

CHARTER TOWNSHIP OF WHITE LAKE
Minutes of the Regular Board of Trustees Meeting
April 11, 2023

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

Clerk Noble called the roll:

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

Also Present: Sean O’Neil, Director Community Development
 Cathy Derocher, Human Resource Manager
 Jason Hudson, Ordinance Officer
 David Hieber, Township Assessor
 Lisa Hamameh, Township Attorney
 Michael Leuffgen, Township Engineer
 Jennifer Edens, Recording Secretary

AGENDA

Supervisor Kowall amended the agenda to remove:

- 6F – Department Report – Treasurer

It was MOVED by Treasurer Roman, SUPPORTED by Clerk Noble to approve the agenda, as amended. The motion PASSED by voice vote (7 yes votes).

PUBLIC COMMENT

Steven Woodard, 953 Schuyler Dr. He gave a shout out to Supervisor Kowall, Kelly, his office, and the Treasurer’s Office for getting the shrink wrap recycling program off the ground and running. He thinks it is doing quite well. He shared that it has been well appreciated in his neighborhood, Lakewood Village. He further shared that he sold 30 bags himself and that people are recognizing him on the street because of the video. He appreciates the follow through.

Supervisor Kowall is grateful for residents like Mr. Woodard who get involved.

CONSENT AGENDA

- A. REVENUE AND EXPENSES
- B. CHECK DISBURSEMENTS
- C. DEPARTMENT REPORT – POLICE
- D. DEPARTMENT REPORT – FIRE
- E. DEPARTMENT REPORT – COMMUNITY DEVELOPMENT

It was **MOVED** by Clerk Noble, **SUPPORTED** by Trustee Powell to approve the consent agenda. The motion **PASSED** by voice vote (7 yes votes).

MINUTES

- A. APPROVAL OF MINUTES – SPECIAL BOARD MEETING, MARCH 9, 2023
- B. APPROVAL OF MINUTES – SPECIAL BOARD MEETING, MARCH 14, 2023
- C. APPROVAL OF MINUTES – REGULAR BOARD MEETING, MARCH 21, 2023

Trustee Voorhies requested the following changes to the March 21, 2023, regular board meeting minutes:

- Page 7, second paragraph should read: Trustee Voorheis questioned what Director Potter would drive if he were trading in the vehicle he currently drives.
- Page 7, third paragraph should start with Director Potter, not Director O'Neil.
- Page 8, second paragraph should reference a 2007 vehicle, not a 2008 vehicle.

Trustee Powell requested the following changes to the March 21, 2023, regular board meeting minutes:

- Page 17, first paragraph should read: Supervisor Kowall indicated there is not another vehicle right now.
- Page 20, under his trustee comments, the word culver should be culvert.

It was **MOVED** by Trustee Powell, **SUPPORTED** by Trustee Voorheis to approve the minutes of the special board meeting, March 9, 2023, the special meeting on March 14, 2023, and the approval of the minutes for the regular board meeting on March 21, 2023, as amended. The motion **PASSED** by voice vote (7 yes votes).

PUBLIC HEARING

A. TO HEAR COMMENTS REGARDING THE CONFIRMATION OF THE SPECIAL ASSESSMENT ROLL FOR THE SPECIAL ASSESSMENT DISTRICT (SAD) DESIGNATED – EMERGENCY SEWER CONNECTIONS 2023-01

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Treasurer Roman to open the public hearing. The motion **PASSED** by roll call vote (Kowall/yes, Powell/yes, Voorheis/yes, Roman/yes, Noble/yes, Smith/yes, Ruggles/yes).

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Clerk Noble to close the public hearing. The motion **PASSED** by voice vote (7 yes votes).

NEW BUSINESS

A. RESOLUTION #23-011; TO CONFIRM THE SPECIAL ASSESSMENT ROLL FOR THE SPECIAL ASSESSMENT DISTRICT (SAD) DESIGNATED – EMERGENCY SEWER CONNECTIONS 2023-01

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Clerk Noble to approve Resolution #23-011 confirming the roll of the Special Assessment District. The motion **PASSED** by voice vote (7 yes votes).

B. BUILDING DEPARTMENT REQUEST TO SET DANGEROUS BUILDING SHOW CAUSE HEARING – 9090 BUCKINGHAM (GARAGE)

Director O'Neil referenced a memo dated April 10, 2023, in the Board's packet. He indicated that they are asking the Board to set a show cause hearing for May 16, 2023, as required by the ordinance.

Trustee Powell believes that the Dangerous Building Hearing Officer, Bruce Johnson, did a good job holding a hearing, in which the owner did not appear to defend his structure.

It was **MOVED** by Trustee Powell, **SUPPORTED** by Clerk Noble to schedule a show cause hearing at the Township Board level on May 16, 2023. The motion **PASSED** by voice vote (7 yes votes).

C. REQUEST TO APPROVE CONTRACT FOR MASSEUSE AT DUBLIN SENIOR CENTER

Attorney Hamameh indicated this would be a standard contract/template for future years. She continued that the Township is authorized to provide services and that this is an

exchange for services at a reduced fee. The Township is waiving the application fee for the massage therapist performing at the Dublin Senior Center. She also clarified that they still have to go through the investigation process, but the Township is waiving the fees for it.

Kowall believes this will streamline for other services and appreciates the revision.

Trustee Powell asked how much the individual will pay for the service as it indicates it will cost the Township.

Attorney Hamameh understands that at the scheduling of the appointment, the senior pays the center, and the Township in turn pays the masseuse at the completion of services.

It was MOVED by Trustee Powell, SUPPORTED by Trustee Smith to approve the template contract and the specific contract for the masseuse services at the Dublin Senior Center as presented. The motion PASSED by voice vote (7 yes votes).

D. REQUEST TO APPROVE KOHL'S AMENDED PLANNED DEVELOPMENT AGREEMENT

Director O'Neil shared that the Planning Commission considered this request and an amendment to the final site plan for Kohl's. Kohl's is seeking to change their wall sign to add +Sephora to the sign south facing on M59. He indicated that the Planning Commission approved the revision to the final site plan and recommended the Board approve the same.

He continued that the word Kohl's will not increase in size and the east facing sign will not be changed at all. In summary it is a 96 square foot increase over the existing sign which is 193 square feet. The ordinance has a maximum of 200 square feet.

Supervisor Kowall opined that it seems like a reasonable upgrade.

Trustee Powell questioned that the write up indicated that the Kohl's lettering did not change size and that the +Sephora sign as being 69 square feet, but the entire sign is 96 square feet more. He does not understand the math of it.

Director O'Neil believes the discrepancy is in how the sign is measured. He thinks the interpretation of the ordinance is the confusion. He continued that Sephora believes it is simply adding the word below. Director O'Neil indicated that the 289 square feet measurement was accomplished by drawing a box around the sign. He continued that if you add just the +Sephora, which is their interpretation it would be the additional 60 square feet which would only be 57 square feet over. To eliminate confusion, he indicated they use the larger square footage.

Trustee Powell confirmed that the Sephora sign was not on the JCPenney building, but on the marquee out front. He declared that the hardship they are claiming is that the Kohl's sign will stay exactly the same and they didn't want to scale it down to offset the additional +Sephora. He declared that the ZBA would not grant this approval because there is no hardship.

Director O'Neil indicated that he advised Sephora that they were fortunate that they could avoid the ZBA because of a different set of factors that have to be weighed. He indicated that this is an easier route, and they are not declaring a hardship, but a business opportunity.

Trustee Powell agrees with the Planning Commission that the building is large enough and sits back enough off of M59.

Trustee Ruggles agrees Trustee Powell.

It was MOVED by Trustee Ruggles, SUPPORTED by Treasurer Roman to approve item 9D, the Planned Business Development for Kohl's to allow the requested sign. The motion PASSED by voice vote (7 yes votes).

E. REQUEST TO APPROVE MICHIGAN EMPLOYMENT RETIREMENT SYSTEM (MERS) DEFINED BENEFIT PLAN ADOPTION AGREEMENT ADDENDUM

Manager Derocher reminded that in December 2020 the original MERS agreement was adopted. She indicated that as time goes on and contracts change, things need to be changed/updated. She declared this is a very small amendment to the original adopted agreement. She stated that the amendment is required because a short and long term disability has been added. She further stated that a box was checked to indicate that credit of service will not be granted to an employee who is on long term disability, with the exclusion of worker compensation situations. She clarified that under the definition of credited service one must work 75 to 80 hours per month.

She further clarified that each employee has a bank of time that accumulates and rolls over and that an employee could exhaust their time if needed and they would still have credited service because that was their earned time. She furthered that once they exhaust that time and go on short or long term disability, they don't receive a paycheck from the Township, but from an insurance company. Under that scenario, it does not meet the definition of working 75 to 80 hours minimum per month to receive credited services.

Supervisor Kowall clarified with Manager Derocher that an employee cannot buy credited hours.

Conversation ensued regarding this topic.

Manager Derocher clarified that there would be no contribution from an employee because it is a pretax contribution from their paycheck, and they would not be getting a paycheck. She confirmed that there would be no service credit earned.

Treasurer Roman questioned if it were a worker compensation situation would they get credit while being off. To which, Manager Derocher confirmed they would, but they would be required to make an employee contribution. However, it is up to the Township to work with the employee as to how the payment is made. She further indicated that the payment is based on what normally comes out of their paycheck.

Clerk Noble spoke to the service credits having to be made up at the time of retirement in order to meet the minimum years of service.

Manager Derocher declared that there is not a change to what is happening currently, but a change in the documentation that the Township must provide to MERS. She indicated that it is not unusual to modify these types of things as we evolve. She stated when the amendment was first drafted there was no short/long term disability. Now the Township has a true short and long term policy through Equitable. It is a paid benefit by the Township.

Supervisor Kowall clarified that it has nothing to do with workers compensation.

Clerk Noble clarified that for vesting purposes if you missed three months of work then that time could delay retirement if the employee didn't have enough service credits. Manager Derocher stated yes for vesting purposes.

Trustee Powell confirmed that the Township does not pay for an employee if they are not working.

Manager Derocher indicated that short term goes to six months and for the first month the employee is required to use their PTO bank. For months two up to month six they have the short-term disability policy. At month six it would go to a long-term disability if they were still unable to return to work. She shared that short term pays \$450 a week and long term is 60% of their pay.

Trustee Voorheis thanked Manager Derocher for the conversation she had with her regarding this.

It was MOVED by Treasurer Roman, SUPPORTED by Clerk Noble to adopt the MERS Defined Benefit Plan Agreement addendum. The motion PASSED by voice vote (7 yes votes).

**F. FIRST READING; ORDINANCE TO AMEND CHAPTER 18, ARTICLE IV –
PROPERTY MAINTENANCE, OF THE WHITE LAKE TOWNSHIP CODE OF
ORDINANCES**

Supervisor Kowall indicated that in the past with nuisance lawns the process is long and drawn out. He stated that by adopting this the Township will publish 10 days prior to the beginning of each month from May to September, which will shorten the process. He believes this is designed for the habitual offenders.

Jason Hudson shared the time line for how the current process is implemented with regular offenders. He opined that this would simplify it. He declared at the beginning of each month the Township can automatically set up the contractors to go in and cut the grass down and in turn the Township will bill the residence for the services.

Supervisor Kowall indicated there are a few offenders on the M59 corridor and this would set the Township up to deal with these situations.

Trustee Ruggles questioned that publishing it speeds up the timeline.

Officer Hudson indicated that currently the Township has the option to publish the ordinance as it stands in March, letting the residents know that it is in effect as of May 1st. Currently most complaints are resident driven with telephone calls and he would visit the residents and send a letter to the property owner. This amendment would replace the letters. The Township will publish this ordinance language 10 days prior to every month through September, which will serve as notice to the residents that one must have their grass cut lower than 8 inches and keep it that way for the entire month.

Trustee Ruggles asked if it is for the entire Township regardless of zone.

To which Officer Hudson replied that it is. He further stated that the way the ordinance is written is that anything greater than 2.5 acres is not subject to this. He stated that properties that are one acre and below should be cut.

Trustee Smith questioned if it would be beneficial to send a letter the first time and then publish so that they are aware the change is coming. Perhaps in an effort to decrease hostility a notification that reflects the change that is coming. She further questioned what happens if something special is cut down or something is broken.

Officer Hudson indicated that they cut the grass only, no flower beds.

Supervisor Kowall agrees with Trustee Smith's point that the first time around send out the letter and give fair warning. He opined that some of these people just don't care.

Officer Hudson shared that it is an issue for those who do not take care of the property and that damage caused to the equipment while maintaining the grass is added to the bill of the property owner.

Supervisor Kowall interjected that the whole purpose of this is to streamline the process. He understands making people aware but reminded that it would be published. He is okay with a preemptive mailer, but that is it. He declared that the repeat offenders do not care.

Clerk Noble shared of a commercial building on M59 that the Township received calls about and how it took a lot of tracking down to determine who should be contacted and who should be maintaining the property. The tracking took them across state lines and by time they got the right person, it was August before it was addressed.

Supervisor Kowall reminded that Officer Hudson has a sympathetic hand for people, but that the Township looks inept when calls are received, and no action taken.

Officer Hudson indicated that they would use all available sources for publishing, including the Township website, Facebook page, signage, and what used to be the Spinal Column.

Trustee Ruggles wants to point out the individuals who are not habitual offenders and might not be aware and then suddenly a mowing crew shows up.

Supervisor Kowall interjected that type of situation goes into Officer Hudson's lateral authority and discretion.

Officer Hudson stated that he does try to address the issue with the property owner and that will not change. He also indicated that of the properties they are familiar with, many of them do not pay, and it is added to their tax bill.

Trustee Smith stated she has knocked thousands of doors and has seen weeds taller than she is. She stated there is a need for it in certain areas.

Treasurer Roman asked if the letters are sent certified mail. To which, Officer Hudson indicated that he uses first class mail.

Treasurer Roman agrees that a first-time letter should go out that indicates this is the only warning you are going to receive for future violations. He confirmed that could be added to a letter.

Trustee Powell questioned if there is a 1-acre parcel that has always been a field, one with no structure/home, that has never been mowed, would they be affected by this.

Officer Hudson noted that they have been addressed in the past and that there are vacant properties within subdivisions that he has had to contact the property owner and ask them to cut back a 10-15 foot square around the property. He indicated if it is wooded and has never been cut, he generally does not enforce those properties. He uses his discretion.

Trustee Powell with regard to a new subdivision where roads have been put in and parcels divided, he assumes Officer Hudson would not send a crew into mow the subdivision.

Officer Hudson indicated that it has happened, when a builder started work and vacated some of the properties. Then the HOA reaches out to his office and in turn he must contact the builder or responsible party to have them address the issue and cut it down.

It was MOVED by Clerk Noble, SUPPORTED by Trustee Powell to approve the first reading of the Ordinance to amend Chapter 8, Article IV – Property Maintenance, of the White Lake Township Code of Ordinances and move to second reading with first time offender notification. The motion PASSED by voice vote (7 yes votes).

G. FIRST READING; ORDINANCE TO AMEND CHAPTER 12, COMMUNITY DEVELOPMENT, ARTICLE II – CORRIDOR IMPROVEMENT AUTHORITY, OF THE WHITE LAKE TOWNSHIP CODE OF ORDINANCES

Director O'Neil reminded that on October 17, 2006, the Township adopted a Corridor Improvement Authority (CIA). The board for the authority was appointed and no further action was taken. Today, the Township is picking up where it left off back then and has appointed new corridor improvement authority board that is working on the bylaws and tax capture plan. The next step in the process is to bring the 2006 ordinance language into an

updated version. He thanked Attorney Hamameh, Assessor Hieber, and Mr. Carlisle for their efforts regarding this process.

Treasurer Roman highlighted under Section 12.24, that discusses treasurer and secretary compensation, he is curious if compensation has been discussed.

Director O'Neil noted that his department will staff the CIA and no one will be compensated and as it pertains to treasury duties, they will bring in Treasurer Roman. He reminded that the CIA cannot hire staff without this Board's approval. He indicated this is just to frame it so that it is consistent with state law.

Trustee Smith noted that statutorily they can be employees, but she recalled that this Board discussed this previously and that it is not going to happen. She understands that this is an effort to align with the statute, but questions if it could be removed since it is never going to happen.

Director O'Neil replied that it gives the Township the ability to do so in the future if they so choose to. He shared that the bylaws will be presented to the Township Board soon.

Attorney Hamameh does not think it needs to be buttoned up as it was already in the ordinance that was adopted many years ago. The section of concern talks about the governing board, the office that you can have, and the duties associated with those offices. She thinks it is important to have it in there and reminded that each one indicates that the Board may. She is not concerned regarding confusion.

Supervisor Kowall declared that the Township Board has the final say.

Trustee Powell thinks that it is okay to be in there and that thirty years from now there could be a need. He just asked that it be monitored by this Board and future Boards.

It was MOVED by Clerk Noble, SUPPORTED by Trustee Ruggles to approve first reading of the Ordinance to amend Chapter 12, Community Development, Article II – Corridor Improvement Authority, of the White Lake Township Code of Ordinances and to move to second reading. The motion PASSED by voice vote (7 yes votes).

H. REQUEST TO APPROVE ELIZABETH LAKE ROAD WATER MAIN EXTENSION

Michael Leuffgen reminded that DLZ has been working on plans for improvement to the Elizabeth Lake Road corridor for the civic center development. As part of that it includes

extending the water main. He shared that at the request of the Supervisor and Planning the water main component was pulled out of the project plans. There are a couple of benefits to that, which include moving forward quicker and freeing the Township of other grant related burdens. He shared that eight bids were received and of those, HMC, LLC was the lowest, but they were missing critical information on their bid. Therefore, he is not comfortable moving forward with them. The second lowest bid was submitted by Superior Excavating, Inc., a company which should be familiar to this Board as they have done work in the Township. He is looking for the Board's approval to award the contract to Superior Excavating in the amount of \$217,989.50.

Supervisor Kowall feels more comfortable going with duct versus plastic for the project.

Michael Leuffgen shared that when the library went in, a water main was brought down Elizabeth Lake Road. It was connected to the assisted living across the road. This extension would be from the west side of the road going south, across the driveway of Stanley Park to get out of any of those improvements. There will be a couple of stubs coming into the property for the civic center development and he shared that the one to the North is longer.

Trustee Powell pointed out to the Board that the prices, while not unusual in this climate, are horrendous for water main cost. He shared that it used to cost \$80 per lineal foot and this price is \$425 per lineal foot. He has personal experience with budget issues, but notes that it is what it is. He agrees that plastic pipe is not appropriate here.

Treasurer Roman noted that in speaking with a concrete contractor learned that they are already bidding on 2024 projects. His point was if he was bidding on a 2025 contract right now, they could bid a lot less. He noted that they are already busy for 2024. He is not surprised by the numbers.

Supervisor Kowall indicated the thought process was that it would service the park improvements down the road.

Treasurer Roman asked if HMC would be contacted letting them know they would not be getting the contract. To which Mr. Leuffgen indicated that anyone who submits a bid is contacted.

Michael Leuffgen further recommended an 8% contingency be included in any motion.

Treasurer Roman questioned what the contingency is for. To which Mr. Leuffgen indicated it covers the unforeseen.

Trustee Powell interjected that this is a unit price contract, and the contractor only gets paid for the work he does.

It was MOVED by Trustee Powell, SUPPORTED by Clerk Noble to award the contract to Superior Excavating for the extension of the water main along Elizabeth Lake Road for the Township project for a base bid price of \$217,989.50 with a \$20,000.00 contingency fee for a total budgeted price of \$237,989.50 to come out of the Improvement Revolving Fund. The motion PASSED by voice vote (7 yes votes).

Michael Leuffgen addressed the proposal for continued professional engineering services related to construction engineering services in the amount of \$18,300.00.

It was MOVED by Trustee Powell, SUPPORTED by Supervisor Kowall to award the construction contract administration, and construction inspection layout to DLZ for a price of \$18,300.00. The motion PASSED by voice vote (7 yes votes).

I. REQUEST FOR DISCUSSION TO CONSIDER AN INCREASE FOR PLANNING COMMISSIONERS AND ZONING BOARD OF APPEALS MEMBERS FROM \$45 PER MEETING TO \$75 PER MEETING

Supervisor Kowall thinks this is a very reasonable request.

Trustee Voorheis confirmed they are paid quarterly and only if they attend.

Trustee Smith asked how this compares to other communities.

Trustee Ruggles said he requested the agenda item and has served on both the ZBA and Planning Commission and indicated a lot of hours are involved with these meetings as well as homework to prepare. He stated that it is not about money, but \$45.00 per night is not nearly enough for the amount of service they put in.

Trustee Smith recalled that there is a mandatory ending time of 10:00 p.m.

Trustee Powell interjected that it is 10:00 p.m. unless authorized by the chairperson with the approval of the board to go longer.

Director O'Neil indicated that they also cap the number of cases to six. As to comparative pay, he indicated that Lyon Township pays approximately \$100 for Planning Commission and ZBA makes an additional \$5.00, but they also receive cost of living increases along with

the other Township positions. He clarified that none of the board members/commissioners do it for the money. He believes the White Lake may be one of the lowest paying Townships.

Trustee Smith confirmed that if the alternates are not there then they are not paid.

Director O'Neil reminded that if it is increased tonight it will remain at that amount until this Board approves an increase. He further raised that the application fee is \$750 plus an acreage formula for the planning commission, and it covers two meetings, but it is not enough. The ZBA is \$385 for residential and \$440 for nonresidential. He declared that this Board has two options: 1) leave the fees alone and know that it will be going in the red; or 2) provide directions of what the Board would like to see regarding the costs. He opined that you would have to have 1.5 to 2 ZBA cases a month to cover the costs of holding the meetings.

Treasurer Roman does not understand the fees and he would like to sit down and discuss further with Director O'Neil.

Director O'Neil does not think residents should be subsidizing development projects. He thinks with some math projections it could be adjusted.

Treasurer Roman thanked Trustee Ruggles for bringing this to the Board's attention and he thinks it is long overdue. He would support a motion for \$90 as he does not think \$75 is enough.

Mary Early, 5925 Pineridge Court. She stated with the exclusion of this Board's three officers, the other four trustees attend their own board meetings and committee meetings. She indicated that she and her husband try to attend all of them. She hopes they know how much knowledge, experience and expertise is involved and shown by the members. She declared that they deserve pay raises. She shared that every meeting they go to, they learn something. She is totally in favor of this and supports an increase of \$75.

Clerk Noble has had the privilege of serving on the Planning Commission. He is in total favor of this and noted that there is a huge learning curve when you first join the board.

Trustee Smith indicated that she is aware that the committees are great and that they are an extension of this Board, but she appreciates the compliment.

Trustee Ruggles believes \$75 is a starting point.

Treasurer Roman indicated he would vote no because he does not think the increase is high enough.

It was MOVED by Trustee Ruggles, SUPPORTED by Clerk Noble to approve a pay increase for Planning Commissioners and Zoning Board of Appeals from \$45.00 to \$75.00 per meeting and to have further discussion regarding potential changes to the fee schedule for the Planning Commission. The motion FAILED by roll call vote (Kowall/no, Roman/no, Powell/no, Voorheis/no, Smith/no, Ruggles/yes, Noble/no)

It was MOVED by Trustee Ruggles, SUPPORTED by Trustee Powell to approve a pay increase for Planning Commissioners and Zoning Board of Appeals from \$45.00 to \$90.00 per meeting and to have further discussion with Director O'Neil regarding fee increases or changes for the Planning Commission or Zoning Board of Appeals. The motion PASSED by roll call vote (Smith/yes, Ruggles/yes, Noble/yes, Kowall/yes, Roman/yes, Powell/yes, Voorheis/yes).

Director O'Neil clarified that it would be for the second quarter.

**J. REQUEST BY AMERICAN TOWER TO OPEN CONTRACT NEGOTIATIONS RE:
TOWER SITE 305629, 4870 ORMOND ROAD**

Supervisor Kowall indicated that American Tower is one of the largest and that they are constantly negotiating changes in their leases. He shared that they would like the Township to go from \$1,303.86 per month to a reduction of \$900 a month. He continued that they would like to give a 2% annual escalation versus the 3% in the contract. He noted that the tower is located in the backyard of fire station #3 and that it is a poor location and probably should have never been there in the first place. He indicated that it is a guyed wire tower, and it takes up space. He suggests that the Township live out the contract it has and if American Tower takes it down, then so be it. He opined that the property would then be worth more money. He does not recommend the Board entertain this.

Clerk Noble is in total agreement and indicated this would take the Township backwards, not forward, and the Township should not negotiate backwards.

Trustee Ruggles, Trustee Voorheis, Trustee Powell, and Trustee Smith all indicated that they agree.

It was MOVED by Supervisor Kowall, SUPPORTED by Treasurer Roman to decline the renegotiation of the American Tower, site number 305629 in White Lake Township. The motion PASSED by voice vote (7 yes votes).

FYI

A. 9885 CEDAR ISLAND ROAD UPDATE

Attorney Hamameh updated that the matter is in litigation. The Township filed its initial disclosures last week and opposing counsel has two weeks to file theirs. They are trying to coordinate a meeting with the relevant Township staff, opposing counsel, and the defendant to come up with a timeline of all of the events that are expected to happen. They seem interested in working with the Township and she is told that the property has been vacated.

B. CIVIC CENTER COMMITTEE UPDATE

Treasurer Roman thanked everyone who sent in the goals to the architect for the new township hall. The next meeting is in two weeks on April 26th. He shared that the schematic plans were received, and feedback was given.

Director O'Neil shared that the fire and police are much further ahead with their building and that there have been meetings with both as recently as yesterday to discuss the schematic design. He understands that the square footage hasn't changed, just the inner workings. He stated that there an established budget and discussion will continue to ensure that the Township will be in good shape and not millions over budget. He anticipates the need for some special meetings going forward.

Treasurer Roman indicated that it appears the majority of the Board like the lower-level walkout, having the senior center, board room, multipurpose space, and storage. He then asked if all of the township offices should be put on the first floor or should the Assessor and Supervisor be on the second floor. He personally likes all of the offices on one floor.

Trustee Voorheis likes all of the offices on the same floor.

Steve Woodard, 953 Schuyler . He saw the schematic early in the process. It struck him with the seniors in the basement that the elevator seemed small, and it would need be handicap accessible. He suggests making it big enough to accommodate wheelchairs and walkers.

Director O'Neil reminded that this is a walkout site with two main entrances; the lower level and the main entrance. He stated that if the Senior Center ends up being on the lower level and most likely it will, the seniors will have ample handicap parking to enter from the west side of the building in to the lower level directly.

Supervisor Kowall indicated that initially there was a walkout/main floor area that was to try and keep the footprint of the building functional but yet not eat up any unnecessary land for two reasons. One to allow for future expansion in the future and secondly it will allow for more land for the town center district which will allow a maximum return.

Trustee Powell would like to see the layouts that architects have done with the input given. He believes there should be a second story, but he believes it should be more of a kitchen, activity, eating or employee area. In his mind there is a deck/patio area on the west side of the area.

Discussion ensued that some of the trustees did not receive all the schematics.

Supervisor Kowall discussed the proper procedure for board members to reply via email. He designated Director O'Neil as the single source that all the emails should be sent to.

Director O'Neil will make sure everyone has all the schematics and he encouraged everyone to reply to the goals.

Supervisor Kowall indicated there is a holding pattern with the road commission down Elizabeth Lake Road. He will inquire as he is anxious about this moving forward and there is a considerable amount of interest from outside parties that are interested in coming to White Lake

Trustee Powell shared that he was out of town the last couple of weeks but was keyed in to the first preliminary meeting with the construction manager, both architects, and the design committee. He was very pleased with the meeting. He shared that everyone agreed there will be three projects; the public safety, township hall, and overall site work, which incorporates the other two buildings but expands to the sellable property. He is very confident with the architects. He noted that the construction manager and architects are willing to meet with the Board as it moves along.

Clerk Noble declared that the Township is going to be very busy for the next four months and that Director O'Neil will be working a lot of extra hours.

CLOSED SESSION

- A. RECESS TO ENTER INTO CLOSED SESSION TO CONSIDER
ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS IN ACCORDANCE WITH
MCL 15.268(1)(h)**

It was MOVED by Supervisor Kowall, SUPPORTED by Clerk Noble to enter into closed session to consider attorney/client privileged communications in accordance with MCL 15.268(1)(h). The motion PASSED by roll call vote (Kowall/yes, Roman/yes, Powell/yes, Voorheis/yes, Ruggles/yes, Smith/yes, Noble/yes).

The Board entered closed session at 8:50 p.m.

It was MOVED by Supervisor Kowall, SUPPORTED by Clerk Noble to return to open session. The motion PASSED by voice vote (7 yes votes).

Returned to open session at 9:12 p.m.

It was MOVED by Supervisor Kowall, SUPPORTED by Treasurer Roman to proceed with litigation for 9719 Cedar Island. The motion PASSED by voice vote (7 yes votes)

TRUSTEE COMMENTS

Treasurer Roman thanked the residents who are purchasing the boat shrink wrap recycling bags. He indicated that it is a great benefit to the environment, and he wants the Township to spread the word.

Trustee Powell has no comment.

Trustee Smith updated that she had the pleasure of being on the library's steering committee that creates goals for the library. She shared that there will be some focus groups this summer for the public to get involved. She noted that the Friends of the Library announced a high tea on Sunday, May 7, 2023, from 1:00 p.m. to 3:00 p.m. The tickets are available Monday, Wednesday, and Friday from 10:30 a.m. to 12:30 p.m. or that a check can be dropped off. The tickets are \$45.00 each.

Trustee Voorheis shared that the library is hosting an electronic dump day for earth day on April 22, 2023, from 9:00 a.m. to noon. Information can be found on the website hightechrecyclingmichigan.com. She also shared that May 20th is No-Haz. She shared that she is representing White Lake Township as the flag bearer at the MTA event next week and she will have the Township flag for the event.

Clerk Noble thanked Jason Hudson for the terrific job he does. He declared that he does his job with care and handles things very diplomatically.

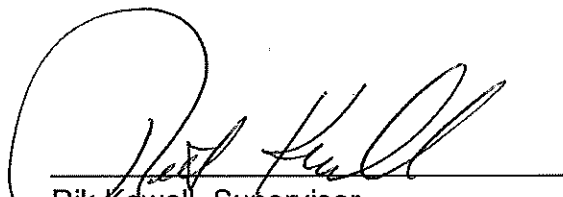
Trustee Ruggles shared that the Planning Commission will meet again on April 20th. He apologized for missing the last Board meeting.

Supervisor Kowall thanked everyone for coming to the meetings. He finds the public's reaction to the recycling program very interesting. He shared that his office has received calls from all over southeast Michigan regarding it. He believes it is over 20,000 hits. He will be ordering more bags and making a difference. By way of example, he offered that each shrink-wrapped cover weighs between five and eight pounds, if you multiple that by 100 bags, that is 500 to 800 pounds of material that will back into the system. He declared one less thing in a landfill and one more thing to make another product and stimulate the Michigan economy. He wished a good night, Happy Easter and God bless.

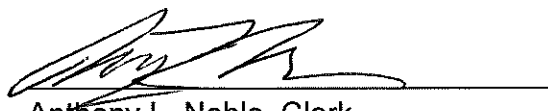
ADJOURNMENT

It was **MOVED** by Clerk Noble, **SUPPORTED** by Trustee Voorheis to adjourn. The motion **PASSED** by voice vote (7 yes votes).

The meeting adjourned at 9:19 p.m.



Rik Kowall, Supervisor
Charter Township of White Lake



Anthony L. Noble, Clerk
Charter Township of White Lake