Kowall shared he could contact the Assessing Department for access to this public information.

Clerk Noble shared the receipt of a correspondence dated January 9, 2021 from Deborah and Richard Foster, 13644 Buno Road, Milford. The correspondence indicates that they have no interest in city sewer and request that parcels 12-34-354-019 and 12-234-354-020 be noted as a no vote.

**It was MOVED by Supervisor Kowall, SUPPORTED by Trustee Ruggles to close the public hearing regarding the establishment of Oak Ridge Park Sanitary Sewer Main Special Assessment District. The motion PASSED by roll call vote (Kowall/yes, Smith/yes, Noble/yes, Voorheis/yes, Roman/yes, Ruggles/yes).**

**1. RESOLUTION #21-002; DETERMINING SUFFICIENCY OF PETITIONS AND NECESSITY OF IMPROVEMENTS, AND DESIGNATING A SPECIAL ASSESSMENT DISTRICT**

Trustee Ruggles questioned the percentage of residents that were in favor of this. To which Assessor Smith indicated 63%.

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Voorheis to approve Resolution #21-002; Determining Sufficiency of Petitions and Necessity of Improvements, and Designating a Special Assessment District for Oak Ridge Sewer. The motion PASSED by roll call vote (Kowall/yes, Smith/yes, Noble/yes, Voorheis/yes, Roman/yes, Ruggles/yes).**

**C. PUBLIC HEARING – ESTABLISHMENT OF TWIN LAKES VILLAGE ROAD PAVING SPECIAL ASSESSMENT DISTRICT**

**It was MOVED by Supervisor Kowall, SUPPORTED by Trustee Roman to open the public hearing for the establishment of the Twin Lakes Village Road Paving Special Assessment District. The motion PASSED by roll call vote (Smith/yes, Ruggles/yes, Kowall/yes, Roman/yes, Voorheis/yes, Noble/yes).**

Thomas Clark, 8849 Scenic Bluff Lane. He objects to the way the Twin Lakes Board went about passing around the petition for this special assessment district and believes it is a dual vote on their part. He shared there were several meetings and options presented to the residents regarding the degree of road repair to be done. It ranged from



doing nothing to full replacement. He has spoken with several of his neighbors and indicates that nine out of ten residents did not realize that a yes vote for this petition for the special assessment district was indeed a yes vote to repair the roads.

Jim Kushnereit, 410 Berry Patch Lane. He indicated that he is here to answer any questions the Board may have, as he was the one in charge of presenting this. As to Mr. Clark's comments, he indicated that the information was shared with the residents. He furthered that initially, at the first meeting at the beach, it was indicated that there were three options; do nothing, repair the roads, or replace the roads. When the petition went around, he indicates that it was to replace the roads, but if it didn't go through, they would look at other options.

Mathew Kobliska, 280 View Drive. He is in support of this before the roads deteriorate. He further thinks that they need to take their medicine now as it supports the resale values and quality of life for the neighborhood for this to proceed. He commends the people on behalf of the Village Association for doing the hard work they did to investigate this and for moving this plan forward. He is sure there were a lot of hours involved.

Thomas Clark, 8849 Scenic Bluff Lane. He shared that Jim is correct in that they gave the information, but his concern is that Jim brought to his attention that there was one canvasser that did not mention the petition was to replace the roads and he believes that Jim went back and corrected that. It is his view that nine out of ten people where he lives did not realize this was a vote to replace the roads. He is not knocking the Board for putting in the work that they are doing, but he thinks it could be a little more transparent. He believes the residents getting together in a clear-cut manner, that is written down stating what option they want to do would be better.

Susan Singer, 8797 River Run Drive. She agrees that the problem with this is how it was handled within the subdivision and that not everybody knew what was going on. The canvasser that came to her home clearly stated that this was not a final vote for replacing the roads and that it was just to see if the township would consider it. That canvasser was wrong and admitted so. She understands that many people who signed that petition did so under the wrong understanding. She furthered that the first petition to see if this should even go to the Township was only taken to a very select few. Her entire street was disregarded from the initial survey and yet they are still expected to pay large sums of money with no say in it. The initial vote of repairing, replacing, or doing nothing never happened. She does appreciate the work the Board has done, but there has been so many mistakes, misinformation, and people upset over this during the pandemic. She feels a meeting at the beach when people should not have been gathering is totally inappropriate. She feels this could have waited until it could have been discussed appropriately and hopes that this can be postponed until that opportunity occurs.

Thomas Clark, 8849 Scenic Bluff Lane. He wanted to mention that there are parts of the subdivision in the condominium area that may need replacement or repair, but much of the roads certainly do not need to be repaired. He cannot speak to the underlying layer, but during the pandemic it may be better to have a more forthright and clearer understanding of what we are voting for.

Steve Schulz, 8928 Twin Lakes Drive. He echoes the comments regarding the method of which the vote was taken and indicates that it was confusing. The initial gentleman that came to his house, clearly did not speak with the true intention of what the vote was. He attended the initial meeting by the lake and the amount of skepticism mentioned at that meeting does not match the vote total. In his mind there is a disconnect of how people are really feeling and the vote that was taken.

Supervisor Kowall noted letters received from the following residents:

- Susan Singer who stated her verbal comment into the record tonight.

- Kenneth Kramer a resident of the Twin Lakes Subdivision in objection to the Twin Lakes Road Paving Special Assessment.

Clerk Noble noted receipt of the same two correspondence and further noted receipt of the following correspondences:

- Rajko Klikovic, 8737 River Run Drive

Trustee Smith noted receipt of the following correspondence:

- Patrick Smith – objection
- The Singers
- Kenneth Kramer
- Thomas Clark – who spoke tonight
- Matalesan

Attorney Hamameh reminded that the Board needs to make sure that Clerk Noble receives the names and addresses of the objections so that they make it into the Resolution as there is an exhibit that lists the objectors.

Clerk Noble indicated that the correspondence from the Kramer's has exhibits attached and that will be the lengthiest in the record.

Trustee Smith confirmed that Clerk Noble received Exhibit 2. She also noted that Trustee Powell has now joined the meeting.

**It was MOVED by Supervisor Kowall, SUPPORTED by Trustee Powell to close the public hearing regarding the establishment of Twin Lakes Village Road Paving Special Assessment District. The motion PASSED by roll call vote (Smith/yes, Ruggles/yes, Kowall/yes, Powell/yes, Roman/yes, Voorheis/yes, Noble/yes).**

**1. RESOLUTION #21-003; DETERMINING SUFFICIENCY OF PETITIONS AND NECESSITY OF IMPROVEMENTS, AND DESIGNATING A SPECIAL ASSESSMENT DISTRICT**

Treasurer Roman stated that listening to the comments made, he is reminded of how many times he has been told to not ever sign a legal document before you read it. He indicated that the petition is very clear, and he proceeded to read it into the record. He furthered that it is one thing to hand a petition to someone and put the onus on them to read it, but it is another if they are misled. He asked Mr. Kushnereit if he believes people were misled and if the petition should be redone.

Jim Kushnereit responded that he does not think they were misled and that they were straight forward with this. That they put out printed literature to each resident, they were available for questions throughout the process, and he does not know what could have been differently. He shared that one petitioner on River Run did miscommunicate that they were just going forward with the SAD. and that it was not a final vote on redoing the roads. He confirmed with all other petitioners that it was described as a final vote to go ahead with the roads. He advised that when he found that out, he called each person that voted yes to that petitioner and explained to them that it was a vote to go forward with the roads. He stated that except for one person, everyone thought it was a vote to go forward with the roads and even that one person was in favor after the clarification. He believes it was explained to everybody and does not think it could have been any clearer.

Trustee Smith thanked Treasurer Roman for reading the petition into the record. She furthered that the petition verbiage is contained at the top of every signature page.



Trustee Powell pointed out that this is just establishing the special assessment district and that there will be one more hearing in which people can come and make their objection known to the Board. At this point, there is no vote to spending anyone's money, but rather just establishing the district.

Scott Trosen, 8749 River Run Drive. In response to the statement that numerous letters were sent, he noted that he has received nothing. In fact, he learned of this by a neighbor and received nothing outside of the canvasser who came by. He believes it is misleading to say he sent out letters to everybody. He admitted that he received a letter stating they had three options and that was the last correspondence he received.

Treasure Roman questioned of counsel, if he needed to make his motion subject to a promissory note.

Attorney Hamameh reminded that right now the Board is only establishing the district. The next stage would be confirming the role for all the properties and that is when the Board will want to make sure that there is a contribution agreement in place.

Treasurer Roman indicated there are twelve parcels that absolutely do not benefit from the SAD and need to be removed from the district. There are two others that are in question as they may have contributed to public road improvements, but they also touch the roads to be improved.

**It was MOVED by Treasurer Roman, SUPPORTED by Clerk Noble to approve Resolution #21-003; the Twin Lakes Road Assessment, removing the following parcels from the District:**

**12-23-280-001**

**12-23-280-002**

**12-23-280-003**

**12-24-155-001**

**12-24-155-002**

**12-24-155-003**

**12-24-155-004**

**12-24-303-001**

**12-24-303-002**

**12-24-303-003**

**12-24-303-004**

**12-24-303-005**

**The motion PASSED by roll call vote (Smith/yes, Ruggles/yes, Kowall/yes, Powell/yes, Roman/yes, Voorheis/yes, Noble/yes).**

## **NEW BUSINESS**

### **IAFF TENTATIVE AGREEMENT**

Cathy Derocher shared that the career firefighters have settled their tentative agreement being represented by the IAFF. They agreed to a 2.5% increase which mirrors the other agreements that have already been settled. She further indicated that the only group that needs to be settled for the current year is the paid-on-call group, which is hoped to be addressed next month. In the agreement many of the issues were administrative except for the 2.5% increase and fire marshal wage review.

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Trustee Smith to approve Tentative Agreement with the IAFF Local 5295 dated January 7, 2021. The motion **PASSED** by roll call vote (Kowall/yes, Roman/yes, Noble/yes, Ruggles/yes, Smith/yes, Voorheis/yes, Powell/yes).

**A. REQUEST BY RUSSELL BEACH ASSOCIATION FOR THE TOWNSHIP TO PARTICIPATE PARTIALLY IN THE EXPENDITURE FOR A TRAFFIC BARRIER ON CASCADE STREET**

Supervisor Kowall reminded that this group came to the Township some time ago to get the Board's blessing to pursue this avenue. At that time, the Board did agree to allow this to go forward. Commerce Township has tentatively agreed to approve with an approximate expenditure of \$5,000. White Lake would have an expenditure of \$5,000 and the Oakland County Road Commission will pick up the difference.

He further indicated for those that question how this would benefit the Township as a whole, that the Township has done other projects such as the Bogie Lake Road project at Sugden, as well as the Cedar Island Cooperative Project. In this area of the Township there has been an unprecedented amount of growth in traffic and individuals utilizing this road to avoid construction areas nearby. He furthered that this is a very narrow street, with very close housing. There is a percentage of residents that are White Lake residents and a percent that are Commerce. He reminded that there is a small park located within this area populated with small children. He is in support of this project and believes it benefits the quality of life to the residents and community as a whole.

Trustee Ruggles agrees with Supervisor Kowall. He has read the letters from the homeowners on the street and he is in favor of this. He couldn't think of a better way to spend \$5,000.

Trustee Powell totally agrees with this project but feels that it sets an extremely slippery slope for the Township, as these are private roads and for the Township to take public funds to give to a private road for improvement starts a bad precedent. He would be in favor the Board establishing a special assessment district for this project. We noted that the township has cut-through roads throughout the Township and they can make the exact same case that this subdivision is making. He absolutely believes that people north of M-59 should not be paying for the improvements of this private road. He also believes it is a fallacy to believe it will only be a \$5,000 contribution as it will be part of a tri-county plan. He indicates that the Township would be removing \$15,000 from the general population to be able to improve the roads in White Lake Township on a private road. He cannot agree to spending \$15,000 of White Lake Township Road Funds for a private road project.

Trustee Ruggles reminded that this Board is also tasked with the responsibility of looking out for the safety, health, and welfare of the residents and one could say this is a pretty big safety issue. Not to mention that the development that this Board has allowed to happen has compounded the problem.

Clerk Noble concurs with Trustee Ruggles comments. He observed the traffic flow on this road and from a public safety standpoint, and six years of enforcing traffic laws, he agrees with the Townships contribution for safety. He furthered that policeman hours would be comparable to the \$5,000. He feels it is a good value.

Trustee Smith indicated that when she started to receive information regarding this a few months ago, she reached out to Chief Keller and Deputy Chief Holland for their input. She is very satisfied with their assessment that this is out of safety and that they feel comfortable that their emergency vehicles can access the road. From a safety standpoint, she is all for it. She did question if Mr. Powell misspoke when he indicated \$15,000 from White Lake Township. She also questioned of Ms. Hamameh regarding the precedent that would be set, and asked if there was any legal guidance, she could provide that would prevent an unpleasant precedent being set.



Lisa Hamameh replied that she did not realize the sign would be in Commerce Township. She has not researched whether this expenditure would be lawful for White Lake and therefore would request if a motion goes forward that it is upon approval of her researching the Township's legal ability to contribute these funds for an improvement in Commerce Township. Additionally, because it is a private road Townships are not allowed to contribute. She would like to research the sign and if it is comparable to a road repair, because it is a private road.

Trustee Smith asked if her colleagues would join her in tabling this until next month to seek guidance of counsel. To which Supervisor Kowall is not opposed.

Treasurer Roman is of the understanding that Cascade is a public road, not a private road. He does agree with Trustee Ruggles, Trustee Smith, and Clerk Noble, that this isn't a road improvement. He would not support this if it was fixing the road, but this is more of a public safety issue to him. The traffic is coming into the Township. He suggests that rather than table it, approve it subject to it being a legal expenditure.

Clerk Noble commented that with adjacent borders like White Lake and Commerce, there is a Rod Rule that is used legally. For example, police officers can go seven yards into that jurisdiction. He asked if this would be applicable for the two Townships to coexist/help since there is a responsibility here.

Attorney Hamameh indicated that she will have to look at the Rod Rule.

Sean O'Neil indicated that after checking the street index map, it is in fact a public road.

Attorney Hamameh indicated that her concerns regarding precedent were with it being a private road and now that it is a public road, she is no longer concerned about that. The only aspect is that it is a Commerce/ White Lake which she doesn't believe will be a problem because of the proximity and all the reasons articulated on the record. She would like to investigate it and can do so tomorrow.

Tricia Dunn, 8492 Cascade Street. She is glad the Board is talking about this and noted that this is a public road. She indicated that they have worked hard to make sure the police and fire department can get down the street. She further indicated that the traffic is getting worse and that there is a definite safety issue as one child was almost hit when someone was trying to pass a bus. She doesn't want to see one of her grandchildren or somebody else's child get hit and killed because they have been talking about this for so many years and White Lake is the township left to approve it.

Tom Dunn, 8492 Cascade Street. His family has been in this property for over ninety years. He indicated that it is a public road and that the street is narrow, and the houses are close to each other and some are close to the road. He shared that just today the kids ran out in front of the school bus, but if a car was coming, they wouldn't even know the children were there. He has nine grandchildren and they go to the park across the street and he further noted that there are more children in the neighborhood now. He shared that they walk in the street as well. He shared of a situation where a car coming from Union Lake Road on Cascade passed him while in his car because they felt he wasn't going fast enough. He opined that the street is only about 2.5 blocks long and he has seen cars race down the street. He would appreciate if it could be made a one-way so people cannot go through there. He opined that it is a dangerous situation. He noted that it is a public street and there are potholes throughout that they don't take care of those.

Greg Strezempek, 8298 Cascade. He is an eight-year resident on Cascade. He reiterates everything that has been articulated tonight. He highlights the safety as they have had a few near misses with his grandkids. He noted that it's a blink of an eye and that the visibility gets tough. He further indicated when the police come there is



improvement but cannot be there all year. He opined that it works well when they stake out a spot for a week or two, but then when there gone it goes right back to the way it was. He appreciates any effort this Board can do to bring this over the finish line. He closed that it has been a long-time effort.

Karen Young, 8566 Cascade. She is a nineteen-year resident and a member of the Russel Beach Association. She has an eight-year-old son and not only is she concerned for his safety, but that of the other children within the neighborhood. She indicated that the kids utilize the park and the street is used for walking. She shared that she watches cars race by while she is waiting for the school bus with her son. She furthered that there are no sidewalks, there is no good lighting, and people ignore the stop signs. She furthered that with the development of four-corners and the construction not even complete, they see an outrageous increase of vehicles going down the road. She feels it will get worse with future development and indicated that people are not concerned with what is going on down Cascade, but rather just in a hurry and they fear for the safety of their families, children, and elderly. She hopes that the Board will vote yes to this before a fatality or injury does take place.

Katie Roberts, 8548 Cascade. She and her husband are ten-year residents on Cascade. They have four children and traffic has been a problem since she first moved in. In fact, it is the reason she joined this committee. She noted that they have done all the research with the road commission and that they were willing to do the stop sign solution at that point. She noted that while it helped a little, especially when the Oakland County Sheriffs were present, they can't be present all the time. She explained that the street is curved, and the visibility is not very good. She noted the speed limit is 25 mph, which is too fast in her opinion, but that is the lowest speed for a public road. It is very dangerous and worrisome. The traffic problem has just continued with the development project at the corner and that is not even done. She thinks that the Board is looking at this as the safety issue that it is, and she wanted to personally call in and hopefully thank the Board for their support. She indicated that Mike Drew worked closely with the road commission and that this was the plan they came up with. The county decided it would be a tri-party and if White Lake doesn't approve this, there is no option for self-funding of the \$5,000. This is ten-years in the making for her and even longer for others. She really hopes the Board will give their support.

Penny Strezempek, 8544 Cascade. She doesn't want to over sale this as she knows that sales 101 is to stop talking and not talk yourself out of a sale. She thinks they have done a good job of providing all the facts. The one thing she commented on regarding how this affects the entire township is that the four-corners development does benefit the entire township and their experience is that as a result of that development the traffic is adding to that already compounding traffic issue. In addition to the other statements made, this is why they believe it is a responsibility of the Township. She thanked the Board and asked for their support.

Barb Allen, 1712 Point Street. She takes advantage of the public park on Cascade and has seen numerous people blow through the stop signs. She opined that there are days that Cascade looks more like a parade than a simple road in a subdivision. She thinks this is long overdue as it is a huge public health safety issue and she doesn't think \$5,000 is unreasonable to support this project.

Michael Drew, 8518 Cascade. He is the individual who on behalf of Russel Beach Association who has been spearheading this effort. He is available to answer any questions.

Trustee Powell apologized to all the residents in the subdivision and to his colleagues as he thought it was private road. It makes all the difference in the world to him to learn that it is not. He pointed out to use Bogie Lake Road, that is used by tens of thousands of people twice a day, is not the same. He still believes the Township is giving up \$15,000 and when it comes back the Board will see how much is left in the tri-party fund; it will be \$15,000 less, but he too is in favor of this.

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Smith to approve the Russell Beach traffic barrier not to exceed \$5,000.00 and to allow the Supervisor to sign any documents or agreements subject to Commerce Township and Oakland County's participation and subject to legal review. The motion **PASSED** by roll call vote (Kowall/yes, Noble/yes, Roman/yes, Voorheis/yes, Powell/yes, Ruggles/yes, Smith/yes).

**B. REQUEST TO USE PA-188 FUNDS IN LIEU OF BONDING OUT BOGIE LAKE NORTH SEWER MAIN PROJECT**

Treasurer Roman reminded that the Bogie Lake North Sewer Project that originally had an estimated cost of just under \$500,000 was approved. He shared that the Township has received \$159,000 in early payoffs in December and that they are still coming in. Due to the significant number of payoffs, it is his recommendation that the Board change course and fund this project internally using the PA-188 Fund. He indicated that it would save approximately \$36,000 in bonding, legal, and administrative fees.

He further stated that the estimated money needed to complete this project is approximately \$300,000. As of January 7, 2021, the PA-188 Fund has \$549,895. Local banks are charging interest rates from 3.5% and up and those rates will go up. This SAD will allow payments over a 10-year period. It is his recommendation that this be internally funded and charge residents an interest rate of 4%. He shared that they are guessing that up to ten families may also request Township funding for emergency connections within this district. He feels this is a great investment in the community.

Trustee Ruggles agrees with Treasurer Roman. He thinks he is very wise and that this is a great savings for the residents and a great investment for the Township. He is in favor and appreciates that this was brought to his attention.

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Supervisor Kowall to approve the request to use PA-188 Funds in lieu of bonding for the Bogie Lake North Sewer Project. The motion **PASSED** by roll call vote (Kowall/yes, Noble/yes, Roman/yes, Ruggles/yes, Smith/yes, Voorheis/yes, Powell/yes).

**C. RESOLUTION #21-004; TO AMEND RESOLUTION #20-039, WHICH CONFIRMED THE BOGIE LAKE NORTH SEWER MAIN SPECIAL ASSESSMENT ROLL, AND REPEAL RESOLUTION #20-040, WHICH AUTHORIZED THE ISSUANCE OF SPECIAL ASSESSMENT BONDS TO FINANCE ACQUISITION AND CONSTRUCTION OF THE IMPROVEMENTS**

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Trustee Powell to approve Resolution #21-004; to amend Resolution #20-039, which confirmed the Bogie Lake North Sewer Main Special Assessment Roll and repeal Resolution #20-040, which authorized the issuance of Special Assessment Bonds to finance acquisition and construction of the improvements. The motion **PASSED** by roll call vote (Kowall/yes, Noble/yes, Roman/yes, Ruggles/yes, Smith/yes, Voorheis/yes, Powell/yes).

**D. FIRST READING; AMENDMENT 21-10 TO ZONING ORD 58**

Sean O'Neil noted the Amendment should read 21-01, as it is the first amendment for this year. He indicated the amendments span many different sections of the ordinance and are largely meant to clean up and clarify the language. The proposed substantive changes to the Home Occupation section (Part 13 of the list). He noted that medical marijuana has been something that has been treated as home occupation since its inception and that no regulation was put into the ordinance to protect the neighbors from the nuisance activity that is occasionally



associated with growing marijuana in residential districts. That section is to hopefully abate future nuisance. It is lengthy but the Planning Commission thinks it important to add these regulations.

As to Part 2 of the list, Article III, which deals with minimum lot regulations, he noted there is not currently a clear prohibition on how the Township deals with retention and detention basins in a net acreage calculation. The Planning Commission voted unanimously that areas devoted to storm water retention/detention should not be counted toward the net acreage unless it is able to be accessed and used and enjoyed by the residents.

He closed by indicating that most everything else is pretty clear and that this is a living document. He thanked the staff and Planning Commission for their hard work. He also noted that the Planning Commission did hold a public hearing on January 7, 2021, as required by law.

Supervisor Kowall thanked Mr. O'Neil and his team for the outstanding job.

Trustee Powell believes and breathes by these documents. He has reviewed them in detail and believes that everyone did an excellent job putting them together. He questioned on Part 8, the distance not exceeding 10 feet in the front yard setback for a deck or patio paved area, but it doesn't give any minimum distance in the rear yard. He questioned if it is assumed that it is 10 feet as well. He further questioned if it would make a difference on the height of the deck and if the Planning Commission discussed elevations.

Sean O'Neil indicated the only thing being changed in that section was adding the "un" to enclosed deck. As for elevated deck, he believes that once you are 6 feet off the ground, it must meet a setback. He will have to get back with Mr. Powell as he doesn't have his book in front of him.

Trustee Powell indicated that there is a definite benefit to moving easements and the road rights-of-way for most of the lots within the Township. To place a bug in Mr. O'Neil's ear, Trustee Powell indicated that when you have a one acre, one and half acre, or two acre minimum lot sizes, to remove area of roadway from a lot and end up with a net two acre versus a net quarter acre, you end up with a whole different view of what you should or shouldn't do when you're dealing with acreage or small quarter acre parcels.

Clerk Noble thanked Sean and Justin for their remarkable job, attention to detail and for cleaning a lot of the language up.

**It was MOVED by Trustee Powell, SUPPORTED by Trustee Ruggles to move Ordinance #21-01 of the modification of the White Lake Township Zoning Ordinance to second reading. The motion PASSED by roll call vote (Smith/yes, Powell/yes, Smith/yes, Ruggles/yes, Voorheis/yes, Roman/yes, Noble/yes).**

**E. REQUEST TO APPROVE THE CITY OF WALLED LAKE TO ENTER INTO THE WOTA INTERLOCAL AGREEMENT AND BECOME AN ACTING MEMBER OF THE WOTA BOARD**

Supervisor Kowall indicated this is very near and dear to his heart. He noted there is now another community that is interested as was mentioned during the forming of this organization/authority of which now the resolution approving the second amendment of the interlocal agreement regarding West Oakland Transportation Authority (WOTA), which will be Resolution 20-005. He shared that the City of Walled Lake wants to jump on board. He indicated that it will be a good thing as they will be a financial contributor, which will broaden the services even further for the White Lake, Highland, Waterford residents. It will broaden the community service area.

Kim Viener indicated that WOTA has been servicing Walled Lake as a management company through Highland. Their coming on board as a member boosts it up because they have a major commitment with us, rather than a contract that can be bumped off. They do operate from a millage with SMART currently, which will come to an end at the end of 2021. They are not sure if they will continue to opt in or draft their own millage.

Clerk Noble indicated that the square mileage of Walled Lake is 2.39 with approximately 7,000 people in the last census.

Supervisor Kowall believes that Walled Lake will bring approximately \$130,000 to WOTA. He reminded that this must be looked at as an organism as a whole and not what is here or there. He shared, with the help of Ms. Viener that WOTA has completed approximately 16,000 rides an almost 200,000 miles. Supervisor Kowall apprised that there will be neat things happening, particularly with the food delivering services. In reviewing the census data, he noted that 12% of the adult population in White Lake Township does not own a car and over 30% are considered seniors. He opined that the Township has a service area within its own community, and he couldn't be happier with this Board or Kim for all that has been done as it has made a huge difference to a lot of people, particularly during the pandemic.

Kim Viener indicated that they will contribute \$133,428 and that WOTA gets an estimated \$5,000 in additional fares.

Treasurer Roman gave thanks for the effort put in and commended for a great job done.

Supervisor Kowall shared that he uses Trustee Ruggles' words when presenting to other communities, "If we do it this way, we will fund it to fail." These words ring true, and he knows this is not the end all to all the problems, but it certainly helps the people in our community. He further shared a rumor that the RTA is rumbling around again.

Trustee Voorheis gave thanks to Kim for her work.

**It was MOVED by Supervisor Kowall, SUPPORTED by Trustee Voorheis that White Lake Township adopt and approve the Resolution approving the second amendment to Interlocal Agreement regarding the Western Oakland Transportation Authority (WOTA), Resolution 21-005. Whereas the special meeting of the Township Board in the Charter Township of White Lake, Oakland County held on September 24, 2019 at 5:30 p.m. the Resolution was offered and supported approving the Interlocal Agreement for Transportation Services between White Lake and Highland Township for the Western Oakland Transportation Authority. The special meeting for the Charter Township of White Lake, Oakland County held on November 26, 2019 at 5:30 p.m. a motion was offered and supported approving the first amendment of the Interlocal Agreement for transportation services between White Lake and Highland Township to add Waterford Township as a member of the Western Oakland Transportation Authority. Whereas WOTA has operated successfully in White Lake Township, Highland Township, Waterford Township since its inception providing affordable transportation within an expanded geographic area for seniors 55 years and older, disabled adult residents of membered communities and whereas the City of Walled Lake has expressed an interest in becoming a WOTA member community and the WOTA Board of Directors supports their request for membership and approval of a second amendment Interlocal Agreement. Therefore, be it resolved that the City of Walled Lake is approved as a voting and contributing member of the Western Oakland Transportation Authority (WOTA) to the approved amendment Interlocal Agreement for transportation services and that the Supervisor is directed to sign on behalf of White Lake Township. The motion PASSED by roll call vote (Kowall/yes, Roman/yes, Noble/yes, Voorheis/yes, Ruggles/yes, Powell/yes, Smith/yes).**



**F. REQUEST TO APPROVE DLZ ENGINEERING SERVICES PROPOSAL FOR OAK RIDGE PARK  
SANITARY SEWER MAIN SPECIAL ASSESSMENT DISTRICT**

Aaron Potter reminded that the Board approved 21-002 tonight establishing the district for Oak Ridge Park Sanitary Sewer Main Special Assessment District. DPS is requesting the Township Board to approve portions of the DLZ Proposal dated December 7, 2021, including design engineer services and geotechnical. This would allow for plan sets to be put together, get out to permits, and out to bids to get actual costs going forward for the next public hearing for establishment of the roll. He will need the Township Board to identify another funding source which he believes to be major maintenance and request the Board to authorize the Supervisor to execute all documents associated with the agreement.

It was **MOVED** by Trustee Powell, **SUPPORTED** by Clerk Noble to approve the Proposal by DLZ to provide engineering and geotechnical services for an amount not to exceed \$26,746.00 and to allow Supervisor Kowall to execute all associated documents for this agreement for the project labeled Oak Ridge Park Sanitary Sewer Main Special Assessment District. The motion **PASSED** by roll call vote (Kowall/yes, Roman/yes, Noble/yes, Ruggles/yes, Smith/yes, Voorheis/yes, Powell/yes).

**G. SETTLEMENT AGREEMENT**

Attorney Hamameh shared attorney client privileged to the Board today. On this day, the Township participated in facilitation in one of the pending litigation matters. She reminded that the Township initiated litigation against the property owner at 10325 Highland Road. A commercial building with four units that had building issues involving the roof, grading issues, and a unit being occupied without a certificate of occupancy.

In attendance for the facilitation was Supervisor Kowall, Nick Spencer and Ann McLaughlin. Sitting with a facilitator they were able to negotiate a settlement and are satisfied with the resolution as are defendant and defense counsel.

It was **MOVED** by Clerk Noble, **SUPPORTED** by Trustee Powell to approve the Resolution and accept the Agreement in the Redding case and authorize the Supervisor to sign the Facilitation Settlement Agreement. The motion **PASSED** by roll call vote (Kowall/yes, Noble/yes, Roman/yes, Ruggles/yes, Smith/yes, Voorheis/yes, Powell/yes).

**TRUSTEE COMMENTS**

**Trustee Voorheis** - Last month she spoke of manning Station III. This month she shared some history of Fire Station III.

- Groundbreaking took place in 1976 and 1977
- It sits on 1.42 acres
- Supervisor at the time was James Reed who turned over the first shovel of the \$82,000 structure
- The project was to be completed in 150 days
- It is an 1,800 square foot structure
- It was paid for from a \$150,000 loan from Home Administration
- Unveiled the new 2,000-gallon tanker, which replaced the 1955 one-thousand-gallon tanker
  - Which cost \$24,000
- The Station was also used at one time as a voting precinct

Regarding Parks and Rec, she indicated they are still working on Stanley Park and are close to finalizing the plan for it. She wished everyone safety and health.

Trustee Ruggles. He noted that the Planning Commission met on December 17, 2020 and January 7, 2021, and that both meetings discussed the items reviewed tonight.

Regarding Stanley Park, he would really like to see something that would get him to turn the wheel and drive over there when he has his family with him in the car. Something other than walking in a trail or sitting in a pavilion, something they would want to do – something fun. He wants an activity that will keep them busy (i.e. splash pad, play structure, etc.). Something different than what we already have in White Lake. He opined that Bloomers Park is great, but it is not something that they would continually go to. He is interested to see what has happened so far and what there is to look forward to.

**Trustee Powell** - He indicated that they are trying to address the exact concerns that Trustee Ruggles identified. He noted that there will be apartment dwellers that will need a place to be active. He furthered that he, Trustee Voorheis, and Trustee Smith are trying to engage the consultants to be creative. He is looking forward to presenting it to the Board as well.

He thanked the Board for their professionalism, and he considers it a pleasure to be around the Board and representing White Lake Township.

**Trustee Smith** - She gave the following library update:

- Providing curbside service
- Began the patio with programming and Wi-Fi
  - Done with donations
  - Hope to have outdoor concerts
- She welcomed the two new library board trustees, as a result of the November election

Last week was National Law Enforcement Appreciation Day and she thanked the White Lake Police Department and Clerk Noble for his service as a retired police officer.

She shared that the Township was recently allocated a grant from the Oakland County Restaurant Together Relief Program in the amount of \$23,000 to help support local restaurants. As a result, the Township received one igloo, which was given to Nick and Tony's Coney Island, three greenhouses that went to Billy's Tip'n Inn, Mohave Cantina, and Stella Table. Also received were fifteen patio heaters and a supply of propane. She indicated that there is a phase II to the grant which will occur in February. She thanked Sean and Justin for actively seeking those grants to help the local businesses.

She thanked the Board for opening Station III.

As for Stanley Park, she thanked Trustee Ruggles for sharing in her thoughts. She and Trustee Powell agree that this park really needs something to do as it will be the central park. The park needs more amenities and attractions. She is looking forward to bringing the plan to the Board very soon.

She gave her sincerest condolences on the passing of Deputy Clerk Bill Bullard. She shared that he will be greatly missed and informed of his memorial service scheduled for January 23, 2021 at 12:45 p.m. She also welcomed the new Deputy Clerk and hopes to meet him soon.



She believes there is a great opportunity with the new year and new Board to perhaps beef up the newsletter. She feels there is so much going on, and there is so much momentum with the Board, and so much information to share with the residents that she is hoping to find a way to do that.

She mentioned as a future agenda item that she would like the Board to consider how they appoint committee members and commission members. She would like to know more about them before they are appointed. She would like to see an interview process or bio. She doesn't want committee members that don't know what's happening in the Township. She believes those spots should be taken by very interested residents who know what is happening in the community.

She prays for peace and safety for the residents as we are a nation in great distress. She thanked the first responders and wished everyone safety.

**Treasurer Roman** - He declared Happy New Year to everyone as it must be better than last year. He wished Trustee Powell safe travels back to Michigan. He gave a heads up to all the residents that winter taxes are due no later than February 15<sup>th</sup> without penalty. He reminded residents to read their tax bill as it has a lot of information on it. To the residents that forgot to pay their summer taxes, there is a message reminding you that you may not have paid it. He indicated there is a lot of good information about paying taxes online using a credit card or electronic check.

He advised that they have temporarily suspended processing passports because the end of January and February are very busy for the Treasurer's Office. He also noted that his staff has been experiencing severe issues with software freezing. He frustratedly noted that they freeze up fifteen to twenty times a day, which require hard restarts each time. The Treasurer's office has been working with the Supervisor, Trish, Oakland County, and IT Right, but still haven't figured the problem. He thanked his staff for putting up with it.

**Clerk Noble** - Thanked the Board for the support both he and the Bullard family have received as his passing is a tremendous loss for White Lake. Senator Bullard as he knows him, had a long-distinguished career in the political arena and politics in general. He was a great human being and he is going to be missed as it is a devastating loss to him personally and all that knew him.

He pointed out that this last week, Justin, the Assistant Planner, along with Mr. O'Neil, caught an error with a publication and took it amongst himself to save the Township through negotiations with the Spinal Column. He feels that he is a great hire and that he has the Township's best interest.

Lastly, he thanked the Board for their professionalism.

**Supervisor Kowall** - Indicated that things change. Unfortunately, you can have a plan, but if you want to hear God laugh just tell him your plans. The new deputy clerk will be here before too long and the Board will build a relationship with him. He has a lot of experience in dealing with the public which is a major attribute. He also gave a shout out to Justin for handling the grants from Oakland County for the restaurants. He noted that when they came across his desk, he sent them to Justin who was hot on the trail. He further stated that the Township didn't get a lot of notice, but they are grateful for what they got. He shared that there are some changes coming soon around central township. The civic center planning is moving along and there will be joint meetings before too long and the Board as a team will work at it and make it go forward. He thanked the Board for supporting WOTA and

noted that there are new Ford buses that are not diesel. He indicated that SMART is wising up and giving WOTA more vehicles because they realized it isn't going away.

He closed with a thank you to the Board for the hard work and efforts. Good night and God Bless.

Attorney Hamameh requested each Board member identify their location from which they are participating:

Ruggles – White Lake

Kowall – Supervisor's Office

Voorheis – White Lake Township

Noble – White Lake Clerk's Office

Roman – 350 Cedar Creek Drive, White Lake

Powell – Detroit Metro Airport, Wayne County

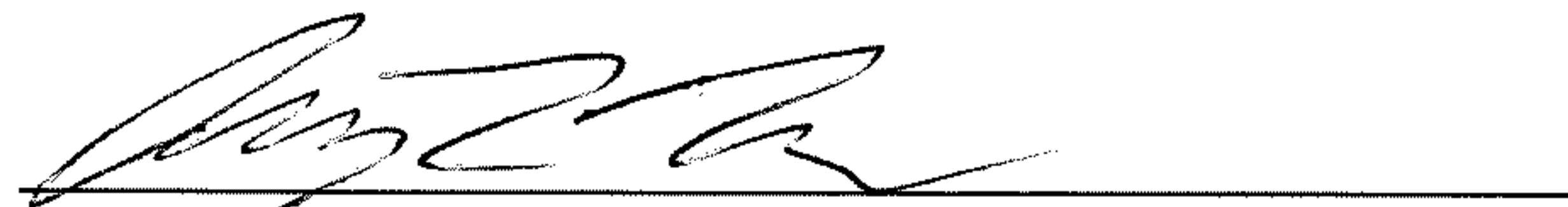
Smith – White Lake Township

#### ADJOURNMENT

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Trustee Smith to adjourn. The motion **PASSED** by roll call vote (Kowall/yes, Roman/yes, Noble/yes, Ruggles/yes, Smith/yes, Voorheis/yes, Powell/yes).

Meeting adjourned at 9:30 p.m.

I, Anthony L. Noble, 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, 2021 regular board meeting minutes.



Anthony L. Noble, Clerk  
White Lake Township  
Oakland County, Michigan