MINUTES OF THE LAKE ANGELUS CITY COUNCIL

JULY 14, 2009

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

Visitors: Chief Dennis Storrs of the Waterford Fire Department, Jim Howlett, Jim Cortez, Jim Hibbard, Bob Bailey, Jean Rosensaft (Kantrowitz), Officer Don McLellan

Mayor McNew called the meeting to order at 7 pm and the Pledge was recited. The Minutes of the meeting of June 9, 2009 were approved as corrected. There was applause for Councilmember Haines and ACE Pyrotechnics in appreciation for the fireworks display on the 4th of July.

Mayor McNew introduced Waterford Fire Chief Dennis Storrs who presented the Department’s Annual Report to the Council. He indicated that Station #2 on Walton Blvd. will be enlarged bringing a paramedic unit closer to Lake Angelus. Waterford paramedics are highly experienced and are able to treat patients enroute to a hospital. There are technical rescue teams to cover hazardous or radiological emergencies. Waterford has five fire stations all at the disposal of Lake Angelus if there were to be a substantial fire and there are mutual aid relationships with all communities whose boundaries touch Lake Angelus. Much time has been spent by the Department planning for Lake Angelus. The ISO rating in Lake Angelus went from 9 to 5 when Waterford was contracted and the Chief expects a lower rating in the fall. The Waterford Township Board is receptive to expanding the contract. The dispatch service will be discussed. Chief Storrs offered to answer questions at that time or at any time from any resident. Officer McLellan complemented Waterford on its hazmat and other resources.

Councilmember Haines reported on the meeting held with Chief Storrs, Police Chief Prosser, Mayor McNew and himself. Dr. Haines was impressed with the service provided by the Waterford Fire Department, especially the transport/ambulance service. The fire truck that Lake Angelus purchased has a life of another 14 years. Councilmember Cabot noted that the truck is used less than the other Department trucks so it may not need replacing on the same schedule that the others are replaced. At some point, however, the City will have to plan to buy a new fire truck. Councilmember Storrie and Jim Hibbard spoke in favor of a reserve fund for such purchases. Treasurer Frakes indicated that the City cannot save monies from one year’s budget to provide for future year’s purchases.

Resident Comments: Councilmember Haines suggested that, as technology moves forward, the Council consider allowing outboard motors for pontoon boats. He proposed a dialogue in the community regarding four-cycle engines, with horsepower limitations because they may be cleaner and cheaper. Councilmember Cabot was concerned about the chance of opening the Lake to personal watercraft. Jim Hibbard indicated that there
were clean four cycle outboards, but felt that the issue was still problematical as there are many older boats that are not clean. Dr. Haines felt that there would need to be strict regulation and inspection. This discussion will be put on the agenda for the next meeting to invite comment.

Councilmember Lemke had received calls from residents regarding excess water and flooding septic fields. Part of this may be related to the drain south of City Hall. Also, there are historically high water levels. The earth is simply saturated.

Police Chief, Jim Prosser, gave the Department report. Residents are calling the Department with helpful information. Auburn Hills and Waterford are still considering the dispatch service. Officer Steven Standfest is obtaining bids for Kevlar vests for the officers. Councilmember Storrie has made some information available to the Department regarding this. The gray Durango was diagnosed with an oil leak which required $700 to repair. The Chief was able to get the repair done under warranty. Ammunition is difficult to get, but the Chief has ordered some. Two new officers have been hired who will move onto the schedule in August.

The penalties in three of the City’s ordinances have been decriminalized. They need to be noted as misdemeanors. The Sections are 654.99, 655.99, and 656.99. This change gives flexibility to officers to make decisions between arrest or other lesser action. Councilmember Cabot moved to amend all three ordinances to reflect the misdemeanor status. Councilmember Storrie seconded. Motion carried unanimously.

The Clerk gave her report. A quote from Code Enforcement to provide information for a FOIA request has been provided to the party requesting the information. No response has been received. Ms. Lake has made inquiries about publishing the Blue Book. Martha Hodge, owner of the copyright, will write a letter allowing the City to republish it. The Council indicated that it wished to print 200 copies. Councilmember Haines will have business cards printed for those who wish to have them. Councilmember Cabot moved to spend up to $75 for this purpose. Councilmember Lemke seconded. Motion carried unanimously. The Council would like a list of insurance certificates on file.

Building Official, Brian Oppmann, indicated that Leon Genre had left Code Enforcement and that Bill Dinnan had replaced him as Building Inspector. Mr. Oppmann will oversee planning activities for the City and attend meetings of the Council and Planning Commission, while Bill Dinnan will handle building inspection services. The City should expect no change in service.

Mr. Oppmann reported on his contact with Mr. Greenlee regarding removal of retaining walls. Mr. Greenlee will cooperate on this and go to the Planning Commission. Jim Hibbard, Mr. Greenlee’s neighbor to the east, indicated that the wood stairway was put in by the original owners. No steps were located on the east side until the Murray’s installed steps without a permit. At the time of the transfer from Murray to Greenlee, there were violations. The retaining walls were put in by Mr. Greenlee. He now has to go to the Planning Commission and, if denied, can apply for a variance. If the ZBA denies a variance, the retaining walls must be removed. The generator on the Greenlee property is unshrouded, also. Attorney Christ advised that all issues should be addressed in writing. Mr. Genre’s letter of December 8, 2008 included no time frame. Mr. Dinnan wrote on
June 24, 2008 and told Mr. Greenlee to prepare an application for the Planning Commission. If it is not received, a ticket will be issued. Attorney Christ suggested a ticket for each violation. Mr. Hibbard said that Mr. Greenlee’s dock has been extended and may now be over the property line.
The basement height at the Derocher site is correct. It will have to be backfilled. Code Enforcement is requiring as-built drawings. Mr. Derocher is following requirements. A discussion of drainage issues ensued. Mr. Hibbard indicated that pipes to take surface water off of the property drain into the marsh. He feared that contaminants would get into the Lake through the marsh. He felt that a dry well such as used on the Glantz property would be a better solution. Mr. Oppmann felt that it would be better to have outfall through the marsh rather than directly into the Lake. He indicated that the plan had been approved by the City Engineers and by the Planning Commission. Councilmember Storrie noted that Forrest Milzow, Chair of the Planning Commission, had inspected the property and found that the plans had been followed. Predominately, water is coming off the roof and driveway and not off the lawn. Mr. Oppmann remarked that we do not have storage sewers in the City. Stormwater has to go somewhere. He had had the same discussion with the Glantzs and Biggers. The most difficult issue with large houses is stormwater. He indicated that there will be a series of dry wells when the landscaping is done and riprap will be placed at the exit of pipes. Filter screening can be done at exit pipes. Mr. Hibbard felt that the situation will have to be monitored and chemical testing will have to be done to see what gets into the Lake. Dr. Cabot felt that the plan is proceeding as approved, and that unforeseen issues should be given attention when they arise. Mr. Glantz wished to advocate for dry wells for their ability to maintain the quality of the Lake. He felt that dry wells should be expedited to cover runoff during construction. Mr. Oppmann said that he could ask Mr. Derocher to put in dry wells earlier, but that, if the City is going to ask for these kinds of protections, they need to be put into the ordinances. Attorney Christ indicated that the City Engineer needs to be involved. If a remedy is needed, then ordinance revision should be looked to. Mr. Hibbard felt that if the wetlands are the filtering unit, the filtering should occur on the owner’s property. Councilmember Cabot felt that this was not an issue for the Council. Councilmember Haines moved to refer the issue back to the Planning Commission. Councilmember Storrie seconded. Motion carried unanimously. Mayor McNew requested copies of any correspondence regarding this issue.

Councilmember Cabot moved to extend the meeting until 9:30 p.m.. Councilmember Storrie seconded. Motion carried unanimously.

City Property: Bill Lembke reported that the painting at City Hall is behind schedule a week or two. The vapor barriers in the basement of City Hall have been installed. Mr. Lembke requested $465 for 400 yards of gravel for the police department drive. Councilmember Cabot moved to approve up to $500 for the project. Councilmember Haines seconded. Motion carried unanimously. Water control at the dam should be good for many years with the new repair. Mr. Nash, whose property was accessed for the repairs, was thanked. His property was restored after any damage was incurred. Attorney Christ will investigate an easement at the Nash property. The dock has been repaired at the boat launch for $760. Councilmember Cabot moved to approve the
expenditure. Councilmember Storrie seconded. Motion carried unanimously. Roland Hill has offered to check the dam in the winter months. The tennis courts can only be patched for so long. The City needs to consider what to do about them. To resurface them will cost $60,000 to $70,000.

Treasurer, Julie Frakes, reviewed the warrants and the financial reports. The 2008-09 fiscal year finished at 82% of the budget. Councilmember Cabot moved to approve the financial reports noting those warrants over $500.

#15817 to Billington Services for $1390
#15825 to Hafeli, Staran for $1920.15
#15830 to Clark’s Concrete for $1500
#15832 to OC Sheriff for $1661.25
#15833 to Rosalie Lake for $645.79
#15838 to Biggers for $586.27
#15848 to Code Enforcement for $1200
#15852 to ACE Pyrotecnics for $4000
#15853 to Ultra for $3780
#15854 to Ultra for $650

Councilmember Storrie seconded. Motion carried unanimously. A CD is expiring next month. Mrs. Frakes is preparing the financial records for the annual audit. She has implemented the new wage scale. Mayor McNew suggested putting aspects of the budget on the website.

Roads: Councilmember Storrie indicated that there will not be another supergravel application this year until the spring. Councilmember Lembke felt that we should consider supergravel for the west end of Gallogly Road for this year. The end of tri-party funding will be discussed at the next meeting.

Insurance: Councilmember Cabot indicated that the insurance quote came in less than expected.

Councilmember Haines indicated that the drive-around with members of the Waterford Fire Department had occurred and may be done again. Letters will need to be sent to residents who need to do trimming along their access roads.

Fireworks: Residents seem happy with the event. Some oxidized chemicals may get into the Lake during the firing. Councilmember Haines will discuss this with ACE.

Attorney Christ indicated that the Lake deed restrictions do not speak to fishing issues.

Any contracts with the City need to go first to Attorney Christ to have the details ironed out and then to the Mayor for signing.

Councilmember Cabot moved to adjourn the meeting. Councilmember Storrie seconded. Motion carried unanimously. The next regularly scheduled meeting will be held on August 11th, 2009 at 7 pm.

Approved: Respectfully submitted,

Lee McNew, Mayor Rosalie Lake, Clerk