

**CHARTER TOWNSHIP OF WHITE LAKE**  
**Approved Minutes of the Regular Board of Trustees Meeting**  
**August 20, 2019**

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  
                  Michael Powell, Trustee  
                  Scott Ruggles, Trustee  
                  Liz Smith, Trustee  
                  Andrea C. Voorheis, Trustee

Also Present:  Lisa Hamameh, Attorney  
                  Sean O'Neil, Planning Director  
                  Aaron Potter, DPS Director  
                  Jennifer Edens, Recording Secretary

**AGENDA**

**It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to approve the Agenda. The MOTION PASSED by voice vote (7 yes votes).**

**PUBLIC COMMENT**

Tony Meisel, Pinecrest Drive. She reminded that she attended the Board's meetings for the last two months to explain the problems that she and her neighbors have been having with their septic systems. Her association committee has been working with the Township for over a year to provide relief and extend the mainline from Bogie Lake Road into her subdivision. She noted that prior to last months meeting, Aaron Potter advised her that the costs would be forthcoming the next day. However, it took two weeks to receive the information, which she found confusing. She is happy to report that as of this afternoon her questions have been answered and she can now take the information to the committee. She is not sure how this work out, but at least the needs are being addressed of those in need of a new septic system and the environmental concerns of raw sewage entering the lake. She noted that they met with Jeanine Smith in Assessing last week and found her to be very helpful. She closed by stating that this has been a long and confusing project that she believes could be simplified. She hopes that her neighbors will understand the information provided and complications of it and will allow them to move forward with the project. She appreciates any assistance received by the Board and will return with updates as she believes it is important for the Board to keep an eye on this project.

Peter Piccinato, 8771 Townsend Drive. He thanked Aaron Potter as he notices a significant difference with the iron filtration. He hopes that someday the other 20% will get onboard.

He furthered that he hopes the Township will continue with the audio/video for the board meetings and not forego it due to concerns of board members grandstanding. He believes the public is smart and understands when in fact that is happening. He furthered that perhaps Supervisor Kowall can stop that when it happens. He doesn't believe the audio/video should stop just because primaries are coming up.

Lastly, he discussed the compensation committee. In December he sent the Board an idea regarding a compensation committee idea. He proposes nothing more than what is in the MTA Handbook. There are three ways of compensation and one is a committee. He notes the concerns of board members but reminds that it is a recommendation. The Board can decide whether the recommendation makes any sense or not. The concern that the committee members would be all pro towards pay raises – he reminded that while the Supervisor would get to pick them, and the Board would vote on them. He believes it is time for the citizens to determine the raises, not the government determining their own raises.

#### **CONSENT AGENDA**

- A. LIST OF BILLS**
- B. REVENUE AND EXPENSE**
- C. CHECK DISBURSEMENT**
- D. DEPARTMENT REPORTS**
  - 1. POLICE**
  - 2. FIRE**
  - 3. COMMUNITY DEVELOPMENT**
  - 4. TREASURERS REPORT**

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Supervisor Kowall, to approve the Consent Agenda. The **MOTION PASSED** by voice vote (7 yes votes).

#### **MINUTES**

##### **A. APPROVAL OF MINUTES - REGULAR BOARD MEETING, JULY 16, 2019**

Trustee Smith noted a correction on Page 9 under her trustee comments that should read:

She encouraged residents to join the White Lake Police Department on **August 3rd** from 11am to 3pm at the White Lake Kroger for the Zero Hunger Emergency Food Drive. They are collecting nonperishable food items and filling a police car August 3, 2019, not August 30, 2019.

Clerk Lilley noted a correction on Page 5, Item B, the motion should read:

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Smith to approve the purchase of **two** Lucas3 units from Stryker in the amount not to exceed \$29,000.00. The **MOTION PASSED** by voice vote (7 yes votes).

It was **MOVED** by Trustee Voorheis, **SUPPORTED** by Trustee Powell to approve the Minutes of the Regular Board Meeting dated July 16, 2019. The **MOTION PASSED** by voice vote (7 yes votes).

**B. APPROVAL OF MINUTES – SPECIAL BOARD MEETING, AUGUST 1, 2019**

Clerk Lilley noted a correction on Page 5 that should read Mrs. Smith feels rather than feel.

It was **MOVED** by Trustee Voorheis, **SUPPORTED** by Trustee Powell to approve the Minutes of the Special Board Meeting dated August 1, 2019. The **MOTION PASSED** by voice vote (7 yes votes).

**PUBLIC HEARING WITH RESOLUTION**

**A. HEARING TO CONFIRM THE SPECIAL ASSESSMENT ROLL FOR ROAD MAINTENANCE ON MEADOW LANE ROAD MAINTENANCE SPECIAL ASSESSMENT DISTRICT**

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

No public comment.

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Ruggles to close public hearing. The **MOTION PASSED** by voice vote (7 yes votes).

**1. RESOLUTION #19-027; TO CONFIRM THE SPECIAL ASSESSMENT ROLL FOR SPECIAL ASSESSMENT DISTRICT DESIGNATED MEADOW LANE ROAD MAINTENANCE**

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Ruggles to approve Resolution #19-027; To confirm the special assessment roll for Special Assessment District Designated Meadow Lane Road Maintenance. The **MOTION PASSED** by voice vote (7 yes votes).

**B. HEARING TO ESTABLISH EMERGENCY SEWER CONNECTIONS 2019-02 SPECIAL ASSESSMENT DISTRICT**

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Powell to open public hearing on the Emergency Sewer S.A.D. The **MOTION PASSED** by roll call vote (Kowall/yes, Lilley/yes, Roman/yes, Ruggles/yes, Voorheis/yes, Smith/yes, Powell/yes).

No public comment.

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Smith to close public hearing. The **MOTION PASSED** by voice vote (7 yes votes).

**1. RESOLUTION #19-028; TO ESTABLISH AND MAINTAIN A SPECIAL ASSESSMENT DISTRICT TO BE KNOWN AS EMERGENCY SEWER CONNECTIONS 2019-02**

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Treasurer Roman to approve Resolution #19-028; To establish and maintain a special assessment district to be known as Emergency Sewer Connections 2019-02. The **MOTION PASSED** by voice vote (7 yes votes).

**RESOLUTION**

**A. RESOLUTION #19-033; CLASS C LIQUOR LICENSE LOCAL GOVERNMENT APPROVAL FOR MPT RESTAURANT GROUP INC.**

Clerk Lilley noted that it was not his intention to include this Resolution in the packets tonight. However, the application for a liquor license has been pending in his office since January 2018. The gentleman is in the process of making what appears to be a substantial financial commitment to White Lake Township. He has applied for a building permit, which has not yet been granted. To clarify he wants to make sure the applicant is protected in securing a license after making such significant commitment to White Lake. Clerk Lilley suggest that this matter be tabled.

Trustee Powell concurs with Clerk Lilley. The Township wants to make sure the applicant is going to perform and if the Township gives him a license prematurely, he has the right to then sell it or do whatever he wants without improving the Township. He noted that at the same time it behooves the Township to represent that if he does what he is claiming to do that we have a license waiting for him. He believes that is the intent of the Board and wants the applicant to understand that.

Phil Taspatoris, Mojave Cantina Restaurant, the applicant in this matter was present and noted that he is hopeful to open the restaurant in February 2020.

Supervisor Kowall thanked Mr. Taspatoris for choosing White Lake and for complying with the conditions that he has. He reminded of the process that must be completed and recommended that he go through the application list regarding the liquor license and make sure everything complies. He guarantees the Board will be very attentive on moving things along. A copy of the Township Ordinance and noted deficiencies was provided to Mr. Taspatoris. He suggested he call the Township and set up a meeting.

Attorney Hamameh reminded the Board that the Liquor Control Commission will not look at his application until they receive the Resolution from this Board. The timeline used to be 3-6months, but she believes they have expedited the process.

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Treasurer Roman to postpone until the September 17, 2019. The **MOTION PASSED** by voice vote (7 yes votes).

- B. RESOLUTION #19-034; TO PARTICIPATE IN COOPERATIVE ROAD PROJECT WITH RCOC TO INSTALL ROUNDABOUTS AT TWO INTERSECTIONS:**
- **ELIZABETH LAKE ROAD AT OXBOW LAKE ROAD**
  - **ELIZABETH LAKE ROAD AT TEGGERDINE ROAD**

Supervisor Kowall noted that this is an area of major congestion and that he has been seeking the RCOC to look at this project for some time. There was an anticipated completion of 2023 or 2024, however after he and Clerk Lilley met with the RCOC and learned that they are seeking some participation of the Township, the project could be completed in 2021. It is the Board's intention to make sure the community is as safe as possible. He reminded that it is very difficult for emergency vehicles to get through these areas due to traffic congestion and school drop-off/pick-up.

The Township is looking at a cost of \$150,000 for roughly \$2 million dollars' worth of improvement. He believes this is a bargain at this price and that the cooperation between the Township and the County is an example of what happens when the two get together and make things happen.

Trustee Voorheis questioned the size of the roundabout(s). To which Supervisor Kowall advised that one will be a mini and one will be a regular.

Trustee Powell identified that this is an example of how we are progressing in the Township with regards to road improvements. He applauded Supervisor Kowall and believes it is an extremely good investment for the Township.

Clerk Lilley noted that with the Township's participation the project can be completed much quicker. He is not a fan of roundabouts, but he supports these and the financing of the same. He wishes to interject to the Board that they will be thinking about a third roundabout at the entrance of the civic center and JC Penny. There was discussion with the RCOC that the funding that the Township will provide is for the actual construction of the project, not the engineering portion. This third roundabout will be critical, at least from his standpoint, for moving forward with the civic center and getting the RCOC committed to the engineering portion of that. He suggests that in addition to the contribution to the other two roundabouts that the Board consider a contribution for the engineering of the third, which will hopefully expedite it. The amount of \$75,000 for use of the actual engineering of a third roundabout.

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Supervisor Kowall to approve Resolution 19-034, payable at the time of actual construction, in an amount not to exceed \$150,000.00; \$75,000.00 for each roundabout, with funds coming from the General Fund. The **MOTION PASSED** by voice vote (7 yes votes).

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Powell to approve \$75,000.00, to be used for the engineering of the third roundabout at the intersection of Civic Center Drive and the entryway to JC Penny with funds coming from the General Fund. The **MOTION PASSED** by voice vote (7 yes votes).

**C. RESOLUTION #19-035; TO PARTICIPATE IN COOPERATIVE ROAD PROJECT WITH RCOO TO PAVE APPROACH AT SUGDEN LAKE ROAD**

Supervisor Kowall noted that the costs to the Township of this cooperative road project is not to exceed \$25,000.00.

Trustee Powell believes this is a very worth wild project to enhance Township roads at 50% of the costs.

It was **MOVED** by Trustee Ruggles, **SUPPORTED** by Trustee Powell to approve Resolution 19-035 in an amount not to exceed \$25,000.00, coming from the General Fund. The **MOTION PASSED** by voice vote (7 yes votes).

**NEW BUSINESS**

**A. REQUEST TO APPROVE WATER SYSTEM GIS, RELIABILITY STUDY AND GENERAL PLAN UPDATE PROPOSAL – DLZ**

Aaron Potter indicated that they are asking the Board to approve a proposal from DLZ. As part of PA 399, also known as the Safe Water Act, they are required to conduct a reliability study every five years. The last study was completed in 2014. The reliability study is basically a study of capacity versus demand, followed by a list of recommendations to make sure those things lineup. He is also seeking to update the General Plan to incorporate projects into the overall Township Water System Map, which includes projects from the last few years. DPS is requesting the Board to approve the Water System GIS, Reliability Study, and General Plan Update Proposal by DLZ in an amount not to exceed \$31,037.00.

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Ruggles to not to exceed \$31,037.00 to use DLZ for the Water System GIS, Reliability Study, and General Plan Update. The **MOTION PASSED** by voice vote (7 yes votes).

**B. FIRST READING, FEE ODINANCE AMENDMENTS**

Trustee Powell referenced Page 2 to the Board and Mr. Potter and indicated that the definitions of capital connection charge and lateral benefit charge needed to be corrected. He further noted a spelling error in the word capital within the last line of the document.

Mr. Potter noted that while Trustee Powell is correct, the water ordinance has not been modified at this time and therefore the change should not be made at this time.

**It was MOVED by Trustee Powell, SUPPORTED by Treasurer Roman to approve Ordinance #129 Fee Ordinance Amendments onto second reading, as amended and as staff comes up with anything else, they find between now then.**

#### **C. EAGLE LANDING, PRELIMINARY SITE PLAN APPROVAL**

Sean O'Neil noted that this property is located on the west side of Bogie Lake Road, south of Cedar Island. He furthered that the Planning Commission at their regular board meeting on July 18, 2019, recommended approval of the preliminary site plan. This project is very similar to that of the Ridgefield Court/ Wexford Manor neighborhood. The plan includes sidewalks along Bogie Lake Road and an easement between lots 10 and 11 for future development. He noted that Mr. Burk, the applicant is present tonight. The recommendation is to approve subject to all recommendations of the Planning Commission.

Trustee Powell encouraged Mr. Burk to consider eight-foot pathway, rather than six-foot. He furthered by asking the planning staff and/or planning commission to investigate private roads within the Township. He noted the current ordinances require public roads but noted there is no benefit to them.

**It was MOVED by Clerk Lilley, SUPPORTED by Trustee Ruggles to approve the Preliminary Site Plan of Eagle Landing, subject to staff and consultants' recommendations. The MOTION PASSED by voice vote (7 yes votes).**

#### **D. ADMINISTRATIVE POLICIES AND PROCEDURES AMENDMENTS**

It was identified that several Board members have several issues with the administrative policies that need to be discussed furthered. The Board will provide suggested changes to be incorporated.

**It was MOVED by Supervisor Kowall, SUPPORTED by Treasurer Roman to postpone the Administrative Policies and Procedures Amendments. The MOTION PASSED by voice vote (7 yes votes).**

#### **OLD BUSINESS**

##### **A. FIRST READING, ORDINANCE TO AMEND CHAPTER 18, ARTICLE II – FIRE CODE**

John Holland, Fire Marshall. He noted that he did receive a call today regarding confusing language and adjustments were made. He also noted that the Fire Chief feels there is no more wiggle room with this amendment regarding outside storage.

Supervisor Kowall clarified that 11.07, comments A and B directly corollate to 11.07 only.

Clerk Lilley objects to the way A and B reads and that it could be misinterpreted. He suggests clarification language to both A and B so that it cannot be misinterpreted. To which Mr. Holland clarified that A and B only apply to properties that cannot be accessed by a fire apparatus.

It was suggested and supported that language be added to both A and B that reads: Applies to only properties not accessible by fire apparatuses.

**It was MOVED by Clerk Lilley and SUPPORTED by Trustee Powell to move to second reading, as amended. The MOTION PASSED by voice vote (7 yes votes).**

#### **B. SECOND READING, BRENDEL ROAD REZONING**

Sean O'Neil reminded that this was previously before the Board and noted that this is request is to rezone property from (AG) Agricultural to (SF) Suburban Farm. This property is 78.8 acres, located east of McKeachie Road and south of Brendel Road. The Planning Commission at their regular board meeting on June 20, 2019, approved the proposed rezoning request. He further noted that Brad Thompson is present on behalf of the applicant.

**It was MOVED by Clerk Lilley and SUPPORTED by Trustee Voorheis to approve the rezoning, subject to staff and consultant recommendations. The MOTION PASSED by voice vote (7 yes votes).**

#### **TRUSTEE COMMENTS**

**Trustee Voorheis** - Congratulated the White Lake Inn on their 100<sup>th</sup> anniversary. They opened on August 2, 1919. It opened as a new hotel that had 10 guest rooms, a dining room and porch.

She further noted the Brendel Road Rezoning property was once in her family and in the 1970's they thought the plan for this property would have been 275 as it was thought that White Lake would be a bustling metropolis.

Her favorite event, Fisk Farm Festival, will take place on September 7 and 8. She, her husband, and hopefully some of our elected officials will be working in the food tent. The event is from 11am to 5pm and the cost is only \$1 for admission.

**Trustee Powell** - Thanked the residents both in attendance and those viewing on the live feed. He asked Supervisor Kowall to request RCOC to forward any studies that have been done, specifically light timing studies, of the Union Lake corridor.



He further asked to be included on meetings with regards to sewer sanitation so that he can offer his knowledge regarding the same. He is also in favor of continuing the audio/video of meetings into the future and would like it added to the next available meeting for discussion.

**Treasurer Roman** - Thanked those attending and those watching live tonight.

As an FYI, he noted that a few years ago the Phase I Sewage Fund fell short and there was bond debt to be paid. Due to that shortage, a little over \$1.5 million was transferred from the General Fund to make the bond payments. As an update, he just transferred another \$100,000 from the Sewer Fund, back to General Fund. They have now moved \$600,000 back into General Fund. The repayments will continue.

**Clerk Lilley** - Reminded the board of resident, Bill Singheimer who was very upset from Aspen Meadows that attended the last meeting. He followed up on July 31<sup>st</sup> with two different staff members; one who indicated there was nothing that they could do regarding the issue and the other indicating that an inspection was completed and that everything was okay there. He has received and shared with the Board an email from said gentleman and that he has photos of the conditions that this man is having to live with. As a Board member, he believes that no individual should have to put up with what he has for at least two months. He believes a meeting should be conducted with any party involved in this. This resident has serious issues and in no way is it being taken care of. He noted that if this was his home, he would be raising the roof off this place. As a Board member, he will not tolerate this. This man has been overly patient.

**Trustee Ruggles** - The Planning Commission met on August 15, 2019. They reviewed the CIP and discussed the civic center at that meeting. The next meetings are scheduled for September 5, 2019 and September 19, 2019. He declared good job to Supervisor Kowall for pushing for the roundabouts. He has been approached by a couple residents that the dirt roads and speed limits are a continued issue. He suggests that some horse crossing signs might help.

**Trustee Smith** - The next Library Board meeting is set for August 28, 2019 at 6:45 p.m. The End of Summer Reading Program was a success and had a great turnout, which she enjoyed attending. The Library is having an art competition September 9<sup>th</sup> – October 19<sup>th</sup>.

She offered a moment of remembrance and honor for the late L. Brooks Patterson. He was a close friend and his family is in her prayers.

**Supervisor Kowall** - He reminds residents to call for an appointment if you have an issue to discuss.

He noted that the Huron Valley area is having a very prosperous time for many people. He doesn't want to see people go hungry. He noted that the police department filled two SUV's full of food at a recent food drive. He furthered that the Community Sharing located at 5061 N. Duck Lake Road will be hosting a garage sale to raise money for food. This organization does not turn anyone away. There will be a presale

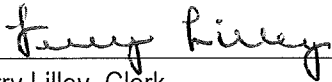
sneak peek with a \$5.00 admission fee on September 18<sup>th</sup> from 10am – 5pm. Then the sale on September 19<sup>th</sup> from 10am to 5pm, and September 20<sup>th</sup> from 10am to 2pm. He reminded that sometimes people who are having a hard time also have pets. He lost his furry friend of thirteen years, so it hits home for him. Find it in you to help our local community that helps our local need.

He sends his regards to the Patterson family and shared a joke told at his wake. He wished all a good night and God bless.

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Smith to adjourn. The MOTION PASSED by voice vote (7 yes votes).**

The meeting adjourned at 8:40 p.m.

I, Terry Lilley, the duly elected and qualified Clerk of the Charter Township of White Lake, County of Oakland, State of Michigan, hereby certify that the foregoing is a true copy of the August 20, 2019 regular board meeting minutes.



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Terry Lilley, Clerk  
White Lake Township  
Oakland County, Michigan