MINUTES OF THE LAKE ANGELUS CITY COUNCIL

FEBRUARY 12, 2008

Present: Mayor, Lee McNew; Councilmembers Bill Lembke, Karl Storrie, Jon Cabot; Treasurer, Julie Frakes; Attorney, Dan Christ; Police Chief, John Roehrig; Environmental Board Chair, Leon Pedell
Absent: Councilmember Gail Haines; Clerk, Rosalie Lake; Deputy Clerk, Linda Daniels
Visitors: Michelle Drake

Mayor McNew called the meeting to order at 7:03 pm and asked for approval of the Minutes of the meeting of January 8, 2009. Minutes were approved as corrected.

Clerk’s Report: The City has received a request for dues from the Clinton River Watershed Council for $500. Councilmember Storrie moved to approve the amount for the dues. Councilmember Cabot seconded. Motion carried unanimously.

The Clerk requested $25 for dues for the Oakland County Clerks’ Association. Councilmember Cabot moved to approve the dues. Councilmember Storrie seconded. Motion carried unanimously.

The first NoHaz collection date is May 31st. Information will appear in the ‘Angelus’ beginning in March.

A letter was sent to the Interim Pontiac Schools Superintendent regarding the property at Baldwin and N. Lake Angelus Road. A copy was emailed to Councilmembers.

The Board of Review will meet on March 10, 13 and 15. Meetings are by appointment. Information will appear in the ‘Angelus’.

Comments from Residents: Leon Pedell requested that the clerk send a copy of the Fertilizer Ordinance to Mark @ True Green.

Chief, John Roehrig, gave the Police Department report. He and Don McClellan are working on the department policies, concentrating on the MMRMA requirements.

The Chief has communicated with Deputy Chief, Steve Booth, of the Waterford Fire Department regarding the fire at the Knysz residence. Weather was an issue. The fire was visible from the road, but they had a hard time getting to the house. In the spring, Chief Roehrig will review directions to houses with the Fire Department.

The Chief attended an MCOLES (Michigan Commission on Law Enforcement Standards) seminar regarding the status of part-time officers. Currently, officers must work one day per month to retain certification. There is a proposal to change the requirement to one day per week. This change would hurt the City. The issue has been tabled for now.

The Chief noted an extortion case involving a City resident and the participation of the Department.

On the issue of additional lighting on Gallogly and N. Lake Angelus Road, Leon Pedell cited too much light pollution already. There is no power for lighting on the eastern half of Gallogly. With no infrastructure, it is too expensive.

The ordinance proposal regarding domestic violence makes allowances for the Police Department to have local options. If the County is involved, the rules are more rigid
with less flexibility in dealing with individual cases. Chief Roehrig indicated that once the police are involved the first time, in most cases, the issue is resolved. Only hard core cases continue. With a local ordinance, an officer can assess the situation and have different options, issuing a ticket, requiring one person to leave. Without a local ordinance, the County Sheriff must be called and jail may be required. Attorney Christ was not aware of any municipality that does not have an assault and battery ordinance. The draft follows the Michigan penal code. Councilmember Cabot moved to approve the domestic violence ordinance as presented. Councilmember Storrie seconded. Motion carried unanimously. The Ordinance must be posted in four locations within the City and will not be effective until such posting.

Security System: Mayor McNew reported from Dick Lund that his contact has left the security company with which he has been communicating. He is disappointed, but will continue to work on it.

Attorney Christ gave the Legal Report: Regarding the 20 Foot Strip, the best option is to ascertain who is encroaching onto the property owned by the City and get a licensing agreement with them that allows them to use the property, which is revocable at the City’s will, allows no permanent buildings, and holds the City harmless for any risk or injury. A second option, which we have used twice in the past, is to provide notice to the residents along the strip that they are using or adjacent to City property which would prevent a claim of adverse possession. It does not address the liability issue. Letters should be sent every 5 years. Councilmember Lembke thinks that 75 lots are involved. The GIS system could be used to identify properties and certified letters sent. In 1998, 15 letters were sent to residents on Beecham Road; 5 responded. Attorney Christ will draft a letter to use as a template for the Clerk to send. She should work with Dick Lund to identify the properties. Councilmember Cabot moved to approve the second option to provide notice to adjacent property owners of the City’s ownership of the 20 Foot Strip. Councilmember Storrie seconded. Motion carried unanimously.

Prior to the meeting, Mayor McNew provided copies of the Mrsan property division to the Councilmembers. Leon Pedell commented that Mr. Wilhelm, the realtor, is circulating a drawing of a mini-subdivision with a road running parallel to N. Lake Angelus Road having one entrance to all properties. Jim Howlett has concerns about property governance as the Waterford/Lake Angelus border crosses three of the properties. Upon discussion, the Council felt that the only property really affected, which exists half in Waterford and half in Lake Angelus, is so far back that a house would not be visible from the Lake.

Attorney Christ suggested that the persons allowed to contact him directly should be the Mayor, the Treasurer, the Clerk, the Chief of Police and the Building Official. Councilmembers should go through the Mayor. If Mr. Christ receives calls from others, he will refer them to the Mayor.

Revised Rules of Procedure (Draft): Minimal revisions were made to the Rules: #2 If a meeting shall be cancelled for any reason, the Council shall meet on another day as determined by the Clerk; #3 The agenda shall be provided, but not posted, 18 hours prior
to the meeting. Councilmember Cabot moved to approve the Rules as revised. Councilmember Storrie seconded. Motion carried unanimously.

Environmental Quality Board: Councilmember Cabot reviewed the report from the public meeting of the Board regarding weed control. Three options were discussed at the meeting: Do nothing, harvest the weeds, and herbiciding. Herbicide was recommended to the Council. Probably 75 acres, no more than 99 acres, will require application. The cost will be between $32,000 and $43,000 which includes permit application fees. The product of choice is Renovate which is selective to broadleaf plants (Milfoil) by imitating a hormone which causes the plant to wither and die. Milfoil spreads by cutting. Renovate has a short half-life and is non-toxic to humans in dilute concentrations. There are no fishing or swimming restrictions (although 24 hours will be suggested). Other technical considerations were made by the Board in its recommendation to the Council. Councilmember Cabot moved to approve the application for a DEQ permit for the herbiciding project, the cost of the entire project not to exceed $43,000, pending an acceptable contract from Aquatic Services to be brought back to the Council for approval. Councilmember Storrie seconded. Motion carried unanimously. It takes approximately 90 days to receive a permit. Treatment should be done in early June for the best effect. Board Chair, Leon Pedell was asked to get three bids to provide the Lake weed survey. It should be done in early May before the Milfoil treatment. Dr. Pedell commented that three bids had not been required in the past.

Roads: Mayor McNew reported on the Sinking Bridge Drain Project. The Road Commission did this project when Baldwin Road was expanded in 1999. Steve Korth, Chief Engineer with the Oakland County Drain Commission, came out and inspected the drain and agreed that the drain was not constructed according to plans and does not properly drain to the east. Mr. Korth is using a grant to study the problem and will have a report by next month. The Road Commission does not have the funds to repair the drain. It would be a big project closing Baldwin Road. Attorney Christ will investigate the statute of limitation for issuing a complaint. Councilmember Storrie discussed the supergravel project for 2.4 miles of N. Lake Angelus Road and ¾ mile of Gallogly Road. The maximum cost for this project is $21,000 which would be paid using tri-party funds. The difficulty is getting all of the jurisdictions to agree to the project and commit tri-party funds. Gallogly Road, from the Knysz driveway to Newark Rd, requires funds from Pontiac, N. Lake Angelus Road from Rohr to Clintonville requires funds from Waterford, and Auburn Hills would need to contribute for the portion of N. Lake Angelus Rd. in its jurisdiction. Councilmember Storrie moved to approve the use of Lake Angelus tri-party funds for graveling Gallogly and N. Lake Angelus Roads. Councilmember Cabot seconded. Motion carried unanimously. The Clerk needs to prepare a copy of this resolution for the Mayor by the end of this month.

Building and Permits: A meeting has not yet been held with Carlisle Wortman because Planning Commission Chair, Forrest Milzow, has been out of town. No Planning Commission meeting was held in February. The grading ordinance does not clearly establish the existing grade in the case of a demolished house which had already made a
cut to the original grade. Councilmember Lembke indicated that Code Enforcement sets the grade. He will discuss this with CES and the Planning Commission.

At 8:55 pm, Councilmember Cabot moved to extend the duration of the meeting beyond 9 pm. Councilmember Storrie seconded. Motion carried unanimously.


#14823 to Linda Burton for $1000  
#14824 to Voyager Fleet for $638.88  
#14825 to Waterford Fire for $45228.07  
#14846 to LA Shores Assn for $1220  
#14849 to MMRMA for $6877  
#14854 to Soft Line Wash for $600  
#14860 to Hubble, Roth for $600  
#14867 to Code Enforce for $1023.25  
#14883 to Oak County Treas for $3777.62  

Mrs. Frakes reviewed the Financial Reports and Dr. Cabot moved to approve them. Mr. Storrie seconded. Motion carried unanimously. Mrs. Frakes asked for approval of $199 for the Quickbooks payroll subscription. Dr. Cabot moved to approve the amount. Mr. Lembke seconded. Motion carried unanimously. Mrs. Frakes asked for a Visa check card through the National City General Fund Account. Councilmembers declined feeling that there was too much risk. The audit by Janz and Knight was reviewed. All of the end of year quarterly forms have been completed. The UIA claim form for Dan Wright must be responded to by February 18th. Mrs. Frakes will contact Chief Roehrig for his input. A letter of resignation should be made a requirement and so stated in the policy manual. A deposit of $4000 must be made for the fireworks. Approval was moved by Mr. Storrie and seconded by Mr. Lembke. Motion carried unanimously. Fireworks will be held on July 4th in 2008. Councilmember Haines was appointed to oversee the fireworks.

Insurance: Councilmember Cabot reviewed the City’s insurance coverage. Every three years the insurance needs to be bid. It is not practical to do it every year.

City Property Manager, Bill Lembke, found a big screen TV deposited on Gallogly Road. He moved it to the barn.

Councilmember Storrie moved to adjourn the meeting at 9:25. Councilmember Cabot seconded. Motion carried unanimously. The next regularly scheduled meeting will be held on March 11, 2008 at 7 pm.

Approved: Respectfully submitted,

Lee McNew, Mayor Rosalie Lake, Clerk
Recorded by Julie Frakes