

CHARTER TOWNSHIP OF WHITE LAKE
Approved Minutes of the Regular Board of Trustees Meeting
September 17, 2024

CALL TO ORDER

Supervisor Kowall called the meeting to order at 6:30 P.M. He led the Pledge of Allegiance.

ROLL CALL

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, Community Development Director
Dave Hieber, Township Assessor

Daniel T. Keller, Chief of Police
Lisa Hamameh, Township Attorney
Hannah Kennedy-Galley, Recording Secretary

APPROVAL OF AGENDA

Supervisor Kowall requested to add item O., Cooley Lake Weed Control to New Business.

It was MOVED by Clerk Noble, seconded by Trustee Powell, to approve the agenda as amended. The motion carried with a voice vote: (7 yes votes).

PUBLIC COMMENT

None.

CONSENT AGENDA

- A. REVENUE AND EXPENSES
- B. CHECK DISBURSEMENTS
- C. BUDGET AMENDMENTS
- D. DEPARTMENT REPORT - POLICE
- E. DEPARTMENT REPORT - FIRE
- F. DEPARTMENT REPORT - COMMUNITY DEVELOPMENT
- G. DEPARTMENT REPORT - TREASURER
- H. RESOLUTION #24-050; ACCEPTING GRANT FROM INSTITUTE FOR RESPONSIVE GOVERNMENT
- I. NOTIFICATION OF SPECIAL EVENT - ST. PATRICK'S PIEROGI RUN - SEPTEMBER 28, 2024

J. MEMO APPROVING EMERGENCY LITIGATION 9736 LOG CABIN

It was **MOVED** by Trustee Ruggles, seconded by Trustee Voorheis to approve the consent agenda as presented. The motion carried with a voice vote: (7 yes votes).

MINUTES

- A. APPROVAL OF MINUTES - SPECIAL BOARD MEETING, AUGUST 15, 2024
- B. APPROVAL OF MINUTES - REGULAR BOARD MEETING, AUGUST 20, 2024

It was **MOVED** by Trustee Powell, seconded by Clerk Noble to approve the minutes as presented and discussed. The motion carried with a voice vote: (7 yes votes).

PRESENTATION

- A. PROMOTION OF FIREFIGHTER/EMT JOSEPH SETTECERRI

Chief Holland recognized and promoted Firefighter/EMT Settecerra to Shift Sergeant. Sergeant Settecerra was sworn in by Clerk Noble and pinned by his wife, Katy.

- B. PROCLAMATION FOR NATIONAL RECOVERY MONTH - SEPTEMBER 2024

Supervisor Kowall proclaimed that the Township recognize September as National Recovery Month.

- C. PROCLAMATION FOR NATIONAL SUICIDE PREVENTION MONTH - SEPTEMBER 2024

Supervisor Kowall proclaimed that the Township recognize September as National Suicide Prevention Month.

PUBLIC HEARINGS

- A. PUBLIC HEARING TO HEAR COMMENTS ON THE CONFIRMATION OF SPECIAL ASSESSMENT DISTRICT FOR EMERGENCY SEWER CONNECTIONS 2024-02

It was **MOVED** by Supervisor Kowall, seconded by Clerk Noble to open the public hearing to Hear Comments on The Confirmation of The Special Assessment District for Emergency Sewer Connections 2024-02. The motion carried with a roll call vote: (7 yes votes)

(Kowall/yes, Voorheis/yes, Powell/yes, Smith/yes, Ruggles/yes, Noble/yes, Roman/yes).

Supervisor Kowall explained how for the last several years, the Board has set up a program to allow special assessment districts for sewers cost-efficiently.

Seeing none, it was **MOVED** by Supervisor Kowall to close the public hearing. Trustee Ruggles seconded and the motion carried with a voice vote: (7 yes votes)

- B. PUBLIC HEARING TO HEAR COMMENTS ON THE CONFIRMATION OF THE SPECIAL ASSESSMENT DISTRICT FOR MEADOW LANE ROAD MAINTENANCE 2024-2028

It was **MOVED** by Supervisor Kowall, seconded by Trustee Smith, to open the public hearing To Hear Comments on The Special Assessment District for Meadow Lane Road Maintenance 2024-2028. The motion carried with a roll call vote: (7 yes votes)

(Kowall/yes, Roman/yes, Noble/yes, Smith/yes, Ruggles/yes, Powell/yes, Voorheis/yes).

Seeing none, it was MOVED by Supervisor Kowall to close the public hearing. Trustee Voorheis seconded and the motion carried with a voice vote: (7 yes votes).

C. PUBLIC HEARING TO HEAR COMMENTS ON THE CONFIRMATION OF THE SPECIAL ASSESSMENT DISTRICT KNOWN AS BURGESS BAY WEED CONTROL AND LAKE IMPROVEMENT 2024-2028

It was MOVED by Supervisor Kowall, seconded by Trustee Ruggles to open the public hearing To Hear Comments on the Confirmation of The Special Assessment District Known as Burgess Bay Weed Control and Lake Improvement 2024-2028. The motion carried with a roll call vote: (7 yes votes) (Kowall/yes, Roman/yes, Noble/yes, Smith/yes, Ruggles/yes, Powell/yes, Voorheis/yes).

Seeing none, it was moved by Supervisor Kowall to close the public hearing. Clerk Noble seconded and the motion carried with a voice vote: (7 yes votes)

D. PUBLIC HEARING TO HEAR COMMENTS ON THE ESTABLISHMENT OF THE SPECIAL ASSESSMENT DISTRICT KNOWN AS COOLEY LAKE WEED CONTROL AND LAKE IMPROVEMENT 2024-2028

It was MOVED by Supervisor Kowall, seconded by Clerk Noble to open the public hearing To Hear Comments on The Establishment of The Special Assessment District Known as Cooley Lake Weed Control and Lake Improvement 2024-2028. The motion carried with a roll call vote: (7 yes votes). (Kowall/yes, Smith/yes, Voorheis/yes, Powell/yes, Roman/yes, Ruggles/yes, Noble/yes).

Seeing none, it was MOVED by Supervisor Kowall to close the public hearing. Trustee Powell seconded and the motion carried with a voice vote: (7 yes votes).

It was MOVED by Supervisor Kowall, seconded by Trustee Voorheis to move New Business item O. up the agenda.

The motion carried with a voice vote: (7 yes votes).

O. RESOLUTION #24-048; DETERMINING TO UNDERTAKE AN IMPROVEMENT PROJECT AND TO ESTABLISH AND MAINTAIN A SPECIAL ASSESSMENT DISTRICT TO PAY COSTS ASSOCIATED THEREWITH, APPROVING THE PLANS AND ESTIMATES OF COSTS THEREFORE TO BE KNOWN AS COOLEY LAKE WEED CONTROL AND LAKE IMPROVEMENT 2024-2028

Assessor Hieber stated the SAD is a renewal. The homeowners had a SAD in the past that lapsed for a couple of years. The homeowners re-petitioned for the SAD.

It was MOVED by Trustee Ruggles, seconded by Trustee Powell to approve Resolution #24-048; Determining to Undertake an Improvement Project and To Establish and Maintain a Special Assessment District to Pay Costs Associated Therewith, Approving the Plans and Estimates of Costs Therefore to Be Known as Cooley Lake Weed Control and Lake Improvement 2024-2028. The motion carried with a voice vote: (7 yes votes).

NEW BUSINESS

- A. RESOLUTION #24-045; TO CONFIRM THE EMERGENCY SEWER CONNECTIONS SPECIAL ASSESSMENT DISTRICT - 2024-02

Assessor Hieber said there are three parcels included in the SAD.

It was MOVED by Treasurer Roman, seconded by Trustee Smith to approve Resolution #24-045; To Confirm the Emergency Sewer Connections Special Assessment District - 2024-02. The motion carried with a roll call vote: (7 yes votes).

- B. RESOLUTION #24-047; TO CONFIRM THE MEADOW LANE ROAD MAINTENANCE SPECIAL ASSESSMENT DISTRICT – 2024-2028

Assessor Hieber said the resolution establishes the 8 parcel SAD for road maintenance on Meadow Lane.

It was MOVED by Trustee Ruggles, seconded by Treasurer Roman to approve Resolution #24-047; To Confirm the Meadow Lane Road Maintenance Special Assessment District – 2024-2028. The motion carried with a voice vote: (7 yes votes).

- C. REQUEST TO APPROVE AGREEMENT WITH DUBAY'S PROPERTY MAINTENANCE, LLC FOR MEADOW LANE ROAD MAINTENANCE SAD 2025-2029

Assessor Hieber said the agreement authorizes the Township to enter an agreement with the contractor for the special assessment.

It was MOVED by Trustee Voorheis, seconded by Trustee Smith to approve the Agreement with Dubay's Property Maintenance, LLC, For Meadow Lane Road Maintenance SAD 2025-2029. The motion carried with a voice vote: (7 yes votes).

- D. RESOLUTION #24-046; TO CONFIRM THE BURGESS BAY WEED CONTROL AND LAKE IMPROVEMENT SPECIAL ASSESSMENT DISTRICT - 2024-2028

It was MOVED by Treasurer Roman, seconded by Trustee Powell, to approve Resolution #24-046; To Confirm the Burgess Bay Weed Control and Lake Improvement Special Assessment District - 2024-2028. The motion carried with a voice vote: (7 yes votes).

- E. REQUEST TO APPROVE AGREEMENT AND CONTRACT WITH AQUA WEED FOR BURGESS BAY WEED CONTROL AND LAKE IMPROVEMENT SAD 2025-2029

It was MOVED by Trustee Voorheis, seconded by Trustee Ruggles to approve the Agreement and Contract with Aqua Weed for Burgess Bay Weed Control and Lake Improvement SAD 2025-2029. The motion carried with a voice vote: (7 yes votes).

F. REQUEST TO APPROVE PRELIMINARY SITE PLAN - LASTING IMPRESSIONS LANDSCAPING

Director O'Neil briefly summarized the applicant's request. The Planning Commission recommended the Township approve the preliminary site plan subject to staff and consultant comments being addressed. The applicant received special land use approval for outdoor storage on the site. The applicant will be in front of the Zoning Board of Appeals next month for a variance to allow a gravel parking lot. There are no objections to the plan from staff and consultants. The property owner is a Township resident and business owner. The proposed building on the site will be multi-tenant. The property is served by a septic and well.

Supervisor Kowall said he is pleased the applicant pushed forward with their plans.

Trustee Ruggles said the plans were reviewed at the Planning Commission and it is nice to see a resident develop their business in the Township.

Trustee Powell stated he didn't know if additional easements were needed for stormwater drainage to the property to the north. Casey Leach, Kieft Engineering, said there is an easement in place that would allow drainage to come across to the retention basin directly north.

It was MOVED by Trustee Powell, seconded by Trustee Ruggles to approve the preliminary site plan for Lasting Impressions Landscaping, as submitted, and subject to all stormwater easements and drive easements being in place as represented. The motion carried with a voice vote: (7 yes votes).

G. REQUEST TO APPROVE LAKELAND HIGH SCHOOL FIREWORKS DISPLAY APPLICATION

Chief Holland said there are no objections from the Fire Department and the Fire Department will be on site to inspect the day of. There isn't a proposed rain date.

It was MOVED by Trustee Smith, seconded by Trustee Powell to approve the Lakeland High School Fireworks Display Application for the proposed date of September 20, 2024. The motion carried with a voice vote: (7 yes votes).

H. RESOLUTION #24-051; CALLING PUBLIC HEARING REGARDING THE PROPOSED ISSUANCE BY THE ARIZONA INDUSTRIAL DEVELOPMENT AUTHORITY OF TAX-EXEMPT BONDS (GREAT LAKES SENIOR LIVING COMMUNITIES LLC)

Supervisor Kowall said Independence Village is looking to refinance its facility and is required to disclose that to the community. There is no burden on the Township.

It was MOVED by Treasurer Roman, seconded by Clerk Noble to approve Resolution #24-051; Calling Public Hearing Regarding the Proposed Issuance by The Arizona Industrial Development Authority of Tax-Exempt Bonds (Great Lakes Senior Living Communities LLC). The motion carried with a voice vote (7 yes votes).

I. RESOLUTION #24-044; APPROVING FEE SCHEDULE UPDATES - FIRE DEPARTMENT

Chief Holland said there are revisions to the fee schedule, and a worksheet is provided with calculations. A few fees had been reduced.

Trustee Powell asked Chief Holland how Commerce Township would bill the Township if mutual aid is requested from them. Chief Holland explained Commerce wouldn't bill mutual aid unless it was arson or some type of reckless act.

It was MOVED by Trustee Powell, seconded by Clerk Noble to approve Resolution #24-044; Fee Schedule Updates – Fire Department. The motion carried with a voice vote (7 yes votes).

J. DISCUSSION - VACANT BUILDING ORDINANCE

Supervisor Kowall said the rental ordinance has made a difference in the Township, and the vacant building ordinance will be a subsection of the rental ordinance.

Chief Holland explained this ordinance was written with the aid of other departments. The ordinance allows knowing where the vacant buildings are in the Township, and to inspect them. Certain fire codes apply to vacant buildings. Vacant buildings will be registered at the Township. The vacant buildings will be placarded, and the placards will be aiding both Police and Fire. The ordinance is not meant to be heavy-handed, and other communities' vacant building ordinances were studied during the writing of the ordinance. Chief Holland said he wants to have a light discussion this evening, and if there are more questions, another meeting can be scheduled.

Trustee Ruggles asked what brings the ordinance in front of the Board. Supervisor Kowall stated he believed the ordinance was a benefit for the Township. The ordinance will give the Township a point of contact when issues arise with vacant buildings.

Supervisor Kowall added in the past, there had been issues with vacant buildings, listing examples of rodent and mold issues. This ordinance is for vacant buildings that are an attractive nuisance and allows all departments to reach someone accountable for the property.

Trustee Ruggles stated that just because there are a few issues with vacant buildings, it did not mean the Township should encumber the residents with the ordinance. the Township can address the vacant buildings as they come.

Supervisor Kowall explained the ordinance would not affect all residents, only those with problematic vacant buildings. First responders need to know what is inside vacant buildings to respond properly to complaints.

Chief Holland said there are different thresholds applied to the ordinance's definition of a vacant building.

Trustee Powell said he took offense by building a strong case for the vacant building ordinance with so few examples. He added it was reaching into people's pockets and putting the government in charge.

Supervisor Kowall said Chief Holland can take tonight's feedback to tweak the ordinance's language, and the ordinance will serve as an additional tool in the box for the Township. The Township has a responsibility to the residents to make sure the vacant properties in the Township are safe.

Chief Holland said he knew there would be revisions to the ordinance when he wrote it and suggested a committee to work on language revisions with him.

Treasurer Roman suggested removing residential homes from the ordinance. The ordinance could focus on commercial properties.

Trustee Smith said she felt the ordinance is overreaching, and can be toned down and brought back to the Board.

Trustee Voorheis stated she is in favor of the ordinance since she has dealt with a vacant home in her neighborhood that has caused issues.

K. BUDGET REVIEW – 2025

Supervisor Kowall said the budget was presented at the special Board meeting on September 10, 2024. The 2025 budget for the Township is as follows: General Fund, \$6,929,822; Fire Department, \$6,488,022; Police, \$8,211,430, Building, \$1,145,434; Parks and Recreation, \$2,508,322; Rubbish Fund, \$2,486,040; PA 188, \$365,300; Improvement Revolving Fund, \$8,500,000; Drug Forfeiture Fund, \$70,000; CDBG Fund, \$67,600; Sewer Enterprise Fund, \$3,547,000 and the Water Enterprise Fund, \$ 2,316,337.

Supervisor Kowall stated the Accounting department worked hard on the budget, and they are very good at what they do.

Treasurer Roman asked what is included in the last three line items of the Maintenance Department budget. Supervisor Kowall said those line items include maintenance improvement and betterments- for computers, technology, and tools. It is a standard line item that is included in most department's budgets.

L. RESOLUTION #24-049; TO ESTABLISH THE 2025 GENERAL APPROPRIATIONS ACT

It was MOVED by Treasurer Roman, seconded by Trustee Powell to approve Resolution #24-049; to establish the 2025 General Appropriations Act. The motion carried with a roll call vote: (7 yes votes). (Smith/yes, Ruggles/yes, Noble/yes, Kowall/yes, Roman/yes, Powell/yes, Voorheis/yes).

M. REQUEST APPROVAL OF CAPITAL IMPROVEMENT PLAN - 2025-2030

Director O'Neil said the Planning Commission approved the Capital Improvement Plan at their September 5, 2024, meeting. He acknowledged the Planning Commission, department heads, Staff Planner Littman, and the Earleys for their work and feedback on the document.

Supervisor Kowall stated he knows how much work goes into the CIP. Director O'Neil added that a project has to have a \$50,000.00 threshold to be considered a CIP project. Municipal buildings, pathways, and heavy machinery are considered CIP projects. The CIP acts as a tool for budgeting and project coordination.

Supervisor Kowall said he appreciates the hard work of Director O'Neil's department. Trustee Powell thanked the staff for their ability to produce the document in-house.

It was MOVED by Trustee Powell, seconded by Treasurer Roman to approve the 2025-2030 Capital Improvement Plan as presented. The motion carried with a voice vote: (7 yes votes).

N. REQUEST APPROVAL FOR BID AWARD OF CIVIC CENTER BUILDINGS

Aaron Phillips, McCarthy & Smith, said Bid Packages #1 and #2 came in \$15,000.00 under budget. In August, Township Hall, and the Public Safety building were bid out. There was a successful bid opening on August 8, 2024, for both buildings. The Public Safety building received 101 total bids and the Township Hall building received 105 bids. Following the bid openings, all the low apparent bidders were interviewed through a thorough post-bid interview process. Mr. Phillips thanked the Building Committee members, architects, and engineers who participated in the interview process. After the interviews, the contractor bid awards were selected and the costs were rolled into the total GMP. The Public Safety building totaled approximately \$17,500,000 and Township Hall totaled approximately \$14,300,000.

Mr. Phillips shared that the project is 4% under the projected budget.

Supervisor Kowall complimented Mr. Phillips for all the work that was done. The Board has been monitoring the process since day one, with involvement from staff as well.

Mr. Phillips stated the project's total GMP is \$43,946,248.06.

Trustee Powell thanked Mr. Phillips and his staff for their efforts. He pointed out the Township is voting on a huge cost tonight, and the new buildings have been needed for a long time.

Supervisor Kowall said Treasurer Roman is instrumental in studying the finances and putting money away for the buildings. It has been a goal of the Board over the past couple of years to put away money for this project. There will be a bond sale of approximately \$29,000,000. The Township is in a position to service the debt but the Board has not made a decision yet on the length of the bond terms. He thanked the Board for all their efforts and attention to detail.

Treasurer Roman said the bond payments will be around \$1,700,000 to \$1,800,000 for about 30 years.

Trustee Smith added the Board previously received the information presented this evening at their special Board meeting last Tuesday, September 10, 2024. She commended Mr. Phillips for his work.

Clerk Noble thanked Mr. Phillips and Mr. Pettitt for their work on the project.

It was MOVED by Supervisor Kowall, seconded by Clerk Noble to approve the total project GMP Contract with McCarthy and Smith for the sum of \$43,946,248.06. The motion carried with a roll call vote: (7 yes votes). Voorheis/yes, Powell/yes, Roman/yes, Kowall/yes, Noble/yes, Ruggles/yes, Smith/yes).

OLD BUSINESS

A. SECOND READING; REZONING REQUEST FOR PARCEL 12-23-227-003 - 9101 HIGHLAND ROAD

Director O'Neil stated the Planning Commission recommended approval of the rezoning from R1-C Single Family to Restricted Business.

It was MOVED by Supervisor Kowall, seconded by Treasurer Roman to approve the rezoning request for parcel 12-23-227-003 – 9101 Highland Road. The motion carried with a roll call vote: (4 yes votes). (Voorheis/yes, Powell/yes, Roman/yes, Kowall/yes, Smith/no, Ruggles/no, Noble/no).

FYI - CIVIC CENTER UPDATE

Treasurer Roman said dirt is being moved at the Civic Center site. Elizabeth Lake Road is scheduled for completion on or about November 15, 2024. Trustee Powell said he is anxious to see the Civic Center projects through.

Supervisor Kowall said the Civic Center site is taking shape and will be great for future generations of White Lake residents to enjoy.

TRUSTEE COMMENTS

Trustee Voorheis said the Fisk Farm Festival was a success, and thanked the corporate sponsors that contributed. The Fire Department Open House had a great turnout. She asked her fellow Board members to wear light blue in honor of Prostate Cancer Month.

Trustee Powell said he is a prostate cancer survivor, and the screening test is easy. He urged his fellow men to get the test done.

Treasurer Roman had no comments.

Clerk Noble thanked the Board, staff, and everyone involved with moving the Civic Center project along.

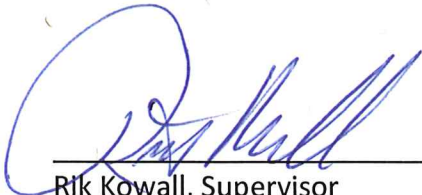
Trustee Ruggles said the Fire Department did a tremendous job on the Open House. The next Planning Commission meeting will be on Thursday, October 3, 2024.

Trustee Smith said working with the Board on the Civic Center project has been a pleasure. The friends of the library had a successful book sale. The Fire Department hosted the Walk for Red, and they did a great job. The Fire Department Open House was a great success. Today is National Voter Registration Day, and she encouraged everyone to register if they had not done so.


Supervisor Kowall said Trunk or Treat is Saturday, October 19, 2024, at Fisk Farm from 6 P.M.-8 P.M. He got a kick out of a grease fire demonstration at the Fire Department Open House. He thanked Stu Pettitt for his work and vision on the Township Hall Building.

ADJOURNMENT

It was MOVED by Supervisor Kowall, seconded by Clerk Noble, to adjourn at 8:03 P.M. The motion carried with a voice vote: (7 yes votes).



Rik Kowall, Supervisor
Charter Township of White Lake



Anthony L. Noble, Clerk, MiPMC
Charter Township of White Lake