LAKE ANGELUS CITY COUNCIL MEETING MINUTES

DECEMBER 10, 2013

Present: Mayor, Lee McNew; Councilmembers Dan Jenaras, Chuck Poploskie, and Jon Cabot; Councilmembers Elect Patrick McNew and Dennis Mitchell; Attorney, Dan Christ; Treasurer, Julie Frakes; Police Chief, Jim Prosser; Road Commissioner, Karl Storrie; Planning Commission Chair, Bob Bailey; Clerk, Rosalie Lake

Absent: Councilmember, David Haines; Building Official, Brian Oppmann

Visitors: Jim Howlett, Jim Cortez, Police Officer Don McLellan, Police Officer and newly elected Mayor of Auburn Hills, Kevin McDaniel

Mayor, Lee McNew, opened the meeting with the Pledge of Allegiance. The Minutes of the meeting of October 8th were approved as submitted. (No meeting was held in November.) Councilmember Cabot recommended a change in wording in the October and November Planning Commission Minutes to appropriately reflect the outcome of the Zoning Board of Appeals meeting in October. The Clerk will reword the section as suggested.

Mayor, Lee McNew, was publically thanked by the Council for four terms of service on the City Council, from 1997 to the present, the last six years of which she served as Mayor. There was very appreciative applause from all.

Clerk, Rosalie Lake, presented the Oath of Office to the newly elected Councilmembers, Patrick McNew and Dennis Mitchell. The Clerk then called for nominations for the office of Mayor. Councilmember Cabot nominated Patrick McNew. Councilmember Poploskie seconded. Mr. McNew accepted the nomination. There were no further nominations. Mr. McNew was elected unanimously. The Clerk called for nominations for the office of Mayor Pro-Tem. Councilmember Cabot nominated Dennis Mitchell. Councilmember Poploskie seconded. Mr. Mitchell accepted the nomination. There were no additional nominations. Mr. Mitchell was elected unanimously. Newly elected Mayor McNew complemented all who serve the City and requested openness in City affairs.

Clerk’s Report: Ms. Lake presented a Resolution to approve the North Oakland County Household Hazardous Waste (NoHaz) Interlocal Agreement between Oakland County and the City of Lake Angelus to provide hazardous waste collection events in 2014. The Council had been provided cost history, cost projections and a copy of the Agreement. Councilmember Cabot moved to approve the Agreement. Councilmember Poploskie seconded. Motion carried unanimously.

The Clerk reminded the Council of the terms expiring on December 31st. Those of the Planning Commission are Dale DeLorge and Jim Cortez; those of the Environmental Board are Linda Daniels, Bob Bailey Bruce Kresge and Lee Embrey III; and Ray Siwiec of the Board of Review. Recurring or new appointments should be made at the January meeting.

The Clerk requested annual dues of $500 for the Clinton River Watershed Council. Treasurer Frakes presented a history of the dues amounts over the last several years, there being an increase this year. Councilmember Poploskie moved to approve the dues requested. Councilmember Jenaras seconded. Motion carried unanimously.
The Clerk wished to add wording to the Facilities Use Policy requesting cancellation notice or notice of substantial change in use. Councilmember Cabot moved to authorize the Clerk to make the changes as needed. Councilmember Poploskie seconded. Motion carried unanimously.

The contents of the City’s safe deposit box are being scanned at Attorney Christ’s office. Mr. Christ has not yet found an easement document for the dam in the contents of the box. Oakland County Water Resources Director, Jim Nash, had previously requested a meeting with Lake Angelus officials. There has not yet been further communication.

The City does not currently have a Title IV Plan and a Limited English Proficiency Plan on file with the Michigan Department of Transportation. Attorney Christ thinks it is probably unnecessary for the City to file these Plans, but, also, that there is no harm in doing so. The issue would be how the city would utilize contractors if a project was undertaken that would involve federal funds. There is no apparent program in which the City might participate at this time.

Mayor, Lee McNew, filed the survey regarding cable in the community.

Assessor, Linda Burton, reported regarding Tax Tribunal cases that Frickel and Miller were denied. Case was reduced in value and the City needs to refund a portion of summer taxes. With the passage of the amendment to the charter regarding residency of the Assessor, Linda Burton can become Assessor and the City will provide a Deputy Assessor. Jackie Dauw, former designated City Assessor, will be consulted as to whether she wishes to become the Deputy.

Comments from Residents: Jim Howlett inquired about the reassignment of duties on the Council. Formerly, Lee McNew approved invoices and payroll weekly. Treasurer Frakes explained the process. Councilmember Cabot will assume this duty. David Haines oversaw the fireworks event and chaired the Fire Service Committee. Councilmember Mitchell will take on these assignments.

Councilmember Cabot welcomed Kevin McDaniel, the newly elected Mayor of Auburn Hills. Mayor McDaniel is, also, Sergeant in the Lake Angelus Police Department.

Police Chief, Jim Prosser, gave the Department report for October and November, which he indicated were fairly quiet months. When the Police boat was taken out, it required $400 worth of engine repair. The Chief commented that all went well on Halloween and it was a good party at the Barn. The septic at the Police Station needs to be cleaned every two years. The officers removed a hunting blind on City property.

The Chief wishes to have a Holiday party for Reserve Officers. Councilmember Cabot moved to provide $250 to support the event. Councilmember Poploskie seconded. Motion carried unanimously. Chief Prosser will recognize Jimmie Myers as Officer of the Year.

The Lake level stands at 949.8.

Planning Commission: Chairman, Bob Bailey, reported that there will be a Public Hearing at the Planning Commission meeting on January 28th relating to three potential ordinance revisions. Kevin and Carole Chase resubmitted a plan for their retaining wall at the lakefront which does not violate the side yard setback. Mayor McNew asked Mr. Bailey to see that the rebuilding project of the Knysz residence on North Lake Angelus Rd. is well supervised. It is a difficult site. Councilmember Jenaras inquired about performance bond issues feeling that the bonds should be larger. Mr. Bailey and Mr. Oppmann responded regarding the problems of keeping escrow accounts up to date. Mr. Oppmann indicated that a $10,000 bond would be required with an application fee. Karl Storrie felt that money was not the answer. He felt that violations need to be detected by inspectors and work needs to be stopped in such cases. Attorney Christ responded that the City needs to decide how often to have someone on site to review work. Dr. Cabot recommended asking the Planning Commission to develop a policy regarding fees, escrows, inspection and enforcement. Mr. Bailey indicated that some construction on the Lake has the same requirements as large commercial construction.

Mr. Bailey described the work on the barn roof. It is completed and those who have seen it remark that it looks very good. Councilmember Cabot moved to approve the final roof payment of $1950. Councilmember Jenaras seconded. Motion carried unanimously. Mr. Bailey submitted a letter regarding maintenance of City buildings.

Road Commissioner, Karl Storrie, gave background on using $1500 of Major Road funds for non-motorized improvements. He discussed a path from the LAPD area to N. Lake Angelus Road. Police Chief, Jim Prosser, had already expressed an interest in an alternative exit for the LAPD. Mr. Storrie presented a map and proposal for constructing such a route. To make the path of asphalt milling, it would cost $11,220. If it were gravel, it would cost $15,180. Treasurer, Julie Frakes, will consult with Janz and Knight to understand the parameters of what is required to satisfy the requirement for non-motorized improvement, and Mr. Storrie will contact the Michigan Department of Transportation for more information. Mrs. Frakes noted that the budget approved for this year has an $85,000 deficit. The Roads budget of $17,980 did not include chloriding, as expected. A bill was received for $3773 for chloriding, and then an additional bill for $3000 for supergravel for the Pontiac section of Gallogly Road not covered by TriParty funds was received. There is a deficit of $6000 in the Local Road Fund. The operating fund will need to subsidize the Local Road Fund as the Local Road Fund has been depleated. Councilmember Cabot moved to pay the road chloriding and supergravel bills from operating funds and then repay the operating funds as Local Road Funds are received throughout the rest of the year. Councilmember Poploskie seconded. Motion carried unanimously.

Treasurer, Julie Frakes, reviewed the financial reports from October 2013. (A Council meeting was not held in November.) Councilmember Cabot moved to approve the reports for October noting those warrant over $500. Councilmember Poploskie seconded. Motion carried unanimously.

#18848 to Linda Burton for $1092
#18877 to Voyager Fleet for $855.36
#18880 to Billington Services fo $1595
#18882 to Waterford Fire Dept for $52,500
#18885 to Robert Bailey for $3500
#18909 to Code Enforcement for $1170
#18862 to RCOC for $1886.50
#18878 to OC Clemis for $554.50
#18881 to Hefeli Staran, Christ for $1657.50
#18883 to First Choice Build. for $1702.50
#18891 to OC Sheriff for $1839
#18910 to Miranda Beebe for $516.88
Mrs. Frakes presented the reports for November noting that the budget is above its target rate due to frontloading of early expenses. Councilmember Cabot moved to approve the financial reports for November noting those warrants over $500. Councilmember Poploskie seconded. Motion carried unanimously.

Mrs. Frakes noted that a CD had been renewed at the Private Bank for .55%.

Winter tax statements have been sent.

Environmental Board: Regarding the sewer project along the Shores Road, Board liaison, Jon Cabot, indicated that the former Council felt that unless there was an enthusiastic majority of Shores residents in favor of the project, the City should not force all residents to participate. Mr. Poploskie agreed that an assessment district would require all residents to participate and that there was not a crisis to precipitate that requirement.

The Board will meet to consider continued weed harvesting.

Drains: Councilmember Jenaras reported on the lawsuit regarding the Oakland Macomb Interceptor. He had also attended a meeting of the Fracking Water Resources Council on October 9th. Although there were few people in attendance, fracking is currently a hot topic.

Legal Report: Attorney Christ cautioned regarding the weed control contract and encouraged spelling out issues in the contract carefully.

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

Approved: Respectfully submitted,

Patrick McNew, Mayor Rosalie Lake, Clerk