



Village of Wolverine Lake www.wolverinelake.com

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VILLAGE OF WOLVERINE LAKE REGULAR COUNCIL MEETING WEDNESDAY, MAY 8, 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 Kimberlin, Engineer Spencer, Treasurer Kondek, Administrator Smith and approximately 8 members of the public.

4. RC 5/8/2019 20665 ADDITIONS TO BUSINESS/APPROVAL OF AGENDA

Scott stated he would like to add item M. as Veterans Memorial Funds.

MOTION by Dumont, seconded by Duff, to approve the agenda with the addition of item M., Veterans Memorial Funds, as presented.

All in favor.

Motion carried.

5. RC 5/8/2019 20666 CORRESPONDENCE AND INFORMATION

Nedrow stated Council has a letter from Powell and Associates regarding the Memorial but that is already an item on the agenda for discussion.

6. RC 5/8/2019 20667 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.

Kristi Nedrow, 515 Laguna Court, stated she is not in favor of the backyard chickens. She does not want to live next to them. She thinks the additions of hens will attract more coyotes and she does not think anyone wants more of them. She stated hens can be loud and can smell bad if not taken care of properly. She feels the lots are too small for this.

Taylor Pichette, 758 Lucille, stated he supports the backyard chickens. He knows the lots are small, but he thinks there should be an opportunity for people to have them and safely take care of them. He stated if lots are too small, then they are too small but some people do have room for them within the setbacks. He stated he knows not everyone is in favor of it. Well maintained chickens are not smelly or loud. He would like the opportunity to teach his children about taking

care of animals and where food comes from. He noted other communities allow 3-4 chickens and he believes that is a good number.

Nedrow closed the 1st Call to the Public.

7. RC 5/8/2019 20668 CONSIDERATION OF APPROVING THE FOLLOWING CONSENT AGENDA ITEMS:

- A. Minutes of a Regular Council Meeting held on Wednesday, April 10, 2019, as presented.
- B. Minutes of a Council Work Session held on Wednesday, April 24, 2019, as presented.
- C. List of Warrants for the month of April in the amount of \$126,959.22.
- D. Receive and File Department Reports:
 - 1. Building Report for April 2019
 - 2. Code Enforcement Report of April 2019
 - 3. Fire Report for April 2019
 - 4. Police Report for April 2019
- E. Receive and File Board Meeting Minutes:
 - 1. Park and Recreation Board for April 2019
 - 2. Planning Commission for April 2019
 - 3. Water Management Board for May 2019

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

ROLL CALL VOTE

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

NAYS – None

ABSENT – None

Motion carried.

8. RC 5/8/2019 20669 BOARD APPOINTMENTS

None

9. A RC 5/8/2019 20670 PRESENTATIONS:

Police Department

- 1. Recommendation to hire Reserve Officer Grunwald as a Part-Time Marine Patrol Officer.**

MOTION by Duff, seconded by Malek, to hire Reserve Officer Grunwald as a Part-Time Marine Patrol Officer, as presented.

All in favor.

Motion carried.

2. Life Saving Award for Officer Andrew (A.J.) Sutkzo.

Chief Ellsworth stated on March 28, 2019, Officer Sutkzo was dispatched to a welfare check. He was able to determine that the resident was in the home and in need of assistance. He was able to get in the home and find the resident, who had suffered a stroke, on the floor. The resident had been on the floor for a couple of days and would have died within hours had Officer Sutkzo not found him. Chief Ellsworth stated it was his honor to award Officer Sutkzo with his second Live Saving Award.

3. Letters of Commendation for Deputy Chief Woychowski, Sgt. Marasco, Officer Sutkzo, Officer Dennis, Officer Beaudry, Officer Crowell, Officer Crick, Reserve Officer Steven Grunwald and Reserve Officer Anne Grunwald.

Chief Ellsworth stated in his 34 years in Law Enforcement, he has never met such a caring, considerate and selfless group of individuals who, by banding together, can move mountains. By their noble and considerate actions, they have changed many lives. From Special Olympic "Polar Plunge" and the "Torch Run" to "Pigs for Wigs" and other daily kind gestures they have raised over \$30,000.00 for these organizations in the last 18 months. He thanked all and stated he was incredibly proud of them.

9. B Updates from Engineer Powell

1. Greenaway Drain Update.

Engineer Spencer stated Mike Powell had a personal item come up and he could not be here. She stated they are working with EGLE to meet their requirements in order to get the proper storm water storage. They expect to have that in the next couple of weeks.

2. Road Paving Update.

Engineer Spencer stated the rain has caused the paving to go at a slower pace than they had hoped. They are doing the finishing course on Adelaide and Amenia and expect that to be done by the end of this week or beginning of next week. They will then move on to Shankin, Solano and Ventura. Once they complete that, they will be moving onto Angola and then the north side of lake roads to be done after the fourth of July.

3. Veterans Memorial Update.

Engineer Spencer stated they did soil borings in the two areas suggested for the Memorial. They also did some surveying. She stated both sites had pros and cons. The first one, a little further from the parking area but closer to the road was a much higher and dryer area. They believe that to be a lot easier to keep storm water moving away and it's always easy to put in a leaching

basin. However, the soil in location 1 was not as good as location 2. Neither of the locations are poor locations so engineering wise, either is acceptable and it should be a Council recommendation.

Scott reminded Council that the Veterans Memorial Sub Committee by a majority vote choose site number one.

Sienkiewicz asked if the flag would be put up right away. Scott stated once the concrete is poured. Sienkiewicz stated it was his understanding the Village was going to put the flag up with a sign informing that the Memorial was coming. Scott stated it is up to Council if they want to put up a flag and then move it. Dumont stated Duff made a motion awhile back to start back at zero with the planning of the Memorial, so those earlier plans are null and void.

MOTION by Scott, seconded by Yourke, to accept site number one as the preferred site for the Veterans Memorial, as presented.

All in favor.

Motion carried.

10. B. 2. RC 5/8/2019 RC 20671 PUBLIC HEARINGS.

None

11. A RC 5/8/2019 20672 DISCUSSION ON VACATING WAKITO ROADWAY.

Nedrow stated Council has a letter from the Village Attorney indicating different scenarios. Malek stated he suggested the vacating because it's a road the Village is maintaining that is not needed. Attorney Kimberlin stated the road can be legally vacated. She stated the property is limited to use as park land or governmental purposes. She stated there are two options.

Nedrow stated he would prefer option number 2 as it would allow for some parking to be added to the tennis courts. All agreed.

MOTION by Duff, seconded by Sienkiewicz, to use the Attorney's option number two vacating Wakito abutting parcel 17-22-308-012 and 17-22-304-022, as referenced in the Attorney's memo dated May 1, 2019, with the correction in option two the parcel number is 17-22-308-012 as opposed to 303, which is on the opposite side of Wakito from the existing tennis courts, as presented.

ROLL CALL VOTE

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

NAYS – None

ABSENT – None

Motion carried.

11. B RC 5/8/2019 20673 RESOLUTION APPROVING THE RENEWAL OF THE VIDEO SERVICE LOCAL FRANCHISE AGREEMENT BY AND BETWEEN THE VILLAGE OF WOLVERINE LAKE AND MICHIGAN BELL TELEPHONE COMPANY D/B/A AT&T MICHIGAN.

Attorney Kimberlin stated this is a standard agreement. There is already one in place and it is up for renewal. Duff asked if anything had changed. Attorney Kimberlin stated no.

MOTION by Duff, seconded by Sienkiewicz, to adopt the renewal of the Video Service Local Franchise Agreement by and between the Village of Wolverine Lake and Michigan Bell Telephone Company d/b/a AT&T Michigan, and to authorize the Village President to sign on behalf of that agreement, as presented.

All in favor.

Motion carried.

11. C RC 5/8/2019 20674 RESOLUTION APPROVING THE RENEWAL OF THE METRO ACT RIGHT OF WAY PERMIT EXTENSION BY AND BETWEEN THE VILLAGE OF WOLVERINE LAKE AND MICHIGAN BELL TELEPHONE COMPANY D/B/A AT&T MICHIGAN FOR A TERM TO END ON SEPTEMBER 30, 2024.

Attorney Kimberlin stated this goes hand and hand with the previous Motion. This gives them access to the right of ways. She stated the Treasurer is also authorized to sign.

MOTION by Duff, seconded by Malek, to approve the renewal of the METRO Act Right of Way Permit Extension by and between the Village of Wolverine Lake and Michigan Bell Telephone Company d/b/a AT&T Michigan for a term to end on September 30, 2024, as presented.

All in favor.

Motion carried.

11. D RC 5/8/2019 20675 RECOMMENDATION BY THE PLANNING COMMISSION TO DECIDE IF COUNCIL WANTS THE PLANNING COMMISSION TO CREATE AN ORDINANCE REGARDING BACKYARD CHICKENS.

Nedrow stated the Planning Commission did have a discussion of backyard chickens. He stated it was brought to them but because it is not a zoning ordinance, they could not act on it.

Malek stated this came before Council twice before. Twice it was put to rest that most people are not interested.

Sienkiewicz stated he knows people that raise chickens and the biggest problem is rodents. He does not think that in a community like this residents should be raising farm animals in the backyard. Duff agreed.

Nedrow stated our Planner found some communities that do allow them like Ferndale, Berkley, Royal Oak and Commerce. He stated it's a community's individual decision.

The consensus was to take no action on this item.

11. E RC 5/8/2019 20676 RECOMMENDATION FROM THE WATER MANAGEMENT BOARD FOR THE COUNCIL TO EXPLORE IN COORDINATION WITH THE MANUFACTURERS OF THE TRANSPONDERS, TO PURCHASE AND INSTALL SUBMERSIBLE DEPTH TRANSMITTERS AT A COST NOT TO EXCEED \$1,000 FOR USE AT OR NEAR THE DAM.

Scott stated this is something the Water Board has been looking at. He stated the lake seems to keep more water in the Spring. Duff asked if there would be just one at the dam or others in the lake. Scott stated he is going to ask for a deferment on this item as they are still trying to gather more information.

There was consensus to defer this item.

11. F RC 5/8/2019 20677 RECOMMENDATION TO APPROVE THE CODE COMPLIANCE ABATEMENT FOR LAWN MOWING REQUEST FOR PROPOSALS (RFP).

MOTION by Dumont, seconded by Duff, to approve the Code Compliance Abatement for Lawn Mowing Request for Proposals (RFP), as presented.

All in favor.

Motion carried.

11. G RC 5/8/2019 20678 RESOLUTION APPROVING THE WEST NILE VIRUS FUND EXPENSE REIMBURSEMENT REQUEST UNDER OAKLAND COUNTY'S WEST NILE VIRUS PROGRAM.

MOTION by Duff, seconded by Malek, to approve the West Nile Virus Fund Expense Reimbursement request under Oakland County's West Nile Virus Program, as presented.

All in favor.

Motion carried.

11. H RC 5/8/2019 20679 2nd CALL TO THE PUBLIC – APPROXIMATELY 9:00 PM OR AT THIS AGENDA ITEM (WHICHEVER COMES FIRST). THIS IS AN OPPORTUNITY FOR CITIZENS TO ADDRESS COUNCIL REGARDING VILLAGE BUSINESS.

Nedrow opened the 2nd Call to the Public.

No comments.

Nedrow closed the 2nd Call to the Public.

11. I RC 5/8/2019 20680 RESOLUTION DECLARING MAY 11, 2019 AS NATIONAL STAMP OUT HUNGER DAY.

Administrator Smith stated notices have been sent to the residents to put out food on Saturday May 11th and it will be collected. He noted there are also postings in the Village office. He stated this is an Oakland County wide program.

MOTION by Sienkiewicz, seconded by Scott, to approve resolution declaring May 11, 2019 as National Stamp out Hunger Day, as presented.

All in favor.

Motion carried.

11. J RC 5/8/2019 20681 RESOLUTION DECLARING MAY AS MENTAL HEALTH MONTH.

MOTION by Yourke, seconded by Duff, to approve resolution declaring May as Mental Health Month, as presented.

All in favor.

Motion carried.

11. K RC 5/8/2019 20682 MOTION TO SCHEDULE A PUBIC HEARING ON THE BUDGET FOR JUNE 12, 2019.

MOTION by Duff, seconded by Dumont, to schedule a Public Hearing on the Budget for June 12, 2019, as presented.

All in favor.

Motion carried.

11. L RC 5/8/2019 20683 SET TOPICS FOR THE MAY 22, 2019 BUDGET WORK SESSION.

Nedrow stated this has been set.

11. M RC 5/8/2019 20684 VETERANS MEMORIAL FUNDS

Scott stated funds have been gathered already, around \$12,000.00. He stated he believes some of those funds have been earmarked for Carlisle Wortman and a flag. Kondek stated the flag has already been purchased. Scott stated the Committee had concerns about possibly putting the funds in escrow for the maintenance of the Memorial. They want to make sure those funds don't get moved into the General Fund. They are also looking into forming a 501©3.

Chief Ellsworth stated the tax laws have changed and it is not quite as lucrative to have a 501©3 as it used to be. He stated for money needed to it up, it would not be worth it. He stated he has experience in this and it is costly and cumbersome to maintain.

Kondek stated the funds are dedicated for the Memorial. They will be dispersed as requested.

12. RC 5/8/2019 20685 PENDING BUSINESS

None

13. RC 5/8/2019 20686 UPDATE FROM CHIEF ELLSWORTH

Chief Ellsworth thanked Council for the opportunity to recognize the officers. He stated the Police Dept. has a new sign up on Glengary and it is working very well. He is looking forward to putting one on Benstein. He has been overwhelmed with all the information gathered from it. He stated 22,000 cars a week go down Glengary. He stated his Lien Audit went very well.

14. RC 5/8/2019 20687 UPDATE FROM TREASURER KONDEK

Treasurer Kondek presented the proposed budget. He stated the Village is looking to reconvene the Audit Finance Committee, which has not met in several years for their input. This Committee consists of Brian Linman and Ron Cumbo, assuming they are still interested. Malek, Yourke and Scott from Council, Administrator Smith and himself. Sienkiewicz stated he is on it. Malek stated he thought he was off. Kondek stated he would investigate this. He stated the taxable values have matched and eclipsed our decline. He noted there are future purchases coming up including a new DPW vehicle and updating the DPW bathroom, etc. He expects a lot of changes to the budget between now and after the work session. He stated if anyone has any questions, to feel free to contact him.

15. RC 5/8/2019 20688 UPDATE FROM ADMINISTRATOR SMITH

Administrator Smith stated the Walled Lake School Bond did pass with 69% voting yes. He stated there was a low turnout, but it did pass. He thanked all who came out and voted. He stated the Village needs the Negotiating Committee to meet. He asked if getting together before the Work Session would work. All agreed for 6:00, before the Work Session. He stated the lake aerator pumps are at Village Hall. He stated he was at an Oakland County Road Commission meeting. He stated it was a great meeting. He pushed for the repaving of Benstein. He stated the DPW did receive snow plowing commendations from State Representative Ryan Burman. He had a great meeting with Zambelli regarding the fireworks and he is moving forward to get the permits with the State. He stated he will be at the SEMCOG workshop on Monday and Tuesday.

16. RC 5/8/2019 20689 COUNCIL COMMENTS

Malek thanked the Chief for the team he has.

Duff agreed with Malek.

Dumont stated the Park and Recreation meeting will be May 20th.

Scott congratulated the Chief and thanked Council for all the discussion.

Yourke thanked the Chief for having all his staff here noting it was great to meet everyone.

Sienkiewicz said the Chief has done a fine job. He asked about the Council pictures. Administrator Smith stated they have plans for them. Sienkiewicz wished all the mothers a Happy Mother's Day.

Nedrow stated he had nothing.

17. RC 5/8/2019 20690 ADJOURNMENT

MOTION by Sienkiewicz, seconded by Yourke, to adjourn the meeting at 8:31pm.

All in favor.

Motion carried.

Michael Smith, Clerk
Recording Secretary Sheila Nicholas

Brian Nedrow, Village President

Next Regular Council Meeting scheduled for Wednesday, June 12, 2019.

PRELIMINARY