



Village of Wolverine Lake

www.wolverinelake.com

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COUNCIL MINUTES Village Hall Council Chambers Wednesday, June 13, 2018

1. CALL TO ORDER

Council President Magee called the meeting to order at 7:01 pm.

2. PLEDGE TO THE FLAG

Council Members led the pledge of allegiance.

3. ROLL CALL

Present: Scott, Nedrow, Dumont, Duff, Malek, Magee

Absent: Sienkiewicz

Others Present: Administrator Burd, Treasurer Kondek, Engineer Powell, DPW Team Leader Stone, Chief Ellsworth and many members of the public.

MOTION by Duff, seconded by Malek, to excuse Council Member Sienkiewicz from the Council meeting tonight.

All in favor.

Motion carried.

4. RC 6/13/2018 20347 CORRESPONDENCE

President Magee read an email from Barbara Cook, 2512 Woodlawn.

MOTION by Duff, seconded by Dumont, to receive and file all correspondence as presented.

All in favor

Motion carried.

5. RC 6/13/2018 20348 ADDITIONS TO BUSINESS

None.

6. RC 6/13/2018 20349 1ST CALL TO THE PUBLIC – THIS IS AN OPPORTUNITY FOR CITIZENS TO ADDRESS THE COUNCIL ON AGENDA ITEMS

Magee opened the 1st call to the public.

Duane Pattenaude, 2570 Roselawn, stated his concern about the bike path running near his property and snowmobiles and golf cart using it as a racetrack.

Dave Renwick, 685 Amenia, stated his concern about the trash fee and would like it discussed.

Magee closed first call to public.

7. RC 6/13/2018 20350 APPROVAL OF CONSENT AGENDA

MOTION by Dumont, seconded by Duff, to approve the consent agenda as presented.

All in favor.

Motion carried.

ROLL CALL VOTE:

AYES: Scott, Nedrow, Dumont, Duff, Malek, Magee

NAYS: None

ABSENT: Sienkiewicz

Motion carried.

8. RC 6/13/2018 20351 APPROVAL OF MINUTES – REGULAR MINUTES – MAY 9, 2018 AND SPECIAL MINUTES – MAY 23, 2018

MOTION by Dumont, seconded by Duff, to approve the regular and special minutes as presented.

All in favor

Motion carried

ROLL CALL VOTE:

AYES: Scott, Nedrow, Dumont, Duff, Malek, Magee

NAYS: None

ABSENT: Sienkiewicz

Motion carried.

9. RC 6/13/2018 20352 RECEIVE AND FILE WRITTEN REPORTS

Police Report for 5-18

Code Enforcement Report for 5-18

Building Report for 5-18

Fire Report for 5-18

Administrative Committee, 5-11-18

ZBA, 5-15-18

Park & Recreation Board for 5-21-18

Planning Commission for 5-24-18

Water Management Board for 6-6-18

MOTION by Dumont, seconded by Duff, to receive and file the written reports as presented.

ROLL CALL VOTE:

AYES: Scott, Nedrow, Dumont, Duff, Malek, Magee

NAYS: None

ABSENT: Sienkiewicz

Motion carried.

10. RC 6/13/2018 20353 APPROVE WARRANTS - APPROVE PAYABLES FOR THE MONTH OF MAY IN THE AMOUNT OF \$132,292.59.

MOTION by Dumont, seconded by Duff, to approve the payables for the month of May as presented.

ROLL CALL VOTE:

AYES: Scott, Nedrow, Dumont, Duff, Malek, Magee

NAYS: None

ABSENT: Sienkiewicz

Motion carried.

11. RC 6/13/2018 20354 PUBLIC HEARINGS

-FY19 Budget

MOTION by Malek, seconded by Duff, to open the Public Hearing.

All in favor.

Motion carried.

Dave Renwick, 685 Amenia, was present to discuss his concern about the trash fee and feels the money is being used incorrectly. He also stated his concern about the General Fund balance.

MOTION by Duff, seconded by Dumont, to close the Public Hearing.

All in favor.

Motion carried.

-Clara Miller Park Master Plan Draft 4

Administrator Burd stated this has been in the works since 2016. He reminded people the adoption of a Master Plan is a guide going forward over the next 20 years. He stated once the plan is adopted then the Village can apply for grants for playground equipment. He encourages everyone to give their feedback.

MOTION by Duff, seconded by Dumont, to open the Public Hearing.

All in favor.

Motion carried.

John MacDonald, 1155 Glengary, stated he feels a rain garden and butterfly garden are a waste of money.

Jeff Miller, 2612 Brisbane, stated his concern about mature tree removal. Magee stated removal is only planned for trees effected by invasive species and undergrowth. He also stated he doesn't want to see the parking lot opened up into a residential street.

Duane Pattenaude, 2570 Roselawn, stated his concern regarding stop signs and left turns onto Benstein from Glengary and would like to see a left turn lane with a green light.

Linda Hamilton, 2598 Roselawn, stated her concern about the bike trail being so close to the residential homes.

Julie Miller, 2612 Brisbane, stated her appreciation that the Village listened to the request of the residents in regards to the Master Plan. She also thanked the Police force for doing a great job.

Mike Dorcey, 2425 Brisbane, referenced page 13 and page 14 of the Master Plan Draft and the increased traffic volume and parking. He would like to see several things removed from the plan before it is finalized. He asked if the natural play area was a misprint. He mentioned his concern about the bike path crossing at Brisbane and Wakito and presented a few examples regarding safety. He has some ideas on how to improve the safety and invited the Chief to come out to see if they can come up with a solution.

Larry Scallon, 2432 Brisbane, stated he is against the BMX area and would like to see it removed from the Master Plan.

Dave Renwick, 685 Amenia, stated his disapproval regarding the \$150,000 concession stand and wants to know why it is needed. He referenced his disapproval of the trash fee and feels this plan and pocket parks would not be possible without it. He doesn't feel the pocket parks are being utilized and the roads need repair. He mentioned the Spinal Column article regarding the Council doing everything possible to get the residents input and disagreed with the article. He stated he would like to have the Master Plan added to the next ballot so the people have a vote on what is wanted.

Terri Barletta, 1450 Connecticut, inquired about the prioritization, zone "w" and trees. Magee stated that mature healthy trees will not be removed. She stated the plan does not show the two trees located behind her property. She inquired as to whom will take care of the trees because they are not being maintained currently. Magee stated the plan is to maintain the park. Barletta asked if more help will be hired. Magee stated not necessarily.

John MacDonald, 1155 Glengary, stated his disapproval of the Master Plan bocce ball courts. He also stated he is thankful the Village supplies trash bags to pick up dog poop and he utilizes them. He stated his concern regarding more people coming to the area and crime going up. He also stated he disapproves of having a play area combined with toddlers and 12 year olds. He agreed with taking the Master Plan to a vote.

Linda Hamilton, 2598 Roselawn, stated she is in agreement with taking the Master Plan to the ballot and letting the people vote. She stated this would be helpful to the senior residents.

Jeff Miller, 2612 Brisbane, stated his concern and agreed with Terri Barletta regarding maintenance of the park. He stated he was on the DPW for 38 years and maintenance will cost money.

Dave Renwick, 685 Amenia, stated his disapproval and asked why the Village has \$1M in the General Fund. He stated he has talked with municipal CPA's and wants to know why the Village is over 25% of the budget.

Terri Barletta, 1450 Connecticut, inquired about how much this will cost the tax payers. Magee stated that the 20 year plan is an estimated \$1M, about \$50K a year. Barletta asked what the projected cost will be to the tax payers. She mentioned she doesn't pay taxes due to being an unemployable disabled vet but is concerned for the tax payers and how it will affect them.

John MacDonald, 1155 Glengary, stated he is on a limited income and doesn't want to see his taxes increased.

Debbie Malbin, 25 Payne Ct, stated she has lived in the Village for 35 years and how happy she is to live in the Village. She stated the area has gone up and her taxes are low because she has lived in the Village for so long. She commented on being a master gardener and new trees are required for the future of the Village.

Terri Barletta, 1450 Connecticut, stated her concern about the trees being planted and how close to the property lines. She is concerned about the tree roots growing into the septic area. She stated she goes to the Corn Roast every year and doesn't remember seeing Council members in attendance and asked if they plan to use the park.

John MacDonald, 1155 Glengary, stated his concern about unnecessary spending i.e. butterfly gardens and bocce ball courts. He stated he has raised a family in the Village and is all for improving it.

MOTION Duff, seconded Malek, to close the public hearing.
All in favor.
Motion carried.

12 A. RC 6/13/2018 20355 DRAFT OF CLARA MILLER PARK MASTER PLAN – COUNCIL DISCUSSION

Magee notified the Council of the options regarding the Master Plan and asked if they would like to adopt the Master Plan or have additional Council Sessions.

Scott stated the process started 20 months ago with open sessions with an understanding of a flexible concept. He stated that the Village has a wonderful staff available to answer questions and encouraged residence to contact them. He stated the Council is running a business on behalf of the Village and the General Fund will continue to come down to fix the roads etc.

MOTION by Scott, seconded by Dumont, to adopt the Master Plan as presented.

Magee asked Council to discuss.

Discussion ensued.

Malek stated he can agree with some of the issues brought before the Council. He asked if an amendment needed to be added to the motion to include monies will not be spent without the input of the residence. Duff stated this does not need to be amended. Malek stated he just wanted to be noted on record. He would like privacy to be considered for residents when going forward with the plan.

Malek asked Kondek when the Village taxes were last raised. Kondek stated the millage rate has not increased since 1996.

Duff stated Council has had approximately 10 open sessions for discussion.

Malek clarified the people need to be heard.

Dumont invited the residents to attend the Parks and Rec meeting to discuss further.

Magee stated he agrees the Master Plan needs to be adopted as presented. He feels the plan will help with grants and improvement for the park. He stated this is a place to start.

ROLL CALL VOTE:

AYES: Scott, Nedrow, Dumont, Duff, Malek, Magee

NAYS: None

ABSENT: Sienkiewicz

ABSTENTIONS: None

Motion carried.

Malek thanked the residents for contributing.

12 B. RC 6/13/2018 20356 RECOMMENDATIONS FROM THE PLANNING COMMISSION

1. Recommendation to Appoint Cynthia Rocker as the liaison to the Park & Recreation Board for a term expiring on December 31, 2018.

MOTION by Nedrow, seconded Dumont, to appoint Cynthia Rocker as the liaison to the Park and Recreation Board for a term expiring on December 31, 2018.

All in favor.

Motion carried.

2. Recommendation to Appoint Paul Snyder as the liaison to the Water Management Board for a term expiring on December 31, 2018.

MOTION by Nedrow, seconded by Malek, to appoint Paul Snyder as the liaison to the Water Management Board for a term expiring on December 31, 2018.

All in favor.

Motion carried.

3. Recommendation to Forward to Council Ordinances Amending the Zoning Code to Add Outdoor Fireplaces, Outdoor Kitchens, Pergolas, and Temporary Shade Structures as Accessory Uses to the R-1, R-1B, and R1-LF Single-Family Residential Districts. Requires the Introduction of Four Ordinances:

1. INTRODUCTION OF ORDINANCE 106A-103

AN ORDINANCE TO AMEND SECTION 1240.08, RULES OF CONSTRUCTION; DEFINITIONS, OF CHAPTER 1240, GENERAL PROVISIONS AND DEFINITIONS, OF PART TWELVE, PLANNING AND ZONING, OF THE CODE OF ORDINANCES FOR THE VILLAGE OF WOLVERINE LAKE, BY REVISING THE DEFINITIONS FOR "ACCESSORY BUILDING OR USE" AND "LOT COVERAGE," AND BY ADDING NEW DEFINITIONS FOR "OUTDOOR FIREPLACE," "OUTDOOR KITCHEN," "PERGOLA" AND "STRUCTURE, TEMPORARY SHADE" IN ORDER TO MORE CLEARLY DEFINE THOSE TERMS IN THE VILLAGE OF WOLVERINE LAKE.

2. INTRODUCTION OF ORDINANCE 106A-104

AN ORDINANCE TO AMEND SECTION 1250.06, SETBACK FROM PROPERTY LINES, OF CHAPTER 1250, R1-A, R1-B AND R1-LF SINGLE-FAMILY RESIDENTIAL DISTRICTS, OF PART TWELVE, PLANNING AND ZONING, OF THE CODE OF ORDINANCES FOR THE VILLAGE OF WOLVERINE LAKE, BY REVISING SUBSECTION (C), ACCESSORY USES, IN ORDER TO MODIFY THE SETBACK REQUIREMENTS PERTAINING TO ACCESSORY STRUCTURES WITHIN THE VILLAGE OF WOLVERINE LAKE.

3. INTRODUCTION OF ORDINANCE 106A-105

AN ORDINANCE TO AMEND SUBSECTION (A) OF SECTION 1268.05, PERMITTED OBSTRUCTIONS IN REQUIRED YARDS, OF CHAPTER 1268, BULK REGULATIONS, OF PART TWELVE, PLANNING AND ZONING, OF THE CODE OF ORDINANCES FOR THE VILLAGE OF WOLVERINE LAKE, IN ORDER TO MODIFY THE REGULATION PERTAINING TO CHIMNEYS AS PERMITTED OBSTRUCTIONS WITHIN THE VILLAGE OF WOLVERINE LAKE.

4. INTROUCTION OF ORDINANCE 106A-106

AN ORDINANCE TO AMEND SUBSECTION (B) OF SECTION 1280.02, TYPE, SIZE AND QUANTITY PERMITTED, SUBSECTION (B) OF SECTION 1280.03, GENERAL REGULATIONS, AND SECTION 1280.05, TEMPORARY ACCESSORY USES, OF CHAPTER 1280, ACCESSORY BUILDINGS AND STRUCTURES, OF PART TWELVE, PLANNING AND ZONING, OF THE CODE OF ORDINANCES FOR THE VILLAGE OF WOLVERINE LAKE, IN ORDER TO MODIFY THE REGULATIONS PERTAINING TO ACCESSORY STRUCTURES WITHIN THE VILLAGE OF WOLVERINE LAKE.

MOTION by Nedrow, seconded by Scott, to open the Introduction of Ordinances listed above.

All in favor.

Motion carried.

Nedrow provided an overview of the revised amended ordinances presented. He stated that Planning has been working on these for the past year. He also stated they reviewed surrounding communities and their ordinances.

Scott inquired about the wording on 106A second page should the wording be may or shall be constructed. Nedrow replied that it should be may. Magee stated the attorney will review. Attorney Elowsky suggested using the word may.

Scott inquired about the clarity on 106A (c) Accessory Uses, Accessory to Single-Family Dwelling vs Other Building and Structures. Nedrow stated this is for Single-Family homes not business use. Attorney Elowsky stated this is for anything for Single-Family dwellings.

ROLL CALL VOTE:

AYES: Scott, Nedrow, Dumont, Duff, Malek, Magee

NAYS: None

ABSENT: Sienkiewicz

Attorney Elowsky stated this was a good example of cases presented to the ZBA and Planning responding. Magee agreed.

12 C. RC 6/13/2018 20357 APPROVAL OF THE FISCAL YEAR 2019 BUDGET AND RELATED ITEMS:

1. Motion to adopt the proposed budget for Fiscal Year 2019
2. Approval of Appropriations Resolution
3. Establish Millage Rate for Fiscal Year 2019
4. Set Tax Collection Fee
5. Approval of Waiver of Tax Penalty and Interest – Summer Deferment
6. Addition of Special Assessments and Delinquent Bills to the 2018 Tax Roll

MOTION Malek, seconded by Duff, to approve the Fiscal Year 2019 Budget and Related Items as presented.

ROLL CALL VOTE:

AYES: Scott, Nedrow, Dumont, Duff, Malek, Magee

NAYS: None

ABSENT: Sienkiewicz

Motion carried.

Magee commented on how much better the Village's roads are compared to surrounding communities. Discussion ensued.

Malek thanked Treasurer Kondek for putting a good Budget together.

12. D. RC 6/13/2018 20358 2018 LOCAL ROAD IMPROVEMENT PROGRAM – GRANT AGREEMENT FOR BENSTEIN PATHWAY

Administrator Burd stated the Village applied for and received the grant to construct the pathway. With the assistance of Engineer Powell a plan will be put into place to proceed once approved by the Council.

MOTION by Duff, seconded by Dumont, to accept the Grant Agreement for the Benstein Pathway.

ROLL CALL VOTE:

AYES: Scott, Nedrow, Dumont, Duff, Malek, Magee

NAYS: None

ABSENT: Sienkiewicz

Motion carried.

12. E. RC 6/13/2018 20359 RECOMMENDATION FROM ENGINEER POWELL - REQUESTING AUTHORIZATION TO PAY MCKEARNEY ASPHALT FOR TENNIS COURT REPAIRS - \$3,000.

Engineer Powell provided an overview of the repairs needed at the cost of \$3,000.

MOTION by Duff, seconded by Scott, to approve payment to Pay McKearney Asphalt for Tennis Court Repairs in the amount of \$3,000.

ROLL CALL VOTE:

AYES: Scott, Nedrow, Dumont, Duff, Malek, Magee

NAYS: None

ABSENT: Sienkiewicz

ABSTENTIONS: None

Motion carried.

12 F. RC 6/13/2018 20360 2nd CALL TO THE PUBLIC – APPROXIMATELY 9:00 P.M. OR AT THIS AGENDA ITEM (WHICHEVER COMES FIRST). THIS IS AN OPPORTUNITY FOR CITIZENS TO ADDRESS THE COUNCIL REGARDING VILLAGE business.

Magee opened the 2nd Call To The Public.

Mike Dorcey, 2425 Brisbane, inquired about how far off the edge of the road will this path be placed. Engineer Powell replied it must be 12 feet off the road and property owners are granting easements for the pathway.

John MacDonald, 1155 Glengary, disagreed with a comment made by Scott about running as a business and he stated we are a community not a business.

Dave Renwick, 685 Amenia, stated that Scotts words were wrong. He stated the budget is to be spent and brought down to 25% and not to make money. Renwick asked how much is being transferred to roads. Magee replied that \$233,050 is being transferred to the Road Fund. Renwick stated that \$233,050 is not even 10% towards the roads. Renwick stated the Village has \$2,000,600 in unrestricted funds available. He stated there is to be no more than \$600,750 in the General Fund at year end. He stated his disapproval of spending \$1M on a park that doesn't need it. He mention the trash tax that brings in \$300,000 per year that he is not happy with. He stated as a government the Village should be going down to the 25% and if something is needed then ask for it.

John MacDonald, 1155 Glengary, stated the surplus helps without having tax increases. He is against wasting money.

Dave Renwick, 685 Amenia, stated as a government a surplus above 25% is not acceptable.

Magee closed the second call to the public.

12. G. RC 6/13/2018 20361 RECOMMENDATIONS FROM POLICE CHIEF ELLSWORTH

1. Request to Send Sgt. Marasco and Officer Crick to ALICE (Alert, Lockdown, Inform, Counter, Evacuate) Training, September 18-19 in Troy -\$595/person from budgeted training funds.

MOTION by Duff, seconded by Dumont, to approve sending Sgt. Marasco and Officer Crick to ALICE (Alert, Lockdown, Inform, Counter, Evacuate) Training, September 18-19 in Troy -\$595/person from budgeted training funds.

ROLL CALL VOTE:

AYES: Scott, Nedrow, Dumont, Duff, Malek, Magee

NAYS: None

ABSENT: Sienkiewicz

Motion carried.

2. Discussion – Golf Cart Resolution

Chief Ellsworth provided an update on Golf Cart usage and stated sidewalks and bike paths are prohibited.

Attorney Elowsky stated this resolution can be adopted with the exception of violation and penalties. Violation and penalties need to be adopted by ordinance. She stated the parking regulation can be struck by reference.

Magee stated this is a good start and will ask Administration to review.

MOTION by Duff, seconded by Nedrow to adopt the Golf Cart Resolution as presented with the exception of violation and penalties and parking regulations as recommended by Attorney Elowsky.

ROLL CALL VOTE:

AYES: Scott, Nedrow, Dumont, Duff, Malek, Magee

NAYS: None

ABSENT: Sienkiewicz

Motion carried.

12. H. RC 6/13/2018 20362 - BUDGET AMENDMENTS – FY 2018

BE IT RESOLVED, THAT THE VILLAGE OF WOLVERINE LAKE'S APPROVED BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2018 BE AMENDED ACCORDING TO THE ATTACHED SCHEDULES AND THAT THE TREASURER BE DIRECTED TO MAKE THE NECESSARY ADJUSTMENTS ON THE FINANCIAL RECORDS TO IMPLEMENT THOSE CHANGES.

MOTION by Dumont, seconded by Duff, to approve the budget amendments as presented.

All in favor.

Motion carried.

ROLL CALL VOTE:

AYES: Scott, Nedrow, Dumont, Duff, Malek, Magee

NAYS: None

ABSENT: Sienkiewicz

Motion carried.

12. I RC 6/13/2018 20363 - SET TOPICS FOR JUNE 27TH WORK SESSION

MOTION by Duff, seconded by Malek, to forgo the June 27th Work Session.

All in favor.

Motion carried.

13. RC 6/13/2018 20364 PENDING BUSINESS

None

14. RC 6/13/2018 20365 UPDATE FROM CHIEF ELLSWORTH

Provided an update on recent arrest of isolated incident involving a couple teenagers.

15. RC 6/13/2018 20366 UPDATE FROM TREASURER KONDEK

Nothing to report.

16. RC 6/13/2018 20367 UPDATE FROM ADMINISTRATOR BURD

Announced that a fundraiser was being held on June 14th at Benstein Grille to benefit the Veterans Memorial. Tiki night is on the same day as trash pick-up. He is trying to work on getting communication out to residents to get trash out earlier so trash pick-up will start earlier that day without causing traffic issues.

17. RC 6/13/2018 20368 COUNCIL COMMENTS

Scott would like to see a summary statement page available to the public to clarify the hard work that goes into the budget and the impact on the General Fund and add to administrative meeting on Friday.

MOTION by Scott, seconded by Duff, to add to Administrative Meeting on Friday.

All in favor.

Motion carried.

Nedrow wished everyone a safe and happy 3rd and 4th.

Duff wished everyone a safe and happy 3rd and 4th.

Malek reminded the people of the upcoming election in November.

Dumont reminded Park and Rec meeting, Monday at 7 pm.

Magee notified the Council that he will not be rerunning for Council when his term is up in November. Scott thanked Magee for his service. Malek asked Magee to reconsider.

18. RC 6/13/2018 20369 ADJOURNMENT

Next regular Council meeting scheduled for Wednesday, July 11, 2018.

MOTION by Duff, seconded by Nedrow, to adjourn the meeting at 9:09 p.m .

All in favor.

Motion carried.

Nathan Burd, Village Administrator
Tammy Breece, Recording Secretary

John Magee, Village President