

CHARTER TOWNSHIP OF WHITE LAKE

Approved Minutes of the Regular Board of Trustees Meeting

October 16, 2018

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
Mike Powell, Trustee
Scott Ruggles, Trustee
Liz Smith, Trustee - Late Arrival
Andrea Voorheis, Trustee

Also Present: Lisa Hamameh, Attorney
Sean O'Neil, Planning Director
Amy Bertin, Recording Secretary

Clerk Lilley amended the Agenda as follows: Add Item 6A, New List of Bills dated 10-16-18; 6D4, Treasurer's Report Dated 9-30-18; 7C, Presentation, Home Again; 11H, Resolution Opposing Senate Bill 637 & 894. Remove Item 11E, First Reading, Amendment to Chapter 26, Article VIII - Section 26 -239 of the Code of Ordinances - Youth Tobacco. Move FYI Item 12A to New Business 11I, WOTA (West Oakland Transportation Authority).

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

PUBLIC COMMENTS

There were no comments by the Public at this time.

CONSENT AGENDA

- A. LIST OF BILLS
- B. REVENUE AND EXPENSES
- C. CHECK DISBURSEMENT
- D. DEPARTMENT REPORTS
 1. POLICE
 2. FIRE
 3. COMMUNITY DEVELOPMENT
 4. TREASURER'S REPORT

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

PRESENTATION

A. LIFE SAVING AWARD - OFFICER STEVE MOORE

Chief Keller, White Lake Police Dept. He presented to Officer Steve Moore a Life Saving Award. On August 15, 2018 at approximately 12:23 p.m. Officer Moore heard a call dispatched to the White Lake Fire Dept. for a male choking victim at Lakeside Manor Senior Home. Off. Moore arrived on scene and observed a 68 yr. old male subject choking on a hot dog. Off. Moore was able to stand him up and perform the Heimlich maneuver. After applying several thrusts, he was able to dislodge the final piece of hot dog from his airway allowing him to breathe on his own. Because of Officer Moore's quick action and continued lifesaving efforts he saved a life.

(Whereupon Trustee Liz Smith is now present at the meeting.)

B. RESCUE AIR BOAT

Chief Gurka gave a brief Power Point presentation outlining the need for a rescue air boat for the Township of White Lake Fire Dept. White Lake Township has 21 named lakes with approximately an additional 100 small bodies of water. There are many activities that take place on the water in summer and winter. On occasion there are rescues that take place on the open water or ice. They pose many challenges such as access to the victim, how to get them out of there, what to use, what kind of specialized rescue equipment might be needed when we get out there and they are always time sensitive. The bottom line being the safety of our residents, the first responders' safety and time in the water.

In 2018 we had five documented incidents that occurred either on the water or ice where we needed to have capabilities of rescue. Some options considered as a rescue craft were a rubber raft, a rigid inflatable boat, an aluminum boat, and a hovercraft. All these options had some positive attributes but were ineffective when it came to ice rescue. After a lot of thought and research for a year round rescue craft, the best solution is a rescue air boat. They are more expensive but are very good in open water, transitional ice and solid ice conditions.

He is before the Board tonight to request they allow him to further the process and develop a set of specifications to bring back to the Board and get an approximate price quote.

Trustee Powell would like him to further investigate the training involved on the rescue boat, maintenance, storage space and what is the availability of a boat like this in other neighboring communities. How many rescues have we failed due to lack of a vehicle like this? Have we lost a life? Are there any used vehicles available? \$100,000 is a major investment plus extra

costs.

Chief Gurka responded he has answers for the questions that Trustee Powell has posed and would be happy to provide a written response. Regarding the question of sharing a vehicle with other communities, the problem is delay in response time. Other communities do have rescue vehicles available for our use on open water but we would like to be able to offer in return a vehicle for ice rescue.

Trustee Voorheis agrees that it is an expense but there is also definitely a need for it.

Trustee Ruggles would like further investigation into a used boat.

Treasurer Roman questioned if there was a place where it could be stored indoors. Do any neighboring communities already have a rescue boat?

Trustee Smith feels it is worth exploring the purchase of this vehicle further. Storage was a question of hers as well.

Chief Gurka agreed to produce some further specifications and provide some answers to the questions raised by the Board. He will look deeper into the used air boat market and bring back some information.

C. HOME AGAIN

Supervisor Kowall presented Chief Keller, White Lake Police Dept. with the Home Again Chip Reader. We are very fortunate to have the type of individuals we do on our police force. They know how important these pets are to our residents. One of the difficulties we've had is identifying who the owners are. He would encourage the public to have their pets chipped. If a chip is placed in the neck area of your animal that will allow you to have all your data available. This device was donated by residents of our community, Diane Brooks and Renee and Casey Fitzpatrick. This will be a tool for use by the Police Department to reunite a lost pet with its owner.

MINUTES

A. APPROVAL OF MINUTES - REGULAR BOARD MEETING, SEPTEMBER 18, 2018

Treasurer Roman noted a correction on Page 8, under Trustee Comments. Within his comments, at the end of the second sentence after the word dollars add "on September 14, 2018."

It was MOVED by Trustee Ruggles, SUPPORTED by Trustee Powell to approve the Minutes dated September 18, 2018 as amended. The MOTION PASSED by a voice vote (7 yes votes).

B. APPROVAL OF MINUTES - SPECIAL BOARD MEETING, SEPTEMBER 28, 2018

It was MOVED by Trustee Voorheis, SUPPORTED by Trustee Smith to approve the Minutes dated September 28, 2018 as presented. The MOTION PASSED by a voice vote (7 yes votes).

RESOLUTIONS

A. RESOLUTION #18-030, APPROVE 2019 BOARD OF TRUSTEE MEETING DATES

Trustee Voorheis commented that every Board meeting, regardless of the situation, should be the third Tuesday of the month. It is easier to tell a resident with transparency the meeting will always be the third Tuesday. She personally is opposed to this schedule.

It was MOVED by Trustee Ruggles, SUPPORTED by Treasurer Roman to approve Resolution #18-030, 2019 Board of Trustee Meeting Dates. The MOTION PASSED by a voice vote (6 yes votes/1 no vote, Voorheis).

OLD BUSINESS

A. SECOND READING, AMENDMENT TO CHAPTER 38, ARTICLE IV OF THE CODE OF ORDINANCES - SANITARY SEWERS

It was MOVED by Supervisor Kowall, SUPPORTED by Trustee Ruggles to adopt the Amendment to Chapter 38, Article IV of the Code of Ordinances - Sanitary Sewers. The MOTION PASSED by a voice vote (7 yes votes).

B. SECOND READING, AMENDMENT TO CHAPTER 18, ARTICLE II OF THE CODE OF ORDINANCES - FIRE CODE

Trustee Ruggles has a problem with the ordinance restriction of burning a 2x4 piece of lumber or cardboard. He can't support the ordinance worded this way.

Trustee Powell agreed with Mr. Ruggles on the dimensional lumber issue. He also noted Section 307.2.3 restricts the use of flammable liquids including gasoline with any open burning operation. He would suggest defining what is a flammable versus combustible liquid or reiterate here the original verbiage in the Fire Code on that issue. He will vote no at this time due to the wording of dimensional lumber and the flammable liquid issue.

It was MOVED by Trustee Powell, SUPPORTED by Trustee Ruggles to Postpone for consideration of the concerns expressed in tonight's meeting, Amendment to Chapter 18, Article II of the Code of Ordinances - Fire Code until next month's Regular Board of Trustee Meeting. The MOTION PASSED by a voice vote (7 yes votes).

C. SECOND READING, AMENDMENT TO FEE ORDINANCE #129

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Ruggles to adopt the Amendment to Fee Ordinance #129. The MOTION PASSED by a voice vote (7 yes votes).

D. SECOND READING, PRESERVE AT HIDDEN LAKE REZONING

Trustee Powell has a concern that there will be a sidewalk on a major thoroughfare that is only going to be six ft. wide instead of eight. He received a comment from a resident regarding the traffic on Union Lake Road. They took him to task for even considering a project this dense in that area when they are waiting in traffic for half an hour at Union Lake Rd. and Cooley Lake Rd. He did explain that under current zoning the development could actually be more dense.

Trustee Smith. She and Trustee Powell are like-minded on the sidewalks in this particular area. She did have a discussion with Mr. Iacoangeli in which he shed some light on why an eight ft. sidewalk might not work all the way down Union Lake Road. She would love to see this as a walkable area as there are many neighborhoods, schools, an independent living facility and our senior center.

Jean Phillippe Loew, 247 Rosario Lane. He would like to emphasize that many people have a concern about traffic. He would hope the plans allow for potential future widening of the roads if necessary.

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Voorheis to approve the Preserve at Hidden Lake Rezoning from R1D and RM1 to Planned Development. The MOTION PASSED by a voice vote (7 yes votes).

NEW BUSINESS

A. FIRST READING, AMENDMENT TO ZONING ORDINANCE #58

It was MOVED by Trustee Powell, SUPPORTED by Trustee Ruggles to approve moving to Second Reading, Amendment to Zoning Ordinance #58. The MOTION PASSED by a voice vote (7 yes votes).

B. APPROVE NEW JOB DESCRIPTION FOR TEMPORARY/PART-TIME TRANSPORTATION COORDINATOR

Kathy Gordinear, Senior Center Director. The transportation coordinator position has gone from a full-time union position to two part-time positions. This job has never been formally adopted. A job description needs to be accepted before a pay scale can be created. She was informed that every part-time employee within the Township receives the same pay. She feels due to the administrative responsibilities of this position it warrants a higher pay scale than the standard part-time amount.

Clerk Lilley commented that after speaking with Ms. Derocher, our human resource person, this issue has not been discussed with her. It has a lot to do with our future union negotiations. For this Board to simply give someone a raise and start making job descriptions is wrong when we have a department that handles those type of things.

Supervisor Kowall would encourage the creation of the position. We should acknowledge the service that is being provided to the Township.

It was MOVED by Trustee Powell, SUPPORTED by Treasurer Roman to approve the New Job Description for Temporary/Part-Time Transportation Coordinator, subject to review by the Labor Attorney. The MOTION PASSED by a voice vote (6 yes votes/1 no vote - Lilley).

C. APPROVAL TO CREATE NEW PAY SCALE FOR TEMPORARY/PART-TIME TRANSPORTATION COORDINATOR.

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Ruggles to Postpone Creation of New Pay Scale for Temporary/Part-Time Transportation Coordinator. The MOTION PASSED by a voice vote (7 yes votes).

D. APPROVE NYHART TO PREPARE 2018 OPEB ACTUARIAL REPORT

It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to approve Nyhart to Prepare 2018 OPEB Actuarial Report as recommended by Plante Moran in the approximate amount of \$15,000. The MOTION PASSED by a voice vote (7 yes votes).

F. APPROVE LAKELAND HIGH SCHOOL FIREWORKS DISPLAY APPLICATION

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Powell to approve the Lakeland High School Fireworks Display Application, the proposed date of 10-19-18. The MOTION PASSED by a voice vote (7 yes votes).

**G. TREASURER CERTIFICATION OF DELINQUENT WEED MAINTENANCE INVOICE -
5040 LAKE GROVE DRIVE**

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Ruggles to approve the Treasurer Certification of Delinquent Weed Maintenance Invoice - 5040 Lake Grove Drive. The MOTION PASSED by a voice vote (7 yes votes).

H. OPPOSITION TO SENATE BILL 637 & 894

Supervisor Kowall. Senate Bill 637 & 894 are very troublesome to himself, MTA and multiple governmental agencies. It is another part of the State eliminating our ability to control what goes in our right-of-ways regarding utilities. It will cap our right-of-way fees and limit the ability for our esthetic jurisdiction. We will lose the ability to protect our residents. It's a responsibility that should be left to the local government because these actions could have an adverse impact on our community as well as our quality of life and our property values.

Trustee Smith. This is an eight-page document that the board is seeing for the first time today and she'd like a chance to review it.

It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to approve the Supervisor and Clerk to formulate a Resolution in Opposition to Senate Bills 637 & 894. The MOTION PASSED by a voice vote (6 yes votes/1 no vote - Smith as she would prefer to read over an item before voting on it).

I. WOTA (WEST OAKLAND TRANSPORTATION AUTHORITY)

Supervisor Kowall. Before the Board are two packets. One is the proposed West Oakland Transportation Authority business plan and the other is a copy of an agreement that is currently being used by the North Oakland Transportation Authority. This was mirrored because their Authority has been operating for some time with some success. The Board members were provided with a map showing a combined area of how much larger our service area would be as well as having the ability to transfer over into the NOTA area.

If RTA passes and we don't have a combined Authority in place, there is no mechanism through RTA to fund us as we're not in the range of their plan for mass transportation. We need to be prepared in case RTA happens to have an option available to our community. He would like approval to show an interest and explore all the options on behalf of White Lake.

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Smith to express support to investigate the possible formation of WOTA (West Oakland Transportation Authority) with the Supervisor acting as the Township's designated representative. The MOTION PASSED by a voice vote (7 yes votes).

TRUSTEE COMMENTS

Trustee Voorheis. She thanked Supervisor Kowall for looking out for the Township's dollars in getting the County to defer the road work near the library. It was a saving of approximately \$100,000 to the library. November 6th is the election. On the back page of our ballot there is an opportunity to vote YES for our parks. It is \$30 on a \$100,000 home for a six-year millage. We plan to use the funds to maintain our parks and possibly for acquisitions of smaller parks.

Trustee Smith. Due to a joint effort between the Library Board, Supervisor Kowall and herself there was a great savings in we don't have to do things double duty. The next Library Board Meeting is Wed., Oct. 24th at 6:45 p.m. They have their annual budget meeting starting prior at 6 p.m. At Fisk Farm on October 20th is the Annual Trunk and Treat with a movie afterwards. Voting on November 6th is incredibly important and she'd like to encourage everyone to be an educated and informed voter. There is a community breakfast on November 8th at Independence Village. The Tree Lighting is December 7th and we always need volunteers for the day of, the set up and that evening. If anyone is interesting, please email her. Lastly, we are all wearing pink for Breast Cancer Awareness Month. Breast cancer does not only affect women but men and pets. It is incredibly important to be aware of that.

Trustee Ruggles. He brought his family to the Fire Dept. Open House. It was a great time.

Trustee Powell. He would ask his fellow residents to vote yes on the millage for Parks and Rec. He is a fan of pathways and we need your vote and support in order to extend pathways throughout the Township.

Treasurer Roman. Please get out and vote on November 6th. Have a safe and Happy Halloween.

Trustee Smith. The Fire Dept. Open House was wonderful. The weather was chilly but they did a great job. Thank you.

Supervisor Kowall. Get out and vote. It is very important. If you have an opportunity to look at our parks, they are something special. We've got a great community that has so much to offer of its natural beauty.

EXECUTIVE SESSION

- A. APPROVAL TO RECESS INTO CLOSED SESSION TO CONSULT WITH ITS ATTORNEY REGARDING TRIAL OR SETTLEMENT STRATEGY IN CONNECTION WITH COMMERCE TOWNSHIP v. WHITE LAKE TOWNSHIP v. HURON VALLEY SCHOOL DISTRICT, OAKLAND COUNTY CIRCUIT COURT CASE NO. 2016-155404-CK, IN ACCORDANCE WITH MCL 15.268 (e).**

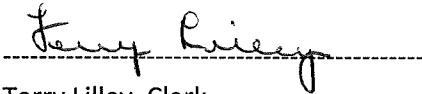
It was MOVED by Supervisor Kowall, SUPPORTED by Treasurer Roman to approve adjourning into Executive Closed Session to consult with its attorney regarding trial or settlement strategy in connection with Commerce Township v. White Lake Township v. Huron Valley School District, Oakland County Circuit Court Case No. 2016-155404-CK, in accordance with MCL 15.268 (e). The MOTION PASSED by a roll call vote (Kowall-yes/Lilley-yes/Roman-yes/Smith-yes/Ruggles-yes/Voorheis-yes/Powell-yes).

It was MOVED by Supervisor Kowall, SUPPORTED by Treasurer Roman to approve returning to general session. The MOTION PASSED by a voice vote (7 yes votes).

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Powell to adjourn the meeting. The MOTION PASSED by a voice vote (7 yes votes).

The meeting was adjourned at 10:18 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 October 16, 2018 regular board meeting minutes.

A handwritten signature in cursive script, reading "Terry Lilley", is written over a horizontal dashed line.

Terry Lilley, Clerk
White Lake Township
Oakland County, Michigan