



# MINUTES

## REGULAR MEETING OF THE VILLAGE COUNCIL

Monday, July 22, 2024

7:30 PM

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

(248) 693-8391 ext. 102

### 1. Call to Order

The July 22<sup>nd</sup>, 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

Council member Carl Cyrowski

Council member Nancy Moshier

Council member Kenneth Van Portfliet

Council member Stan Ford

Council member Michael Lamb

#### ABSENT

President Pro Tem Teresa Rutt

#### STAFF PRESENT

Village Manager Darwin McClary

Clerk/Treasurer Sonja Stout

DPW Director Wes Sanchez

DDA Executive Director Matthew Gibb

DDA Assistant Director Janet Bloom

**MOTION** made by President Narsh, Seconded by Council member Ford, to excuse Pro Tem Rutt due to a family vacation from the July 22<sup>nd</sup>, 2024 Village Council Regular Meeting.

**VOTING YE:** Narsh, Cyrowski, Moshier, Van Portfliet, Ford, Lamb

**VOTING NAY:** None

**ABSENT:** Rutt

**MOTION:** Carried

**4. Presentations**

None.

**5. Call to the Public**

George Dandalides spoke.

Harry Stephens spoke.

Donald Kindred spoke.

**6. Consent Agenda**

**MOTION** made by Council member Lamb, Seconded by Council member Van Portfliet, to approve the consent agenda and to remove Item F. Receive and File Board of Ethics Applications, and Item G. Request for Reduction in Water/Sewer Bill - Chayka-Crawford for further discussion.

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

**VOTING NAY:** None

**ABSENT:** Rutt

**MOTION:** Carried

**A. 2024 Election of the Michigan Municipal League Workers' Compensation Board of Trustees**

**MOTION** made by Council member Lamb, Seconded by Council member Van Portfliet, to authorize the Village Clerk, Sonja Stout, to cast the Village of Lake Orion's 2024 Official Ballot for the election of the three (3) nominated Trustees to the Michigan Municipal League Workers' Compensation Board of Trustees.

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

**VOTING NAY:** None

**ABSENT:** Rutt

**MOTION:** Carried

**B. Approval of Village Council Regular Meeting Minutes of July 8, 2024**

**MOTION** made by Council member Lamb, Seconded by Council member Van Portfliet, to approve the July 8<sup>th</sup>, 2024 Village Council Regular Meeting Minutes, as presented.

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

**VOTING NAY:** None

**ABSENT:** Rutt

**MOTION:** Carried

**C. Receive and File of DDA Regular Meeting Minutes of June 18, 2024**

**MOTION** made by Council member Lamb, Seconded by Council member Van Portfliet, to receive and file the June 18<sup>th</sup>, 2024 Regular Meeting Minutes of the Downtown Development Authority Board, as presented.

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

**VOTING NAY:** None

**ABSENT:** Rutt  
**MOTION:** Carried

**D. Receive and File of DDA Special Meeting Minutes of July 8, 2024**

**MOTION** made by Council member Lamb, Seconded by Council member Van Portfliet, to receive and file the July 8<sup>th</sup>, 2024 Special Meeting Minutes of the Downtown Development Authority Board, as presented.

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

**E. Receive and File Board of Zoning Appeals Regular Meeting Minutes of June 6, 2024**

**MOTION** made by Council member Lamb, Seconded by Council member Van Portfliet, to receive and file the June 6<sup>th</sup>, 2024 Regular Meeting Minutes of the Board of Zoning Appeals, as presented.

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

**F. Receive and File Board of Ethics Applications**

Removed for further discussion.

**G. Request for Reduction in Water/Sewer Bill - Chayka-Crawford**

Removed for further discussion.

**H. LOPA Request for Car Show Special Event Application Fees Waiver**

**MOTION** made by Council member Lamb, Seconded by Council member Van Portfliet, to take no action on the request, thereby requiring the payment of the fees, for the following reasons:

1. LOPA is a private, nonprofit organization rather than a governmental or public entity
2. LOPA's event is not funded in whole or in part through property or other taxes
3. Waiving the event application fees would result in a conversation of public funds for private benefit in violation of the Village's policy

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

**7. Items Removed from the Consent Agenda**

**F. Receive and File Board of Ethics Applications**

**MOTION** made by Council member Lamb, Seconded by Council member Van Portfliet, to have administration research appropriate interview questions and to bring back to Village Council at a Special Meeting, to be determined at a later date, which appropriate questions to ask in upcoming Ethics Board Interviews.

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

**VOTING NAY:** None  
**ABSENT:** Rutt  
**MOTION:** Carried

**G. Request for Reduction in Water/Sewer Bill - Chayka-Crawford**

**MOTION** made by Council member Lamb, Seconded by Council member Van Portfliet, to authorize Village administration to average the sewer usage based on previous years' billings for the same period to determine the appropriate reduction in sewer charges only for the April-June 2024 billing period, with the Village Manager to give prior approval to any sewer billing reduction.

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

**8. Approval of Agenda**

**MOTION** made by Council member Lamb, Seconded by Council member Cyrowski to approve the agenda for Monday, July 22nd, 2024 Village Council Regular Meeting.

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

**9. Public Hearings**

None.

**10. Financial Matters**

**A. Invoice Approval - July 22, 2024**

**MOTION** made by Council member Cyrowski, Seconded by President Narsh to approve the July 22nd, 2024 bills in the amount of \$477,685.90 of which \$39,518.20 are DDA bills for a net total of \$438,167.70.

**VOTING YEA:** Narsh, Cyrowski, Van Portfliet, Ford,  
**VOTING NAY:** Moshier, Lamb  
**ABSENT:** Rutt  
**MOTION:** Carried

**11. Other Items**

**A. Social District Permit Application – Valentino's Italian Grill**

**MOTION** made by President Narsh, Seconded by Council member Van Portfliet to adopt the Resolution for Social District Permit recommending approval of the Social District Permit Application dated June 27, 2024, submitted by Valentino's Italian Grill, 185 S. Broadway, Lake Orion, Michigan, for submission to the Michigan Liquor Control Commission for consideration; and to authorize the Village Clerk to certify a copy of the resolution for attachment to the permit application.

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

**B. Second Reading and Adoption of Village Code Amendments to Chapter 53 – Water System Fees and Charges**

**MOTION** made by President Narsh, Seconded by Council member Ford to give second reading to, and adopt, Ordinance No. 18.30 amending Title V, chapter 53, Sections 53.08, 53.09, and 53.13 of the Village Code of Ordinances and request that the Village Clerk publish the required notice of adoption.

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

**C. Amendments to Mobile Food Establishments Ordinance – Introduction and First Reading**

**MOTION** made by President Narsh, Seconded by Council member Cyrowski to introduce and give first reading to Ordinance No. 13.07, an Ordinance to amend Title XI, Chapter 115, of the Village Code, Business Regulations, 115.01-115.06; to schedule the same for second reading and consideration for adoption at Village Council's August 26, 2024 regular meeting; and to request that the Village Clerk publish the required public notice of the proposed ordinance.

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

**D. Amendment to Commercial Vehicles Ordinance – Introduction and First Reading**

**MOTION** made by Council member Van Portfliet, Seconded by Council member Lamb to introduce and give first reading to Ordinance No. 2.37, and Ordinance to amend Title VII, Traffic Code, Chapter 70: Traffic Regulations, 70.30-70.33-Commercial Vehicles on Local Streets; to schedule the same for second reading and consideration for adoption at Village Council's August 26, 2024, regular meeting; and to request that the Village Clerk publish the required public notice of the proposed ordinance.

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

**E. Amendment to Downtown Development Authority Ordinance – Introduction and First Reading**

**MOTION** made by Council member Van Portfliet, Seconded by Council member Lamb to postpone the current item to no later than August 26<sup>th</sup>, 2024 Village Council meeting, and to direct administration to bring back a mutual agreement between Administration and the Downtown Development Authority with open communication with President Narsh.

**VOTING YEA:** Narsh, Cyrowski, Moshier, Van Portfliet, Ford, Lamb  
**VOTING NAY:** None

**ABSENT:** Rutt  
**MOTION:** Carried

**F. Amendments to Village Manager Employment Agreement**

**MOTION #1** made by President Narsh, Seconded by Council member Ford to approve the Budget Amendment #BA-2025-101-171-01 to provide a supplemental appropriation for Village Manager personnel costs in the total amount of \$1,039.00.

**VOTING YEA:** Narsh, Cyrowski, Moshier, Van Portfliet, Ford,  
**VOTING NAY:** Lamb  
**ABSENT:** Rutt  
**MOTION:** Carried

**MOTION #2** made by President Narsh, Seconded by Council member Ford to approve the following amendments to the Village Manager Employment Agreement effective July 1, 2024, and to authorize the Village President and Village Clerk to execute the contract on behalf of the Village:

- **SALARY** – Provide for a 5% salary adjustment from \$90,950 to \$95,500 annually
- **RETIREMENT** – Provide for an adjustment in the Village’s contribution to retirement from 15% of base salary to 25% of base salary
- **HEALTH INSURANCE OPT-OUT** – Change language to provide that the Village Manager shall receive an annual payment of 40% of the State of Michigan public employee health care contribution hard cap amount for the level of insurance coverage the Manager is eligible to receive if the Village Manager opts out of the Village’s health insurance
- **HOLIDAYS** – Increase the number of holidays from 13 to 14 to reflect the change previously approved by Council for non-union and union employees generally by adding the Juneteenth holiday
- All other provisions of the current employment agreement shall remain as is.

**VOTING YEA:** Narsh, Cyrowski, Moshier, Van Portfliet, Ford,  
**VOTING NAY:** Lamb  
**ABSENT:** Rutt  
**MOTION:** Carried

**G. Code Enforcement Software**

**MOTION #1** made by President Narsh, Seconded by Council member Lamb to adopt budget amendment BA-2025-101-228-02 to provide a supplemental appropriation of \$4,800 for a software subscription to GoGov GoEnforce for code enforcement activity tracking and reporting.

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

**MOTION #2** made by President Narsh, Seconded by Council member Lamb to approve the proposal from GoGov, Inc., of Islandia, New York, dated June 7, 2024, in the amount of \$4,800.00 for an annual subscription to its GoEnforce code enforcement complaint tracking and

reporting software and authorize the Village Manager to execute all necessary documents on behalf of the Village relating to this purchase.

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

**H. Clinton River Watershed Council Stormwater Education Contract Extension**

**MOTION** made by Council member Van Portfliet, Seconded by Council member Cyrowski to approve the one-year extension of the Agreement for Services for stormwater education program services with the Clinton River Watershed Council in the total amount of \$750.00 and authorize the Village Manager to execute the contract on behalf of the Village after review and approval by the Village Attorney.

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

**I. Street Sweeping Services Contract**

**MOTION** made by Council member Lamb, Seconded by Council member Ford to approve the street sweeping services contract with Curbco Sweeping Inc., for a three year term in an amount not to exceed \$6,350.00 annually in accordance with its bid proposal dated April 16, 2024, and to authorize the Village Manager to all necessary documents relating to this contract subject to review by the Village Attorney

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

**I. Police Chief Consulting Agreement – Thomas Lindberg**

**MOTION** made by Council member Van Portfliet, Seconded by Council member Cyrowski to approve the Police Chief Consulting Agreement between the Village of Lake Orion and Thomas Lindberg for consulting services for the new Chief of Police for up to 20 hours per week for up to 14 days at the rate of \$42.31 per hour; and to authorize the Village Manager and Clerk/Treasurer to execute the agreement on behalf of the Village.

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

**12. Call to the Public**

George Dandalides spoke.

Tom Traurig spoke.

### 13. Council Comments

Council member Lamb spoke.

Council member Ford spoke.

Council member Van Portfliet spoke.

Council member Moshier spoke.

Council member Cyrowski spoke.

President Narsh spoke.

### 14. Village Manager Comments

The Village Manager provided a summary of his report, which is also available 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 President Narsh, Seconded by Council member Cyrowski, to adjourn the July 22<sup>nd</sup>, 2024 Village Council Regular Meeting.

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

**VOTING NAY:** None

**ABSENT:** Rutt

**MOTION:** Carried

The July 22<sup>nd</sup>, 2024, Village Council Regular Meeting adjourned at 10:22 PM.

---

Jerry Narsh  
President

---

Sonja Stout  
Clerk/Treasurer

Date Approved: as presented on August 12, 2024