



Village of Wolverine Lake www.wolverinelake.com

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VILLAGE OF WOLVERINE LAKE REGULAR COUNCIL MEETING WEDNESDAY, JANUARY 9, 2019

1. CALL TO ORDER

President Nedrow called the meeting to order at 7:00pm.

2. PLEDGE TO THE FLAG

3. ROLL CALL

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

Absent: Scott

Others: Chief Ellsworth, Attorney Elowsky, Engineer Turner, Treasurer/Interim Administrator Kondek, Interim Clerk Linsenmeyer and 1 member of the public.

Sienkiewicz stated that today is Law Enforcement Appreciation Day and he thinks everyone can appreciate what our police department and Chief have done and all law enforcement throughout the country.

4. RC 1/9/2019 20557 CORRESPONDENCE

None

5. RC 1/9/2019 20558 ADDITIONS TO BUSINESS

Nedrow stated there were no additions to business.

6. RC 1/9/2019 20559 1ST CALL TO THE PUBLIC – THIS IS AN OPPORTUNITY FOR CITIZENS TO ADDRESS THE COUNCIL ON AGENDA ITEMS.

Nedrow opened the 1st Call to the Public.

No comment.

Nedrow closed the 1st Call to the Public.

7. RC 1/9/2019 20560 APPROVAL OF CONSENT AGENDA

Malek asked why the Code Enforcement Report was missing. Chief Ellsworth stated that the Enforcement Officer has been off for a surgery but would be returning soon.

Sienkiewicz asked if the Code Enforcement Officer ever received a coat or vest, just something that would identify him. It was indicated he had not. Chief Ellsworth stated they had just ordered some things for the Police Department and that he would investigate getting something for the Code Enforcement Officer. Malek asked if a motion would be required. Chief Ellsworth stated he thought it would be appropriate to leave it to the Administrator's discretion.

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

ROLL CALL VOTE

AYES – Yourke, Sienkiewicz, Nedrow, Dumont, Duff, Malek
NAYS – None
ABSENT – Scott
Motion carried.

8. RC 1/9/2019 20561 APPROVAL OF MINUTES – REGULAR MINUTES – DECEMBER 12, 2018.

MOTION by Duff, seconded by Malek, to approve the Regular Meeting Minutes of December 12, 2018, as submitted.

ROLL CALL VOTE

AYES – Yourke, Sienkiewicz, Nedrow, Dumont, Duff, Malek
NAYS – None
ABSENT – Scott
Motion carried.

9. RC 1/9/2019 20562 RECEIVE AND FILE WRITTEN REPORTS.

Police Report for 12-18
Building Report of 12-18
Fire Report of 12-18
Planning Commission for 12-13-18
Water Management Board for 1-2-19

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

ROLL CALL VOTE

AYES – Yourke, Sienkiewicz, Nedrow, Dumont, Duff, Malek
NAYS – None
ABSENT – Scott
Motion carried.

10. RC 1/9/2019 20563 APPROVE WARRANTS

Approve Payables for the month of December in the amount of \$97,396.69.

MOTION by Duff, seconded by Malek, to approve Payables for the month of December in the amount of \$97,396.69, as presented.

ROLL CALL VOTE

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

NAYS – None

ABSENT – Scott

Motion carried.

11. RC 1/9/2019 20564 PUBLIC HEARINGS

None

12. A. RC 1/9/2019 20565 RECOMMENDATION FROM THE WATER MANAGEMENT BOARD – RECOMMEND TO COUNCIL TO HIRE PROGRESSIVE AE FOR LAKE MANAGEMENT SERVICES FOR 2019 AND 2020 AT THE PROPOSED PRICE OF \$16,000 PER YEAR WITH AN ADDITIONAL HOURLY RATE OF \$85 PER HOUR FOR ITEMS NOT COVERED WITHIN THE CONTRACT.

Sienkiewicz asked if this was something that could be terminated by the Village or are we locked into this contract. Kondek stated there is an out clause. He stated he would find the clause and report it.

Malek asked about the \$16,000 and how that compared to last year. Nedrow stated it was \$15,000 last year so it did go up a little bit. He noted that the other bidders were all very similar in price.

MOTION by Dumont, seconded by Yourke, to hire Progressive AE for lake management services for 2019 and 2020 at the proposed price of \$16,000 per year with an additional hourly rate of \$85 per hour for items not covered within the contract, as proposed.

ROLL CALL VOTE

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

NAYS – None

ABSENT – Scott

Motion carried.

12. B. 1. RC 1/9/2019 20566 RECOMMENDATIONS FROM THE PLANNING COMMISSION – RECOMMEND TO COUNCIL TO APPROVE TEXT AMENDMENT – REPEALING AND REPLACING SECTION 1270.08 FENCES, ARBORS AND TRELLISES – INTRODUCTION OF ORDINANCE 106A-110 – AN ORDINANCE TO AMEND CHAPTER 1270, SITE DESIGN REGULATIONS, OF PART TWELVE, PLANNING AND ZONING, OF THE CODE OF ORDINANCES FOR THE VILLAGE OF WOLVERINE LAKE, BY REPEALING SECTION 1270.08, FENCES, ARBORS AND TRELLISES IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 1270.08, FENCES, ARBORS AND TRELLISES, IN ORDER TO MODIFY CERTAIN REGULATIONS PERTAINING TO FENCES WITHIN THE VILLAGE OF WOLVERINE LAKE.

Nedrow stated a few cases came before ZBA and it was found that the ordinance was missing some definitions.

Sienkiewicz asked about the hedgerow requirement, not being higher than 30 inches. He asked if the homeowner is responsible for maintaining and trimming to the correct height. Attorney Elowsky stated yes.

Malek stated he did not believe that has always been in the ordinance and asked if it had been added. Nedrow stated it has always been in there for 30 inches. Attorney Elowsky stated she did not change this portion and it has always been in there.

Attorney Elowsky stated both Ordinance 106A-110 and 106A-111 could be Introduced together since they go hand and hand.

12. B. 2. RC 1/9/2019 RC 20567 RECOMMENDATIONS FROM THE PLANNING COMMISSION – RECOMMENDATION TO APPROVE TEXT AMENDMENT – DEFINITIONS FOR ARBOR, FENCE, LANDSCAPE FENCE AND TRELLIS – INTRODUCTION OF ORDINANCE 106A-11 – 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 “ARBOR”, “FENCES”, “LANDSCAPE FENCE”, AND “TRELLIS” IN ORDER TO MORE CLEARLY DEFINE THOSE TERMS IN THE VILLAGE OF WOLVERINE LAKE.

MOTION by Sienkiewicz, seconded by Dumont, to Introduce Ordinance 106A-110 and Ordinance 106A-111, as presented.

Ayes – Duff, Dumont, Nedrow, Sienkiewicz, Yourke
Nay – Malek
Motion carried.

12. C. RC 1/9/2019 20568 ORDINANCE 139A-5 – AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE CODIFIED ORDINANCES FOR THE VILLAGE OF WOLVERINE LAKE.

Attorney Elowsky stated this is an ordinance that was introduced last month and now can be adopted. She noted it is for the codification of ordinances and is something that the Village does every year.

MOTION by Sienkiewicz, seconded by Duff, to Adopt Ordinance 139A-5, as presented.

All in favor.
Motion carried.

12. D. RC 1/9/2019 20569 ORDINANCE 159 – AN ORDINANCE TO AMEND TITLE TWO, BUSINESS REGULATION, OF PART EIGHT, BUSINESS REGULATION AND TAXATION CODE, OF THE CODE OF ORDINANCES FOR THE VILLAGE OF WOLVERINE LAKE, BY ADOPTING A NEW CHAPTER 880, PROHIBITION OF MARIHUANA ESTABLISHMENTS, IN ORDER TO PROHIBIT MARIHUANA ESTABLISHMENTS IN THE VILLAGE OF WOLVERINE LAKE.

Attorney Elowsky stated this is an ordinance that was introduced last month and can now be adopted. She stated it is the ordinance to opt out of allowing marihuana establishments within the Village.

MOTION by Yourke, seconded by Duff, to Adopt Ordinance 159, as presented.

All in favor.

Motion carried.

12. E. RC 1/9/2019 20570 WOTA DISCUSSION PRESENTED BY ATTORNEY ELOWSKY.

Attorney Elowsky stated that WOTA stands for West Oakland Transportation Authority. She stated representatives from several local communities have been meeting and talking about the West Oakland Transportation Authority. She stated all the attorneys have been getting together to write the interlocal agreement. She stated they have met twice now, and she thinks if this is something the Village wants to participate in, it is a good and fair agreement. She stated currently White Lake handles our persons over 65 and disabled persons. They indicate that the Village has approximately 40 residents registered with their program. WOTA did some projections for a formula for cost sharing. She stated WOTA is looking at every eligible grant that the Village would could get when calculating the contribution. She stated she is not sure of the history of why Wolverine Lake set up with White Lake and how that cost is being taking care of. She stated this might be an administrative question to Commerce Township. There are a lot of financial and administrative questions. Kondek stated he would follow up on this to find out more information. He asked if there is a deadline on making a decision. Attorney Elowsky stated because we are a smaller Village, she does not think taking our time will be a problem with this issue.

12. F. RC 1/9/2019 20571 DISSOLUTION OF THE LAKE IMPROVEMENT BOARD.

Kondek stated this is a Board that was created in 1979 for a specific reason. Attorney Elowsky stated it was to create a SAD for a draw down device. Malek stated that was when we had the big drawdown and did the stump removal from the lake. Attorney Elowsky stated it would be appropriate to disband this Board that no longer is needed. Kondek stated this is a housekeeping issue and that requires two representatives from the Village be appointed and attend.

MOTION by Duff, seconded by Malek, to appoint Sienkiewicz and Kondek to the Lake Improvement Board, as presented.

All in favor

Motion carried.

12. G. RC 1/9/2019 20572 2ND CALL TO THE PUBLIC – APPROXIMATELY 9:00PM OR AT THIS AGENDA ITEM (WHICHEVER COMES FIRST) – THIS IS AN OPPORTUNITY FOR CITIZENS TO ADDRESS THE COUNCIL REGARDING VILLAGE BUSINESS.

Nedrow opened the 2nd Call to the Public.

No comments.

Nedrow closed the 2nd Call to the Public.

12. H. RC 1/9/2019 20573 SET TOPICS FOR JANUARY 23 WORK SESSION.

MOTION by Sienkiewicz, seconded by Duff, to set the January 23 Work Session as a Special Meeting to conduct Administrator Interviews, as presented.

All in favor.

Motion carried.

Malek stated there is a chance he might not be able to make this meeting.

12. I. RC 1/9/2019 20574 INTERIM ADMINISTRATOR KONDEK REQUESTS COUNCIL MOVE INTO CLOSED SESSION (IF NECESSARY) TO DISCUSS THE VILLAGE ADMINISTRATOR APPLICATION AFTER AGENDA ITEM 17.

Nedrow stated this was no longer necessary.

13. RC 1/9/2019 20575 PENDING BUSINESS

None

14. RC 1/9/2019 20576 UPDATE FROM CHIEF ELLSWORTH

Chief Ellsworth stated everyone should have received his year end report. He stated the Department was very active this year and the numbers were up 20% from usual. Crime rates remain very low. He stated he has a good team right now. He noted that he will be losing one of his officers mid-July so they will have to start working on a replacement. He stated if anyone has any questions to feel free to give him a call.

15. RC 1/9/2019 20577 UPDATE FROM INTERIM ADMINISTRATOR/TREASURER KONDEK

Treasurer Kondek stated nominations for the Citizen of the Year closed today. He stated the usual practice is to send this to the Administrative Committee so a meeting date will have to be chosen to meet to discuss.

16. RC 1/9/2019 20578 COUNCIL COMMENTS

Malek stated he hoped 2019 was good for all and the community.

Duff agreed

Dumont wished everyone a Happy New Year.

Yourke agreed.

Sienkiewicz wished everyone a Happy New Year.

Nedrow stated Happy New Year.

8. RC 1/9/2019 20579 ADJOURNMENT

MOTION by Duff, seconded by Yourke, to adjourn the meeting at 7:43pm.

All in favor.

Motion carried.

Tabitha Linsenmeyer, Village Interim Clerk
Recording Secretary Sheila Nicholas

Brian Nedrow, Village President