



Village of Wolverine Lake www.wolverinelake.com

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VILLAGE OF WOLVERINE LAKE REGULAR COUNCIL MEETING WEDNESDAY, FEBRUARY 13, 2019

1. CALL TO ORDER

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

2. PLEDGE TO THE FLAG

3. ROLL CALL

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

Absent: None

Others: Chief Ellsworth, Attorney Elowsky, Engineer Powell, Treasurer/Interim Administrator Kondek, Interim Clerk Linsenmeyer and approximately 4 members of the public.

4. RC 2/13/2019 20580 CORRESPONDENCE

Nedrow read a thank you letter from Michael Smith, the new Village Administrator.

Linda Hyaduck, a representative from Senator Jim Runestad's office, introduced herself and stated they wanted everyone to know that they are available at any time for the Village of Wolverine Lake. She stated their web address is SenatorJimRunestad.com.

5. RC 2/13/2019 20581 ADDITIONS TO BUSINESS

Malek stated he would like to discuss Park and Recreation minutes and discuss Wakito with Engineer Powell.

Nedrow stated that the Park and Recreation minutes could be taken off the consent agenda, added as Item 12 N. and Wakito discussion added as Item 12. G. 2.

Nedrow stated the only other change required was to remove Item 12. A. 1., Mr. Kelley resigned from the Zoning Board of Appeals.

6. RC 2/13/2019 20582 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 2/13/2019 20583 APPROVAL OF CONSENT AGENDA

MOTION by Malek, seconded by Duff, to approve the Consent Agenda with the removal of the Parks and Recreation Board minutes of January 21, as presented.

ROLL CALL VOTE

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

NAYS – None

ABSENT – None

Motion carried.

8. RC 2/13/2019 20584 APPROVAL OF MINUTES – REGULAR MINUTES – JANUARY 9, 2019 – SPECIAL MEETING JANUARY 9, 2019 -SPECIAL MEETING JANUARY 23, 2019 – SPECIAL MEETING FEBRUARY 4, 2019.

MOTION by Malek, seconded by Duff, to approve the Regular Meeting Minutes of January 9, 2019, Special Meeting Minutes of January 9, 2019, Special Meeting Minutes of January 23, 2019 and Special Meeting Minutes of February 4, 2019, as submitted.

ROLL CALL VOTE

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

NAYS – None

ABSENT – None

Motion carried.

9. RC 2/13/2019 20585 RECEIVE AND FILE WRITTEN REPORTS.

Police Report for 01-19

Building Report of 01-19

Fire Report of 01-19

ZBA for 01-15-19

Water Management Board for 02-06-19

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

ROLL CALL VOTE

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

NAYS – None

ABSENT – None

Motion carried.

10. RC 2/13/2019 20586 APPROVE WARRANTS

Approve Payables for the month of January in the amount of \$108,420.06.

MOTION by Malek, seconded by Duff, to approve Payables for the month of January in the amount of \$108,420.06, as presented.

ROLL CALL VOTE

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

NAYS – None

ABSENT – None

Motion carried.

11. RC 2/13/2019 20587 PUBLIC HEARINGS

None

12. B. 1. RC 2/13/2019 20588 RECOMMENDATIONS FROM THE PARK AND RECREATION BOARD – RECOMMENDATION TO APPOINT MOLLY INGRAHAM TO THE PARK AND RECREATION BOARD FOR A TERM EXPIRING 12/31/20.

See item 12. B. 2.

12. B. 2. RC 2/13/2019 RC 20589 RECOMMENDATIONS FROM THE PARK AND RECREATION BOARD – RECOMMENDATION TO APPOINT JAMES KELLEY TO THE PARK AND RECREATION BOARD FOR A TERM EXPIRING 12/13/20.

MOTION by Dumont, seconded by Duff, to appoint Molly Ingraham and James Kelley to the Park and Recreation Board for a term expiring 12/31/20, as presented.

All in favor.

Motion carried.

Interim Clerk Linsenmeyer swore both Molly Ingraham and James Kelley in to the Park and Recreation Board. All congratulated them.

12. B. 3. RC 2/13/2019 RC 20590 RECOMMENDATIONS FROM THE PARK AND RECREATION BOARD – RECOMMENDATION TO REQUEST THAT COUNCIL RELEASE THE BUDGETED FUNDS FOR THE ST. PATRICK’S BUS TRIP.

MOTION by Malek, seconded by Duff, to approve request to release the budgeted funds for the St. Patrick’s bus trip, as presented.

ROLL CALL VOTE

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

NAYS – None

ABSENT – None

Motion carried.

12. C. RC 2/13/2019 20591 RECOMMENDATION FROM THE WATER MANAGEMENT BOARD – RECOMMENDATION TO NOT MOVE AHEAD WITH THE SCHEDULED MAINTENANCE ON THE AERATORS AND REQUEST THE RETURN OF OUR COMPRESSORS FOR STORAGE AT THE VILLAGE.

Sienkiewicz stated he has been very vocal that he did not think that aerators would work on this lake. However, he thinks a couple aerators at the end of Penny Lake would be helpful just

because it's so stagnant in that area. Scott stated the cost to meet new requirements for testing is too great.

Nedrow asked about the electricity and the panel. Duff explained that even if the power is turned off a certain fee still has to be paid even if there is no draw on it.

MOTION by Sienkiewicz, seconded by Duff, to not move ahead with the scheduled maintenance on the aerators and request the return of our compressors for storage at the Village, as presented.

ROLL CALL VOTE

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

NAYS – None

ABSENT – None

Motion carried.

12. D. RC 2/13/2019 20592 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, ARBOR 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.

See Item 12. E.

12. E. RC 2/13/2019 20593 ORDINANCE 106A-111 AN ORDINANCE TO AMEND SECTION 1240.08 RULES OF CONSTRUCTION: DEFINITIONS FOR “ARBOR”, “FENCES”, “LANDSCAPE FENCE”, AND “TRELLIS” IN ORDER TO MORE CLEARLY DEFINE THOSE TERMS IN THE VILLAGE OF WOLVERINE LAKE.

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

All in favor.

Motion carried.

Yourke and Malek questioned the height of the shrubs and if there would be a time frame to come into compliance. Nedrow explained that this is not a change in the ordinance, it has always been in place. Police Chief Ellsworth explained that it is only an issue when shrubs are being used as a fence.

12. F. RC 2/13/2019 20594 INTRODUCTION OF ORDINANCE 121A-1 – AN ORDINANCE TO AMEND SECTION 616.01, USE OR POSSESSION OF MARIJUANA, OF CHAPTER 616, DRUGS, OF PART SIX, GENERAL OFFENSES CODE, OF THE CODE OF ORDINANCES FOR THE VILLAGE OF WOLVERINE LAKE, BY

REVISING SUBSECTION (C) IN ORDER TO COMPORT WITH STATE OF MICHIGAN REGULATIONS GOVERNING THE USE AND POSSESSION OF MARIJUANA IN THE VILLAGE OF WOLVERINE LAKE.

MOTION by Sienkiewicz, seconded by Duff, to Introduce Ordinance 121A-1, as presented.

All in favor

Motion carried.

Police Chief Ellsworth requested that the Attorney make sure the Village of Wolverine Lake is listed with LARA as opting out. Attorney Elowsky stated she would follow up.

12. G. 1. RC 2/13/2019 20595 RECOMMENDATIONS FROM ENGINEER POWELL – 2019 TRI-PARTY FUND PROJECTS.

Powell stated the Tri-Party program is unique to Oakland County. It is a coordination of three government bodies: The Oakland County Road Commission, the County government and local communities. Oakland County and the Road Commission are given funds from the State periodically to divide up amongst the communities. This is a program to enhance the roads in local communities. Over the past years, many projects have been completed with the assistance of Oakland County. In their recommendation to the Village, they have listed a couple of items. The Village has been contemplating a project for awhile and that would be a left-hand turn lane at Shankin and South Commerce. The problem is that is a \$350,000-\$400,000 improvement. The only way the Village would be able to accommodate that would be if Walled Lake joined in. Unfortunately, Walled Lake has already committed their funds for the improvements of Maple Road. Oakland County's suggestions were to improve the right-hand turn lanes and passing lanes at Benstein and McCoy. Another would be to put in a left-hand turn lane at S. Commerce Road and Payne; paving the shoulders on County roads within the Village area. Powell's recommendation typically is not to spend funds for roads that Oakland County is totally responsible for. There are four projects that he would like for the Village to at least consider and discuss.

1. Enhancing the traffic signal at Benstein and Glengary roads. This would include adding left-hand turn arrows for all four directions. The Road Commission for Oakland County has estimated the cost of this project to be \$120,000 and has attributed \$30,000 as the Tri-Party share which means the Village cost would be \$10,000.
2. Improving the intersection of McCoy and Ladd roads. The Village is proposing to repave its section of Ladd Road therefore, it makes sense to include improving the intersection at the same time. The estimates cost will be approximately \$9,000.00 for the intersection improvement which means the Village's share of the Tri-Party Project would be approximately \$3,000.00.
3. Two other roads that the Village is proposing to improve are Indiana and Apple Orchard Lane, both of which have entrances off County roads and are therefore eligible for Tri-Party funds. The estimates cost of each of these intersection improvements will be \$2,500.00 for a total of \$5,000.00 from the Tri-Party fund. The Village's share of those costs would be approximately \$1,700.00.

4. The last project proposed, in the Road Commission right-of-way, will be the Benstein Road Pathway. This project is expected to cost approximately \$30,000.00 and should also be reimbursable from the Tri-Party fund. The Village share would be \$10,000.00.

Engineer Powell stated these are ideas and he is looking for direction from Council so he can send a proposal to the County.

Sienkiewicz asked if the paving projects are done, will the Village be caught up on its paving plan. Engineer Powell stated yes. Scott asked about paving at Clara Miller Park. Powell stated it can be bid out with the other paving projects if Council decides they want to.

MOTION by Sienkiewicz, seconded by Duff, to direct the Engineer to proceed with his recommendations regarding the Tri-Party Fund Projects, as presented.

ROLL CALL VOTE

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

NAYS – None

ABSENT – None

Motion carried.

12. G. 2. 2/13/2019 RC 20596 RECOMMENDATIONS FROM ENGINEER POWELL – WAKITO DISCUSSION.

Malek stated Council has discussed in the past vacating two sections of Wakito and turning it into park land. He asked if the Village could offer the property up for sale. Attorney Elowsky stated there are State regulations requiring an election for sale of park land under certain circumstances. She stated she is unsure if this qualifies.

Police Chief Ellsworth stated he believes when that property was donated there might have been a contingency placed that it not be sold. Attorney Elowsky stated there might be a deed restriction in place. Malek suggested it might be worth investigating. Attorney Elowsky stated she can investigate and see if it's worth it.

MOTION by Malek, seconded by Scott, to direct the Village Attorney to investigate what options are available regarding Wakito, as presented.

ROLL CALL VOTE

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

NAYS – None

ABSENT – None

Motion carried.

12. H. 2/13/2019 RC 20597 2019 TIKI CANDLE PURCHASE.

Kondek stated that Pam Kaznecki has overseen this for the past few years. She was unable to attend tonight as she is on vacation. There were some problems with the candles not burning

properly in the past. English Gardens, the supplier, stated no one else has complained about them. They are going to give the Village a credit so the cost this year will be less than usual. The candles are stored on a pallet in the DPW garage, so they are not getting wet or anything. Considering the credit, the Village plans to sell the stored candles at a reduced cost, knowing they might not burn as well as the new ones.

MOTION by Sienkiewicz, seconded by Yourke, to purchase 720 Tiki candles from English Gardens at a cost of \$1323.25 from budgeted funds in account 101-600-956-006, as presented.

ROLL CALL VOTE

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

NAYS – None

ABSENT – None

Motion carried.

12. I. 2/13/2019 RC 20598 ASSIGN DELEGATE AND ALTERNATE POSITIONS FOR SEMCOG.

Kondek stated the Delegate must be an elected official and this position was held by John Magee. Council now needs to replace him. He noted that Dumont is currently the Alternate. Dumont stated he was willing to remain as Alternate. Nedrow stated he was willing to step up as the Delegate.

MOTION by Malek, seconded by Dumont, to appoint Nedrow as the Delegate and Dumont as the Alternate for SEMCOG, as presented.

All in favor.

Motion carried.

12. J. 2/13/2019 RC 20599 WOTA DISCUSSION AND RESOLUTION.

Kondek stated this is a transportation organization that is fairly new. He stated the Village basically has to partner with Commerce to make it work. If Commerce is not going to participate, and he does not believe that they are interested at this time, the Village should hold off. He stated Council does not need to take action on this item at this time.

12. K. 2/13/2019 RC 20600 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. L. 2/13/2019 RC 20601 RECOMMENDATIONS FROM POLICE CHIEF ELLSWORTH – REQUEST TO HAVE GRAPHICS INSTALLED ON THE 2018 CHEVY TAHOE AND REMOVED FROM THE 2014 TAHOE, NOT TO EXCEED \$1,300 FROM BUDGETED FUNDS.

MOTION by Duff, seconded by Yourke, to approve request to have graphics installed on the 2018 Tahoe and removed from the 2014 Tahoe, not to exceed \$1,300 from budgeted funds, as presented.

ROLL CALL VOTE

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

NAYS – None

ABSENT – None

Motion carried.

12. M. 2/13/2019 RC 20602 SET TOPIC FOR FEBRUARY 27 WORK SESSION.

Malek stated he would like to discuss blight in the community. Scott stated this is an ordinance enforcement issue. Attorney Elowsky stated the ordinance should be enforced as it's written. Council would only need to have a discussion if the ordinance was deficient in some way. Police Chief Ellsworth stated the Village has a new Ordinance Officer and he has been off for a couple of months for a medical issue. He believes the new Officer would be open to any direction the Council or Administration gave him. Ellsworth stated if anyone sees an issue, they can let him know and he will direct the Ordinance Officer. Malek questioned the days that the Ordinance Officer works asked if they could be switched up. Duff stated he works other days for a different community so he cannot switch his days.

Scott asked about a Goal Setting Session. He knows many feel that Council should wait until the new Administrator is in place. Nedrow stated he was thinking that Council would have the Goal Setting Work Session in March. Kondek stated the new Administrator starts March 11th and he is excited to be involved in any goal setting.

MOTION by Duff, seconded by Malek, to cancel the February 27th Work Session, as presented.

All in favor.

Motion carried.

12. N. 2/13/2019 RC 20603 APPROVAL OF MINUTES – PARK AND RECREATION BOARD FOR 01-21-19.

Malek stated the minutes say that the planned Veteran's Memorial has taken a turn and will be in a different location.

Mark Giromini, representing the Park and Recreation Board, stated that was the information the Board had at that time. Since that meeting, the committee met again and things have changed. Commerce is building a memorial and the Village will build its own. It will be much more to scale that is befitting the area. Malek asked if it would still be at Clara Miller Park. Giromini stated yes. Scott noted that there have been changes within the committee. It will consist of

Village of Wolverine Lake residents only. They are looking into creating a more appropriate memorial for the Village.

13. RC 2/13/2019 20604 PENDING BUSINESS

None

14. RC 2/13/2019 20605 UPDATE FROM CHIEF ELLSWORTH

Chief Ellsworth stated it has been a busy month. He noted that the Department has some training coming up.

15. RC 2/13/2019 20606 UPDATE FROM INTERIM ADMINISTRATOR/TREASURER KONDEK

Treasurer Kondek stated the Ordinance Officer is back as of February 4th. He noted the Officer is on a limited schedule. He stated there is a permit the Village applies for every year in order to be able to do chemical applications. The permit has been applied for but not approved yet. He gave a shout out to the members of the DPW for what they have been doing over the last couple of weeks. He stated the DPW has done a great job and there have been no complaints. In fact, he has had people popping into the office commending them for doing a good job.

16. RC 2/13/2019 20607 COUNCIL COMMENTS

Malek stated the DPW has been doing very diligent work.

Duff gave kudos to the DPW and told everyone to stay warm.

Dumont stated the Park and Recreation meeting will be on the February 25th in Council Chambers at 7:00pm.

Scott stated the Water Board will have a speaker at the March meeting to talk with the residents about subdivision association legal responsibilities for out lots. He stated they will discuss erosion issues in April and aeration along with decreasing water levels in the canals in May.

Yourke had nothing.

Sienkiewicz stated regarding the canals, the muck is decayed fibrous material. Every time a propeller goes through, it puts the muck back into the water column. He thinks the canal residents are going to have to pay to have it removed. He stated the DPW has been going a great job. He wished everyone a happy Valentines Day.

Nedrow stated Council needs to get their evaluation forms regarding the attorney in to him within the next week or so.

8. RC 2/13/2019 20608 ADJOURNMENT

MOTION by Sienkiewicz, seconded by Duff, to adjourn the meeting at 8:30pm.

All in favor.

Motion carried.

Tabitha Linsenmeyer, Village Interim Clerk
Sheila Nicholas, Recording Secretary

Brian Nedrow, Village President

PRELIMINARY