MINUTES OF THE LAKE ANGELUS CITY COUNCIL

DECEMBER 9, 2008

Present: Mayor, Lee McNew; Councilmembers Bill Lembke, Karl Storrie, Jon Cabot, and David Haines; Police Chief, John Roehrig; Attorney, Dan Christ; Treasurer, Julie Frakes; Clerk, Rosalie Lake

Visitors: Heidi Hoyles, Bob Bailey, John and Angelica Hovey, John Hammond, Tyler Tennent (attorney for the Hoveys), Barney Jacob, Jim Howlett, Brad Rachwal

The meeting was called to order by Mayor McNew at 7:03 and the pledge was recited. The Minutes of the meeting of November 11, 2008 were approved as corrected.

The Clerk called for nominations for the Office of City Mayor. Councilmember Lembke nominated Councilmember McNew. Councilmember Cabot seconded. Mrs. McNew accepted the nomination and was elected by unanimous vote of the Council. The Clerk called for nominations for the Office of Mayor Pro-Tem. Councilmember Cabot nominated Councilmember Lembke. Councilmember Storrie seconded. Mr. Lembke accepted the nomination and was elected unanimously by the Council. The Council turned its attention to the appointment of a new member to replace Councilmember Gail Haines. Four residents had submitted letters of interest, Brad Rachwal, Bob Bailey, David Haines and Jeffrey Hurlbert. Councilmember Storrie moved to appoint David Haines to fill the remaining year of Gail Haines term citing his interest in the community. Councilmember Lembke seconded. Motion carried unanimously after all candidates were thanked and encouraged to continue their interest in serving the City.

New sections to the Records Retention Schedule which supplements the previous schedule need to be adopted by the City. Councilmember Cabot moved to approve the supplements. Councilmember Storrie seconded. Motion carried unanimously.

Returning or new members of the Environmental Board, Planning Commission, and Board of Review will be appointed at the January meeting to fill expiring terms.

The Clerk reported on the No-Haz Agreement for 2009. The contract with the present vendor has been extended; a volunteer or paid worker from each participating community is required for each collection (two are required from larger communities); estimated costs include a 4th collection in 2009. In 2008 the City’s costs totaled $1138 for 24 cars. The 2009 estimate is $1506 for 34 cars at $32.50 per car. Councilmember Cabot moved to approve the No-Haz Agreement for 2009 between Oakland County and the City. Councilmember Lembke seconded. Motion carried unanimously.

The Folio Cost and Services Agreement with American Legal Services was signed by the Mayor. It provides for converting the City’s Ordinances into Folio Views at a one time cost of $595 after the new ordinances have been codified. The Ordinances will be posted on American Legal’s website and a link will be sent to IGD to put on our own website. There will be a $250 annual hosting fee for this service.
Clerk Lake asked the Council for funds to purchase two filing cabinets to place in the area outside of the rest rooms for storage of election materials. Councilmember Cabot moved to approve the expenditure. Councilmember Storrie seconded. Motion carried unanimously. Other suggestions were made for long-term storage either in the barn or the basement. Security for the required retention of election materials is an issue.

Chief, John Roehrig, gave the Police Department report. Bill Rogers, who has done security work for various police departments, has offered to put video security systems in place at homes in the City for $2000 per house. After providing the system for 20 homes, he would provide 2 free installations for the City. The Chief has spoken to Dick Lund and he is enthusiastic about this. Mr. Rogers will be invited to come to the January meeting to discuss the proposal. Chief Roehrig asked what the Department’s response should be when a resident calls the LAPD regarding a fallen tree. If the tree is on North Lake Angelus Road or Gallogly Road, the Oakland County Road Commission should be called; if it is on Newark, Pontiac should be called; if a tree falls on any of the private roads/drives, the residents must take care of it themselves. The private road Association should have a plan for someone to call. The Chief gave his regular statistical report. The pages on Emergency Vehicle Operation to the conclusion of the manual will be reviewed for the next meeting.

Planning Commission: The Mayor expressed her hope that the parties involved would be able to resolve the issue of the play structure belonging to the Hoveys. Councilmember Cabot had met with the Hammonds. John Hammond had written a letter to the Hoveys with suggestions which were not acceptable to the Hoveys. Attorney Christ indicated that the question is how the Council wishes to treat play structures and how it wishes to define them in regards to the 15 foot set back. The Council wishes to allow play structures in all areas of the City with setback conditions and will refer this opinion back to the Planning Commission. The Council acknowledged that play structures have not been regulated in the setbacks in the past and it does not wish to regulate existing structures now. Councilmember Cabot confirmed that it was unanimous that the Council does not want to act on any existing structures, but, in going forward, he expected that any structure in any setback would have to have Planning Commission approval. The City has not enforced such a requirement and it is unfortunate to be in the current position. The Mayor expressed her opinion that, to preserve the natural beauty of the Lake, there should be no structures in any setbacks. John Hammond felt that it was different thirty years ago when he came to the Lake. He felt that it needs to be made perfectly clear that the ordinances will maintain the natural environment of the Lake. It is unique and it is to be preserved. He did not feel that the Planning Commission understood these issues at its former meeting. John Hovey felt that copies of the ordinances should be given to all new residents of the Lake. This should be accomplished by the placement of the ordinances on the website. Bob Bailey felt that the ordinances are clear and it is the responsibility of residents to be familiar with them.

The ordinance referred to as #118, the excavation ordinance, was discussed. It was felt that the ordinance needed to refer to natural grade rather than existing grade. The Planning Commission will be asked to consider demolition and the refilling of cut land to
its natural grade in January, hopefully being ready to hold a Public Hearing in February. Councilmember/Commissioner Bill Lembke will notify Mr. Derocher that a double cut is not allowed. The error was made when the house on his site was demolished and the natural grade was not restored.

In future years, the Planning Commission is required to hold no fewer than four meetings per year. A project in the coming year will be the review of the Master Plan. The Planning Commission will elect its own Chairperson.

Building and Permits: In the absence of Building Official, Leon Genre, Commissioner Lembke reported that the renovations at the Knysz residence had been approved; the site plan issues at 303 Gray Woods Lane had been resolved and an occupancy permit had been granted; there are still problems at the Greenlea residence, 525 Gray Woods Lane, as the retaining walls had not yet been removed.

The Treasurer’s Report was given by Julie Frakes. She reviewed the warrants for November. The Profit and Loss Report showed the accounts generally below budget. There are six parcels for which summer taxes are still outstanding. Councilmember Storrie moved to approve the financial reports noting those warrants above $500. Councilmember Cabot seconded. Motion carried unanimously.

#15409 to Linda Burton for $1030
#15410 to Code Enforcement for $2225
#15414 to Adv. Pest Mgt. for $3406.75
#15436 to Accident Fund for $654
#15437 to Code Enforce. for $1395
#15440 to RCOC for $1732.50
#15441 to RCOC for $1110
#15443 to Oakland Cty for $626.29
#15444 to Code Enforce. for $1395
#15445 to RCOC for $3498.04
#15446 to Oak-Sheriff for $783.67
#15448 to Billington for $900
#15449 to Billington for $590

Regarding unemployment benefits for Marty Gaynor, if the determination goes in favor of the City, the account will be credited for payments made.

Zambelli International has requested a deposit by January 15th and will provide 10% more product if it is made. Bob Goldsmith feels that Zambelli is the ‘Cadillac’ in this field. Councilmember Haines feels that there are a lot of different options and he will get bids for the January meeting. The budget is $8000.

There were no surprises in the audit. Mrs. Frakes will put together a list of what she does and a timetable of her activity as requested.

With turnover in the County Treasurer’s office after the election, more changes may come. Mrs. Frakes is working with Linda Burton now to verify tax rates, work which was previously done by the County.

National City Bank has opted to provide unlimited FDIC insurance through 2009 for non-interest bearing accounts. Mrs. Frakes has learned about sweep accounts and how they work. Oakland County is the most sophisticated county in the state financially and it helped to develop sweep accounts. An option would be to look to mutual funds, but not as much interest would be earned as in sweep accounts. It is recommended not to do anything until December 16th when the Federal Reserve meets. Mrs. Frakes recommends keeping the City’s Funds with National City. She recommends purchasing a CD in the amount of $75,000 from the Contingency Fund at 4.95% and a second CD for $200,000 from the General Fund Savings Account, also at 4.95%. Councilmember Cabot was not worried about money in the sweep accounts and felt it should be kept there. He moved to
purchase the two CD as recommended by Treasurer Frakes. Councilmember Storrie seconded. Motion Carried unanimously.

A Christmas bonus for the Chief was discussed. Councilmember Storrie moved to provide a $250 bonus gift. Councilmember Cabot seconded. Motion carried unanimously. Code Enforcement Services wishes to make a holiday donation to a charity of the City’s choice. Councilmember Cabot moved to recommend a donation to the Bob and Barbara Lake Memorial Fund for the Restoration of City Hall. Councilmember Storrie seconded. Motion carried unanimously.

Environmental Quality: Environmental Board Chair, Leon Pedell, asked for $500 for wood chips and patching material for the tennis courts. Councilmember Cabot moved to provide up to $500 for routine maintenance at the tennis courts. Councilmember Lembke seconded. Motion carried unanimously. Wood chips may be available from RCOC.

Trash in the bottom of the Barn from the Halloween party is all over the place. Angelica Hovey and Bob Bailey offered to clean it up.

The Environmental Board will hold an open meeting on February 4th.

Roads: Mayor McNew indicated that a request for road graveling funds must be made by January 16th and asked Karl Storrie to prepare a proposal for the January meeting.

City Property: Bill Lembke has cut and burned the dead ash trees at Gray Woods Lane and purchased 4 more trees for that area for $240. Councilmember Cabot moved to reimburse Mr. Lembke for the expenditure for trees. Councilmember Storrie seconded. Motion carried unanimously. Mr. Lembke was thanked for his work on the Berm over the years. He has planted trees on the Berm to cut light from the Great Lakes Crossing Mall. He has planted six trees and wants to plant six more. He also plans to work with the Boy Scouts to plant seedlings in the field beyond the Barn. Councilmember Cabot moved to provide up to $450 for the six trees and support for the Boy Scout project. Councilmember Storrie seconded. Motion carried unanimously.

Mayor McNew has researched the new lighting for City Hall. She recommended 18” oval lights hung on a chain from the ceiling. They are $220 apiece from rejuvenation.com. It was noted that Diane Latshaw owns Pine Lake Lighting where we might be eligible for a discount if the City could purchase the lighting through her. Councilmember Storrie moved to provide a maximum of $1800 for lighting using the best bid for the lighting chosen. Councilmember Cabot seconded. Motion carried unanimously.

Insurance: Councilmember Cabot spoke to MMRMA about free services that they offer. 99% of them do not apply to Lake Angelus.

There being no further business, Councilmember Cabot moved to adjourn the meeting just before 9pm. Councilmember Storrie seconded. Motion carried unanimously. The next regularly scheduled meeting will be held on January 13, 2009 at 7 pm.

Approved:  
Lee McNew, Mayor

Respectfully submitted,  
Rosalie Lake, Clerk