LAKE ANGELUS CITY COUNCIL MINUTES

APRIL 12, 2016

Present: Mayor, Patrick McNew, Councilmembers Dennis Mitchell, Dan Jenaras, Rich Altherr, and Joe Hilger; Building Department Officials, John Jackson; Treasurer, Julie Frakes; Police Chief, Jim Prosser; Environmental Board Chair, Jim Hibbard; Attorney, Gerald Fisher; City Assessor, Kim Harper; Road Commissioner, Karl Storrie; Deputy Clerk, Linda Daniels

Absent: Clerk, Rosalie Lake

Visitors: Jim and Ann Howlett, Jim Cortez, Jim Kinsler, Dick and Joan Jones, Dick and Joyce Lund, John McNew, Michelle Drake, Heidi Hoyles, Jay Hibbard, Brad Hibbard, Sharon Mitchell, Toni Cusmano, Cheryl Hilger

Mayor McNew opened the meeting at 7 PM with the Pledge of Allegiance. The Minutes of the meeting of March 15, 2016 were approved with corrections. Moved by Dennis Mitchell; seconded by Dan Jenaras and motion carried unanimously.

Comments from Residents: Attorney Fisher has created an initial draft of a new dog ordinance that would send a clear message to keep dogs under reasonable control. Discussion regarding the appropriate leash length ensued. Chief Prosser stated that just having a leash law without specifying the length would be an important start. Council agreed that action needed to be taken and Mr. Mitchell moved to approve the ordinance with the correction of omitting a leash length. Mr. Altherr seconded. Motion carried unanimously. Mayor McNew expressed concern about the Green/Garza property. Mayor McNew was contacted by a resident asking the status of 2455 Lake Angelus Rd. and whether the property could be split. Prior research revealed that the lot could not be split. Mayor McNew recognized the rich Lake Angelus history of this property and suggested that perhaps the solution would come from some civic minded residents. Gretchen Hurlbert is looking for 2016 No Haz volunteers. Linda Daniels made the
Councilmembers aware of the Clean Boats, Clean Waters program training. This program trains individuals to educate boaters on how to share information about inspecting and cleaning their watercraft and equipment in order to reduce the spread of aquatic invasive species. DTE tree trimming will be happening on N. Lake Angelus Road. DTE will be asked to contact homeowners prior to trimming. There have been two separate complaints regarding noncompliance with the evening lighting ordinance. These complaints will be forwarded to Chief Prosser. A resident contacted Mr. Mitchell with a request to change the 4th of July fireworks date to July 3rd instead of July 4th. They reasoned that since the 4th will fall on a Monday this year, it might be better not to have a workday follow them. Mr. Mitchell will put an informal survey on the list serve and the Mayor will also add information about this in The Angelus. Council received an email from a concerned resident regarding contractor start times at 525 Gray Woods Lane that fall outside the stated ordinance times. The contractor will be contacted.

Chief Prosser gave the LAPD monthly report. He presented a letter that he had received from Jim Kinsler regarding the cutting of greater than 70 trees on his property at 897 Lake Angelus Rd. He was very upset, but is trying to settle this dispute with the responsible parties. The LAPD is gearing for boating season which will be starting soon. Mr. Hilger reported that Chief Prosser, Mayor McNew and he, recently visited the Oakland County Dispatch Center. They learned a lot and felt confident that if there were a disaster, Lake Angelus has a strong response team standing by in the background. This is due to the efforts of the City and Chief Prosser in developing reciprocal agreements and working relationships with surrounding cities and Oakland County. Also, the ability to text 911 is available for situations where a person would not be able to call 911. Chief received reports from a couple of residents regarding a live trap left out at the uninhabited Stewart residence with dead animals in it.

Building and Permits: John Jackson provided an update on projects in the city. A property survey has been procured for the
pool at 2405 N. Lake Angelus Road. Mr. Jackson is working with the residents on site plan approval. Revised plans have been submitted for site plan approval at 525 Gray Woods Lane. Mr. Jackson will report back soon and contact HRC to determine the extent of grading. Draining issues occurred at 2060 Lake Angelus Shores. It was discovered that the previous owner had put in drains that were not maintained. This, in conjunction with the condition of that section of the road, were believed to be the cause. The problem was investigated quickly with the resident, HRC, Mr. Jackson, and the contractor all working together to find the solution. Soil erosion permits have now been received on the Prokopp project, 295 Gray Woods Lane. Plans for the new project at 2100 Lake Angelus Shores have been submitted. A builder has not been selected yet.

Planning Commission: Mayor McNew gave a prepared speech about the uniqueness of Lake Angelus and the effort our forefathers have put forth to make it the special place it is. A vote on the Lake Shore Preservation Ordinance then occurred. Mr. Mitchell moved to approve the ordinance as written. Dr. Jenaras seconded. Motion carried unanimously. Toni Cusmano explained that she believed that the ordinance will be challenged due to weak points in the ordinance. Mr. Altherr stated that Ms. Cusmano's letters were helpful in that they provided a different viewpoint. Attorney Fisher provided clarification on several questions Mr. Cortez had regarding the ordinance. A discussion occurred on how the Lake Shore Preservation Ordinance will affect other requests for variances. Mr. Mitchell, noting that the new Lakeshore Preservation Ordinance now conflicts with our current boathouse ordinance, moved to create a moratorium on boathouses applicable for 4 months until Attorney Fisher has a chance to review the language of the ordinance. Mr. Hilger seconded. Motion carried unanimously. Mr. Howlett suggested that the status of pending site plan approvals should also be addressed and that they should not be granted under the old ordinance. Mr. Jackson stated that the pending site plan approval would not be impacted by the new ordinance. Discussion regarding publication of the new ordinance ensued. A new ordinance is effective 7 days after it is published, after which it is enforceable. Publication must be in a
generally circulated newspaper, such as the Oakland Press. Treasurer Frakes will take care of getting the Lake Shore Preservation Ordinance published. Mayor McNew mentioned that there are ordinances that still need to be put in the ordinance books.

Clerk: Mr. Cortez brought up a website issue regarding discrepancies in information for McKenna Associates on the city website. Mr. Jackson will correct this issue. Mayor McNew expressed concern for delays in submitting minutes to the website. An effort will be made to bring all entries up to date.

At 8:55 PM Mr. Mitchell moved to extend the meeting by 20 minutes. Dr. Jenaras seconded. Motion carried unanimously.

Ordinance 1244.02: Attorney Fisher is working on the update concerning the phrase, “and must satisfy at least the last two of the following three standards.”

Sinking Bridge Drain: Mr. Altherr had a follow up meeting with WRC on April 6, 2016. WRC reported that they found records from 1914 that tell the widths of the drains east of Baldwin between Baldwin and Collier and that these drains have been backing up. WRC stated that they will have them cleaned out by hand by June. WRC plans to inspect the “as-built” designs of the water management system in the developments surrounding the Lake Angelus city property.

Property Manager Report: Mr. Altherr reported that 22 trees have been removed and that 75% of the trimming has been done on the berm. New trees will be planted in May. Mr. Altherr presented the lawn maintenance contract for the city. All regular areas would be maintained with no increase in cost. In addition there would be a $70/week cost for mowing of the Lake Angelus driving range. Discussion about the need for weekly cutting occurred. It was agreed that biweekly mowing would be adequate. Dr. Jenaras moved to approve the lawn maintenance contract with the modification to do biweekly mowing of the golf range. Mr. Mitchell seconded. Motion carried unanimously.
Treasurer’s Report: Treasurer Frakes introduced the new city assessor, Kim Harper. Mrs. Frakes reviewed the unusual warrants. She noted that March was the end of the quarter, so financial reports for all four funds were reviewed. The General Fund budget target for this month was 75% and the actual was 67%, but the quarterly fire Department invoice had not been paid yet which will bring the actual to 73%. Mr. Mitchell moved to approve the financial reports, noting those warrants over $500. Mr. Altherr seconded. Motion carried unanimously.

#20708 to Jerry Fisher for $3814.20 #20728 to Ace Pyro for $2750 #20730 to Code Enforc for $1470 #20746 to Kim Harper for $1125 #20733 to OC Sheriff for $1968.67 #20756 to McKenna for $2665 #20751 to State of MI for $515.96 #20757 to R. Lake for $846.17

Budget sheets for recommended adjustments to the current year budget and also forecasts for the next fiscal year are due. At the next Council meeting, the adjusted budget will be reviewed, adjusted if necessary, and approved. The proposed budget for next fiscal year will be covered in detail, discussed, and changes noted, and will be brought back for approval at the June City Council meeting. The budget subcommittee will be reviewing both budgets the first week in May. One additional Council member besides the Mayor needs to be selected. McKenna has yet to provide a monthly report showing the Building Department’s revenues and expenditures and other metrics (type and quantity of permits issued and type and quantity of inspections done, etc.). Mrs. Frakes issued a reminder that the weed treatment should be completed, invoiced and paid by June 30th, as this expenditure is a significant budget item. Kim Harper, City Assessor, reported no word yet from TMA concerning the AMAR, but she has not heard of any municipality receiving a response yet.

Roads: Road Commissioner, Karl Storrie reported that there will be no chloriding done in April due to weather conditions making it not as effective. Chloriding will occur in May. There will not be super gravel this year. Mr. Storrie will be providing a written proposal to City Council to repave Old Baldwin Road.
Environmental Quality Board: Mr. Hibbard was contacted from a concerned resident whether city wide spraying for mosquitos will occur this year. Mr. Hibbard cited the Center for Disease Control for recommendations of avoidance of mosquito borne diseases, such as West Nile Virus. Use of insect repellants and making sure screens and windows are impermeable to mosquitos, were two of many precautions suggested by CDC. He said that many residents on Gray Woods Lane use a contractor to treat their properties and encourages other residents on the lake to take care of their properties.

At 9:20 PM Mr. Mitchell moved to extend the meeting 10 more minutes. Mr. Altherr seconded. Motion carried unanimously.

Mr. Hibbard continued by asking for a replacement for Linda Daniels to handle the Canada goose program. Mrs. Daniels will train the person taking over this task.

Fireworks: Mr. Mitchell will provide a new 3-year contract at the next City Council meeting.

There being no further business, Councilmember Hilger moved to adjourn the meeting at 9:22 PM. Councilmember Jenaras seconded. Motion carried unanimously.

Approved: Respectfully submitted.

Patrick McNew, Mayor Linda Daniels, Deputy Clerk