MINUTES OF THE LAKE ANGELUS CITY COUNCIL MEETING

April 9, 2013

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

Absent: Road Commissioner, Karl Storrie

Visitor: Officer, Don McLellan

Mayor McNew opened the meeting at 7PM with the Pledge of Allegiance. The Minutes of the meeting of March 12, 2013 were approved as corrected.

Mayor McNew called the Zoning Board of Appeals meeting to order at 7:05PM. Building Official, Brian Oppmann indicated that, although the ZBA meeting had been posted to review a request for variances at 2298 Private Drive, the applicant is not going forward with the project at this time. Mr. Oppmann was unsure of the status of the project but noted the possibility of a future return to the ZBA. Councilmember Poploskie moved to close the Zoning Board of Appeals meeting. Councilmember Jenaras seconded. Motion carried unanimously.

Mayor McNew asked to adjust the agenda to hear the Planning Commission and Building reports next while Mr. Oppmann was present. Councilmember Cabot moved to reorder the agenda. Councilmember Jenaras seconded. Motion carried unanimously.

Planning Commission: Chairman, Bob Bailey, submitted a written report indicating that some ordinance revision language was complete. Other ordinances were still under consideration. Attorney Christ noted that it will take two or three more meetings to complete work on the drafts as public hearings will need to be held. Mr. Oppmann indicated that the PC members had not yet concluded their thinking on Boathouses. The definition of “boathouse” and its “function” had been questions discussed. If the Council has any particular direction in mind, it would be helpful to the PC to know those thoughts. Dr. Cabot was generally against boathouses because of the issues of sightlines from land and the sight from the Lake. He felt that allowing them would cause problems in that adhering to the sightline restriction offers almost no opportunity to build one on any piece of property. Dr. Haines was not set against new ones being built. Neither were Mrs. McNew or Dr. Jenaras noting that the sightline issue was critical. Mr. Poploskie felt the ordinance was vague and needed stronger definition.

Mr. Christ presented the new Land Division ordinance. He had rewritten the old ordinance to make it consistent with current law. Councilmember Haines moved to approve Ordinance 125, Chapter 1222, Land Division Regulations. Councilmember Jenaras seconded. Motion carried unanimously.

Linda Burton’s report was received. Minutes of the Board of Review are not yet complete. Ms. Burton will attend the next meeting to discuss the actions of the Board of Review.
Mayor McNew indicated that she had received a number of calls from residents in the Pontiac School District who are angry about the District’s millage proposal. She said that Auburn hills had gotten their Chamber of Commerce involved. Mr. Christ had no new news about the apportionment of the millage. He suggested that the Mayor might write a letter to the Superintendent of Schools to ask what efforts are being made by the District to lessen the impact of the millage on residents in the District and see what response is received. Mrs. McNew will put something in the ‘Angelus’ inviting residents to comment and perhaps attend a Pontiac School Board meeting.

Attorney Christ provided text for two amendments to the City Charter. He explained the process for placing a Charter amendment on the ballot. The first amendment is to Chapter IV, The Administrative Service, Section 6.5 of the Charter and provides that the City Assessor need not be an elector of the City. Councilmember Cabot moved to approve this amendment for placement on the ballot in November 2013. Councilmember Jenaras seconded. Motion carried unanimously. The second amendment is to Chapter IV, The Administrative Service, Section 6.8 of the Charter and provides that the City Clerk and City Treasurer need not be electors of the City when appointed or during their terms of office. Councilmember Cabot moved to approve this amendment for placement on the ballot in November 2013. Councilmember Haines seconded. Motion carried unanimously. Although all hoped that these offices would continue to be held by residents of the City, it was acknowledged that a time could come when it becomes necessary to appoint qualified non-residents.

Police Chief, Jim Prosser gave the Department report for March indicating a quiet month with many residents away. The Legislature has passed a bill making it mandatory that police departments make both audio and video recordings when interrogating suspects in custody. MCOLES invited a number of police chiefs to discuss how best to implement this law. Chief Prosser attended this meeting. The State has said that it might contribute to the cost of the required equipment. Lake Angelus police officers do not interrogate suspects in the City’s facility as there is no place to appropriately do this. They do it at the County when necessary. The Chief felt that the Department will continue to be able to use other facilities and will not be required to install the audio and video equipment. It remains to be seen, however.

The Chief authorized $350 for Tip Top Tree Care to remove a number of trees at the Police Station. He felt they did a very good job.

The Chief has met with the Reserve Sergeant to begin planning for the boating season. He will need to enlist a few new reserve officers as some from last year have moved on. A meeting was held with Dr. Cabot, John McNew and Officer McLellan to develop guidelines for the reserve activity on the Lake. The group will share the results of their thinking with the Council soon. Chief Prosser and Officer McLellan are still working to organize an Active Shooter Class for residents of the City. The training for windshield assessment in an emergency situation will occur this month. The lake level is at 950’.

Road Commissioner, Karl Storrie, did not provide a report, but Mayor McNew will contact him about the Dust Control contract deadline on April 29th, the submission of potential Tri-Party projects in May, and 2013/14 budget requests.
City Property: Property Manager, Chuck Poploskie, submitted a proposal from Billington Services for summer maintenance at the same rate as last year. Councilmember Cabot moved to approve the proposal. Councilmember Jenaras seconded. Motion carried unanimously. Trash on the Berm is a big problem. Billington will help with cleaning it up. There is fence damage along Baldwin Road that needs repair. Councilmember Haines moved to approve up to $1000 for fence repair. Councilmember Cabot seconded. Motion carried unanimously. Mr. Poploskie noted that some of the fence damage is caused by fallen dead trees. Tip Top Tree Care has offered to remove 25 such trees along the Baldwin fenceline for $900. Treasurer Frakes indicated that money available for Berm maintenance can be used for this purpose. Councilmember Cabot moved to approve the funds for tree removal along Baldwin Road. Councilmember Haines seconded. Motion carried unanimously. It was also noted that there are a number of dead and hanging trees on City property along Gallogly Road. Mr. Poploskie will ask Tip Top Tree Care for an estimate for that work and discuss it at the next meeting.

Mr. Poploskie indicated that the Barn roof will cost $37,000- $40,000 to properly repair. It was discussed whether, if leaks were not substantial at this time, the work could be postponed until the need might require the work to be done. Mr. Poploskie and Bob Bailey will examine the Barn under wet conditions and advise the Council.

Fire Contract: Councilmember Haines indicated that a meeting was scheduled for May 2nd with Waterford Township Fire Department personnel that he and Jim Cortez will attend.

Treasurer, Julie Frakes, presented the quarterly financial reports. She reviewed the warrants for March and all of the funds. The Balance sheet total is down $37,000 from last year. Profit and Loss shows a target expenditure of 75% and an actual of 79.6%. This will be resolved in year-end adjustments. Councilmember Cabot moved to approve the financial reports noting those warrants over $500. Councilmember Poploskie seconded. Motion carried unanimously.

#18479 to OC Sheriff for $1803 #18448 to Hafeli Staran, Christ for $2618.85
#18454 to Voyager Fleet for $929.11 #18456 to James Prosser for $845.90
#18463 to Code Enforcement for $1595 #18476 to Code Enforcement for $892.50

Mrs. Frakes indicated that the Unemployment Insurance rate had gone down by 50%. Payments to the State will be halved.

Mrs. Frakes met with officials from PNC Bank recently with concerns about the lack of interest accrued from the City’s accounts. The City has paid no fees but has earned no interest at all. The Bank responded that there was nothing they could do about it. The City could invest some funds in a CD(s) to earn interest. If money needed to be removed from a CD, interest would be forfeited, but there is no interest being earned presently anyway. Council agreed that Mrs. Frakes should invest money in a CD(s).

Worksheets for the 2013-2014 Budget were requested from those who had not yet submitted them. To complete the tax settlement with the County, original documents and affidavits are needed from Linda Burton.

Clinton Oakland Sewage Disposal System (COSDS):
Treasurer, Julie Frakes, Environmental Board Chair, Linda Daniels and Planning Commission Chair, Bob Bailey, attended a contract meeting for the Clinton Oakland Sewage Disposal System
on March 20, 2013. A powerpoint presentation included the history of the System, maps of its collection routes, and information on the various changes and additions to the original system and contract of 1967. (The powerpoint presentation was provided later to Councilmembers electronically.) Many changes have occurred within the system and its use since the original contract was adopted in 1967. A new contract was set forth in 1996, which now, too, is outdated. Additional interceptors, arms and connections have been added since then. The 1996 contract expires in 2017 but it is not defined for all of the connections or with current issues within the System. Lake Angelus is party to the original contract but not to the Perry Street Diversion Project. The COSDSystem connects with the OMID system, previously owned by Detroit, which required immediate rehabilitation to restore pipe integrity at a cost of $80M to COSDS members. New contracts are needed to unify the communities involved under a single contract and set the method for allocating future project costs. An annual true-up will be employed to determine costs on a percentage of flow basis with credits and charges related to actual use. Lake Angelus is paying for .1 cfs. The City will be billed for that capacity but will receive a credit. Approval of the proposed new contract is needed by the participating communities by May 16th. Attorney Christ will review the contract materials to ensure that the City’s capacity is correct and the contract will be voted upon at the May Council meeting.

Environmental Board: Chair, Linda Daniels reported that the Board had met last week. Bob Bailey is negotiating with weed harvesting companies to see if the price can be reduced. Bids need to include taking the weed material elsewhere. The weeds removed last year and placed on the recreation property are not breaking down as quickly as expected. A question to be considered will be how to manage the quantity of material removed from the Lake. The Hubble, Roth and Clark evaluation of the feasibility of a sewer system suggested starting with just the Shores Road project as it was originally conceived, because much work has already been done in preparation for that project. A special assessment district would include only those homes involved. The Environmental Board voted in favor of this approach. Discussion ensued on how the special assessment would work. A special assessment needs to be run through a municipality. The original plan for the Shores Road was not proposed as a special assessment. Dr. Cabot felt that the Council was still in support of the original Shores plan. The City became involved because the County did not want to deal with individual property owners. If it is done by special assessment, a petition needs to be approved.

The Environmental Board will plan an informational meeting with Hubble, Roth and Clark.

Drains: Councilmember Jenaras observed the drainage problem at the connection of Lake Angelus Lane to North Lake Angelus Road. The drain is covered in mud. It appears that the road is lowered in one area and raised in front of the Lane and the area becomes a catch basin with water not going anywhere. Dr. Haines thought that some road work could help. Dr. Jenaras will continue to work on it.

There being no further business, Councilmember Poploskie moved to adjourn the meeting. Councilmember Cabot seconded. Motion carried unanimously. The next regularly scheduled meeting will be held on May 14, 2013 at 7 PM.

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