MINUTES OF THE LAKE ANGELUS CITY COUNCIL MEETING

APRIL 13, 2010

Present: Mayor, Lee McNew. Councilmembers Jon Cabot and David Haines; Treasurer, Julie, Frakes; Attorney, Dan Christ; Building Official, Brian Oppmann; Police Chief Jim Prosser; Environmental Board Chair, Linda Daniels; Clerk, Rosalie Lake

Absent: Councilmembers Bill Lembke and Karl Storrie

Visitors: Jim Howlett, Jim Cortez, Andy Greenlee, (Mrs. Greenlee), Officer Don McLellan

The meeting was called to order by Mayor McNew at 7 pm and the Pledge was recited. The Minutes of the meeting of March 9, 2010 were approved as corrected. Councilmember Storrie had requested a conference call to serve as his attendance at the meeting, but it was determined to be against the Open Meetings Act.

Chris Cortez has been asked if she would be willing to update the Red Book with Lake Angelus history since 1977. She would be interested if a committee could be formed for this purpose. A discussion was held regarding the ways the Minutes might best be stored in perpetuity (“in the clouds”). The Clerk will explore what might be available beyond the current back-up.

Clerk Lake reported a conversation with Bill Lembke regarding fence lines, property agreements and other things that Mr. Lembke has had a hand in over many years of which this and future Councils may not be aware. He is well able to share information on a number of topics. Harlow Press published the Red Book in 1977. The company is still in existence and has been approached to reprint the Blue Book. The first No-Haz collection will be held on May 22nd at Oakland University. Thanks go to Gretchen Hurlbert for attending a planning meeting with Oakland County staff and other No-Haz community representatives. Early in May, all residents will receive information about the spring collections and the new requirement of presenting a voucher for the $10 fee that is now required of each car attending. Vouchers will be provided to each household in the City. Thanks also go to Deputy Clerk, Linda Daniels, who took over mail and other services so that both the Clerk and the Treasurer could be away at the same time for their school vacations.

Police Chief, Jim Prosser, gave the Department report. The LEIN audit was passed with a 99.5% rating thanks to much hard work by Sgts. Nelson and Ginther bringing the files and records into compliance with the LEIN standards. The next audit will be in five years. The Police boat dock needs repair and an additional section. The strategic plan for the Department will be ready for the May meeting. Six new Reserve Officers and those who have served the City in the past have had training by Sgt. Nelson. There are enough reserve officers for coverage during the critical times. Councilmember Haines requested that officers on duty on the Lake travel at slow speeds. The LAPD wishes to have the aerial photo of the Lake framed. Councilmember Cabot moved to approve up to $250 for the framing. Councilmember Haines seconded. Motion carried unanimously.

Councilmember Haines is still working on a letter to all residents regarding clearance for emergency vehicles. He has obtained a fireworks proposal from Michael Freeland for $8000. A supplement is available for an additional $1200 with new and attractive effects. Councilmember
Cabot acknowledged that the additional cost increase was not substantial but given fiscal conditions perhaps it should not be approved this year. Andy Greenlee felt that the fireworks were a great family occasion and the City should approve the addition to the program. Treasurer Frakes cautioned that there will be a budget shortfall next year and it may be best to consider expanding in a future year. Dr. Haines indicated that a one-third deposit was needed. Councilmember Cabot moved to approve a contract for $8000. Mayor McNew seconded. Motion carried unanimously. It was noted that there may be an opportunity for resident contributions for the fireworks as had been done in the early years of the fireworks on the Lake.

Building and Permits: Building Official, Brian Oppmann, had previously presented an updated schedule of building fees which would bring fees to the point that building would support itself and not bring costs to the City. A Resolution was provided to amend the current fees. Councilmember Cabot moved to approve the Resolution. Councilmember Haines seconded. Motion carried unanimously.

Mr. Oppmann received a plan from Andy Greenlee regarding his retaining walls which did not meet the requirements for submission to the Planning Commission. He had informed Mr. Greenlee of the standards that had to be met. Mr. Greenlee was in attendance and indicated that the first two letters from Code Enforcement came addressed to the Illich family. Leon Genre had come to the site, and did not know much about it. The stair to the lake along the lot line was there when the Greenlee’s bought the property. Mr. Genre came a second time, but had no information. Bill Dinnan also came and Mr. Greenlee said that he was not helpful. Mr. Greenlee has the drawings from the landscaper that show where the walls are and he thought those would be acceptable. Mr. Greenlee said that they have finally gotten a letter that fully explains what they need to do. City Attorney, Dan Christ, discussed the citation issued by the City. May 11th is the date of the hearing. Mr. Christ suggested trying to get the court to grant an extension. Mr. Greenlee has called Planning Commission Chair, Forrest Milzow who has recommended Kieft Engineering. If Mr. Milzow would tell him he has to remove the walls, he would figure out another way to hold the hillside. He does not want to go to the expense of engineering and planning if the walls will not be approved anyway. Councilmember Haines felt that new people to the Lake do not know what the rules are and how and who to contact about them. He felt the City has process problems with getting building issues taken care of. He wondered why engineering drawings are necessary when the wall is physically there. Mr. Greenlee said that the entire wall and the stair are within the 15’ setback. His neighbor does not agree with the survey that was done and questions whether the stair and walls are, in fact, over the lot line. Dr. Cabot asked whether the complaint against the Greenlees can be withdrawn. Mr. Christ responded that it can be, but if there is a need to recite it, the court may take a dim view. It was agreed that, if Mr. Greenlee wishes to submit a site plan, he, Mr. Oppmann and Mr. Milzow can get together as soon as it is ready and get it before the Planning Commission. Mr. Christ will call the court to try to get a postponement for as long as possible, or if not, to dismiss the matter. Jim Howlett felt that the Council should give Mr. Greenlee some idea of whether a variance would be granted to allow the walls to stay if he could show there would be damage in removing them. Dr. Cabot said he would be so inclined, if an engineer was convincing. Mayor McNew noted that this has been a couple of years in process and notification has been given. Noting that the above process was in place, Councilmember Haines moved to direct Mr. Greenlee to make a decision whether to submit plans or remove the walls. Councilmember Cabot seconded. Motion carried unanimously. Dr. Haines reiterated that there needs to be a roadmap for people to know how to
Mr. Oppmann indicated that he can put together a plan of options, or flowchart, for anyone who needs to do any building. He is also happy to speak with anyone about the process. Mr. Christ noted that there is a point at which a decision to take action must be made. Dr. Cabot acknowledged that there is no way to know whether the situation has been taken advantage of.

Councilmember Cabot has a written agreement with The Courtsmiths to refurbish three tennis courts for $56,856. Bill Lembke has said that the money for such a project was never intended to come from operating funds. Dr. Cabot moved to accept the bid of $56,856 for the tennis court project with the contract to be approved by Attorney Christ. Mayor McNew seconded. Motion carried unanimously by roll call vote.

Treasurer, Julie Frakes, reviewed the warrants for March. The budget target for end of March is 75% and it stands at 68.1%. The budget subcommittee will meet in the first week of May to develop the budget for the coming fiscal year. Budget worksheets are being submitted. Mrs. Frakes reviewed all Funds at the end of the quarter. Councilmember Cabot moved to approve the financial reports noting all warrants over $500. Councilmember Haines seconded. Motion carried unanimously. County tax settlement is complete. National City Bank is now PNC Bank.

#16343 to 21st Century News for $509.07
#16345 to Hafeli, Staran for $2068.56
#16368 to OC Sheriff for $1661.25
#16384 to Jim Prosser for $635.80

Environmental Board Chair, Linda Daniels, reported that the Board does not recommend pursuing mosquito management as there has been no recent incidence of West Nile virus. Homeowners can do mosquito control as they wish. Mrs. Daniels has attended goose egg destruction training. Goose Busters will be coming soon. Swans can be controlled also. There are increasingly more swans on the Lake and fewer geese. Cormorants are a problem as they eat exorbitant amounts of fish and emit toxic excrement. Water Quality Testing by Bureau Veritas will cost $2800 this year. Councilmember Cabot moved to approve the amount. Councilmember Haines seconded. Motion carried unanimously. At one time Bob Bailey and Brad Rachwal were going to do a weed survey, but it was not known what had been done. Possibly Jeff Knox could do a survey in May. If the City wished to pursue treating weeds, the $500 permit must be applied for now. It had been previously agreed not to treat this year so the permit will not be pursued. One area off of Gray Woods Lane will be sprayed for phragmites in August or September. The garlic mustard pull is scheduled for May 8. The Kresge/Stefani drain area needs to evaluated for additional rocks.

Councilmember Cabot moved to approve up to $4000 for dust control by Oakland County on North Lake Angelus Road and Gallogly Road. Councilmember Haines seconded. Motion carried unanimously.

There being no further business, Councilmember Cabot moved to adjourn the meeting at 9pm. Councilmember Haines seconded. Motion carried unanimously. The next regularly scheduled meeting will be held on May 11, 2010.

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