LAKE ANGELUS CITY COUNCIL MEETING MINUTES

June 11, 2013

Present: Mayor Lee McNew; Councilmembers Chuck Poploskie, Dan Jenaras, Jon Cabot, and David Haines; Police Chief, Jim Prosser; Attorney, Dan Christ; Treasurer, Julie Frakes; Web Manager, Jim Cortez; Building Official, Brian Oppmann; Planning Commission Chair, Bob Bailey; Environmental Board Chair, Linda Daniels; Deputy Clerk, Linda Daniels, Road Commissioner, Karl Storrie

Absent: Clerk, Rosalie Lake
Visitors: Jim Howlett, Toni Cusmano

Mayor McNew called the meeting to order at 7 pm with the Pledge of Allegiance.
The Minutes of the meeting of May 14, 2013 were approved as submitted.

Mayor McNew asked Website Manager, Jim Cortez if the Facilities Use Policy could be posted on the City website. Mr. Cortez recommended that the Boating Rules and the Lake Patrol Protocol, when completed, also be added. He reported that most pages of the City website have been updated. Mini listserves have been created for the Women’s Golf League, Lake Angelus Women’s Club, etc.

Treasurer, Julie Frakes, and Assessor, Linda Burton, attended a meeting of explanation regarding the Consent Judgment with the Pontiac School District and the collection of taxes on this year’s bills that will be required.

Mayor McNew recently received a Freedom of Information request from the Detroit Free Press pertaining to particulars about the Mayor’s salary, expense reports, City provided email accounts, and performance appraisals. None of the conditions for this request could be fulfilled as no documentation exists. A reply will be sent to the Free Press by Julie Frakes with the assistance of Attorney Christ.

Mayor McNew reported on a new hotel proposal. Marriott is proposing a 3-story hotel to be built east of the Auburn Hills Post Office on Great Lakes Drive at Great Lakes Outlet Mall. Treasurer, Julie Frakes, has asked for a copy of the plans from the Auburn Hills City Planner. Copies of these plans will be sent to Attorney Christ; Building Official, Brian Oppmann; and Planning Commission Chair, Bob Bailey for review.

Waterford Fire Service Contract: Councilmember Haines reported that he is awaiting the Waterford Fire Department attorney’s response to the proposed contract changes discussed last month.

Police Chief, Jim Prosser, gave the monthly Department report. The Lake level is 950.4. Chief Prosser presented a boat sticker design for consideration by City Council. Council opted for the old bell sticker used in previous years. Councilmember Haines noted that many residents have more than one boat and more than one sticker per household will be needed. It was agreed that 250-300 bell stickers would be ordered.

Lake Patrol Guidelines: Attorney, Dan Christ presented a draft of point # 8 of the Lake Patrol Protocols for Council consideration. This draft includes aspects of state law such as 1) Marine Safety Rules, 2) Consumption of Alcohol by a Minor, 3) Disorderly Conduct, and 4) Trespassing. This draft provides for an alternative to issuing a ticket directly to the person stopped by the officer. Instead it would allow Reserve Officers to provide a report of the incident to Chief Prosser,
who could then file an incident report, if necessary, with the Oakland County Prosecutor to bring charges against the individual. Councilmember Haines noted that Lake Angelus, as a community, may require different solutions. Chief Prosser pointed out that protocol #8 is only considered in dangerous situations. Mayor McNew asked that there be a list of potential violations included in the protocols. Residents attending were asked their feelings regarding this issue and all agreed that they had seen dangerous situations on the Lake in the last year and that the City should take action. Councilmember Cabot moved to adopt the Ordinance from Chapter 242 allowing Reserve Officers to issue certain citations. Councilmember Jenaras seconded. Motion carried unanimously. Councilmember Cabot then moved to approve point #8 of the protocol with the previous approved protocols for police patrol of the Lake. Councilmember Poploski seconded. Mayor McNew and Councilmembers Cabot, Jenaras and Poploski voted aye. Councilmember Haines voted nay. Motion carried.

Planning Commission: The Planning Commission met on May 28th, 2013. A public hearing was held regarding ordinances 1246.07 Table of Regulations; 1248.02 (i) and (j) Residential Districts-Accessory Uses regarding play structures and lawn swings; and 1248.02 (e) Residential Districts-Accessory Uses regarding boathouses.

In ordinance 1246.07 Tables of Regulations, the word, “Principal” was deleted from the heading “Minimum Yard Setbacks for Structures” so that it would include all structures. Councilmember Cabot moved to amend ordinance 1246.07 regulating set backs as proposed by the Planning Commission by deleting the word, “Principal.” Councilmember Poploskie seconded. Motion carried unanimously.

Regarding ordinance 1248.02 (j) Residential Districts-Accessory Uses, Toni Cusmano asked Council to reconsider the dimensions stated in the proposed ordinance to be closer to the dimensions of most swings available for purchase on the market. Councilmember Cabot moved to adopt ordinance 1248.02 adding subsection (i) and (j), with an amendment to(j) (2) changing it to 8 feet deep by 8 feet high by 8 feet wide. Councilmember Poploski seconded. Motion carried unanimously.

Councilmember Cabot moved to approve ordinance 1248.02 (e) Residential Districts-Accessory Uses regarding boathouses as amended. Councilmember Haines seconded. Motion carried unanimously.

Building and Permits: Building Official, Brian Oppmann met with Gary Bergin, 1050 Lake Angelus Shores regarding a request for an addition to a deck. It was suggested that approval be given for one deck section on the condition that Mr. Bergin follows through with appropriate materials to Brian Oppmann. The Chases contracted with a landscape architect who has built a 6 foot retaining wall. This will be on the agenda for the next Planning Commission meeting.

Road Commissioner, Karl Storrie recommended accepting as presented the Cost Participation Agreement-2013 Gravel Road Program, which includes dust control, for Tri-Party Program funding.

Council was sent plans from The Michigan Department of Transportation (MDOT) for rehabilitation of I-75 from the M-59 to the M-15 interchanges. Councilmember Haines suggested working with MDOT to get Clintonville Road interchanges in order to decompress traffic on North Lake Angelus Road. The plans were given to Road Commissioner Storrie to communicate these thoughts to MDOT.

Treasurer, Julie Frakes, reviewed the financial reports for the month of May. Councilmember Cabot moved to approve the reports, noting warrants over $500 Councilmember Poploskie seconded. Motion carried unanimously.

#18558 to Voyager Fleet for $943.58  
#18561 to Code Enforcement for $2847.50  
#18571 to Code Enforcement for $680  
#18562 to Hafeli, Staran for $3116.10  
#18572 to Code Enforcement for $1470  

#18565 to OC Sheriff for $1839
Mrs. Frakes reported opening two CDs at PNC after the bank was willing to raise the rate and negotiate better terms. Mrs. Frakes recommended keeping Police Department wages at their present rate this year, which she found to be a consistent policy with neighboring municipalities. Council agreed. Mrs. Frakes requested monies for a new printer. Councilmember Cabot moved to approve up to $300 for a new printer. Councilmember Jenaras seconded. Motion carried unanimously. Tax bills are to go out soon. This year’s fireworks contract has been received. Tip Top Tree Care sent the city a bill for work done without approval and for a higher cost than had been discussed. Mrs. Frakes will send a payment of the amount discussed with a note explaining that approval was needed beforehand for any future work.

A Public Hearing was opened to review the 2013-2014 Proposed Fiscal Year Budget. Mrs. Frakes went line by line through the proposed Budget. She reviewed also the Contingency Fund Budget and the Major and Local Road Budgets. There were no public comments and the Hearing was closed. Councilmember Cabot moved to approve the 2013-2014 Budget. Councilmember Jenaras seconded. Motion carried unanimously.

Environmental Quality Board: Environmental Quality Board Vice Chair, Bob Bailey, stated that the proposed contract and proof of insurance from Inland Lakes for weed harvesting this year had been presented to Council. Mayor McNew asked whether the contract includes removal of the harvested weeds from City property. The contract does not include removal of the harvested weeds and Inland Lakes would charge an additional $20,000 for removal. Mr. Bailey recommended hiring someone to remove the harvested weeds for less money after initial disposal on City property. The first harvest will begin on Monday, July 8th. Councilmember Haines moved to approve the contract pending Attorney Christ’s approval. Councilmember Cabot seconded. Motion carried unanimously.

Councilmember Cabot moved to extend the meeting to 9:15pm. Councilmember Poploskie seconded. Motion carried unanimously.

Environmental Quality Board Chair, Linda Daniels reported that Randall Ford from Hubble, Roth and Clark has made contact with the Oakland County Water Resource Commissioner’s office in regard to the potential Lake Angelus sanitary sewer project. She will continue to provide updates to Council as they occur. As requested by Council, the Sanitary Sewer sub-committee of the Environmental Quality Board will meet to create a survey for distribution to Lake Angelus Shores residents to determine concerns and interest in a Shores Road system.

Councilmember Cabot reported the receipt of a $8,175 end-of-year insurance rebate check from MMRMA.

Councilmember Haines will ask for voluntary contributions to the City fireworks again this year to help enhance the display. He will send out a list-serve request.

There being no further business, Councilmember Cabot moved to adjourn the meeting at 9:15pm. Councilmember Haines seconded. Motion carried unanimously. The next regularly scheduled meeting will be held on July 9, 2013 at 7 pm.

Approved:             Respectfully submitted,
Lee McNew, Mayor       Linda Daniels, Deputy Clerk