Mayor McNew opened the meeting at 7:02 pm with a recitation of the Pledge of Allegiance. The Minutes of the meeting of November 13, 2012 were approved as submitted. Councilmember Cabot moved to change the order of the Agenda to allow Chief Prosser’s report to be presented first. Councilmember Poploskie seconded. Motion carried unanimously.

Police Chief, Jim Prosser, gave the Department report for the month of November. One dead and one living deer were found on the tennis courts. One had to be put down and a removal service was called. The Chief attended a one day school regarding diffusing difficult situations. The well at the Police Station is providing half its expected capacity. Ray LaLone thinks a new tank and filter may be required at a cost of approximately $3200. The Chief will come back with an evaluation and estimate next month.

Discussion of Weed Management: Mayor McNew read from several emails responding to a query about funding weed control in the Lake. Most respondents felt that a charge per household was preferable to a tax increase. Attorney Christ explained the use of a special assessment. There are numerous ways for an assessment to allocate costs. An assessment district would be created; public hearings would be held; the Assessor would prepare assessments according to the assessment rolls; it would be voted upon by the Council; the assessment would appear on the tax bill. Dr. Cabot noted that weed management will be an annual ongoing cost. Other ways to approach the cost would be to increase the tax millage, for general purposes, based on the taxable value of property; or the millage increase could address only the particular issue of weed control. Mrs. Frakes noted that the City got three bids for weed cutting and accepted the lowest bid. Then costs rose. She questioned whether former bidders should be consulted again. Bob Bailey indicated that it would be the same for all vendors as the amount of cutting increased beyond original projections. Mrs. Frakes also noted that last year was the “perfect storm” of weather related incidents for weed growth. Mr. Bailey explained the cutting schedule recommendations. Dr. Cabot asked Mr. Christ to prepare a comparison of ways to raise the funds required. Mrs. Frakes reiterated that, if the fundraising is done by millage, payments will be related to assessments; if it is done by special assessment, assessments would be equal per parcel. Jim Howlett felt that there were complex legal procedures to consider in creating a special assessment. A millage might be easier to work through. Mrs. McNew questioned why costs would be so high to do a special assessment. Mr. Howlett said that a special assessment needs to be of benefit to property owners and there are issues of allocating costs equitably in relation to benefits received. Karl Storrie pointed out that people who have built homes in the last ten years would be unequally assessed with an increase in millage. Mr. Poploskie questioned whether a
special assessment can be done annually considering the need for funds. Mr. Storrie felt that the City should initiate a cost reduction program to partially offset the costs of weed management, but it was acknowledged that there was very little in the budget that could be reduced to achieve a benefit against $130,000 per year. Gary Parlove described the weed management program at Watkins Lake where the community owns its own harvester. Dr. Haines felt that monies should be assessed for exactly what is needed and not for additional potential expenditures. Mrs. McNew asked Mr. Christ to present options to the Council that make sense for the City’s situation.

Clerk, Rosalie Lake, opened nominations for the Office of Mayor for the forthcoming year. Councilmember Cabot nominated Lee McNew. Councilmember Haines seconded. Mrs. McNew accepted the nomination. Motion carried unanimously. Councilmember Cabot nominated David Haines as Mayor Pro-Tem. Mayor McNew seconded. Dr. Haines accepted the nomination. Motion carried unanimously.

Ms. Lake provided the schedule of regular meetings for 2013. She indicated the terms that will expire on December 31st on the Planning Commission, Environmental Board and Board of Review. The appointments to fill these terms will be made at the January meeting. Ms. Lake consulted with the Oakland County Bureau of Elections to determine the procedure for holding a special election should the City wish to hold one in the future regarding the millage. Dates, deadlines and costs were noted. The North Oakland County Household Hazardous Waste Interlocal Agreement had been provided to Councilmembers and Attorney Christ for review prior to the meeting. Councilmember Poploskie moved to approve the NoHaz Agreement with Oakland County, authorizing Mayor McNew to sign the Agreement, to continue the City’s participation in the program. Councilmember Cabot seconded. Motion carried unanimously. Mayor McNew moved to authorize Gretchen Hurlbert as the City’s representative to the NoHaz Advisory Board. Mr. Poploskie seconded. Motion carried unanimously.

Blue History Books: Information was provided that to reprint 200 copies would cost $1875. To add 100 copies would be $1 per book. It was felt that present residents who do not have a copy, as well as new residents moving to the Lake, should be provided a copy. Councilmember Haines moved to provide funds of up to $2200 to print 400 copies. Copies would be provided to residents who do not have one at no cost and additional copies would be available for $20. Councilmember Jenaras seconded. Motion carried unanimously.

Fire Service Contract: Councilmember Haines, Chair of the Fire Service Committee, indicated that there is now a contract with Waterford that has acceptable language. There were two main points of concern. Some Committee members felt that the City is paying more than it should in the negotiated cost of $210,000 for 2013. Dr. Haines felt the negotiations were from a weak position of having nowhere else to go for the service. He questioned how one derives an accurate number for the value of the service as it is an insurance policy. He did not think a better position could be negotiated. The second concern is getting hard parameters on the annual escalator. The question is how good the numbers are that will be used to determine the escalator. The range is 0-5% which appears appropriate if things do not change. If Waterford picks up service to other communities, as it has with Pontiac, it could change the formula. There is no way to predict that. Dr. Haines felt that he had made his best effort. It was difficult to get the
negotiations done with Waterford’s attention on beginning service to Pontiac. If it was felt that the City can do better, Dr. Haines suggested an alternate proposal of a one year free-standing contract. Attorney Christ had held a conversation with Waterford’s attorney about a month to month arrangement, which, it was felt, Waterford would agree with. Dr. Haines spoke highly of Gary Dovre, the attorney for Waterford. Gary Parlove noted that the City’s insurance rating went from 9 to 5 when Waterford took on our service. Dick Lund felt that the negotiations should start over. He felt that the $210,000 amount was wrong. In escalator considerations, he felt that Lake Angelus should not be subject to Pontiac’s costs. Lake Angelus’ costs should be tied to Waterford’s costs. Mr. Lund felt that Lake Angelus was not getting the attention of Waterford. He predicted problems in Pontiac and felt that they will be reflected in the escalator for Lake Angelus. Mr. Parlove indicated that Pontiac’s agreement is set for a 5% escalator every year. Jim Howlett remarked that the discussion showed a need for further meetings. He felt the City should acquire a one-year extension, accepting the $210,000 cost for 2013. Mayor McNew asked why the CPI cannot be used with a 5% ceiling, but Mr. Lund said that Waterford would not accept it. Dr. Haines said that he would be happy to ask Waterford for a one-year contract. He was invested in coming up with a contract everybody can live with, but thinks there is not much leverage. Mr. Christ thought that Waterford would be willing to accept a one-year contract. Councilmember Jenaras moved to create an amendment extending the current Waterford Fire Department contract for an additional year for an annual rate of $210,000 and authorize Mayor McNew to sign it. Councilmember Cabot seconded. Motion carried unanimously. Mayor McNew thanked the Fire Service Committee members for the work they are doing on behalf of the City.

Planning Commission: No meeting of the PC was held in November. A meeting was held with Hubble, Roth & Clark with Brian Oppmann, Chuck Poploskie and Bob Bailey to discuss the work at the Chase property. It was reported that all was going according to plan. The PC will develop criteria for needing consultation with HRC. HRC would be willing to come to the Environmental Board to discuss the sewer project. Dick Lund commented on the approval process for grading at the Chase property. He felt that the plan should have been denied by the Planning Commission and then moved to the Board of Appeals where it would have been approved. There is a need to revisit the grading ordinance so that it is clear what can be approved. Mayor McNew suggested that the PC may need to meet monthly to deal with ordinances that need to be reviewed ie: lighting, front yard setback, boathouses, grading. Dr. Cabot felt that the boathouse ordinance needs to reflect the moratorium that we think we already have. Attorney Christ suggested that the PC may provide a range of options for the Council to consider.

Councilmember Cabot moved to extend the meeting to 9:30pm. Councilmember Jenaras seconded. Motion carried unanimously.

Mayor McNew referred to the lot split ordinance. Jim Howlett indicated that the ordinance may be outdated as it referred to outdated law. Treasurer Frakes indicated that the Chase escrow is depleted again. A new figure is needed for escrow on new construction. Dr. Cabot suggested $10,000. Brian Oppmann agreed to this figure. Councilmember Poploskie moved to accept the recommendation of an escrow amount of $10,000 for new construction. Councilmember Cabot seconded. Motion carried unanimously.
Regarding the dam, Bob Bailey has had communication with Ken Zemke about its maintenance.

Treasurer, Julie Frakes, presented her report reviewing the warrants over $500. The Profit and Loss statement shows that the budget is extremely stressed with a target of 41.7% and expenditures of 53.9% of the budget (which was approved with a deficit of $31,311). Mrs. Frakes noted that several accounts in the budget are in need of adjustment (environmental, weed control, History Book, city property), requiring an additional estimated amount of $55,781 of prior year funds, bringing the deficit to approximately $87,092 or 13% over budget. This does not include the additional payment of $65,000 requested for weed harvesting in the spring, which would further push the deficit to 22% over budget. Mrs. Frakes found the best rate for renewal of the matured CD at the Private Bank of .55% for 1 year. Another CD will mature shortly. Councilmember Cabot moved to approve the financial reports noting those warrants over $500. Councilmember Poploskie seconded. Motion carried unanimously.

#18117 to Linda Burton for $1061  #18118 to Robert Bailey for $850
#18123 to Billington Services for $985  #18124 to RCOC for $2263.80
#18143 to Hafeli Staran for $1153.62  #18145 to Janz & Knight for $7015
#18146 to Waterford Fire for $54,975  #18151 to OC Clemis for $554.50
#18153 to Voyager Fleet for $1162.25  #18154 to State Unemploy for $736.52
#18156 to OC Sheriff for $1803  #18158 to Brooklyn Bookworks for $937
#18174 to Code Enforcement for $510  #18181 to Code Enforcement for $3998
#510568 to Sheridan Books for $2272.43

Fifty parcels have paid winter taxes.

Mrs. Frakes requested $20 for Oakland County Treasurers’ Association membership fee. Councilmember Cabot moved to approve the membership fee. Councilmember Poploskie seconded. Motion carried unanimously. Clerk Lake recalled a motion made approximately a year ago allowing $120 each for the Clerk and Treasurer to pay for Association membership and activities and other professional fees for that year. Councilmember Cabot moved to extend that allowance indefinitely. Councilmember Poploskie seconded. Motion carried unanimously.

Roads: Road Commissioner, Karl Storrie reported that Lake Angelus Lane was ‘percolating’. Oakland County will determine levels for drainage. Mr. Storrie asked whether there would be objection on the Lane to cutting the road back 8-10 feet and placing gravel there to help drainage. Mr. Storrie asked to be placed on the agenda after the Police Department report.

There being no further business, Councilmember Cabot moved to adjourn the meeting at 9:29pm. Councilmember Poploskie seconded. Motion carried unanimously. The next regularly scheduled meeting will be held on January 8, 2013 at 7pm.

Approved: Respectfully submitted,

Lee McNew, Mayor Rosalie Lake, Clerk