MINUTES OF THE LAKE ANGELUS CITY COUNCIL MEETING

APRIL 14, 2009

Present: Mayor Lee McNew; Councilmembers Bill Lembke, Karl Storrie, Jon Cabot, David Haines; Treasurer, Julie Frakes; Attorney, Dan Christ; Building Official, Leon Genre; Police Chief, John Roehrig; Acting Chief, Sgt. Jim Prosser

Visitors: Officer, Don McClellan, Jim Howlett, Joan Jones, Gretchen Hurlbert, Forrest Milzow, Jim Cortez, Ginny Leever, Bob Bailey, Ann Poploskie, Gail Haines, Brad Rachwal, Ann Gianetti,

Mayor McNew opened the meeting at 7 pm with the Pledge of Allegiance. Councilmember Cabot moved to adjust the agenda to add the ‘Angelus’ discussion following the Planning Commission report. Councilmember Storrie seconded. Motion carried unanimously. Mayor McNew requested review of the Minutes of the meeting of March 10, 2009. Minutes were approved as corrected. The Clerk made a presentation on behalf of Peggy Johnson, who was unable to attend, from the Clinton River Watershed Council thanking the City for its support of the work of the Watershed Council over many years.

Clerk’s Report: The Board of Review held three days of appointment opportunities and 8 appeals were made, not as large a turnout as had been expected. Three changes were made and petitioners will be notified this week by Assessor, Linda Burton. The new ordinances have been codified by American Legal Publishing Co. and they are now published on their website. IGD will soon place a link to the Ordinances on the Lake Angelus website, as well. The cost of codifying is $1625, within the projected range of $1600-$2400 for the project; the cost of placing the ordinances in American Legal Folio Views on the website is $595; the annual internet hosting fee to the City is $250. The NoHaz hazardous waste collection program begins on Saturday, April 25 with a collection at Walled Lake High School. The second collection will be at Oakland University on Saturday, May 30. Fees to the City are $32.50 per car and $5 per car for electronics. There will be two collections in the fall, as well. The Council had previously approved expenditure for a computer for the Clerk. Ms. Lake preferred to purchase a copier/fax machine instead. She indicated the purchase price to be $330. Ms. Lake has recently attended a day-long conference related to records retention, freedom of information, and election reforms and equipment warranties.

Police Chief, John Roehrig, spoke to the Council and residents about his leave-of-absence and retirement. He said to all attending that he has enjoyed being Chief and has had a positive experience with the people who work around him in the Department and in the City. Responding to a request for advice from the Mayor regarding his successor and the direction of the department, the Chief felt the City could promote from within the Department and maintain the present direction. He felt that a complicated process was unnecessary and the City could select someone right away. He had thought about succession from his beginning with the City and felt there were a number of available candidates within the Department. Councilmember Cabot indicated that three resumes had already been received. He felt that an early decision could be made. Councilmember Haines wished to have time with each candidate and to keep the process open. It was determined to have an open meeting with all Council members present to
interview each candidate. The Clerk was asked to schedule this meeting. There was appreciation and applause for the work of John Roehrig by the residents and Council.

Acting Chief, Jim Prosser, gave the Department report. The Reserve Officers begin work in May. The gate at the boat launch is remaining locked. Water safety rules will be published in the ‘Angelus’. A discussion ensued regarding lessons learned from the experience with Officer Gaynor. Attorney Christ indicated that even though Mr. Gaynor was an at-will employee, the City may be subject to unemployment benefits unless it can show authorized termination. Chief Roehrig felt that the City was in imminent danger of a lawsuit and, although he was not focused on unemployment benefits, he felt that some things could have been done differently to avoid benefits having to be paid. Mr. Christ said that Mr. Gaynor did not acknowledge any of the incidents alleged. Documentation and employee feedback should occur. It would be a good idea to review the police manual in this regard. Officer McClellan may be able to help with background checks.

Planning Commission: Building Official, Leon Genre, reported that the Planning Commission approved the plans for 355 Gray Woods Lane and approvals have been obtained from the County for the septic system. Councilmember Storrie inquired whether a bond had been required for repairing the road. It had not, but there will be something regarding this in writing and the road will be videotaped prior to work being begun. The monthly Code Enforcement report was reviewed. No permit fees have been received yet. Mr. Genre expressed concerns about the condition of the cottage related to the Observatory. Police officers have noted trespassers there. He wished to write a letter to Jim Kinsler about the condition of the house. The Council gave its approval. Councilmember Lembke indicated that Mr. Genre and the Police Department need to have a contact person on each of the private roads with whom to communicate when necessary. Those identified were: Karl Storrie for Gray Woods Lane, Brad Rachwal for Sleepy Hollow, Jon Cabot for Private Drive (both sides), Gary Baum for Lake Angelus Shores, Ann Poploskie for Lake Angelus Lane.

Gretchen Hurlbert attended the meeting to discuss changes proposed for the publishing of the ‘Angelus’ with the retirement of Erika Frickel. She recommended that publishing be done by IGD, placing the ‘Angelus’ on the website. Most items would be sent directly from the writer to IGD, with personal items sent to members of the ‘Angelus’ staff for referral to IGD. There was considerable conversation about this. Jim Howlett felt that it was just as easy to attach the ‘Angelus’ to an email to everyone rather than to expect residents to go to the website. Attorney Christ noted that, if the City pays for the publication of the ‘Angelus’, it becomes a public document and must be made available to the public. Councilmember Cabot suggested going forward with the plan as described and see how it works. The Council agenda and notes and a listing of police officers can be posted on the website. Mrs. Hurlbert suggested, also, that items going out on the listserv can be posted on the website. Erika Frickel was thanked for publishing the ‘Angelus’ for 15 years.

City Property: Bill Lembke has acquired three bids for a generator for City Hall. The cost will be approximately $5000. Although Councilmember Cabot felt the bid seemed high for what was needed he moved to provide up to $5000 for the generator. Councilmember Haines seconded. Motion carried unanimously. There was discussion of drainage and flooding in the City Hall lower level. The problem appears to be excessive ground water this year. The restoration of
City Hall was greatly enhanced by the installation of the new lighting. Bob Bailey and Alexander Beebe were thanked for doing the installation. Dr. Cabot moved to approve $1950 for the writing table and the cost of delivery. Dr. Haines seconded. Motion carried unanimously.

Treasurer Frakes gave her report to the Council. She reviewed the warrants, the Balance sheet and the Profit and Loss sheet. The target for expenditures is 75% and the actual appears as 61.8% because the payment to the Waterford Fire Department is not included. Warrants over $500 are noted below:

- #15655 to Hafeli, Staran for $1385.67
- #15659 to Lee McNew for $3995
- #15661 to Lee McNew for $1853.28
- #15673 to Code Enforce for $1200
- #15679 to Ame Legal Pub for $1625
- #15660 to Robert Bailey for $1650
- #15672 to Hafeli, Staran for $1485.12
- #15677 to OC Radio Comm for $919.65
- #15661 to Lee McNew for $1853.28
- #15672 to Hafeli, Staran for $1485.12

Mrs. Frakes is reviewing budgets carefully at this time as she is nearing budget preparation for next year. Interest is down substantially. A Police vehicle is replaced every other year, each car being replaced every four years. The new Chief will need to decide what vehicle to purchase. The City now has to meet new MCOLES requirements for expensive testing for new hires. Mrs. Frakes provided a wage study from MML. Comparisons were made in our area and to cities close to us rather than to rural areas where the costs of living are not similar. Councilmember Cabot felt the City should be competitive in our area. Mayor McNew suggested a $1 per hour increase for officers. Councilmember Haines felt that, in a recession, the City should not get into a budgetary creep. Councilmember Storrie moved to keep salaries the same as last year. Councilmember Haines seconded. A vote was not taken. Mrs. Frakes provided the new three-year engagement letter for auditing services from Janz and Knight. Fees would be raised incrementally $50 per year for the three year period starting at a not-to-exceed rate of $5850 in 2009. Councilmember Cabot moved to approve the engagement letter. Councilmember Haines seconded. Motion carried unanimously.

Mrs. Frakes will attend a seminar regarding a new investment pool.

Environmental Quality Board: Linda Daniels was elected Chair of the Board at its recent meeting. Bob Bailey was elected Vice Chair and Dennis Mitchell became Secretary. Mrs. Daniels gave the report. A permit must be acquired for Goosebusters to destroy the nests of Canadian geese. Councilmember Haines moved to approve the permit application. Councilmember Storrie seconded. Motion carried unanimously.

Mike Frakes and others who fish the Lake regularly will write a fishing advisory for the ‘Angelus’. The City has a contract for water quality evaluation. A survey of weeds in the Lake will be done by Bob Bailey, Brad Rachwal and others to determine species and also determine whether and where herbiciding might be done in the future. The Board decided not to continue mosquito evaluation in the City. There is generally a lower incidence of West Nile Virus. Another factor is the great distances that mosquitoes travel. Another mow and spray of phragmite will need to be done. Control of invasive plant species may require monies from the budget for next year. Jim Howlett noted that Leon Pedell, past Chair of the Board, had proposed testing waters coming from across North Lake Angelus Road.

At 9 pm, Councilmember Haines moved to extend the meeting for 15 minutes. Councilmember Storrie seconded. Motion carried unanimously.
Councilmember Storrie read his notes from the RCOC Strategic Planning Meeting. RCOC will provide a written record of the meeting to the City, as well. RCOC was complemented on the gravel road maintenance they have provided. Mr. Storrie was asked to contact RCOC to continue its maintenance of all of Gallogly Road. RCOC will advise the Council regarding what they might be able to do about the Sinking Bridge Drain. There was agreement that something needs to be done about the lack of grading on North Lake Angelus Road. Mr. Storrie proposed that the three communities and the RCOC meet to develop a design for the road, develop a working plan for construction, and, finally, carry out a plan for paving. Mr. Storrie indicated that the meeting was helpful, but that something must be done about N. Lake Angelus Road. It is not in acceptable condition. He felt that any road with a volume of 4000 cars per day cannot be a gravel road, but might be able to be a modest paved road, which would be better than gravel for the environment. The road would need to be straightened, but kept as a country road. Councilmember Cabot wanted to assure a part in the process suggested by Mr. Storrie for the Council and for residents. Jim Howlett did not understand why the issue of the volume of traffic was not given greater importance. He uses the road daily and can tolerate the few days when the road is particularly bad. He did not feel that an assumption should be made that the road should be paved. Mr. Storrie indicated that he had looked at the original survey results and found that 70% of residents wanted the road paved. Dr. Cabot suggested seeking an alternate road that might be paved to reduce traffic. Dr. Haines noted that the real solution is an interchange at I75 and Clintonville Road. Forrest Milzow indicated that construction of that interchange is not going to happen. He felt the road was in horrible condition, impassable for EMS. He noted that it has a good gravel base now and still is unacceptable. Gail Haines said that there was just as much passion for paving the road as for not paving it and, she indicated, studies show that pavement is better than gravel for the environment. Mayor McNew indicated that the Council needs to establish an order of priorities to give to RCOC. The priorities from last year did not include paving. Mr. Storrie felt that the first priority is the evaluation of N. Lake Angelus Road, looking at possibilities. Dr. Haines agreed that the procedure suggested by Mr. Storrie should be followed. Dr. Cabot agreed to proceed with a study with the other communities involved. Mr. Howlett asked whether RCOC showed willingness to abandon the requirements for road building expressed previously. Mr. Lembke indicated that there is no money, particularly from Waterford, for paving. Mr. Storrie moved to make the top priority a study to investigate what should be done with North Lake Angelus Road. Dr. Haines seconded. Motion carried with Councilmembers Storrie, Haines and Cabot voting in favor and Councilmembers McNew and Lembke voting against the motion. Maintenance of the Sinking Bridge Drain was the second priority.

Regarding fireworks, Councilmember Haines has a verbal contract and will obtain a final contract for the 4th of July fireworks. Dr. Haines is also looking for dates for a meeting with the Waterford Fire Chief for a drive around the City.

Attorney Christ has incorporated the additional water rule regarding fishing into the Lake Angelus Water Safety Rules. Mr. Christ discussed a proposal from a developer for a four story hotel on the Great Lakes Crossing Mall property. The developer is aware of the restrictions of the Consent Judgment. Mr. Christ will communicate with the developer that the City is not willing to waive the restrictions.

Approved:  Respectfully submitted,
Lee McNew, Mayor          Rosalie Lake, Clerk