

# CHARTER TOWNSHIP OF WHITE LAKE

## Approved Minutes of the Regular Board of Trustees Meeting

July 21, 2015

Supervisor Baroni called the meeting to order at 7:00 p.m.

Supervisor Baroni led the Pledge of Allegiance.

Clerk Lilley called the roll:

Present: Greg Baroni, Supervisor  
Terry Lilley, Clerk  
Mike Roman, Treasurer  
Rik Kowall, Trustee  
Andrea Voorheis, Trustee

Absent: Carol Burkard, Trustee  
Scott Ruggles, Trustee

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

Clerk Lilley amended the Agenda as follows: Add to Item 5A, new List of Bills dated 7-21-15; Item 11N, M-59 Pathway Approval; Item 11O, Recording Secretary, Pay Increase; 12B, FYI, Township Sexton Position.

**Motion by Clerk Lilley, SUPPORTED by Treasurer Roman to approve the following Amendments to the Agenda: Add to Item 5A, New List of Bills dated 7-21-15; Item 11N, M-59 Pathway Approval; Item 11O, Recording Secretary, Pay Increase; Item 12B, FYI, Township Sexton Position. The MOTION PASSED by a voice vote (5 yes votes).**

### PUBLIC COMMENTS

Monica Baker, 4342 Grass Lake Road, White Lake. She had a comment on last month's agenda item concerning Brent Bonnivier and the Township. She built an addition onto her home. Brent eyeballed the footings and approved them. Stemming from the faulty footings she now has a disaster of a house that she was told could not be sold as is. She sent a list of complaints to the State about the builder and also Mr. Bonnivier. Township officials along with many other contractors, a structural engineer, and attorneys have been to her residence. No one at the township level has done anything to help rectify the complaints and problems. The Township has a great responsibility in repairing her home.

Lynn Heykoop, 2489 Blair Drive. She addressed the issue of her neighbor at 2501 Blair and her

non-compliance to the Township Ordinance. Back as far as the 1990s complaints were made and many letters have been sent since for her non-compliance regarding the Ordinance. Why has this taken so long? This has cost her own family over \$1300 because this has not been taken care of. On July 9, 2015 a ticket was finally issued. How much time until she is taken to court? Why are the sheds the only issues being addressed as there are several other violations?

Bob Marantette. He has a complaint about blight in the area he lives in off Ormond Road. There are scrap trailers everywhere, as well as junk in the yards and ditches. A new ordinance officer is coming in and hopefully he will do his job. That's a state highway and the state should be subsidizing part of that road.

Doug Kline, 9170 Cedar Island. He is sick and tired of the drugs that are being pushed out of the parking lot of Mr. Ron's. There have been B&Es inside the buildings and around the subdivision. If you call the police, they say there are only two cars on duty. If you give them the license plate numbers, nothing happens. He wants that back entrance shut off. Get the grass and the rats out of that place. It is becoming a dumping ground.

Trustee Voorheis apologized for being absent from last month's meeting. She had the opportunity to volunteer for two events. June 21<sup>st</sup> was the Annual Police Dept. Open House. All the activities and food were free. She loved seeing staff from the Police Dept. volunteering their time. On July 10<sup>th</sup> was the Hole In One Police DARE Golf Outing. There was lots of community support at that event, also. Firefighters, police officers, township staff and local business community members were there to help support the youth in White Lake Township.

#### **CONSENT AGENDA**

- A. LIST OF BILLS**
- B. REVENUE AND EXPENSES**
- C. DEPARTMENT REPORTS**
  - 1. TREASURER**
  - 2. POLICE**
  - 3. FIRE**
  - 4. COMMUNITY DEVELOPMENT**

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Treasurer Roman to approve the Consent Agenda as amended. The **MOTION PASSED** by a voice vote (5 yes votes).

#### **PRESENTATION**

- A. MERITORIOUS SERVICE LIFE SAVING AWARD, OFFICER JESSICA SNOW**

Chief Kline presented a Meritorious Service Life Saving Award to Officer Jessica Snow for helping to save the life of 3 yr. old Miranda Gonzales. On May 17, 2015 Officer Snow was dispatched to the area of Pontiac Lake Road for a drowning. A 911 call was made by Christopher Bradford. Miranda was laying by the water, blue in the face and not breathing. Her sister, Arianna helped pull Miranda from the water. Her neighbor, Jennifer, and a passerby, Terry Carpenter, were attempting to revive her. Officer Snow immediately assisted them in their revival attempts. She performed water rescue lifesaving techniques until firefighter Bruce Flores arrived. Miranda became semi alert and was transported to the hospital. She is alive and thriving thanks to the actions of all the persons mentioned above.

Chief Gurka also presented to Officer Snow the Fire Department Commendation for her quick response and outstanding performance during the rescue of a child from Pontiac Lake.

**B. EXEMPLARY SERVICE AWARD, JOHN WHEATON & SEAN O'NEIL**

Chief Gurka presented an Exemplary Service Award to John Wheaton and Sean O'Neil for intervening to prompt an employee of White Lake Township to seek medical attention after exhibiting stroke symptoms. The individual was just going to go home and rest. The person was informed that if his coworkers hadn't talked him into going to the hospital he would have had a very severe, if not fatal, outcome. Thanks to their actions he is now expected to make a near 100% recovery.

**MINUTES**

**A. JUNE 16, 2015**

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Voorheis to approve the Minutes dated June 16, 2015. The **MOTION PASSED** by a voice vote (5 yes votes).

**PUBLIC HEARING**

**A. 2016-2020 RUBBISH REMOVAL SAD**

**1. RESOLUTION #15-020**

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Voorheis to Open Public Hearing on Resolution #15-020, 2016-2020 Rubbish Removal SAD. The **MOTION PASSED** by a voice vote (5 yes votes).

Clerk Lilley mentioned that currently we are in the renewal process of the garbage collection for the entire township. What we are doing tonight is renewing the same district as was collected in the past.

Some questions brought up by the residents were when the bids come in, will they be open to the public? Will they be notified of who is chosen? How long is the contract for? A committee will be choosing the company. A comparison sheet will be made up of all the contractors. The residents are welcome to come up to the township offices to view the bids. It is going to be a five year contract. The collection will be trash, recyclables and yard waste as well as a Hazardous Waste day. The residents requested the township consider the quality of the personnel and equipment. If there could be a sentence or two in plain English explaining what the notice is, it might save time at the meetings.

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Kowall to Close Public Hearing on Resolution #15-020, 2016-2020 Rubbish Removal SAD. The MOTION PASSED by a voice vote (5 yes votes).**

**It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to approve Resolution #15-020 Rubbish Removal SAD w/correction of Item 9, the date to read September 15, 2015. The MOTION PASSED by a voice vote (5 yes votes).**

**B. SUNSET/TAYLOR ROAD MAINTENANCE**

**1. RESOLUTION #15-021, SUNSET/TAYLOR ROAD MAINTENANCE**

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Kowall to Open Public Hearing on Resolution #15-021, Sunset/Taylor Road Maintenance. The MOTION PASSED by a voice vote (5 yes votes).**

A resident questioned whether they were going to be assessed an additional \$200 per year for five years. She was told it was an additional \$50, going from \$150 to \$200.

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Kowall to Close Public Hearing on Resolution #15-021, Sunset/Taylor Road Maintenance. The MOTION PASSED by a voice vote (5 yes votes).**

**It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to approve Resolution #15-021, Sunset/Taylor Road Maintenance. The MOTION PASSED by a voice vote (5 yes votes).**

**C. MANDON LAKE IMPROVEMENT**

**1. RESOLUTION #15-022, MANDON LAKE IMPROVEMENT**

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Voorheis to Open Public Hearing on Resolution #15-022, Mandon Lake Improvement. The MOTION PASSED by a voice vote (5 yes votes).**

A resident questioned what exactly the SAD was for and was informed it is strictly for basic

maintenance of the lake, things such as weed treatment and maintaining the pump.

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Kowall to Close Public Hearing on Resolution #15-022, Mandon Lake Improvement. The **MOTION PASSED** by a voice vote (5 yes votes).

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Kowall to approve Resolution #15-022, Mandon Lake Improvement. The **MOTION PASSED** by a voice vote (5 yes votes).

## **RESOLUTIONS**

### **A. RESOLUTION #15-023, EMERGENCY SEWER CONNECTION AND AGREEMENT FOR CONNECTION CHARGES TO SANITARY SEWER**

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Kowall to approve Resolution #15-023, Emergency Sewer Connection and Agreement for Connection Charges to Sanitary Sewer. The **MOTION PASSED** by a voice vote (5 yes votes).

## **OLD BUSINESS**

### **A. SECOND READING, AMENDMENTS TO SOLICITATION ORDINANCE**

Clerk Lilley commented that recently it was brought to his attention by some solicitors that subdivisions can run into one another and it is hard to identify where they begin and end. If the associations have several entranceways, it should be posted at each one whether solicitation is allowed.

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Kowall to adopt the Solicitation Ordinance as amended. The **MOTION PASSED** by a voice vote (5 yes votes).

## **NEW BUSINESS**

### **A. RESIGNATION OF TRUSTEE CAROL BURKARD**

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Voorheis to accept the Resignation of Trustee Carol J. Burkard effective as of August 21, 2015. The **MOTION PASSED** by a roll call vote (Voorheis-yes/Kowall-yes/Roman-yes/Baroni-yes/Lilley-yes).

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Clerk Lilley to post the position of Township Trustee on the Township website and in the Oakland Press. Applications will be accepted for a period of two weeks, July 27, 2015 thru August 7, 2015, to be made by submission of a letter of intent with resume attached and given to the Clerk's Office in a

sealed envelope. The position will be approved by a majority vote. The MOTION PASSED by a voice vote (5 yes votes).

**B. REQUEST TO PURCHASE PATROL VEHICLES**

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Kowall to approve the purchase of four Patrol Vehicles for the Police Dept. including the change over costs for the amount \$109,000.00 The MOTION PASSED by a voice vote (5 yes votes).

**C. SALE OF TWO 1997 PIERCE PUMPERS (FIRE TRUCKS)**

It was MOVED by Trustee Kowall, SUPPORTED by Trustee Voorheis to approve the sale of two 1997 Pierce Pumpers (Fire Trucks) for the amount of \$40,000 to the Webster Parish Fire Protection District located in Cotton Valley, LA. The MOTION PASSED by a voice vote (5 yes votes).

**D. REQUEST TO ESTABLISH AN ELIGIBILITY LIST FOR FIREFIGHTER POSITION**

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Kowall to establish an eligibility list for the position of entry level firefighter and authorize the Civil Service Commission to proceed with the testing process. The MOTION PASSED by a voice vote (5 yes votes).

**E. KROGER REQUEST TO ESTABLISH A COMMERCIAL REHABILITATION DISTRICT**

Dave Koppenhafer, Kroger Representative. He stated it was their general concept to tear down the Kmart and Hallmark stores, build a 123,000 sq. ft. prototype market place and end up with about 235 employees.

Dave White, Ernst & Young. The request before the Board this evening is to establish the commercial rehabilitation district which is the first step in the process and the next step would be to actually approve a real property tax abatement. We have provided to the Board some information regarding the specifics including the potential tax projections coming out of the project. The request would be for a 10 yr. real property tax abatement. The abatements will freeze the existing taxable value on the current property. This is only non-school taxes on Kroger's investment from a real property perspective. A very significant tax revenue stream will continue to come into the township. They are willing to forgo any additional appeals of the value of the existing property if you support the request.

The Board members and residents in the audience had many questions regarding establishing a commercial rehabilitation district and what a tax abatement is and how it would affect their taxes and township services.

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Kowall to hold a Town Hall Open Public Meeting with regard to the Kroger Request to Establish a Commercial Rehabilitation District and tax abatement. The **MOTION PASSED** by a roll call vote (Voorheis-yes/Kowall-yes/Roman-no, for the reason Kroger is unwilling to protect the White Lake Twp. Treasurer in case taxes go delinquent/Lilley-yes/Baroni-yes).

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Voorheis to approve amending the Agenda by moving Item J up to be heard next instead of Item F. The **MOTION PASSED** by a voice vote (5 yes votes).

#### **J. REQUEST TO WAIVE FEES FOR QUAKE ON THE LAKE**

Clerk Lilley advised the Board what the experience has been over the last three years with the organizers of Quake on the Lake. There has been minimal cooperation and non-compliance in providing permits, certificates of insurance, and reimbursement for fire and police services. There doesn't seem to be good communication or relations. And he, as the Clerk, is here to protect the community.

Chief Kline verified that the Police Dept. was not reimbursed for their personnel last year or this year. Fire Marshal Holland agreed that it is common that the organizers are always given a list of requirements and they wait until the ninth hour to comply. It's basic Fire Code and regulations and they are uncooperative. If there are Ordinances in place, they need to be enforced.

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Kowall to approve the Request to Waive Fees for Quake on the Lake. The **MOTION PASSED** with a roll call vote (Voorheis-yes/Kowall-yes/Roman-yes/Baroni-yes/Lilley-no).

#### **F. CEDAR MEADOWS PRELIMINARY SITE PLAN**

Mr. O'Neil stated that at the last Board meeting the Preliminary Site Plan was approved with conditions. In particular, the developer had concerns about the stub road to be extended across the ITC corridor and the restriction on the 15 acres in the back of the sub. There have been a few modifications to the Site Plan. They are now considering installing a boulevard entrance to help improve accessibility in exchange for removing the condition of the cross connection through the ITC corridor. They will remove one of the lots from the layout and make the non buildable 15 acres in the back Lot 39. The developers are requesting the Board to entertain these modifications.

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Kowall to amend the previous motion by no longer requiring an access road be built across the ITC corridor, and also approve amending

the Cedar Meadows Preliminary Site Plan by redesigning the entranceway and designating the vacant parcel in the rear as Lot 39. The MOTION PASSED by a voice vote (5 yes votes).

**G. PROFESSIONAL FEES FOR APPRAISAL OF 10805 HIGHLAND ROAD**

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Voorheis to approve professional fees in the amount of \$5,500 for appraisal of 10805 Highland Road. The MOTION PASSED by a voice vote (5 yes votes).

**H. IVY GLEN PARK, DEVELOPMENT AGREEMENT REVISIONS**

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Kowall to approve the Ivy Glen Park, Development Agreement Revisions that include a permanent pump station to be installed and design modifications to the existing basin. The MOTION PASSED by a voice vote (5 yes votes).

Treasurer Roman requested a five minute recess.

(Whereupon a brief recess was taken.)

**I. DIESEL EQUIPMENT REPAIR**

Mr. O'Neil advised there are issues getting compliance with the Consent Judgment that has been on file for many years. There is a fence that is in disrepair that has not been maintained as well as a landscape buffer that is between the fence and the westerly property line. Mr. Hebert has been advised and has not and does not wish to comply so we are requesting the Board to gain compliance through legal action.

Treasurer Roman proposed the solution of installing an 8 ft. fence down the property line and leaving an 8 ft. grassy easement as a buffer .

Mr. Hebert was not willing to accept that solution and suggested just moving forward with legal action.

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Voorheis to authorize the attorney moving forward with legal action to achieve compliance with the Consent Judgment. The MOTION PASSED by a voice vote (5 yes votes).

**K. DUBLIN SENIOR CENTER EMERGENCY GENERATOR**

It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to approve the purchase of the Dublin Senior Center Emergency Generator, a Generac w/5 yr. warranty from Oak Electric in



the amount of \$31,400. The MOTION PASSED by a voice vote (5 yes votes).

**L. REQUEST TO CONSIDER FUTURE ELECTION NEEDS**

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Kowall to designate \$35,000 out of the General Fund Balance for future election needs. The MOTION PASSED by a voice vote (5 yes votes).

**M. PAINTING OF TOWNSHIP OFFICES**

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Kowall to approve the Painting of the Township Offices in the amount of \$9,750, authorizing the Supervisor to sign the contract. The MOTION PASSED by a voice vote (5 yes votes).

**N. M-59 PATHWAY**

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Kowall to approve the M-59 Pathway in the amount of \$217,000 for Reliance Building Company and J&A, authorizing the Supervisor to sign the contract. The MOTION PASSED by a voice vote (5 yes votes).

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Kowall to authorize \$70,000 to be spent out of the Parks and Rec Fund, which will be used in addition to \$147,000 of HUD Grant money to pay for the project. The MOTION PASSED by a voice vote (5 yes votes).

**O. RECORDING SECRETARY, PAY INCREASE**

It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to approve a pay increase for the Recording Secretary of \$175 flat fee per meeting. The MOTION PASSED with a voice vote (5 yes votes).

FYI

**A. REQUEST FROM CLERK LILLEY TO PLACE PONTIAC LAKE SEWER ON FUTURE AGENDA**

Treasurer Roman suggested going 60 to 90 days out to schedule a meeting date agreeable to everyone.

**B. TOWNSHIP CEMETERY SEXTON POSITION**

Clerk Lilley stated that Jay Brendel is retiring as Township cemetery sexton. He will be meeting with a gentleman from Huron Cemetery Maintenance to talk about responsibilities.

**ADJOURNMENT**

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Kowall to approve adjournment of the meeting. The MOTION PASSED by a voice vote (5 yes votes).**

The meeting was adjourned at 10:30 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 July 21, 2015 regular board meeting minutes.



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Terry Lilley, Clerk  
White Lake Township  
Oakland County, Michigan