



**COUNCIL MINUTES**  
**Village Hall Council Chambers**  
**Monday, November 12, 2018**

All items listed with an asterisk (\*) are considered non-controversial by the Council and will be approved by one motion under 'Approval of Consent Agenda' below. There will be no separate discussion of these items unless a Council member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

**1. CALL TO ORDER**

President Magee called the meeting to order at 7:30 p.m.

**2. PLEDGE TO THE FLAG**

**3. RC 11/12/2018 20486 RESULTS OF THE NOVEMBER 9, 2018 ELECTION**

Administrator Burd stated that all nine Charter Amendments passed. He provided the results from the Village Elections.

Duff: 22.37% (1,129) votes  
Malek: 21.13% (1066) votes  
Dumont: 19.387% (978) votes  
Yourke: 19.20% (969) votes  
Sienkiewicz: 16.86% (851) votes

Administrator Burd stated Duff, Malek and Dumont will receive a four-year term and Yourke Sienkiewicz will receive a two-year term.

**4. RC 11/12/2018 20487 SWEARING IN OF COUNCIL MEMBERS**

-Introduction of Family Members

President Magee thanked the Council and the Village and stated it was a pleasure serving on the Council.

Administrator Burd swore in the Council Members.

**5. ROLL CALL**

Present: Scott, Sienkiewicz, Dumont, Duff, Malek, Yourke, Nedrow

Absent: None

Others: Administrator Burd, Treasurer Kondek, Attorney Elowsky, Engineer Spencer, DPW Team Leader Stone, Chief Ellsworth and approximately 9 members of the public.

**6.A RC 11/12/2018 20488 ELECTION OF COUNCIL OFFICERS - ELECTION OF COUNCIL PRESIDENT 2-YEAR TERM**

**MOTION** by Duff, seconded by Sienkiewicz, to nominate Nedrow as Council President for a two-year term.

**ROLL CALL VOTE**

AYES – Scott, Sienkiewicz, Dumont, Duff, Malek, Yourke

NAYS – None

ABSENT – None

Motion carried.

**6.B RC 11/12/2018 20489 ELECTION OF COUNCIL OFFICERS - ELECTION OF COUNCIL PRESIDENT PRO-TEMPORE – 2 YEAR TERM**

**MOTION** by Dumont, seconded by Sienkiewicz, to nominate Scott as Council President Pro-Tempore for a two-year term.

**ROLL CALL VOTE**

AYES – Sienkiewicz, Dumont, Duff, Malek, Yourke, Dumont

NAYS – None

ABSENT – None

Motion carried.

**7. RC 11/12/2018 20490 CORRESPONDENCE**

None

**8. RC 11/12/2018 20491 ADDITIONS TO BUSINESS**

None

**9. RC 11/12/2018 20492 1<sup>ST</sup> CALL TO THE PUBLIC THIS IS AN OPPORTUNITY FOR CITIZENS TO ADDRESS THE COUNCIL ON AGENDA ITEMS**

Nedrow opened the 1<sup>st</sup> Call to the Public. Seeing none, Nedrow closed the 1<sup>st</sup> Call to the Public.

**10. RC 11/12/2018 20493 APPROVAL OF CONSENT AGENDA**

**MOTION** by Sienkiewicz, seconded by Duff, to approve the Consent Agenda, as presented.

All in favor.

Motion carried.

**11. RC 11/12/2018 20494 APPROVAL OF MINUTES -REGULAR MEETING – OCTOBER 10, 2018 - SPECIAL MEETING – OCTOBER 24, 2018**

**MOTION** by Sienkiewicz, seconded by Duff, to approve the regular meeting minutes of October 10, 2018 and special meeting minutes of October 24, 2018, as presented.

All in favor.

Motion carried.

**12. RC 11/12/2018 20495 RECEIVE AND FILE WRITTEN REPORTS**

Police Report for 10-18

Fire Report 10-18

Code Enforcement Report 10-18

Building Report 10-18

Administrative Committee for 10-10-18

Park & Recreation 10-15-18  
ZBA for 10-16-18  
Planning Commission for 10-25-18  
Veterans Memorial for 11-1-18  
Water Management Board for 11-7-18

**MOTION** by Sienkiewicz, seconded by Duff, to receive and file written reports, as presented.  
All in favor.  
Motion carried.

**13. RC 11/12/2018 20496 APPROVE WARRANTS - APPROVE PAYABLES FOR THE MONTH OF OCTOBER IN THE AMOUNT OF \$166,847.42**

**MOTION** by Sienkiewicz, seconded by Duff, to approve Payables for the month of October in the amount of \$166,847.42, as presented.  
All in favor.  
Motion carried.

**14. RC 11/12/2018 20497 PUBLIC HEARINGS -COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG)**

**MOTION** by Duff, seconded Sienkiewicz, to open to the public.  
All in favor.  
Motion carried.

Nedrow opened to public. Seeing none, Nedrow closed to the public.

**MOTION** by Duff, seconded by Dumont, to close to the public.  
All in favor.  
Motion carried.

**15. A 1. RC 11/12/2018 20498 ORGANIZATIONAL ITEMS - SET MEETING DAY, TIME, AND LOCATION. SECOND WEDNESDAY OF EACH MONTH AT 7:00 FOR REGULAR MEETINGS, FOURTH WEDNESDAY OF EACH MONTH AT 7:00 FOR WORK SESSIONS. HELD AT VILLAGE COUNCIL CHAMBERS.**

**MOTION** Sienkiewicz, seconded by Duff, to approve Council meeting day, time and location, as presented.  
All in favor.  
Motion carried.

**15. A 2. RC 11/12/2018 20499 - ADOPT RULES AND ORDER OF BUSINESS. ROBERTS RULES OF ORDER.**

**MOTION** Sienkiewicz, seconded by Duff, to adopt rules and orders of business, as presented.  
All in favor.  
Motion carried.

**15. A. 3. RC 11/12/2018 20500 DESIGNATE OFFICIAL NEWSPAPER. SPINAL COLUMN.**

**MOTION** by Sienkiewicz, seconded by Duff, to approve the designated official newspaper, as presented.

All in favor.

Motion carried.

**15. A 4. RC 11/12/2018 20501 - DESIGNATE SIGNATORIES TO VILLAGE FUNDS.**

**MOTION** by Sienkiewicz, seconded by Duff, to approve the President, President Pro-tem, Administrator and Treasurer as designated signatures to Village funds, as presented.

All in favor.

Motion carried.

Treasurer Kondek explained the process of the Designated Signatories to Village Funds.

**15. B. RC 11/12/2018 20502 RECOMMENDATION FROM THE ZONING BOARD OF APPEALS –RECOMMENDATION TO APPOINT ANGIE CRAWFORD TO THE ZBA FOR A TERM EXPIRING ON 12-31-2018.**

**MOTION** by Duff, seconded by Sienkiewicz, to appoint Angie Crawford to the Zoning Board of Appeals for a Term Expiring on December 31, 2018.

**ROLL CALL**

AYES: Scott, Sienkiewicz, Dumont, Duff, Malek, Yourke, Nedrow

NAYS: None

ABSENT: None

Motion Carried.

Crawford was sworn in by Administrator Burd.

**15. C. RC 11/12/2018 20503 ADMINISTRATOR SEARCH PROPOSAL – FRANK WALSH**

Frank Walsh was present and introduced himself. He presented his contract and provided an overview of his background and the process he follows. He stated that compensation will be a deciding factor due to the market and time of year. Walsh presented a draft itinerary. Discussion ensued. Walsh stated he would like to get started with the recruitment process as soon as possible due to the time of the year.

Attorney Elowsky recommended a special meeting prior to the next Council Meeting at 6:00 pm. Council agreed.

Sienkiewicz recommended hiring Walsh Consultant Services.

**MOTION** by Sienkiewicz, seconded by Duff, to hire Walsh Consultant Services to conduct the search for the new Village Administrator.

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Administrator Burd recommended Council provide Walsh with contacts of communication. Malek recommended Kondek, as he will be acting Administrator. Both Nedrow and Kondek agreed to be Walsh's direct contacts.

**ROLL CALL**

AYES: Scott, Sienkiewicz, Dumont, Duff, Malek, Yourke, Nedrow

NAYS: None

ABSENT: None

Motion Carried.

**MOTION** by Sienkiewicz, seconded by Duff, to hold a Special Council meeting at 6:00 pm preceding the January 2019 Council meeting.

**ROLL CALL**

AYES: Scott, Sienkiewicz, Dumont, Duff, Malek, Yourke, Nedrow

NAYS: None

ABSENT: None

Motion Carried.

Walsh stated to effectively recruit candidates it is important to provide the salary range.

Administrator Burd suggested discussing with Walsh once they have all information available regarding salary. Walsh stated he will place the ad once the salary is provided. Discussion ensued. Administrator Burd stated during the 2015 search the salary range was \$70,000 - \$80,000. Walsh stated to be competitive the range will need to be closer to \$80,000. Walsh stated once a candidate is selected Council can discuss the tiered approach as discussed in his presentation

**MOTION** by Duff, seconded by Malek, to establish a salary range in the amount of \$75,000 - \$85,000 for the Village Administrator position, based on qualification.

**ROLL CALL**

AYES: Scott, Sienkiewicz, Dumont, Duff, Malek, Yourke, Nedrow

NAYS: None

ABSENT: None

Motion Carried.

Walsh encouraged Council to contact him with any questions.

**15. D. RC 11/12/2018 20504 AUDIT PRESENTATION – RANA EMMONS, PSLZ LLP**

Rana Emmons, PSLZ, was present and introduced herself. She presented the Council with a clean audit. She mentioned the Village had a property tax increase of 5%. Emmons provided a breakdown of the audit. Discussion ensued.

**MOTION** by Duff, seconded by Dumont, to accept and file the Audit Presentation as presented.

All in favor.  
Motion carried.

**15 E. 1. RC 11/12/2018 20505 RECOMMENDATIONS FROM THE PLANNING COMMISSION – RECOMMENDATION TO REAPPOINT TOM HITE, BRIAN LINMAN AND CATHY MORETTO TO THE PLANNING COMMISSION FOR A 3 YEAR TERM ENDING DECEMBER 31, 2021.**

**MOTION** by Scott, seconded by Dumont, to reappoint Hite, Linman and Moretto to the Planning Commission for a 3 year term ending December 31, 2021.

All in favor.  
Motion Carried.

**15 E. 2. RC 11/12/2018 20506 RECOMMENDATION TO APPOINT PAUL SNYDER AS THE PLANNING COMMISSION LIAISON TO THE WATER MANAGEMENT BOARD.**

**MOTION** by Duff, seconded by Sienkiewicz, to appoint Paul Snyder as the Planning Commission liaison to the Water Management Board.

All in favor.  
Motion carried.

**15. E. 3. RC 11/12/2018 20507 RECOMMENDATION TO APPOINT CATHY MORETTO AS THE PLANNING COMMISSION LIAISON TO THE ZONING BOARD OF APPEALS.**

**MOTION** by Duff, seconded by Malek, to appoint Cathy Moretto as the Planning Commission liaison to the Zoning Board of Appeals.

All in favor.  
Motion carried.

**15 F.1. RC 11/12/2018 20508 RECOMMENDATION FROM THE WATER MANAGEMENT BOARD - MOTION TO DIRECT ADMINISTRATOR BURD TO DIRECT THE POND GUY TO COMPLETE THE CONTRACTED AERATION WINTERIZATION AND TO LIFT THE AERATION HEADS, INSPECT AND NUMBER THEM, PHOTOGRAPH THEM, DOCUMENT THEM AND PROVIDE A REPORT TO THE BOARD FOR A FEE NOT TO EXCEED \$2,500.**

Scott provided Council with an update from the Water Management Board. Discussion regarding removal, cleaning, inspection and storage of the equipment was presented. The DEQ would like the Village to provide a survey of the lake. Discussion ensued.

**MOTION** by Scott, seconded by Dumont, to direct Administrator Burd to direct The Pond Guy to complete the contracted aeration winterization and to lift the aeration heads, inspect and number them, photograph them, document them and provide a report to the Board for a fee not to exceed \$2,500.

**ROLL CALL**

AYES: Scott, Sienkiewicz, Dumont, Duff, Malek, Yourke, Nedrow  
NAYS: None

ABSENT: None  
Motion Carried.

**15. F 2. RC 11/12/2018 20509 MOTION TO RECOMMEND TO COUNCIL TO GENERATE A REQUEST FOR PROPOSALS FOR LAKE MANAGEMENT FOR A TWO YEAR CONTRACT FOR 2019/2020.**

MOTION by Scott, seconded by Malek, to recommend to Council to generate a request for proposals for Lake Management for a two-year contract for 2019/2020.  
All in favor.  
Motion carries.

**15. G. RC 11/12/2018 20510 RECOMMENDATION FROM THE ADMINISTRATIVE COMMITTEE - MOTION TO DIRECT THE ADMINISTRATOR TO WORK ON AN AGREEMENT WITH ENGINEER MIKE POWELL TO CONTINUE UTILIZING HIS SERVICES AS VILLAGE ENGINEER.**

Administrator Burd provided an update from the Administrative Committee regarding the performance review of Engineer Powell. Mr. Powell received a cumulative score of 4.6 out of 5. The Committee recommended the Administrator work on an agreement to continue utilizing Powell's services as Village Engineer. Burd presented Powell's proposed service fees to the Council and noted this is the first increase engineering as received since 2008. Positive comments regarding Powell Engineering were expressed amongst the Council members.

MOTION by Scott, seconded by Malek, to direct the Administrator to accept the proposed Agreement with Engineer Powell to continue utilizing his services as Village Engineer.

**ROLL CALL**

AYES: Scott, Sienkiewicz, Dumont, Duff, Malek, Yourke, Nedrow  
NAYS: None  
ABSENT: None  
Motion Carried.

**15. H. RC 11/12/2018 20511 RECOMMENDATIONS FROM ENGINEER POWELL - OAK ISLAND DRIVE PAY RECOMMENDATION**

Ms. Spencer from Powell Engineer presented the invoice from H.G. Sartor for the Oak Island paving project. The original bid came in at \$56,800 and the final invoice came in at \$51,575.

MOTION by Duff, seconded by Malek, to approve payment in full for the invoice amount of \$51,575 to H.G. Sartor.

**ROLL CALL**

AYES: Scott, Sienkiewicz, Dumont, Duff, Malek, Yourke, Nedrow  
NAYS: None  
ABSENT: None  
Motion Carried.

**15. I. RC 11/12/2018 20512 COMMUNITY DEVELOPMENT BLOCK GRANTS (CDBG) RESOLUTION**

Kondek provided an update on the CDBG resolution.

Motion by Malek, seconded by Duff, to accept and file the Community Development Block Grants (CDBG) Resolution as presented.

**ROLL CALL**

AYES: Scott, Sienkiewicz, Dumont, Duff, Malek, Yourke, Nedrow

NAYS: None

ABSENT: None

Motion Carried.

**15. J. RC 11/12/2018 20513 2<sup>ND</sup> 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.**

Ryan Burman, 8480 Hummingbird, Commerce Twp., was present and introduced himself to the Council as the new State Representative Elect for the 39<sup>th</sup> District.

**15. K. RC 11/12/2018 20514 COUNCIL COMMITTEE ASSIGNMENTS**

Administrator Burd reviewed the Council Committee Assignments and stated the meetings he was assigned have been updated as Administrator.

Nedrow went over each Committee and revised as follows:

**Administrative Committee:**

Brian Nedrow - Council

Ed Sienkiewicz – Council

John Scott – Council

Treasurer Michael Kondek – Interim Administrator

**Gypsy Moth Committee:**

Administrator

Bob Malek - Council

**Lake Improvement Board:**

Ed Sienkiewicz – Council

Walter Yourke – Council Alternate

Mike Sergeant – Water Board

**Liaison to Water Management Board:**

John Scott – Council



**Liaison Zoning Board of Appeals:**

Mark Duff – Council

**Liaison Planning Commission & SEMCOG: Planning Commission Rep.**

Brian Nedrow - Council

**Michigan Municipal League Legislative Coordinator:**

Treasurer Michael Kondek – Interim Administrator

**Lakes Area Youth Assistance:**

Bob Malek – Council

John Scott - Council

Scott stated the meetings are held the second Wednesday of the month at 12 noon; Walled Lake Community Education Building.

**Pathway Committee:**

David Dumont - Council (Chair)

John Scott – Council

Linda Champagne – Commerce Twp. Park & Recreation

Ginger Nickloy – Citizen Rep

Marci Leyman - Citizen Rep

Scott Liebold – Citizen Rep

Diane Braykovich – Park & Recreation

**Newsletter/Internet Committee: (Dissolve Committee)**

Administrator

Scott Fredericks – Planning

Mark Duff – Council

**Police Hiring Board:**

Administrator

Chief John Ellsworth

**Water Billing Review Board: (Dissolve Committee)**

Administrator

John Scott – Council

TBD Citizen Rep

**Veterans Memorial Committee**

Debbie Malbin, Geri Matkowski, Lori Longbrake, Erica Kochovar, Dale Frey, Shane Moore, Anthon Munafo, John Scott - Council

Scott volunteered to sit on the Veterans Memorial Committee. Malek stated he didn't feel a Council member was necessary to sit on this Committee. Dumont disagreed and stated as a previous member, he felt a Council member would be helpful to direct information through Council. Scott

was added to the Committee.

**Western Oakland County Road and Bike Path: (Attorney will verify if this committee can be dissolved)**

Administrator

Brian Nedrow – Council

Walter Yourke – Council

David Dumont – Council & Park & Recreation Rep

Diane Braykovich - Park & Recreation Rep.

**Phase II Sub-Committee:**

Brian Nedrow – Planning Commission Rep.

John Scott – Water Board Rep.

**Huron River Watershed:**

Mike Sergeant – Water Board Rep.

**Park Capital Approval:**

John Scott – Council

David Dumont – Council & Park & Recreation Liaison

Park & Recreation Chair (Kelly Siko to stay on until end of 2018)

Administrator

Treasurer Michael Kondek

**Audit/Finance Committee:**

Treasurer Michael Kondek

Administrator

Bob Malek - Council

John Scott - Council

Walter Yourke – Council Alternate

Ron Cumbo – Citizen Rep

Brian Linman – Citizen Rep

TBD – Citizen Rep

**Negotiating Committee:**

Administrator

Ed Sienkiewicz – Council

Mark Duff – Council

Brian Nedrow - Council

**MOTION** by Sienkiewicz, seconded by Duff, to amend Council Committee Assignments as discussed.

All in favor.

Motion carried.

**15. L. RC 11/12/2018 20515 SET TOPICS FOR THE NOVEMBER 28, 2018 WORK SESSION.**

- a. Staffing and Personnel Issue
- b. Mr. Walsh discussion

Dumont stated he is unable to attend the November 28<sup>th</sup> Work Session.

**16. RC 11/12/2018 20516 PENDING BUSINESS.**

No pending business.

**17. RC 11/12/2018 20517 UPDATE FROM CHIEF ELLSWORTH**

Chief Ellsworth thanked Administrator Burd for his service and stated he will be missed. He explained the early salting of the roads due to the icy conditions.

**18. RC 11/12/2018 20518 UPDATE FROM TREASURER KONDEK**

Kondek echoed Chief Ellsworth sentiments.

**19. RC 11/12/2018 20519 UPDATE FROM ADMINISTRATOR BURD**

Administrator Burd stated how much he appreciated working with everyone. He appreciates the kind words. He thanked the residents for their patience. He stated the leaf pick-up is behind due to mechanical issues. The Oakland County Sheriff's Dept. is holding a coat drive and residents can drop off gently used and new coats at the Village Hall.

**20. RC 11/12/2018 20520 COUNCIL COMMENTS**

Malek thanked Burd for his service.

Duff thanked Administrator Burd and stated he will be missed.

Dumont thanked Yourke for running and welcomed him to the Council.

Scott thanked Yourke.

Yourke stated how excited he is to be on the Council. He introduced his girlfriend, Tracy.

Sienkiewicz stated his concern regarding the majority of the salt on the roads ending up in the lake. He welcomed the new Council Member, Yourke.

Nedrow thanked Administrator Burd for his service. He wished everyone a Happy Thanksgiving. He also thanked Magee for his service on the Council.

**21. RC 11/12/2018 20521 ADJOURNMENT**

**MOTION** by Yourke, seconded by Dumont, to adjourn the meeting at 9:20 p.m.

All in favor.

Motion carried.

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Nathan Burd, Village Administrator  
Tammy Breece, Recording Secretary

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Brian Nedrow, President

PRELIMINARY