



# MINUTES

## REGULAR MEETING OF THE VILLAGE COUNCIL

Monday, May 13, 2024

7:30 PM

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

(248) 693-8391 ext. 102

### 1. Call to Order

The May 13<sup>th</sup>, 2024 Village Council 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 Kenneth Van Portfliet

Council member Stan Ford

Council member Michael Lamb

#### ABSENT

President Pro Tem Teresa Rutt

Council member Nancy Moshier

#### STAFF PRESENT

Village Manager Darwin McClary

Interim Police Chief Tom Lindberg

DDA Executive Director Matthew Gibb

DDA Assistant Director Janet Bloom

Deputy Clerk/Treasurer Lynsey Blough

Clerk/Treasurer Sonja Stout

**MOTION** made by President Narsh, Seconded by Council member Ford, to excuse Pro Tem Rutt and Council member Moshier from the May 13<sup>th</sup>, 2024 Village Council Meeting.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

#### 4. Presentations

##### A. Presentation on Boating Regulations – Oakland County Sheriff’s Office Marine Deputy Bill Hughes

The presentation has been postponed to a future date because Oakland County Sheriff’s Office Marine Deputy Bill Hughes could not attend.

#### 5. Call to the Public

Harry Stephens spoke.

#### 6. Consent Agenda

**MOTION** made by Council member Van Portfliet, Seconded by Council member Cyrowski, to approve the consent agenda with the removal of both the Approval of Special Event and Use of Rights-of-Way Permit Applications – 2024 Dirt Road Derby and Budget Amendments for various funds for further discussion.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

##### A. Receive and File Bond Counsel Letter of Engagement – Sanitary Sewer Pump Stations Improvement Project

**MOTION** made by Council member Van Portfliet, Seconded by Council member Cyrowski, to receive and file the bond counsel engagement letter dated May 3, 2024, from Jeffrey Aronoff of Miller Canfield relating to the issuance of revenue bonds for the financing of the Village of Lake Orion Sanitary Sewer Pump Stations Improvement Project.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

##### B. Approval of Special Event and Use of Rights-of-Way Permit Application – 2024 Dirt Road Derby

Removed for further discussion.

##### C. Budget Amendments

Removed for further discussion.

**D. Authorize Payment of 2022 Outstanding Invoice for Hydrant Nozzle Caps – Fontana Construction**

**MOTION** made by Council member Van Portfliet, Seconded by Council member Cyrowski, to authorize and approve the payment of the April 9, 2022, Invoice #015682 from Fontana Construction, Inc., in the amount of \$6,960.00 that remains unpaid for 24 hydrant nozzle caps delivered to the Village.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

**E. Approval of Village Council Regular Meeting Minutes of April 22, 2024**

**MOTION** made by Council member Van Portfliet, Seconded by Council member Cyrowski, to approve the April 22, 2024 Village Council Regular Meeting Minutes as presented.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

**F. Approval of Village Council Special Meeting Minutes of May 1, 2024**

**MOTION** made by Council member Van Portfliet, Seconded by Council member Cyrowski, to approve the May 1, 2024 Village Council Special Meeting Minutes as presented.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

**G. Receive and File of BZA Regular Meeting Minutes of February 1, 2024**

**MOTION** made by Council member Van Portfliet, Seconded by Council member Cyrowski, to receive and file the February 1, 2024 Regular Meeting Minutes of the Board of Zoning Appeals as presented.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

**H. Receive and File of Parks and Recreation Advisory Committee Regular Meeting Minutes of March 19, 2024**

**MOTION** made by Council member Van Portfliet, Seconded by Council member Cyrowski, to receive and file the March 19, 2024 Regular Meeting Minutes of the Parks and Recreation Advisory Committee as presented.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

**I. Receive and File of Planning Commission Regular Meeting Minutes of February 5, 2024**

**MOTION** made by Council member Van Portfliet, Seconded by Council member Cyrowski, to receive and file the February 5, 2024 Regular Meeting Minutes of Planning Commission as presented.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

**J. Receive and File of DDA Regular Meeting Minutes of March 19, 2024**

**MOTION** made by Council member Van Portfliet, Seconded by Council member Cyrowski, to receive and file the March 19, 2024 Regular Meeting Minutes of the Downtown Development Authority Board as presented.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

**K. Receive and File April 2024 Police Department Activity Report**

**MOTION** made by Council member Van Portfliet, Seconded by Council member Cyrowski, to receive and file the April 2024 Police Department Activity Report.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

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

**MOTION** made by Council member Van Portfliet, Seconded by Council member Lamb, to postpone the adoption of Resolution #2024-015, which would approve the Special Event and Use of Rights-of-Way Permit Applications and License Agreement for the 2024 Dirt Road Derby dated March 11, 2024, submitted by Anne Marie Gealy on behalf of Main Street Bicycles, to May 28, 2024 with a request to submit additional alternate plans that would include no road closures.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

**MOTION** made by Council member Lamb, Seconded by President Narsh, to approve the Budget Amendment requests for various funds.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

## 8. Approval of Agenda

**MOTION** made by Council member Ford, Seconded by Council member Cyrowski, to approve the agenda for Monday, May 13<sup>th</sup>, 2024 Village Council Meeting as presented.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

## 9. Public Hearings

### A. Public Hearing on Proposed FY 2024-25 Budget and 2024 Millage Rates

President Narsh opened the Public Hearing at 7:47 PM.

Harry Stephens spoke.

Hearing no further comments, President Narsh closed the Public Hearing at 7:53 PM.

## 10. Financial Matters

### A. Invoice Approval - May 13, 2024

**MOTION** made by Council member Van Portfliet, Seconded by Council member Cyrowski, to approve the May 13, 2024 bills in the amount of \$226,947.38 of which \$5,045.32 are DDA bills for a net total of \$221,902.06, and to receive and file the DDA bills.

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

**VOTING NAY:** Lamb

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

### B. Financial Statements - April 2024

**MOTION** made by Council member Van Portfliet, Seconded by Council member Cyrowski, to receive and file the financial reports for April 2024.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

## 11. Other Items

### A. Police Copier Lease

**MOTION** made by Council member Van Portfliet, Seconded by Council member Lamb, to authorize the Village Manager to enter into a lease agreement with Applied Innovations to lease the Ricoh IM C400srf copier/printer/fax/scanner for the Police Department's use.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

**B. Adoption of FY 2024-25 Budget and 2024 Millage Rates – General Appropriations Act**

**MOTION** made by President Narsh, Seconded by Council member Van Portfliet, to adopt the Village of Lake Orion FY 2024-25 General Appropriations Act Resolution as presented.

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

**VOTING NAY:** Lamb

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

**C. Termination of Construction License and Lease Agreement – Public Safety Communications Tower**

**MOTION** made by President Narsh, Seconded by Council member Lamb, to authorize the Village Manager to execute, on behalf of the Village, the acknowledgement of the letter dated April 1, 2024, regarding the Termination of Construction License and Lease Agreement dated December 9, 2004. Make this an agenda item in a future meeting to discuss factors such as public opinion, maintenance cost, tear-down cost, etc., before seeking sealed competitive bids for the demolition of the former public safety communications tower.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

**12. Call to the Public**

George Dandalides spoke.

**13. Council Comments**

Council member Lamb spoke.

Council member Ford spoke.

Council member Van Portfliet spoke.

Council member Cyrowski spoke.

President Narsh spoke.

Council member Cyrowski exited the room at 9:00 PM.

**14. Village Manager Comments**

Council member Cyrowski returned at 9:02 PM.

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

## 15. Closed Session Items

### A. Periodic Performance Evaluation – Village Clerk

**MOTION** by President Narsh, Seconded by Council member Van Portfliet, to convene into Closed Session in accordance with Section 8(1)(a) of the Michigan Open Meetings Act, Public Act 267 of 1976, as amended for the purpose of the Periodic Performance Evaluation of the Village Clerk.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

### B. Periodic Performance Evaluation – Village Manager

**MOTION** by President Narsh, Seconded by Council member Van Portfliet, to convene into Closed Session in accordance with Section 8(1)(a) of the Michigan Open Meetings Act, Public Act 267 of 1976, as amended for the purpose of the Periodic Performance Evaluation of the Village Manager.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

The Village Council convened to Closed Session at 9:03 PM.

## 16. Reconvene to Open Session

**MOTION** by President Narsh, Seconded by Council member Ford, to reconvene into Open Session.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

The Village Council reconvened to Open Session at 9:27 PM.

## 17. Business From Closed Session

### A. Periodic Performance Evaluation – Village Clerk

**MOTION** made by President Narsh, Seconded by Council member Cyrowski, to follow the Village Manager Recommendation for the Periodic Performance Evaluation of the Village Clerk.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

### B. Periodic Performance Evaluation – Village Manager

**MOTION** made by President Narsh, Seconded by Council member Cyrowski, to postpone the Village Manager Evaluation to May 28, 2024 Village Council Regular Meeting.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

## 18. Adjournment

**MOTION** made by President Narsh, Seconded by Council member Lamb, to adjourn the May 13<sup>th</sup>, 2024 Village Council Regular Meeting.

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

**VOTING NAY:** None

**ABSENT:** Rutt, Moshier

**MOTION:** Carried

The May 13<sup>th</sup>, 2024 Village Council Regular Meeting adjourned at 9:30 PM.

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Jerry Narsh  
President

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Lynsey Blough  
Deputy Clerk/Treasurer

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Sonja Stout  
Clerk/Treasurer

Date Approved: as presented May 28, 2024