MINUTES OF THE LAKE ANGELUS CITY COUNCIL MEETING

FEBRUARY 10, 2009

Present: Mayor, Lee McNew; Councilmembers Bill Lembke, Jon Cabot, Karl Storrie; Police Chief, John Roehrig; Attorney, Dan Christ; Environmental Board Chair; Leon Pedell; Treasurer, Julie Frakes; Building Official, Leon Genre; Clerk, Rosalie Lake

Absent: Councilmember, David Haines

Visitors: Jim Howlett, Heidi Hoyles, Ann Gianetti, Linda Daniels, Brad Rachwal, and Bob Bailey. Dick and Joyce Lund came briefly before the meeting to distribute the new City Directory and were applauded for their work to produce it.

Mayor McNew called the meeting to order shortly after 7 pm and the Pledge was recited. Minutes of the meeting of January 9 were approved as corrected.

Mrs. McNew requested approval of Lee Embrey III as the new member of the Board of Review as suggested by Ray Siwiec, Chair of the Board. Councilmember Cabot moved to appoint Mr. Embrey. Councilmember Storrie seconded. Motion carried unanimously.

The Clerk requested $25 for annual dues for the Oakland County Clerk’s Association membership. Councilmember Cabot moved to approve the dues. Councilmember Storrie seconded. Motion carried unanimously.

The Clerk and Chief Roehrig have discussed placing a mailbox, similar to the one at City Hall, near the garage door of the Police Station so that mail may be delivered there by City officials or residents. It could be paid for by Police Department funds. Councilmember Lembke moved to provide the box. Councilmember Cabot seconded. Motion carried unanimously.

The Clerk hoped that the maps in City Hall may be rehung soon as they are valuable references for the Planning Commission.

Chief John Roehrig gave the Police Department report. Bill Rogers has been ill and the Chief has not spoken with him again about the security plan for homes in the City. The most recent training for the officers was at the gun range. Sheriff Bouchard is making an effort to provide mutual training opportunities, bringing various Oakland County police departments together for training. The Chief reviewed the department report for January.

Leon Pedell inquired about the results of the deer hunt on City property. Chief Roehrig knew of four to six bucks taken and felt that there were probably more. He noted that Rochester had employed sharp shooters to kill does. The deer herd will not be reduced without taking does. Treasurer, Julie Frakes indicated that the City has been informed that Marty Gaynor is still eligible for unemployment benefits, despite the City’s protest of the determination. Attorney Christ indicated that that decision was given without a hearing. The Council has to decide whether to appeal and present documented evidence. Chief Roehrig indicated that he is willing to do whatever the City wishes on the matter.

Councilmember Cabot moved to appeal the decision regarding former officer Gaynor. Councilmember Lembke seconded. Motion carried unanimously.

Jim Bostick has a military Hummer that he is willing to give to the Police Department. Councilmember Cabot and Mayor McNew met with Chief Roehrig to discuss a leave of absence. Dr.
Cabot moved to approve the leave. Councilmember Storrie seconded. Motion carried unanimously.

Planning Commission: The Derocher submittal is the only issue that has come before the Planning Commission recently. Mr. Derocher has applied for site plan approval for a house proposed to be built on his site on Gray Woods Lane. The property boundary line must be moved to the east to accommodate the size of the house. The property to the east is on record as owned by Connie Green. Mr. Derocher must establish ownership of the property before a site plan can be approved. The buyer of the home will not purchase the property until he knows that he can build the home he wishes to build.

Leon Genre provided the Code Enforcement report. Invoices will be reviewed by Mr. Genre and items will be identified before invoices are submitted to the City.

City Property: Bill Lembke will get an estimate on a generator for City Hall. The Mayor indicated that the lights for City Hall are on back order, but that they are coming. Peggy Kresge and Patrick McNee will meet regarding furniture. Bob Bailey has offered to donate Windsor chairs.

Treasurer’s Report: Treasurer Frakes presented a summary of her activities as Treasurer as requested by the City’s auditors, Janz and Knight. She was highly complemented for her work. The Clerk and all members of the Council were asked to provide a similar summary of the activities related to their various assignments by the June meeting. Mrs. Frakes obtained a description of what was in the sweep accounts and found it to be very conservative, A-1 or T-1 or better. When the economy is good, interest rates are high. Now they are dismal, less than 1 1/10 of 1%. She recommended that monies be moved into NOW Accounts which earn no more than ½ of 1%. If the City is concerned about risk, the funds should be moved. Four accounts are sweep accounts amounting to about $600,000. Councilmember Cabot was comfortable with moving to NOW Accounts that would be FDIC insured and which can be modified on a monthly basis and he so moved. Councilmember Lembke seconded. Motion carried unanimously.

Linda Burton, City Assessor, provided the details and a copy of her certification upon request from the City. She is fully qualified by her level of certification to serve the City. Tax assessment information will be published in this month’s ‘Angelus’. After review by the December Board of Review meeting, the tax cap on the Manaia property was removed. It had not been removed as it should have been at the time the house was purchased, resulting in back taxes being assessed. Mr. Manaia has been given additional time for payment. Councilmember Storrie remarked that he felt there were huge discrepancies in property assessments in the City resulting in inequities in tax valuation. He will meet with the Board of Review to discuss his thoughts.

Treasurer Frakes reviewed the January warrants, the Profit and Loss sheets and the Balance sheet. Councilmember Cabot moved to approve the Treasurer’s report, noting warrants over $500. Councilmember Storrie seconded. Motion carried unanimously.

#15518 to Bostick GMC for $551.64      #15523 to OC Radio Communicat for $919.65
#15537 to Milzow Building for $4607.63  #15548 to Hafeli, Staran for $1485.12
#15560 to R. Lake for $625.37          #15563 to Waterford Twp Fire for $47,489.47
#15564 to Voyager Fleet for $555.49     #15569 to OC Sheriff Dept for $783.67
The City has received an annual payment of $23,744.40 from the Taubman Co. to be deposited in the Environmental Fund. These funds, provided for by the consent judgment, will be paid through 2012.

Mrs. Frakes will prepare budget request forms for 2009-10 for the next Council meeting.

Roads: Councilmember Storrie was asked to send a letter to RCOC to indicate that the City is interested in participating in the Tri-Party program for 2009. Funds could be used to provide gravel on N. Lake Angelus Road and Gallogly. Mr. Storrie indicated that N. Lake Angelus Road and Baldwin are eligible for federally funded long-range projects which RCOC could submit on the City’s behalf, projects such as the graveling or paving of N. Lake Angelus Road. A discussion of paving ensued. Jim Howlett reminded the Council that a great deal of study has gone into the paving of the road and that the Council needs to take this work very seriously. The Council has previously voted against paving. Councilmember Lembke pointed out that federal money will have federal regulations and not many safeguards for the City. Leon Pedell pointed out that the road cannot be paved with tri-party funds because Waterford does not have the money to contribute. Mr. Storrie stated that RCOC could pave it itself if it wanted to because it’s a connector road. Mr. Howlett said that the Road Commission will not pave it without the City’s consent. Paving involves extensively widening it and substantial cutting of trees making the road into a thoroughfare which, Mr. Howlett felt, was not in the City’s best interests. Leon Pedell recommended that the use of tri-party funding for N. Lake Angelus Road include ditching at Lake Angelus Lane and near the Kresges.

The Environmental Quality Board report was given by Board Chair, Leon Pedell. Future deer hunting will be a topic for discussion at the fall Board meeting. Dr. Pedell reviewed the proposal for placing a fire pit, grill and signage at the Island. Councilmember Cabot moved to provide up to $500 for the Island projects. Councilmember Lembke seconded. Motion carried unanimously. At the Board’s meeting in February, fishing issues were explored. It was a unanimous recommendation to restrict who is allowed to come onto the Lake to fish. Four resident fishermen are willing to write for the ‘Angelus’ on good fishing practices. Dr. Pedell will put out the first advisory, which the Council can review before publication. Bo Embrey, Mike Frakes and Jeff Hurlbert will contribute articles.

Regarding the treatment of weeds in the Lake, if there is going to be herbicide treatment this year at all, a permit must be applied for now. The vote passed by the Board, which was not unanimous, was to apply for a permit for under 100 acres to be treated. Councilmember Cabot expressed his opposition to herbiciding this year and opposed applying for the permit. He felt the weed situation should be monitored for a year. Dr. Pedell can consider harvesting in the summer if necessary, although that is not a popular idea. No motion was made to obtain a herbiciding permit. The Environmental Board recommended using citizens of the Lake to do a weed survey, mapping out acreage. Councilmember Cabot moved to map the Lake in this way. Councilmember Storrie seconded. Motion carried unanimously. The Board did not feel that a formal fish survey is necessary. Dr. Pedell explained a new, but legitimate, treatment for weeds by encouraging carp to knock down weeds while feeding on corn placed in the weed areas. He asked for $300 for corn to experiment with this treatment. Councilmember Cabot
Dr. Pedell has contacted fertilizing companies regarding the City’s fertilizing ordinance. The Ordinance will be published again in the ‘Angelus’. Dr. Pedell is willing to be contacted by residents for references of companies whose practices are environmentally appropriate.

Attorney Christ has advised the Council that a water Rule would be better than an ordinance to limit access to the Lake for fishing. Councilmember Cabot moved enact the following Rule: No resident shall allow anyone, other than immediate family, to access the Lake in any season without being accompanied by a resident. Councilmember Storrie seconded. Motion carried unanimously.

Attorney Christ indicated that there is a developer who wants to build a hotel on the Taubman property at Great Lakes Crossing. Mr. Christ is working with Mike Daniels on the sewer agreement. Mr. Daniels has provided a second draft of the agreement.

Treasurer Frakes requested approval of $875 for the printing of the new Directory. Two copies were provided to each household this time. Councilmember Cabot moved to approve the funds for printing. Councilmember Storrie seconded. Motion carried unanimously. Mrs. Frakes also requested $6927 for payment for the audit prepared by Janz and Knight. Councilmember Cabot moved to approve the payment for the audit. Councilmember Storrie seconded. Motion carried unanimously.

There being no further business Councilmember Cabot moved to adjourn the meeting at approximately 9 pm. Councilmember Storrie seconded. Motion carried unanimously.

The next regularly scheduled meeting will be held on Tuesday, March 10, 2009 at 7 pm.

Approved:  Respectfully submitted,

Lee McNew, Mayor  Rosalie Lake, Clerk