



MINUTES

REGULAR MEETING OF THE VILLAGE COUNCIL

Monday, August 26, 2024

7:30 PM

Village Hall – 21 East Church Street, Lake Orion, MI 48362

(248) 693-8391 ext. 102

1. Call to Order

The August 26th, 2024 Village Council Regular Meeting was called to order at 7:30 PM.

2. Pledge of Allegiance

3. Roll Call and Determination of Quorum

PRESENT

President Jerry Narsh

President Pro Tem Teresa Rutt

Council member Carl Cyrowski

Council member Kenneth Van Portfliet

Council member Stan Ford

Council member Michael Lamb

ABSENT

Council member Nancy Moshier

STAFF PRESENT

Village Manager Darwin McClary

DPW Director Wes Sanchez

Police Chief Mark Amundson

DDA Executive Director Matthew Gibb

Deputy Clerk/Treasurer Lynsey Blough

Village Engineer Wendy Spence

Civil Engineer Jennifer Cook of Oakland County Water Resources Commissioner's Office was also in attendance.

MOTION made by Council member Van Portfliet, Seconded by Council member Lamb, to excuse Council member Moshier due to health reasons from the August 26th, 2024 Village Council Regular Meeting.

VOTING YE: Narsh, Rutt, Cyrowski, Van Portfliet, Ford, Lamb

VOTING NAY: None

ABSENT: Moshier

MOTION: Carried

4. Presentations

None.

5. Call to the Public

Donald Kindred spoke.

Harry Stephens spoke.

6. Consent Agenda

MOTION made by Council member Lamb, Seconded by President Pro Tem Rutt, to approve the Consent Agenda, as presented.

VOTING YE: Narsh, Rutt, Cyrowski, Van Portfliet, Ford, Lamb

VOTING NAY: None

ABSENT: Moshier

MOTION: Carried

A. Approval of Village Council Regular Meeting Minutes of August 12, 2024

MOTION made by Council member Lamb, Seconded by President Pro Tem Rutt, to approve the August 12, 2024 Village Council Regular Meeting Minutes, as presented.

VOTING YE: Narsh, Rutt, Cyrowski, Van Portfliet, Ford, Lamb

VOTING NAY: None

ABSENT: Moshier

MOTION: Carried

B. Receive and File of Planning Commission Regular Meeting Minutes of July 1, 2024

MOTION made by Council member Lamb, Seconded by President Pro Tem Rutt, to receive and file the July 1, 2024 Planning Commission Regular Meeting Minutes, as presented.

VOTING YE: Narsh, Rutt, Cyrowski, Van Portfliet, Ford, Lamb

VOTING NAY: None

ABSENT: Moshier

MOTION: Carried

C. Receive and File of Downtown Development Authority Board Regular Meeting Minutes of July 16, 2024

MOTION made by Council member Lamb, Seconded by President Pro Tem Rutt, to receive and file the July 16, 2024 Downtown Regular Development Authority Board Meeting Minutes, as presented.

VOTING YEA: Narsh, Rutt, Cyrowski, Van Portfliet, Ford, Lamb

VOTING NAY: None

ABSENT: Moshier

MOTION: Carried

D. Receive and File of Parks and Recreation Advisory Committee Regular Meeting Minutes of July 23, 2024

MOTION made by Council member Lamb, Seconded by President Pro Tem Rutt, to receive and file the July 23, 2024 Regular Meeting Minutes of the Parks and Recreation Advisory Committee, as presented.

VOTING YEA: Narsh, Rutt, Cyrowski, Van Portfliet, Ford, Lamb

VOTING NAY: None

ABSENT: Moshier

MOTION: Carried

7. Items Removed from the Consent Agenda

8. Approval of Agenda

MOTION made by President Pro Tem Rutt, Seconded by Council member Lamb, to approve the agenda for Monday, August 26th, 2024 Village Council Regular Meeting.

VOTING YEA: Narsh, Rutt, Cyrowski, Van Portfliet, Ford, Lamb

VOTING NAY: None

ABSENT: Moshier

MOTION: Carried

9. Public Hearings

None.

10. Financial Matters

A. Invoice Approval- August 26, 2024

MOTION made by Council member Van Portfliet, Seconded by Council member Lamb, to approve the August 26, 2024 bills in the amount of \$114,415.90 of which \$10,731.31 are DDA bills for a net total of \$103,684.59 and to receive and file the DDA bills.

VOTING YEA: Narsh, Rutt, Cyrowski, Van Portfliet, Ford

VOTING NAY: Lamb

ABSENT: Moshier

MOTION: Carried

11. Other Items

A. Approval of Project – Sanitary Sewer Pump Stations Improvement Project Phase I

MOTION #1 made by Council member Van Portfliet, Seconded by President Narsh, to approve BA-2025-592-01 to increase Water and Sewer Fund revenues by \$3,163,000 and to increase expenditures by \$3,498,000 for the Phase I Sanitary Sewer Pump Stations Improvement Project.

VOTING YEA: Narsh, Rutt, Cyrowski, Van Portfliet, Ford, Lamb

VOTING NAY: None

ABSENT: Moshier

MOTION: Carried

MOTION #2 made by President Narsh, Seconded by President Pro Tem Rutt, to approve proceeding with the Village of Lake Orion Sanitary Sewer Pump Stations Improvement Phase I Project, subject to final award of the construction contract by the Oakland County Water Resources Commissioner's Office to low bidder DVM Utilities, Inc., in the total base bid amount of \$2,774,010.00, for construction of the Phase I Village of Lake Orion Sanitary Sewer Pump Stations Improvement Project in accordance with the project bid specifications and contract documents issued by WRC.

VOTING YEA: Narsh, Rutt, Cyrowski, Van Portfliet, Ford, Lamb

VOTING NAY: None

ABSENT: Moshier

MOTION: Carried

MOTION #3 made by President Narsh, Seconded by President Pro Tem Rutt, to authorize a lump sum payment from the Village of Lake Orion Water and Sewer Fund to the Oakland County Water Resources Commissioner's Office upon receipt of invoice for the Phase I Sanitary Sewer Pump Stations Improvement Project in the amount of up to \$1,413,000, with Village Manager's approval, in accordance with Section 5 of the Oakland County/Village of Lake Orion 2024 Sanitary Sewer System Improvements Contract approved by the Village Council on May 28, 2024.

VOTING YEA: Narsh, Rutt, Cyrowski, Van Portfliet, Ford, Lamb

VOTING NAY: None

ABSENT: Moshier

MOTION: Carried

B. Park Avenue Retaining Wall Replacement Project

MOTION #1 made by President Narsh, Seconded by Council member Cyrowski, to approve budget amendment BA-2025-203-01 to increase Local Street Fund revenues by \$20,422.00 and to increase Local Street Fund expenditures by \$100,000.00 to provide an appropriation for the Park Avenue Retaining Wall Replacement Project.

VOTING YEA: Narsh, Rutt, Cyrowski, Van Portfliet, Ford, Lamb

VOTING NAY: None

ABSENT: Moshier

MOTION: Carried

MOTION #2 made by Council member Lamb, Seconded by Council member Van Portfliet, to approve the Park Avenue Retaining Wall Replacement Project base bid scope of work as prepared by the Village Engineer.

VOTING YEA: Narsh, Rutt, Cyrowski, Van Portfliet, Ford, Lamb

VOTING NAY: None

ABSENT: Moshier
MOTION: Carried

MOTION #3 made by President Narsh, Seconded by President Pro Tem Rutt, to approve the Park Avenue Retaining Wall Replacement Project Cost Sharing Agreement in Lieu of Special Assessments between the Village of Lake Orion and Randall Gilbert and Sue Delgado, 359 Park Avenue; Benjamin McKenzie and Lisa McKenzie, 365 Park Avenue; and Timothy McMaken and D. Claire Beaudet, 354 Park Avenue and authorize the Village Manager and Clerk to execute the agreement on behalf of the Village.

VOTING YEA: Narsh, Rutt, Cyrowski, Van Portfliet, Ford, Lamb
VOTING NAY: None
ABSENT: Moshier
MOTION: Carried

MOTION #4 made by President Narsh, Seconded by Council member Lamb, to award the contract for the construction of the Park Avenue Retaining Wall Replacement Project, without the alternate of the additional milling and paving of Park Avenue and with the use of RediWall LedgeStone (tan), to JB Contractors, Inc., of Detroit, Michigan, in the amount, of \$76,722.00 subject to the following conditions: (1) the Park Avenue Retaining Wall Replacement Project Cost Sharing Agreement in Lieu of Special Assessments is fully executed by all parties; (2) payment of costs in lieu of special assessments is received by the Village from all affected property owners; and (3) all required fully executed temporary construction easement agreements are received by the Village from affected property owners; and to authorize the Village Manager and Village Clerk to execute the contract on behalf of the Village when all conditions are met.

VOTING YEA: Narsh, Rutt, Cyrowski, Van Portfliet, Ford, Lamb
VOTING NAY: None
ABSENT: Moshier
MOTION: Carried

C. Placemaking and Public Spaces Program Agreement for Local Fiscal Recovery Fund Distribution - DDA

MOTION made by President Narsh, Seconded by Council member Van Portfliet, to adopt the resolution approving the Placemaking and Public Spaces Program Agreement between Oakland County, Village of Lake Orion and Lake Orion Downtown Development Authority to provide funding in the amount of \$595,823 to develop public spaces in conjunction with the Lumber Yard at Paint Creek development project and authorizing the Village Manager to execute the Program Agreement on behalf of the Village; with the DDA to be responsible for the administration and reporting of all activities of the program and to be responsible for any local costs relating to participation in the program.

VOTING YEA: Narsh, Rutt, Cyrowski, Van Portfliet, Ford, Lamb
VOTING NAY: None
ABSENT: Moshier
MOTION: Carried

D. Amendments to Mobile Food Establishments Ordinance – Second Reading and Adoption

MOTION made by President Narsh, Seconded by Council member Ford, to give second reading to, and adopt, Ordinance No. 13.07, an Ordinance to amend Title XI, Chapter 115, of the Village Code, Business Regulations, § 115.01-115.06; and to request that the Village Clerk publish the required public notice of the ordinance adoption.

VOTING YEA: Narsh, Cyrowski, Van Portfliet, Ford, Lamb

VOTING NAY: Rutt

ABSENT: Moshier

MOTION: Carried

E. Amendment to Commercial Vehicles Ordinance – Second Reading and Adoption

MOTION made by Council member Van Portfliet, Seconded by Council member Cyrowski, to give second reading to, and adopt, Ordinance No. 2.37, an Ordinance to amend Title VII. Traffic Code, Chapter 70: Traffic Regulations, § 70.30 - § 70.33 -Commercial Vehicles on Local Streets; and to request that the Village Clerk publish the required public notice of the ordinance adoption.

VOTING YEA: Narsh, Rutt, Cyrowski, Van Portfliet, Ford, Lamb

VOTING NAY: None

ABSENT: Moshier

MOTION: Carried

12. Call to the Public

George Dandalides spoke.

Rosemary Ford spoke.

Donald Kindred spoke.

13. Council Comments

Council member Lamb spoke.

Council member Ford spoke.

President Pro Tem Rutt spoke.

Council member Van Portfliet spoke.

Council member Cyrowski spoke.

President Narsh spoke.

14. Village Manager Comments

The Village Manager provided a summary of his report which is also found on the Village Manager's page of the Village of Lake Orion's website.

15. Closed Session Items

16. Business From Closed Session

17. Adjournment

MOTION made by Council member Cyrowski, Seconded by President Pro Tem Rutt, to adjourn the August 26th, 2024 Village Council Regular Meeting.

VOTING YEA: Narsh, Rutt, Cyrowski, Van Portfliet, Ford, Lamb

VOTING NAY: None

ABSENT: Moshier

MOTION: Carried

The August 26th, 2024 Village Council Regular Meeting adjourned at 9:17 PM.

Jerry Narsh
President

Lynsey Blough, CMC
Deputy Clerk/Treasurer

Sonja Stout
Clerk/Treasurer

Date Approved: as presented on September 9, 2024