

CHARTER TOWNSHIP OF WHITE LAKE
Approved Minutes of the Regular Board of Trustees Meeting
January 21, 2020

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

Present: Rik Kowall, Supervisor
 Terry Lilley, Clerk
 Mike Roman, Treasurer
 Andrea C. Voorheis, Trustee
 Scott Ruggles, Trustee
 Liz Smith, Trustee

Absent: Michael Powell, Trustee

Also Present: Sean O'Neil, Planning Director
 Jennifer Edens, Recording Secretary

APPROVAL OF AGENDA

Clerk Lilley added two items to the Agenda:

- New List of Bills dated 1/21/2020
- Treasurer's Report

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

PUBLIC COMMENT

Maryann Woodard, 953 Skylar. She lives across from the new civic center/park. She has a couple of questions regarding the campground/park. She wonders if the boat launch has been removed yet and if they have done any hazardous testing or soil testing at the launch and beach as recommended. She noted that the environmental study recommended testing to be done.

Senator Jim Runestad, 15th District. He is here tonight because he thinks that we, in southeast Michigan and maybe the State of Michigan are facing one of the most important pieces of legislation that has ever been considered in this state, HB 5229. It is a Regional Transit Authority that will basically take billions out of northern and western Oakland County and shift it primarily into Wayne and Washtenaw Counties. He furthered that 70% of the money is estimated to go to the City of Detroit and that western and northern Oakland County will get virtually nothing in return. He is talking about 5 mills per \$1,000 of appraised properties. 5 mills in Oakland County is over \$300 million. He thinks of what could be done annually with that money here (i.e. roads). He noted there are two proposals, one is a twenty-year and the other is a thirty-year. The twenty-year millage would be over \$6 billion from Oakland County and the other would be \$9 billion. He reminds that the \$6 to \$9 billion dollars could go to fix our roads and bridges. The

funds would go primarily into Wayne and Washtenaw Counties so that they can offset all of the unfunded liabilities for the Department of Transportation, which is about \$300 to \$350 million, the L-Train which is about \$10 million under water, the led pipes in the south of Oakland County (normally private property owners), and many, many other costs. It is the biggest cost shift that the State of Michigan has ever seen. He urges you to contact legislators, get the message out there. He closed that on the average new home in White Lake, it will increase \$700 more per year.

Eileen Kowall, County Commissioner. She agreed with what Senator Runestad stated. She is totally opposed to this, as are a lot of the Oakland County Republican Commissioners, Senators and Representatives. They have been meeting to try and figure out a way to make this train stop. There are some very scary things with the MPA Act. There are agreements in place with RTA regarding governance and procurement and those will go away with the MPA. She reiterated that she is totally opposed to this and that the ability for counties to opt out would go away. Lastly, she noted that the Board of Commissioners by majority vote decides the area to be taxed within a county. She noted that we don't have majority right now. She doesn't understand what is going on in Lansing and she doesn't understand what her republican colleagues are thinking. Their attitude seems to be - well it doesn't affect me. She stated the new golden rule is, "Do unto others as you would do unto others." They are trying to make them see the light. We are going to get dragged in as regional where they will try to balance out regional millages. They will use our tax money to help areas out that haven't been fiscally prudent. She reminded that in 2023 Detroit must start making their pension payments again, which is \$149 million a year that they don't have. Make your voices be heard and protest loudly. She appreciates the resolution that will be addressed tonight.

CONSENT AGENDA

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

MINUTES

A. APPROVAL OF MINUTES – SPECIAL BOARD MEETING, DECEMBER 12, 2019

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Treasurer Roman to approve the December 12, 2019 Special Board Meeting Minutes. The **MOTION PASSED** by voice vote (6 yes votes).

B. APPROVAL OF MINUTES – REGULAR BOARD MEETING, DECEMBER 17, 2019

It was **MOVED** by Trustee Ruggles, **SUPPORTED** by Treasurer Roman to approve the Minutes of the December 17, 2019 Regular Board Meeting. The **MOTION PASSED** by voice vote (6 yes votes).

PRESENTATIONS

A. PROMOTION OF SERGEANT MATT SILVERTHORN TO LIEUTENANT

Presentation by Chief Keller gave a brief yet accomplished background of Sergeant Silverthorn. He further welcomed his family in attendance tonight.

Clerk Lilley administered the oath and his mother pinned him with the Lieutenant's badge.

B. SPECIAL TRIBUTE TO MATTHEW HANSON – FRAN ANDERSON SCHOLARSHIP WINNER

Presentation by Supervisor Kowall. He began by identifying an annual event, the Christmas Extravaganza (Pontiac, White Lake, Waterford and Auburn Hills), which takes place in Downtown Pontiac each December. Fran Anderson, someone involved in that event and whom made a significant difference in our community, is now honored by the Fran Anderson Making a Difference Scholarship. The 2019 scholarship is being presented to Matthew Hanson, a student at Lakeland International Academy. His essay highlighted how he makes a difference in every community of which he is a member. He has received many academic honors and volunteers for Habitat for Humanity. He noted that White Lake is lucky to have such an amazing young man. In addition to a plaque he is being drafted for a day by the Board to see how his government works. He will get an idea of day to day operations.

PUBLIC HEARING

A. SHOW CAUSE HEARING FOR DANGEROUS BUILDINGS – 1337 PARK

Nick Spencer, White Lake Township Building Official. He believes that the Board needs to vote to bring this matter to a show cause hearing.

Lisa Hamameh noted that the Board was provided a timeline regarding this dangerous building. The Code of Ordinance, Dangerous Building § 8-110 requires that the Township Board affix a date, not less than 30 days after the hearing before the dangerous building hearing officer; provide notice to involved parties; and the relevant parties may appear to show cause why an order of demolition should not be issued. Today would be to schedule said show cause hearing.

John Hookana, property owner 1337 Park Drive. His parents are the original property owners. They owned two properties; one in Detroit and the 1337 Park Drive property. His father died in 1975 and research had to be done in Wayne County to obtain a death certificate. He has now been able to get the Detroit property sold. His father's death certificate is what has been holding things up. He has a signed contract dated 10/24/19 stating that he has a buyer for the property, but again the holdup was in obtaining his father's death certificate. He indicated that the people, a flipping company, are buying the home but won't close until he can establish a clear title and that his parents have passed. He offered copies of the forms he has and requested an extension from the Township. In response to questions of the Board, he indicates that his buyer is aware of the dangerous building process. He furthered that they have had inspections done on the property. He is slowing emptying the property. He identified that the buyer is Home Investors and that they have already quoted him a price and that they are just waiting for a closing.

Supervisor Kowall indicated that the company/buyer must reach out to the Township's building official and establish a game plan/window of time as to when this transaction will take place. He noted this has been on the docket for a long period of time.

Treasurer Roman questioned what the buyer's intent was with the property as in do they plan to fix it or rebuild it. He further questioned if the purchase agreement contains a drop date or mention a deposit or if he has received a deposit from the buyer.

Mr. Hookana indicated that they want to repair it and flip it and that there is no drop date, nor has he received a deposit, nor does the contract mention one. He indicated that he is working with a lawyer who has/is guiding him.

Clerk Lilley questioned of Nick Spencer, if he believed the property could be rehabbed. He also asked if this property would be required to hook to sewers and of the state of the well. He noted to Supervisor Kowall that all the items that he identified need to be investigated.

Nick Spencer identified that the foundation is in major disrepair and that the rear wall and roof are caving in. He has spoken to a contractor who indicated the cost to repair is very significant, upward \$100,000. He also indicated that the property would have to hook to sewer.

Supervisor Kowall scheduled the matter for a Show Cause Hearing on February 18, 2020. He advised that Mr. Hookana would have between and now and then to have this buyer come forward and establish a rehabilitation plan with the building official. If they do not do it to his satisfaction, the Board will move forward with the Show Cause on February 18th for the demolition of the home.

It was MOVED by Supervisor Kowall, SUPPORTED by Treasurer Roman to have a hearing on February 18, 2020 for a show cause hearing for a dangerous building at 1337 Park. The MOTION PASSED by voice vote (6 yes votes).

RESOLUTIONS

A. RESOLUTION #20-001; DECLARING OFFICIAL INTENT TO REIMBURSE PROJECT EXPENDITURES WITH BOND PROCEEDS FOR BOGIE LAKE NORTH SANITARY SEWER MAIN SPECIAL ASSESSMENT DISTRICT

Clerk Lilley noted that this is recommended by the bonding attorney to show that the Township, if the project doesn't go forward, can recoup any expenditures.

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Voorheis to approve Resolution #20-001, Intent to Reimburse Project Expenditures with Bond Proceeds for the Bogie Lake Sewer. The MOTION PASSED by voice vote (6 yes votes).

B. RESOLUTION #20-002; IN OPPOSITION OF THE 2020 REGIONAL TRANSIT AUTHORITY MILLAGE PROPOSAL

Supervisor Kowall noted that is not something that will work for our community. He furthered that all the northwestern township supervisors have agreed to pass a resolution against this. That they feel they will turn into a donor community up to \$5 mills to provide something with no return. He reminded that White Lake is currently a member of W.O.T.A. He believes that we need to be in charge of our own destiny and that a larger government is not necessarily the best government. He furthered that we can balance our budgets, mind our money and pool our resources with our neighbors as we see fit to work within our programs to meet the needs of our residents. We should not be paying for a train ride to Ann Arbor. He repeated a statement he heard, "I don't mind paying for the ticket, but I don't want to buy the train". These are monies that could be better well spent to meet our needs. He does not think this is in the best interest of our community.

Treasurer Roman stated that logistically Oakland County has twenty-one commissioners that are saying that even if White Lake Township votes against RTA, they are going to force them to pay this millage. White Lake would like that if voted on to have an opt-out option. It is something that will not directly benefit us at all. He encouraged residents to contact their county commissioners and have their friends contact the commissioners. At this point it is about getting the majority of the commissioners to realize that you don't tax people if they're not getting anything for their tax dollars. He agrees that it is probably \$700 - \$800 for the average home per year over the next twenty years. He is in definite support of this resolution.

Trustee Ruggles agrees with what was said and he is hopeful that we can achieve an opt out.

Public comment from Commissioner Kowall that there will be a new website up this week www.nobustax.com .

Martin Ciurlik, (address indiscernible) questioned if there was any plan to communicate this to the public at large. To which Supervisor Kowall responded affirmatively.

It was MOVED by Supervisor Kowall, SUPPORTED by Trustee Smith to adopt Resolution #20-002 in Opposition of the 2020 Regional Transit Millage Proposal and its related Legislation particularly HB5229. The MOTION PASSED by voice vote (6 yes votes).

C. RESOLUTION #20-003; TO APPROVE RENTAL PROPERTY ORDINANCE PROCEDURES AND GUIDELINES

Fire Marshall Holland hopes everyone had an opportunity to look at this. He noted that it is consistent with the Ordinance and that this has been three-years in the making.

Supervisor Kowall noted that this a tool to ensure we have safe and adequate housing. It stemmed from a stack of photos that showed up on his desk one day of a rental unit that was deplorable by a landlord that just didn't seem to care. This ordinance mimics a lot of what Waterford Township operates on. It has been successful in Waterford.

Lisa Hamameh reminded that the Township Board has already adopted the Ordinance, months ago. Within that, it provided that inspection guidelines will be approved by resolution of the Township Board. What is in front of the Board tonight adopts the procedure, therefore satisfying the requirement in the Ordinance.

Kevin Oldham, 941 Dacea Court. Questioned if this pertained specifically to single family homes or if it included multi-family and if it comes with a non-occupant certificate of occupancy or how that works. He further questioned what the fee schedule will be.

Lisa Hamameh responded that there will be landowner registration and property certification. She further noted that the fee schedule may be on the Agenda next month.

John Earley, 5925 Pine Ridge Court. He asked if there will be a copy of this available. He was advised that it is available on the Township website.

It was MOVED by Clerk Lilley, SUPPORTED by Supervisor Kowall to adopt Resolution #20-003 to approve Rental Property Ordinance Procedures and Guidelines. The MOTION PASSED by voice vote (6 yes votes).

NEW BUSINESS

A. REQUEST TO ADD THREE (3) FULLTIME CAREER FIREFIGHTERS

Chief Marinucci indicated that Fire station #3 has not been opened during his time with the Township. Additionally, the response of the paid-on call firefighters has not been adequate and the response time from Station #1 is beyond acceptable standards. For these reasons he is requesting three additional firefighters which will allow staffing at all three stations. In response to a question of funding by Clerk Lilley, Chief Marinucci indicated the funds for these positions would come out of the general operating fund and that there is adequate funding that will not require a short-term request of residents for additional money.

Both Trustee Ruggles and Trustee Smith thanked Chief Marinucci for bringing this to the Board as they have been asking for this for a long time and believe it is a great step for the Township.

Trustee Voorheis asked if Chief Marinucci sees any retirements in the short-term future and where this would leave staffing levels. To which Chief Marinucci indicated that these hires would raise staffing levels from 18 total to 6 for each shift and that he doesn't foresee any retirements.

Treasurer Roman asked how much of a need does Chief see in the future for paid-on call firefighters and does this alleviate that need.

Chief Marinucci is hopeful that in the not so distant future a study can be done. He noted that there are extreme challenges with the system right now, runtimes are growing, and response time issues are not being addressed with the on-call system.

Clerk Lilley noted that it is his hope that Chief Marinucci will be staying with the Township for a while as he has proven he is a team player and moving the Township forward.

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Smith to approve the Request for Three Additional Firefighters. The **MOTION PASSED** by voice vote (6 yes votes).

B. REQUEST TO CHANGE DPS DEPARTMENTAL AID POSITION TO REGULAR PART-TIME

Aaron Potter is requesting the seasonal part-time position of departmental aid be moved to a regular township part-time position. It will allow more flexibility with scheduling and reinforce the department against the workload. Lori McKee would continue in the position and continue to work 3-days per week. He indicated that funding for this is included in his budget and no amendment would be necessary.

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Smith to move the DPS Departmental Aid Position from a Seasonal Part-Time Position to a Regular Township Part-Time Position. The **MOTION PASSED** by voice vote (6 yes votes).

C. REQUEST TO APPROVE LAKEPOINTE REVISED PRELIMINARY SITE PLAN

Sean O'Neil indicated that this land, known as Lakepointe (preliminary Site Plan) is located on the northeast corner of Union Lake Road and Carpathian consisting of approximately 13.32 acres. The property is currently zoned PD. The developer is proposing 69 ranch style apartments similar to Redwood with an attached garage. This developer prides himself on the exterior finishes. The Planning Commission recommended approval by a 4/3 vote. The applicant, in response to concerns of Bocovina residents, is going to donate up to \$15,000 for speed humps on the cut-through roads in Bocovina. The applicant in consideration for a southwest passing lane, would like to do it at a later date in conjunction with other property not yet owned by this applicant. Mr. O'Neil noted that the OCRC is not requiring it and therefore it can't be forced. The applicant and engineers are present tonight. The recommendation of the Planning Commission is to approve with conditions.

Clerk Lilley questioned the reasons the other Planning Commissioners voted against it.

Sean O'Neil indicated that traffic in general, number of units, downstream traffic (Cooley and Union) and into Commerce Township toward M-5. There was a greater concern about traffic in general. A previous applicant was approved for 57 units and they thought 69 units was too much of an increase.

Trustee Ruggles stated it was discussed for 2-hours. He recalls that density and traffic were at issue and layout may have been mentioned. The traffic study considered the property across the street to be developed and it was still at a B rating, which is hard to achieve. The density went up because the developer was able to reduce the size of the retention pond. A month ago, the Planning Commission gave him a list of things to improve the plan, which he did. The developer added a pool and clubhouse that weren't asked for. He votes in support of it. He doesn't find it as negative as his fellow commissioners may have.

Treasurer Roman asked how this density compares to Redwood. To which Mr. O'Neil was unable to answer. Treasurer Roman confirmed that this plan has sidewalks, city water and city sewer which is an expansion of the Township's system.

Supervisor Kowall has looked at the site plan and he is glad to see they were able to reduce the size of the basin. He has major concern of not having a passing lane. He receives calls daily about the traffic on Union Lake Road. He thinks it is a good use of the area and hopes than when the additional property is developed that a passing lane be considered.

Trustee Smith thanked Mr. O'Neil and Trustee Ruggles for answering her questions. She is glad to see sidewalks and would support a passing lane.

It was MOVED by Supervisor Kowall, SUPPORTED by Treasurer Roman to approve the Lakepointe Revised Preliminary Site Plan Subject to the Terms and Conditions of the Planning Commission and a passing lane to be required at a future date. The MOTION PASSED by voice vote (6 yes votes).

D. PAID MEDICAL LEAVE ACT

The Township of White Lake is required to adhere to State of Michigan Public Act 369 of 2018 "Paid Medical Leave Act". An act to require certain employers to provide certain employees with paid medical leave for personal or family health needs, as well as purposes related to domestic violence and sexual assault and to specify the conditions for accruing and using paid medical leave. Eligible employee shall include any individual engaged in service to the Township of White Lake. This benefit is intended to provide an opportunity for eligible part-time employees to accrue paid medical leave (PML), to be used in accordance with the Michigan Paid Medical Leave (PA369) of 2018 (PMLA).

It was MOVED by Supervisor Kowall, SUPPORTED by Trustee Ruggles to approve the Paid Medical Leave Act for the Regular Part-Time Employees PA 369. The MOTION PASSED by voice vote (6 yes votes).

E. REQUEST TO APPROVE WINTER CARNIVAL FIREWORK PERMIT – WHITE LAKE CITIZENS LEAGUE

Trustee Voorheis received an email that indicated that a decision will be made in the near future to either proceed with the scheduled date or use one of the alternate dates. Discussion ensued as to whether a rain date existed.

It was MOVED by Supervisor Kowall, SUPPORTED by Treasurer Roman to approve the Fireworks Permit for Winter Carnival of the White Lake Citizens League for a display date of February 1, 2020 and to allow a rain date for future display of the event to be approved by the events committee. The MOTION PASSED by voice vote (6 yes votes).

OLD BUSINESS

A. SECOND READING; ORDINANCE TO AMEND CHAPTER 32 – SOLICITATION

It was MOVED by Supervisor Kowall, SUPPORTED by Clerk Lilley to adopt the Ordinance to Amend Chapter 32 - Solicitation. The MOTION PASSED by voice vote (6 yes votes).

TRUSTEE COMMENTS

Trustee Smith reminded that the next Library Board meeting is scheduled for January 22nd at 6:45 p.m. She also shared that there will be memorial service for Larry Ostrovsky this Saturday, January 25th at 11 a.m. The service will be held at the Church of Holy Spirt in Highland Township. She encouraged residents to consider supporting the police department for their February 22nd Polar Plunge to support the Special Olympics. She thanked residents for joining the meeting.

Trustee Voorheis noted that Sean O'Neil is the new Parks and Recreation liaison, filling the spot of Jason Iacoangeli. She shared a Historical Society moment entitled, "Does White Lake Township need an Airport?" from 1966.

Treasurer Roman thanked everyone for attending and watching live stream. He reminded that winter taxes are due February 14th and encouraged residents to not wait until the last minute. He also reminded that residents have until June 1st to purchase new 2020 dog licenses. Lastly, he noted that he has had conversations with many people regarding the amount of taxes in White Lake. He declared that the RTA is coming. Talk to your friends, make them aware, and hopefully we can get enough votes to shoot it down. Everyone needs to vote this down.

Trustee Ruggles noted that the Planning Commission met last Thursday, and the next meeting is set for February 6 or February 20, 2020.

Clerk Lilley reminded everyone that there are four elections this coming year: March, May, general election in November, and August primary. Applications for absentee ballots will be sent out. He encouraged residents with questions to contact the Clerk's Office.

Supervisor Kowall noted that W.O.T.A. is up and running and that it has caught the interest of other communities. He indicated that it is still in the experimental stage, but he believes in general it will be a good thing for the community and before too long you'll be seeing the buses. He declared that RTA is a bad deal and encouraged residents to talk with their friends. Everyone has worked hard for their home and that is where most of their wealth is located. He encouraged everyone to get ahold of the legislators and county commissioners.

Regarding the park, there have been multiple dumpsters filled and removed. He indicated that the required environmental that the state required was completed prior to the purchase. We have done environmental on both houses being torn down, abate of the structures, and well abandonment. We are following all the processes, looking at the one home as a training for the fire department, and the house on the park property will be completely torn down.

EXECUTIVE SESSION

- A. APPROVAL TO RECESS INTO CLOSED SESSION TO CONSIDER THE PURCHASE OF REAL PROPERTY IN ACCORDANCE WITH MCL 15.268(d)

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Trustee Ruggles to move into Executive Session to Recess into a Closed Session to Consider the Purchase of Real Property in Accordance with MCL 15.268(d). The **MOTION PASSED** by voice vote (6 yes votes).

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

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Treasurer Roman to move into Executive Session to Recess into Closed Session to Consider Attorney/ Client Privileged Information in Accordance with MCL 15.268(h). The **MOTION PASSED** by roll call vote (Kowall/yes, Lilley/yes, Roman/yes, Ruggles/yes, Voorheis/yes, Smith/yes).

The meeting was recessed into Executive Session at 8:37 p.m.

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Treasurer Roman to move into Regular Session. The **MOTION PASSED** by roll call vote (Kowall/yes, Lilley/yes, Roman/yes, Ruggles/yes, Voorheis/yes, Smith/yes).

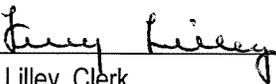
It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Treasurer Roman in accordance with MCL 15.268(d) to authorize the Township Supervisor to proceed as discussed in Executive Session. The **MOTION PASSED** by voice vote (6 yes votes/ 1 absent).

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Smith in accordance with MCL 15.268(h) to authorize the township attorney to proceed as discussed in executive session. The **MOTION PASSED** by voice vote (6 yes votes/ 1 absent).

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Treasurer Roman to adjourn meeting. The **MOTION PASSED** by voice vote (6 yes votes /1 absent).

Meeting adjourned at 9:35 PM.

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 21, 2020 special board meeting minutes.



Terry Lilley, Clerk
White Lake Township
Oakland County, Michigan