LAKE ANGELUS CITY COUNCIL MINUTES
AUGUST 12, 2014

Present: Mayor, Patrick McNew; Councilmembers Dan Jenaras, Chuck Poploskie, Jon Cabot and Dennis Mitchell; Attorney, Dan Christ; Police Chief, Jim Prosser; Building Official, Brian Oppmann; Treasurer, Julie Frakes; Planning Commission Chair, Bob Bailey; Clerk, Rosalie Lake
Visitors: Jim Howlett, Jim Hibbard, Officer Don McLellan

Mayor McNew opened the meeting at 7 PM with the Pledge of Allegiance. The Minutes of the meeting of July 8, 2014 were approved as submitted.

The Mayor recapped boating complaints from residents. It was suggested that volunteer resident patrols be used to augment the police program to investigate and monitor boating violations. Training for volunteers was a concern as the legal climate is different than it was 25 years ago when such a volunteer program was active on the Lake. Attorney Christ suggested that a volunteer group may need to be separate from City government. Chief Prosser assured that the LAPD will respond 24/7 to calls regarding issues on the Lake. The Mayor had a call from a resident concerned about the structural condition of the Gatmaitan boathouse. Mr. Oppmann will check on it.

Police Chief, Jim Prosser, gave the Department report for the month of July. The Lake level is 949.8. There was an unfortunate occurrence of a deer becoming trapped on the tennis courts, leading to the demise of the deer. Previously, a police officer had been able to release a deer unharmed that had gotten into the fenced court area. Solutions were discussed. Chief Prosser presented a letter written by him to the Council giving the background for a letter received from the Michigan Municipal Risk Management Authority (MMRMA) after its Best Practices Review of the Police Department. The letter from MMRMA recommended discontinuing the use of Reserve Officers who have not successfully completed the Reserve Police Officer training course due to the exposure to liability. Of the Department’s Reserve Officers, eight of sixteen have voluntarily completed the 100 hour training course at a cost to each of them of about $1000. The Chief presented three options for action with his recommendation that the Department immediately discontinue use of non-trained Reserve Officers for the remainder of the season and utilize the eight academy trained Officers to work the remaining summer shifts. If needed, a MCOLES Certified Officer would be used for those shifts unable to be covered by a trained volunteer Reserve Officer. Council generally felt that it is best to have two officers in the boat. Councilmember Cabot suggested having one academy trained Reserve Officer and one non-trained Officer in the boat for the remainder of the season.

Building and Permits: Building Official, Brian Oppmann, gave updates on two Private Drive projects. The Wegrzyns have not yet completed a boundary transfer, but plans are expected for the next Planning Commission meeting. Diane Latshaw has not yet selected a builder for her project. Attorney Christ will bring a draft regarding performance bonds to the PC. A chilling effect on building is not desired, but neither is the specter of non-completion of projects. Mr. Christ further informed the Council on this issue. Jim Hibbard shared his experience with
performance bonds. Bob Bailey felt that some performance bond should be required, perhaps with a dollar limit. Mr. Christ noted that tools already exist for working with these situations. Mr. Oppmann indicated that builders tell him that ordinances in the City are very complicated. He feels that the ordinances are stated completely and not difficult to work with. Mr. Bailey made a comparison to Grosse Pointe Farms and felt that the City should adopt similar standards. Mr. Oppmann and Mr. Christ discussed the difficulties that may arise with the Knsyz III boathouse project such as grading within 50’ of the Lake, sight lines and DEQ approval. A variance would have to be granted for the project.

Clerk, Rosalie Lake reported on a successful Primary Election with a good voter turnout. The City has received official notification of approval for its Title VI Non-Discrimination Plan from MDOT. Ms. Lake and Jim Cortez will work on its required placement on the City’s website. Linda Burton submitted Minutes of the July Board of Review meeting. The third of four No-Haz collections in 2014 will occur on August 23rd at the OCC Highland Lakes Campus. Ms. Lake will be the City’s representative at this event.

Planning Commission: The PC met on July 26th in a ‘philosophical’ session regarding ordinance enforcement. No plans were presented for review.

Treasurer, Julie Frakes, presented the financial reports for July. She reviewed the warrants noting insurance payments to MMRMA and the Accident Fund. The Balance Sheet is down $10,000 from last year. The Profit and Loss target was 8.3% and the actual was 6.5%. As agreed at the last meeting, the City has reinvested $120,000 in a CD at PNC Bank, $85,000 in a CD at the Private Bank and $50,000 in a CD at Flagstar Bank.

Councilmember Cabot moved to approve the financial reports noting those warrants over $500. Councilmember Jenaras seconded. Motion carried unanimously.

Mrs. Frakes reported that tax collection was going slowly. Only 15% had been received. The annual audit by Janz and Knight is moving along. Questions have been answered and materials provided. Mrs. Frakes presented Conflict of Interest Policies adopted by the Council in 1984 and 1995. No action was required on these. There has been no written response from Code Enforcement regarding the increase in monthly fee. No information on Workers Comp has been received yet. With tennis thriving this year, some members wondered whether there would be a request for funds for a year end community party at the tennis courts. Dr. Cabot suggested an unofficial straw vote to provide $250 should it be requested. All approved.

Environmental Board: Councilmember Mitchell was introduced by the Mayor as the hardest working person in the community. Mr. Mitchell reported that he went out with the owner of the Aqua Weed Company to take water samples and observe the milfoil. Although the City has a guarantee to reapply if necessary, they did not see a need for that option. Bob Bailey indicated that he had seen the milfoil breaking down, as well. The question of whether the herbicide infiltrates the bottom soil was discussed. Mr. Bailey indicated that it had been agreed at the time
of approval to have an independent manager and to have soil testing done, which he felt was not being planned for. The point, as he understood it, was to have a manager involved and not just information from the herbiciding company. Jim Hibbard discussed the need to get baseline information to measure the results in the Lake. He said that it appears to be a good project, but data such as wind issues, water temperature, how much herbicide put where, and all data about the day it was done needs to be kept track of for longer term study. The Council reaffirmed the need for bottom soil testing. Jennifer of Restorative Lake Sciences will be contacted. If she is unable to do the testing, Mr. Hibbard will be contacted.

Insurance: Councilmember Cabot reported that the City had received a distribution of net assets from MMRMA of $14,525. The City has a new risk manager with MMRMA.

There being no further business. Councilmember Cabot moved to adjourn the meeting at 8:50 PM. Councilmember Poploskie seconded. Motion carried unanimously. The next regularly scheduled meeting will be held on September 9, 2014 at 7 PM.

Approved: Respectfully submitted,

Patrick McNew, Mayor Rosalie Lake, Clerk