LAKE ANGELUS CITY COUNCIL MINUTES

FEBRUARY 9, 2016

Present: Mayor, Patrick McNew; Councilmembers Dan Jenaras, Dennis Mitchell, Joe Hilger, Rich Altherr; Treasurer, Julie Frakes; Police Chief, Jim Prosser; Attorney, Gerald Fisher; Planning Commission Chair, Bob Bailey; Clerk, Rosalie Lake

Visitors: Jim Howlett, Jim Cortez, Cheryl Hilger, Officer Don McLellan, George Drake, Mike and Beth Tierney

Mayor McNew opened the meeting at 7 PM with the Pledge of Allegiance. The Minutes of the meeting of January 12, 2016 were approved as corrected.

Comments from Residents: Mr. McNew noted another news article about the popularity of Little Free Libraries. The Lake Angelus Library is being well used.

A complaint was made about the Green property on Gray Woods Lane. Philip Incarnati has an option to purchase the property in 2016. He will arrange for debris to be removed from the property.

Pam Cabot emailed the Mayor concerned about non-resident ice fishermen. A few number address signs for properties are missing or are needed for new construction. Chief Prosser will handle this to keep the signage uniform throughout the City. The signs are purchased from Northern Sign Co. and cost $55 apiece.

Police Chief, Jim Prosser, reviewed the Department report for January. He announced that resident, Katie Williamson, will conduct boater safety classes this spring. She is licensed by the Coast Guard to conduct the course. It was confirmed that the fireworks will be on Monday, July 4th. The Chief warned of phony IRS calls being received.

Mr. Hilger indicated that the proposed amendment to Ordinance 1246.07, a new footnote (5), to specify an alternate method of measuring rear yard setback in circumstances in which a subdivision owned strip of land is situated between the edge of the road and the rear yard of the lot had been discussed at the January Planning Commission meeting. A Public Hearing had been held on February 2nd with positive results. Jim Howlett felt that this solution had been the proper way to solve the problem. Councilmember Mitchell moved to approve the Ordinance amendment. Councilmember Hilger seconded. Motion carried unanimously. Mike and Beth Tierney were thanked for their patience and good will.

Mayor McNew expressed his concern about the quality of services provided by Carlisle Wortman’s Code Enforcement. He had reviewed Zoning Board of Appeals decisions from the last few years and had had discussions with Richard Carlisle regarding the application of ordinances in some cases. The Mayor and Chuck Poploskie had done considerable research late in the summer and early fall and had met with former attorney Dan Christ and building official Brian Oppmann regarding their roles. Gerald Fisher was
hired as special counsel for the Greenlee project. Mr. Carlisle continued to be consulted. Mr. McNew read some of his correspondence with Mr. Carlisle which he found disappointing. Several councilmembers had met members of the firm McKenna and Associates which is based in Northville and is a large planning and consulting firm serving a number of communities with issues similar to Lake Angelus. Mayor McNew invited a motion to end the City’s contract with Carlisle Wortman. Councilmember Mitchell so moved. Councilmember Hilger seconded. A period of comment followed. There were questions about the details of contacting contractors and inspectors of current projects. Mr. Mitchell indicated that John Jackson will be the point of contact with McKenna. There will be another person who will be Mr. Oppmann’s counterpoint. Mr. Mitchell noted that pricing may be spelled out differently. The City will continue to pay code Enforcement $1300 per month for three months to affect the transition, but the files will be transferred from Code Enforcement to McKenna as soon as a contract is approved. McKenna will pick up all aspects of work in progress and work pending. These details will be put in writing. Treasurer, Julie Frakes noted that, in some years, Carlisle Wortman did not price things appropriately and City taxpayers had to pick up some fees. She inquired about how Hubble, Roth and Clark, the City’s engineering firm, would mesh with McKenna. Mr. McNew thought that the City would continue with HRC, but he would discuss it with Mr. Jackson.

Mr. McNew called for a vote on the motion on the floor, to end the contract with Carlisle Wortman. The motion carried unanimously. Councilmember Mitchell moved to pursue a contract with McKenna and Associates. Councilmember Altherr seconded. Motion carried unanimously. Mr. Mitchell moved to appoint John Lipchik (of McKenna) as the City’s Building Official. Dr. Jenaras seconded. Motion carried unanimously.

It was hoped that representatives of McKenna would come to the next Planning and Council meetings. Contracts with individual inspectors will need to be rewritten as inspectors are independent contractors. Mr. Mitchell will contact MMRMA regarding insurance issues related to inspectors. It was also noted that Brian Oppmann was the City’s GIS coordinator, perhaps another area to be discussed with McKenna.

Clerks Report: Mayor McNew indicated that Ray Siwiec is retiring from the Board of Review. He wished to nominate George Drake to the Board and to serve as its Chair. Councilmember Altherr moved to appoint George Drake to the Board of Review to serve Ray Siwiec’s term and serve as Chair. Councilmember Hilger seconded. Motion carried unanimously. Mr. Drake accepted the appointment. Clerk, Rosalie Lake, has delivered the signed NoHaz documents to the County to ensure the City’s membership in the program for 2016. Plans for the March Presidential Primary are well underway. Absentee ballots are being mailed. Numerous requests for them have been received.

Mr. Altherr indicated that a meeting will be held on March 11th with representatives of the Water Resources Commission regarding the Sinking Bridge Drain.

Planning Commission: Chair, Bob Bailey, indicated that the Lakeshore Preservation Ordinance will be reviewed at the February 23rd meeting. A date for a Public Hearing
will then be set. It would be advantageous if a representative from McKenna could
attend. Attorney Fisher expected that the Ordinance would be ready for the Council to
consider at the April meeting. It was noted later in the meeting that the Lakeshore
Ordinance and the Boathouse Ordinance do not coordinate well. The Johnsons, 2405 N.
Lake Angelus Rd, wish to add a pool on their property. They will need to submit plans.
Mr. Fisher had received plans from the Greenlees on the day of the Council meeting. He
suggested getting together the committee that reviewed the former plans with the
Greenlees to review this new submission with them to try to narrow the issues down. Mr.
Hilger wondered what McKenna’s role will be on the Greenlee project. Someone from
McKenna should attend the committee meeting. Mr. Fisher indicated that the roof deck
and central walkway have been eliminated, but there are other issues to be considered.
Mr. Bailey noted that the Zoning Board of Appeals meeting is still open. The Greenlee
issue was tabled. The project still needs to go back to the Planning Commission and the
Greenlees need to be sure to know that. George Drake counted six homes under
construction at the same time at the Lake and felt that it was very important to stay on top
of activity during the transition in the building department.

Property Management: Karl Storrie had spoken with RCOC regarding the removal of
trees on the Berm. The RCOC position is that they are not responsible for the esthetic
removal of trees, only the removal of truly dangerous ones. Property Manager, Rich
Altherr, will be away until March 4th and will begin the tree project on his return.

Treasurer, Julie Frakes, presented the financial reports for the month of January and
reviewed any unusual activity. The budget is on target at 58%. A CD matures next
week. Mrs. Frakes recommended renewing for 12 months at .8% at Flagstar Bank.
Councilmember Mitchell approved the investment per the recommendation.
Councilmember Jenaras seconded. Motion carried unanimously. Councilmember
Mitchell moved to approve the financial reports noting those warrants over $500.
Councilmember Altherr seconded. Motion carried unanimously.

- #20584 to Linda Burton for $1125
- #20597 to Gerald Fisher for $1365
- #20622 to OC Clemis for $547
- #20636 to Code Enforcement for $680
- #20639 to OC Sheriff for $1968.67
- #20642 to OC Sheriff for $1968.67
- #20644 to Janz and Knight for $7130

Summer Taxes remain unpaid for three parcels. 91% of Winter Taxes have been paid.
Taxes are due without penalty by February 14th. The LGIP rate is .989%. The City is in
the last year of the Fireworks contract. No request for a deposit has been received this
year from the company. Mrs. Frakes will be away from March 5 to 11th and Saige will
be the houseguest of the Clerk.

The Audit of the Assessing Department is ongoing. Minimum assessing requirements
must be met to avoid corrective action by the State. Tax Management Associates will be
conducting the review. Assessor Kim Harper and former assessor, Linda Burton, had an
appointment with Tax Management on Monday. There will be confirming
communication to the Mayor, but the meeting went well. Part of the process includes
random inspections of properties in the City. Only exterior measurements will be taken with no entrance into the interior of homes. Letters will be sent to randomly chosen property owners.

Poverty Guideline Policy: Assessor, Kim Harper, had alerted the City that guidelines for Poverty Exemptions from taxation under the General Property Tax Act were required of the City. David Gillam, colleague of Attorney Fisher, provided a policy for the City to consider including annual eligibility requirements and annual allowable income. A detailed Poverty Exemption Application would be required of an applicant. Councilmember Jenaras moved to approve the Poverty Exemption Policy as presented. Councilmember Altherr seconded. Motion carried unanimously.

Roads: Road Commissioner, Karl Storrie, spoke about repaving Old Baldwin Rd. He wished to ask RCOC to update their bid to completely repave it to see what the cost would be. There will be no supergravel this year.

Environmental Board: Chair, Jim Hibbard is setting a meeting of the Board as the City needs to act fairly quickly on weed control. It is the third year of the contract and he recommends not making changes to it.

Mr. Altherr explained that a DEQ permit had not been obtained to start work on the apartments across Baldwin, so work was halted. A crew is working on N. Lake Angelus Rd. putting in a new drainage line at the corner of Waller Rd. This is an Auburn Hills project.

Dr. Jenaras and Mr. Mitchell are setting up a meeting with the Waterford Fire Chief.

There being no further business, Mayor McNew reminded all that the meeting in March had been moved to the 15th to accommodate the Election on March 8th. The meeting on the 15th will include budget planning. Councilmember Mitchell moved to adjourn the meeting. Councilmember Altherr seconded. Motion carried unanimously.

Approved: Respectfully submitted,

Patrick McNew, Mayor Rosalie Lake, Clerk