MINUTES OF THE LAKE ANGELUS CITY COUNCIL

JANUARY 11, 2011

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

Visitors: John Foster of Janz and Knight; Deputy Treasurer, Pam Cabot; Planning Commission Chair, Bob Bailey; Sgt. Joyce Nelson

The Mayor opened the meeting at 7 pm with the Pledge of Allegiance.

The Minutes of the meeting of December 14, 2010 were approved as corrected.

Treasurer, Julie Frakes, introduced John Foster of Janz and Knight, the City’s auditing firm, who spoke about the 2010 audit of the City’s financial statements. Mr. Foster stated the purpose of the audit and that the City has been given an unqualified opinion, the highest rating. He explained that Lake Angelus is unique in that it is not heavily dependent on the State of Michigan to operate. 90% of its funding comes from property taxes and only 3% from State Revenue Sharing funds. The City has an unreserved fund balance of $900,000 which is a very healthy 115% of the operating budget. Such a fund balance is prudent. Mr. Foster continued noting that 70% of the City’s funds are used for Public Safety. There have been additional uses of the Major Road Fund made available over the years which have been beneficial. 25% of Major Road Funds can be transferred to the Local Road Fund and a Resolution can be approved to transfer 100% if needed. Mrs. Frakes indicated that the City is transferring 50% at this time. The Improvement Revolving Fund (IRF) showed a deficit in 2010 of $12,000. That was because of the resurfacing of the tennis courts. The City has latitude in looking forward and transferring funds from the General Fund to the IRF, for instance to purchase a fire engine in the future, but it would need to budget any funds transferred from the General Fund to the IRF. If monies accumulate in the IRF, they must be budgeted for expected expenditures. There are good reasons to have less in the General Fund and more in the Revolving Fund. Funds can be moved back to the General Fund from the IRF, but they must be budgeted in the General Fund to be transferred to the IRF. It is important to have a plan for the IRF funds. There is a budget in place for the funds for 2011, where there was not one for 2010 and funds were used for the tennis courts. The Fiscal Indicator score is predicted to be 4 next year. Three of the indicators the City has no control over. Mr. Foster explained how to deal with projects that span more than one year. An Investment Policy for the City was discussed. Mr. Foster advised upgrading an investment policy monthly with detail of investments including interest rates, maturity and description of investment instruments. The credit worthiness of banks the City invests in should be noted. Most communities use a standard policy and tweak it as they move along. Mr. Foster will provide samples of policies and Mrs. Frakes will work on a stated policy for the City and review it with Attorney Christ for presentation to the Council for adoption or revision at the March meeting.

Mr. Foster spoke about multi-year budgeting, noting that it was good to look ahead, but also feeling that a single year budget was acceptable for the City because of its healthy fund balance. Attorney Christ suggested that the Planning Commission might prioritize those capital projects
that come under its purvey. The Council generally felt that capital projects should be considered by the Council. John Foster was thanked for sharing his time and expertise with the Council.

Clerk’s Report: In preparing the 2011 Calendar of meeting dates, Ms. Lake noted that the November 2011 City Council meeting falls on the General Election date. It was agreed to hold the Council meeting on the third Tuesday, November 15, 2011.

The Interlocal Agreement with Oakland County for Ballot Layout and Programming Services for Elections had been reviewed by Attorney Christ and forwarded to Councilmembers. The Agreement is for three years with services provided at a rate of $300 for each election in which the City participates. Councilmember Cabot moved to approve the Ballot Layout and Programming Services Agreement. Councilmember Storrie seconded. Motion carried unanimously.

In agreement with the Clerk, Mike Daniels purchased a recording device for use at City meetings. Mr. Daniels was willing to keep the device for his own use if it did not serve the City well. The recorder proved successful and Mr. Daniels should be paid for it. Ms. Lake did not have the receipt for it but knew it to have cost about $100. Councilmember Cabot moved to pay Mr. Daniels for the recorder at the estimated price unless a receipt could be found. Councilmember Poploskie seconded. Motion carried unanimously.

It was decided not to pursue changing the language in the section of Ordinance 414.08 that is the Notice to be published in the Angelus regarding brush clearing.

The Clerk introduced/continued a discussion regarding the ability to use the ‘Angelus’, the City’s listserv, and notices posted in public places as provided in the Charter to publish required notices for zoning ordinance amendments and elections. The law requires a general circulation newspaper for this purpose, which is expensive and does not serve the purpose as well as the City’s own means of communication. It was suggested to approach the Michigan Municipal League or the Michigan Legislature through Gail Haines with inquiries as to how we may best serve our community under the law.

Environmental Board liaison, Jon Cabot, presented the slate of proposed Environmental Board members whose terms will expire in 2015. All will be returning members to the Board who are willing to serve for another term.; Linda Daniels, Bob Bailey, Bruce Kresge and Lee Embrey III. Councilmember Cabot moved to approve the appointment of the four returning members. Councilmember Poploskie seconded. Motion carried unanimously.

Planning Commission Chair Bob Bailey presented the slate of proposed Planning Commission members whose terms will expire in 2014. All will be returning members to the Commission who are willing to serve for another term; Dale DeLorge, Carl Messer and Gary Parlove. Councilmember Cabot moved to approve the appointment of the three returning members. Councilmember Storrie seconded. Motion carried unanimously.

The Board of Review has one expiring term. Chair, Ray Siwiec, will be consulted about the appointment.

Police Chief, Jim Prosser, gave the monthly Department report. The Chief had contacted the Waterford Fire Department to ascertain the occupant capacities of City buildings. He and Waterford Fire Marshall, Fred Arnold, inspected the buildings. Mr. Arnold found a number of
corrections to be made related to the Barn doors to allow for a capacity of 217, and requirements for emergency lighting and a renewed fire extinguisher at the City Hall to permit a capacity of 54. Mr. Arnold submitted a written report and is willing to come to a meeting to discuss his findings if the Council wishes. The issue of the Barn doors was referred to Councilmember Storrie to discuss with Forrest Milzow. Chief Prosser will renew the fire extinguisher at City Hall.

The Chief plans to hire a new Police Officer, Jeffrey Cook, who retired as a Lieutenant and has a great deal of investigative experience.

A woman who lives at 1650 Marshbanks called to report that a portion of the City’s fence behind the Pulte subdivision has been taken down. Bob Bailey agreed to inspect the site with the Chief.

Building Official, Brian Oppmann, presented The Schedule of Fees, Bonds, and Escrows and a schedule of changes to these fees to better cover costs in the Planning areas of Code Enforcement’s work and also for building permits. Councilmember Cabot moved to adopt the new Schedule of Fees, Bonds and Escrows as presented by Mr. Oppmann. Councilmember Storrie seconded. Motion carried unanimously. Code Enforcement is doing a plan review on the Wegrzyn home renovations for 2390 Private Dr. The Incarnati project, 355 Gray Woods Lane, is moving along. As-built drawings will be provided which will be matched to the original land formations. Corrections will have to be made if necessary.

Planning Commission: Liaison to the Planning Commission, Chuck Poploskie, and PC Chair, Bob Bailey, indicated that the plans for the home owned by Joe and Jennifer Wegrzyn at 2390 Private Drive were approved with the exception of a mud room which must be removed from the plans to achieve the permitted square footage for the home.

A potential amendment to Ordinance 1246.07(3), Table of Regulations, was discussed. It would allow for entrance gates and gate posts to be placed within the sideyard setbacks. A Public Hearing on this issue was scheduled for the Planning Commission meeting on January 18th at which time size restrictions may also be considered.

City Property: The Facilities Policy and Rules of Use were discussed relative to the changes proposed at the last meeting. Councilmember Cabot moved to approve the amended Facilities Use Policy and Facilities Use Rules. Councilmember Storrie seconded. Motion carried unanimously. The Clerk was asked to prepare a copy of the Policy and Rules to be signed by a resident wishing to use a City facility.

The license agreement with Mr. Csizmadia for his use of the area at the back of his property which infringes on the 20’ Strip was prepared by Attorney Christ. Councilmember Cabot moved to have Mayor McNew sign and send the agreement to Mr. Csizmadia. Councilmember Poploskie seconded. Motion carried unanimously.

Treasurer, Julie Frakes, presented the financial reports. She reviewed the check register and the balance sheets and profit and loss sheets for all accounts. The summer taxes for four parcels remain unpaid. About two thirds of Winter taxes have been paid; 110 parcels. Councilmember Poploskie inquired whether the City should fund the Improvement Revolving Fund more substantially. Mrs. Frakes responded that in the future the City will increase IRF funding. Councilmember Haines moved to approve the financial reports, noting all warrants over $500. Councilmember Cabot seconded. Motion carried unanimously.
Mrs. Frakes noted Unemployment Insurance was charged at 5.2% in 2010. In 2011, the rate will drop to 3.4%. Mrs. Frakes is consulting with Sgt. Nelson on the use of State of Michigan Act 302 funds for Police training. Funds must be used within a three year period or they expire.

Environmental Board: Board Chair, Linda Daniels, had prepared a notice to go in the ‘Angelus’ regarding ordinance provisions about lawn fertilizing, as many homeowners are contracting with lawn care companies at this time. The Council approved the contents of the notice. The details of the Progressive AE proposal for an aquatic vegetation survey were provided to Councilmembers. The funding for the survey was approved at the December Council meeting.

Attorney Christ had located a lawn maintenance agreement for landscape services on the Berm on the west side of Baldwin Road, dating to the summer of 1995, suggesting that the City apply annually for a permit to conduct grass cutting and maintenance to the Berm. Landscaping improvements would be considered a proper expenditure of Michigan Transportation Funds moved from Major to Local Road Funds.

A letter was received from the Water Resources Commission regarding inspection of the Brooklyn Relief Drain which was signed by Chip Tischler indicating that the drain is functioning and flowing well and that there were no residential complaints. Mr. Tischler had been consulted by the City previously and had agreed that the Drain was flowing in the wrong direction. Councilmember Storrie was asked to investigate and take issue with Mr. Tischler on items in the report that the City believes to be erroneous.

A letter dated July, 1998 from Jim Howlett made clear the fact that no Shores Road resident, with the exception of the Prices, has the legal right to dispose of vegetative material from their property on City owned property south of the Shores Road. (This is true, also, for residents of Gallogly Road on City-owned property south of Gallogly.) Attorney Christ has sent a letter to Mr. and Mrs. LaGrasso informing them of this.

There being no further business, Councilmember Cabot moved to adjourn the meeting at 8:55pm. Councilmember Haines seconded. Motion carried unanimously. The next regularly scheduled meeting will be held on February 8, 2011.

Approved: Respectfully submitted,

Lee McNew, Mayor Rosalie Lake, Clerk