

**CHARTER TOWNSHIP OF WHITE LAKE  
DRAFT Minutes of the Regular Board of Trustees Meeting  
February 21, 2023**

Supervisor Kowall called the meeting to order at 7:00 p.m. He then led the Pledge of Allegiance.

Clerk Noble called the roll:

Present:                Rik Kowall, Supervisor  
                             Anthony Noble, Clerk  
                             Mike Roman, Treasurer  
                             Liz Smith, Trustee  
                             Andrea Voorheis, Trustee  
                             Scott Ruggles, Trustee

Absent:                 Michael Powell, Trustee

Also Present:         Sean O'Neil, Director Community Development  
                             Aaron Potter, Director DPS

                             John Holland, Fire Chief  
                             Daniel T. Keller, Chief of Police  
                             Lisa Hamameh, Township Attorney  
                             Jennifer Edens, Recording Secretary

A moment of silence was held in honor of the victims of the Michigan State University campus shooting.

**AGENDA**

**It was MOVED by Clerk Noble, SUPPORTED by Trustee Voorhies, to approve the agenda. The motion PASSED by voice vote (6 yes votes).**

**PUBLIC COMMENT**

No public comment made.

**CONSENT AGENDA**

- A. REVENUE AND EXPENSES**
- B. CHECK DISBURSEMENTS**
- C. LIST OF BILLS**

- D. DEPARTMENT REPORT – POLICE**
- E. DEPARTMENT REPORT – FIRE**
- F. DEPARTMENT REPORT – COMMUNITY DEVELOPMENT**
- G. DEPARTMENT REPORT – TREASURER**
- H. NOTIFICATION OF EMERGENCY PURCHASE APPROVAL FOR FIRE ENGINE 3**
- I. RESOLUTION #23-004; TO AMEND ESTABLISHED MEETING DATES OF THE CHARTER TOWNSHIP OF WHITE LAKE BOARD OF TRUSTEES FOR THE YEAR 2023**

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Ruggles to approve the Consent Agenda. The motion **PASSED** by voice vote (6 yes votes).

## **MINUTES**

- A. APPROVAL OF MINUTES – REGULAR BOARD MEETING, JANUARY 17, 2023**

It was **MOVED** by Trustee Smith, **SUPPORTED** by Trustee Voorheis to approve the Regular Board Meeting Minutes, January 17, 2023. The motion **PASSED** by voice vote (6 yes votes).

## **PRESENTATIONS**

Chief Keller shared the successes of the Special Operations Unit (SOU) with Waterford Police Department. The successes range from retail frauds to criminal sexual conduct and human trafficking, resulting in over twenty felony arrest, including that of a man wanted for murder. He shared that the work of the SOU also resulted in the shutdown of a chop shop.

Chief Keller further stated that the SOU officer has been a positive addition to the department and has exceeded his expectations. He opined that it has been an overly successful program.

- A. SWEARING IN OF NEW OFFICERS – MARCUS HUNT AND FRANK WRIGHT**

Chief Keller provided a brief background of Marcus Hunt, which identified that he was a cadet with White Lake Police Department from July 2021 to July 2022. He further highlighted that White Lake Police Department sponsored him in the academy.

Clerk Noble administered the oath, and his father Jeremy, pinned his badge.

Chief Keller shared the extensive background of Frank Wright, which led him to White Lake Township Police Department.

Clerk Noble administered the oath, and his wife pinned his badge.

## **NEW BUSINESS**

### **A. RESOLUTION #23-003; TENTATIVELY DECLARING ITS INTENTION TO ESTABLISH A SPECIAL ASSESSMENT DISTRICT TO BE KNOWN AS EMERGENCY SEWER HOOK-UP 2023-01**

Assessor Hieber shared the approval of this resolution would declare the Board's intention to set up the special assessment district.

**It was MOVED by Trustee Ruggles, SUPPORTED by Trustee Voorheis to approve Resolution #23-003, emergency sewer hook-up. The motion PASSED by voice vote (6 yes votes).**

### **B. RESOLUTION #23-005; DECLARING OFFICIAL INTENT TO REIMBURSE PROJECT EXPENDITURES WITH BOND PROCEEDS AND AUTHORIZING PUBLICATION OF NOTICE INTENT TO ISSUE BONDS – CLEAN WATER STATE REVOLVING FUND PROJECT 5800-01 – ACT 94**

Supervisor Kowall shared that this came up in a conversation several years ago at the MTA. It allowed the library to recoup its land expenditure and roll it back into its bonds. It has been found to be a very useful tool for the Township and its processes.

Eric McGlothlin from the Township's bonding organization Dickinson-Wright indicated it is a straightforward resolution and the first step in the legal process. It authorizes the publication of the notice of intent, which describes the project and sets the maximum amount of bonds that can be borrowed. It also builds in contingencies in case the bids come back higher. Upon adoption, it begins a 45-day referendum period. If there is not a petition filed, then the Township moves forward. He reminded that this resolution starts the process but does not require the Township to finish the process or issue any bonds.

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Ruggles to approve Resolution #23-005; Publication of Notice Intent to Issue Bonds. The motion PASSED by voice vote (6 yes votes).**

### **C. REQUEST BY FIRE DEPARTMENT TO PURCHASE 5" APPARATUS SUPPLY HOSE**

Chief Holland indicated they are seeking to purchase 1,800 feet of 5" and 200 feet of 50" sections. He shared that when the department sold the previous tanker, it was sold with the larger diameter hose on it. He noted that the current tanker is approximately nine hundred feet short right now. He is recommending to the Board to approve the lowest bid.

Trustee Voorheis confirmed the new hose would be shipped.

Trustee Ruggles questioned if the motion should include shipping.

**It was MOVED by Clerk Noble, SUPPORTED by Trustee Smith to purchase the 5" apparatus supply hose not to exceed \$15,982.00, plus shipping. The motion PASSED by voice vote (6 yes votes).**

### **D. REQUEST TO APPROVE STANLEY PARK TREE REMOVAL CONTRACT**

Supervisor Kowall shared that the Township did not qualify for the Spark Grant in which it applied for. He further noted that there are two more that could come through in the next year.

Director O'Neil shared that Supervisor Kowall signed an application for a \$100,000 storm water grant today.

He further indicated that there were 58 trees tagged to be removed, but that after a walk through, 8 of the 58 trees were identified to be kept. He noted that three bids were received relatively close in pricing, but that Maxon came in the lowest. It is the recommendation to move forward with Maxon Tree Service with a not to exceed amount. He thinks it worth mentioning that they have agreed to the March 31<sup>st</sup> timeline due to oak wilt.

Trustee Ruggles noted the bid indicates to leave the stump grindings and woodchips, which could be a lot of woodchips. He suggests the Township come up with plan for all the woodchips.

Conversation ensued regarding the woodchips being left.

Supervisor Kowall indicated that they will haul most of it offsite as they have done in the past.

Trustee Voorheis visited the site and agrees with the numbers, but notes that one tree being removed is too many for her. She questioned if any of the trees could be harvested.

Supervisor Kowall shared that an inquiry has been made to a forestry group, but that they often do not like to come unless there are acres of trees.

Director O'Neil interjected that if that does work out, there will need to be some sort of budget as they typically leave a mess that will need to be cleaned up.

Supervisor Kowall noted that the quality of the trees is that very few of them would have any architectural use.

Director O'Neil reminded that the site was once used as a campground and many of the trees were previously damaged.

Supervisor Kowall shared that they did a walk through there with Beckett Raeder and that a 36' white oak tree will be saved and the path will be moved to achieve this.

Treasurer Roman confirmed that it is standard practice to leave the stumps where an excavator can get to them. He noticed that Dawsons Tree Care's quote indicates they would haul the wood and brush, where Maxon's will not. He questioned for an additional \$2,000 that the woodchips could be removed.

Supervisor Kowall notes that he reads that a little different, but that the Planning Department can clarify.

Trustee Ruggles opined that he interprets that they will haul the wood and chip the brush, leaving the chips.

Lisa Hamameh shared from Justin Quagliata that Maxon is only leaving stump grindings and everything else will go.

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Voorhies to approve Maxon Tree Service to remove trees at Stanley Park, not to exceed \$25,950.00. The motion PASSED by voice vote (6 yes votes).**

**E. REQUEST TO APPROVE WETLAND DELINEATION AND ALTA SURVEY  
PROPOSAL FOR PARCEL NUMBER 12-13-376-014**

Supervisor Kowall reminded that the Township received a donation of 4.25 acres off of Highland Road and that there are potential plans for the site. He furthered that the Township needs to find out what the actual buildable area is for the site for land use and marketing. It is being proposed that Kem-Tec be used for the wetland delineation and ALTA survey.

Clerk Noble indicated they came in the lowest with the survey and wetland delineation at \$6,725 combined. He shared that staff planner Justin Quagliata recommends using them.

Supervisor Kowall indicated that it makes sense to conjoin in a marketing strategy because of the configurations of the property and the adjacent properties. He reminded that the donor of the property wished for the property to be utilized for the water trail and any proceeds to benefit the senior center.

Attorney Hamameh requested that any approval be subject to attorney review.

Treasurer Roman requested that the source of funds be the general fund.

**It was MOVED by Clerk Noble, SUPPORTED by Trustee Smith to approve the wetland delineation and ALTA survey proposal for parcel number 12-13-376-014 subject to review of the contract by counsel and authorize the supervisor to sign such contract. Further that the source of funds are to come out of the general fund. The motion PASSED by voice vote (6 yes votes).**

#### **F. REQUEST TO APPROVE STREET LIGHTING – ELIZABETH LAKE ROAD IMPROVEMENT PROJECT**

The Board was presented with three different street light options. All six board members unanimously agreed to option two. Supervisor Kowall shared that Trustee Powell, who is absent tonight selected option two, as well.

Supervisor Kowall confirmed the lighting would be controlled by a photometric switch that is powered by a transformer.

The Board was presented with three bollard options. Trustee Voorheis liked option two, while the remaining Board members liked option one.

Director O'Neil confirmed that the bollard should match the streetlight.

**It was MOVED by Supervisor Kowall, SUPPORTED by Trustee Smith to approve light bollard option number one. The motion passed by voice vote (6 yes votes).**

**G. REQUEST TO TRANSFER FUNDS FOR CONSTRUCTION MANAGEMENT TO THE IMPROVEMENT REVOLVING FUND**

Treasurer Roman noted that previously, Plante Moran looked at the fund balances and they were asked if it was okay to take money and use it towards the new buildings. At that time, they indicated dollar amounts from each fund. He is asking today for a lesser amount than what Plante Moran approved to help with design costs and additional costs.

Trustee Voorheis confirmed that all of the departments are aware of this.

Attorney Hamameh confirmed that Treasurer Roman has consulted with the professionals regarding the use of the funds.

**It was MOVED by Clerk Noble, SUPPORTED by Trustee Ruggles to approve transfer funds for construction to the improvement revolving fund. The motion PASSED by voice vote (6 yes votes).**

**H. REQUEST TO CONSIDER EXCLUSIVE RIGHT TO SELL OR LEASE AGREEMENT – PARCEL #12-13-376-014**

Supervisor Kowall indicated this is a straight forward listing agreement with a 6% sales commission on it and it would represent the Township on the 4.25 acres and would yield the best return. He shared that counsel has reviewed the agreement.

Supervisor Kowall clarified to Trustee Smith that the donor of the property allowed the Township to do with the property what it saw fit and that he wished for proceeds to benefit the senior center. He further indicated that when the water trail is achieved it will be known as the Gene Risen water trail.

Trustee Smith questioned if the agreement should indicate the property to be used for the water trail. To which Supervisor Kowall noted that it is part of the agreement.

Ron Goldstone, Executive Vice President with NAI Farbman. He shared that he has been in discussions with the Township regarding the 4.25 acres it acquired. He noted that as owners, the Township can choose to sell as much or as little as it would like, based on the end result of the useable/buildable land and how it is aligned with the adjacent properties. He indicated there are three different properties from Lowe's to the

Township's property, two of which are privately owned. He identified that of the parcels are impacted by various wetlands, which makes each of them independently unattractive to business users. The thought process is for all three parcels to team up and have a uniformed marketing process. He continued that whatever can be gotten for the buildable land based on the Kem-Tec analysis will be equally prorated to the property owners. He believes the Kem-Tec survey will identify a clear break to the property to the east relative to the property to the west that determine the area that the Township wants for the access to the water stream. His gut tells him that the Township will have an acre or acre and quarter of high land, which will be adjacent to the other properties. He opined that at the end of the day there will be approximately 2.5 acres of high land acres to trade.

Supervisor Kowall reminded the survey needs to be completed before the Township will have answers. He declared that once all information comes back, which includes something he is unable to discuss tonight, a decision will be made as to what exactly the Township wants to carve out.

Clerk Noble believes teaming up with the adjacent property owners will make the sale of the property by itself less challenging. He shared that he would like to maximize the proceeds for the property to benefit the civic center down the road, which was the wish of the donor.

Mr. Goldstone shared that the privately owned adjacent property owners are on board.

Supervisor Kowall shared that the property where the house is located is extremely narrow.

Clerk Noble interjected that if the adjacent owner will benefit and get the maximum value with a commercial sale.

Mr. Goldstone believes it is a win-win for all three properties. He believes it will be obvious where the brake will be.

Treasurer Roman confirmed that the parcel stays as one parcel for now and depending on how much of the Township's parcel the buyer wants, the rest would get a new number.

Mr. Goldstone is hopeful that there will be an acre to an acre and a half of the 4.25 before you get to the wet area that is buildable, combined with the Moore parcel which is the one running at an angle and the balance of the HRT Equity piece on the west side and on the other side of the water feature. There is a 2-acre piece with cross easement



to Lowe's which is a perfect and logical buildable area. At the end of the day, he believes there will 2-3 acres buildable. He identified that it would be an open book process that will be shared with all parties.

**It was MOVED by Trustee Smith, SUPPORTED by Clerk Noble to enter into an agreement with Farbman Commercial Real Estate Services with exclusive rights to this agreement for parcel #12-13-376-014 for a term commencing February 15, 2023, and expiring at midnight on February 14, 2024, subject to attorney review and authorization to the supervisor. The motion PASSED by voice vote (6 yes votes).**

**I. REQUEST TO APPROVE OAKLAND COUNTY TRI-PARTY AGREEMENT – 2023 GRAVEL HAUL PROGRAM**

Supervisor Kowall noted that there has been a significant improvement to the back gravel roads with this project. It is projected at \$171,702 with a cost to the Township of \$57,234. He believes this is owed to the residents and noted that it has been done annually for many years.

**It was MOVED by Trustee Ruggles, SUPPORTED by Trustee Voorheis to approve the 2023 Oakland County Tri-Party Agreement, the gravel hauling program, White Lake Township to contribute an amount of \$57,234.00. The motion PASSED by voice vote (6 yes votes).**

**OLD BUSINESS**

**A. SECOND READING; 9400 GALE ROAD REZONING REQUEST**

Director O'Neil indicated that property identified as Parcel Number 12-11-401-003 (9400 Gale Road), is approximately 42.53 acres and the applicant requests to rezone the parcel from AG (Agricultural) to SF (Suburban Farms) or any other appropriate zoning. He further shared that the Planning Commission on January 5, 2023, recommended approval.

Supervisor Kowall is familiar with the site as an associate of his owned it. He believes the proposal of nine sites, which are decent size.

Director O'Neil indicated that as of now it is the applicants plan to move forward with 9 acreage parcels and develop a private road, but that they are not bound by this. He continued that it is consistent with the Master Plan and is an appropriate rezoning.

**It was MOVED by Trustee Ruggles, SUPPORTED by Clerk Noble to approve the final rezoning request of parcel # 12-11-401-003 (9400 Gale Road) from Agricultural to Suburban Farms. The motion PASSED by voice vote (6 yes votes).**

## **DISCUSSION**

### **A. 9885 CEDAR ISLAND ROAD UPDATE**

Attorney Hamameh indicated that the property owner was served with the complaint. She shared that the Township hired a process to serve the complaint, but wanted to clarify that if they were unable to serve it, then a motion for alternate service with the Oakland County Circuit Court would have been sought. It is a long-drawn-out expensive process. She is happy to share that the Community Development Department got creative and worked directly with the process server, saving the Township a lot of time and money. The owner now has 21 days to respond.

### **B. CIVIC CENTER COMMITTEE UPDATE**

Treasurer Roman indicated that RFP brought in three replies that are being tallied/analyzed by Redstone, who will present to the Board a summary. He shared that it is the Committee's intention to have the entire Board interview all three construction managers.

Regarding site work engineering, they are working with Beckett Raeder who presented a contract. The largest complaint was their attempt to limit their liability. It was agreed to at \$2 million.

The architectural contract amendments were received Friday. He has one issue where he would like to amend section eleven.

Clerk Noble noted that both Director O'Neil and Staff Planner Quagliata worked feverishly to apply for federal grant money applications in hopes to obtain funds.

Supervisor Kowall shared that the road is under review from the road commission and that a 2023 construction schedule is hopeful. He indicated that the utility permit is in process. He is hopeful that consecutively the utilities will be extended along with DTE and/or Consumers Power at the time the road is under construction. He was informed that DTE also has a street lighting program that he will look into.

Treasurer Roman asked the other board members if one hour for interviews with each construction manager would be sufficient, to which they answered affirmatively.

Director O'Neil interjected that they are looking at March 13<sup>th</sup> or 14<sup>th</sup> as the interview dates and asked that the Trustees confirm their availability tomorrow.

## **TRUSTEE COMMENTS**

Trustee Voorheis thanked Dave and Heather in Assessing and Justin in Planning for answer the questions of her elderly mother. She is always proud to be a White Lake resident. She reminded that February is go-red month for women's heart health and that it is an important thing for women to work on. She shared that is the number one killer of women with one in three resulting in death. She encouraged residents in the Township to get checked. She offered continuous support, love, and prayers to the families of MSU and the victims.

Treasurer Roman shared that his heart goes out to those at MSU and offered his prayers to those recovering.

Trustee Smith sits as a spartan along with some of her fellow Board members and her heart goes out to the entire student body. She noted there are a lot of support groups out there for those in need. As for the library, it is hiring if anyone is interested, information can be found on their website. She indicated that the library has tax forms available for those who need them. She thanked Trustee Voorheis for mentioning heart health. She congratulated the new police officers.

Trustee Ruggles indicated the Planning Commission meeting on February 16<sup>th</sup> was cancelled. The next meeting will be March 2, 2023. He requested an agenda item for the March meeting to discuss planning commissioners pay and he looks forward to the discussion. He agrees with the comments made regarding MSU and notes that it hits home.

Clerk Noble offered thoughts and prayers to the MSU staff, students, and community members. He shared that he witnessed police cars rushing down M-59 that night and is hopeful that it doesn't happen again. He further thanked the police and first responders.

In regard to the MSU event, Supervisor Kowall , indicated that it affected Michigan itself. He opined that it is a strong case for improvement of mental health improvement in the state. He wished everyone a speeding recovery and offered blessings upon the families whose lost their loved ones. He continued that he is happy to share that a \$100,000 grant application was submitted for ground water runoff. He declared that the success of the Township's own creativity regarding the cadet program has proven to be fruitful

as it is now also being implemented by the fire department. He is looking into a recycling program to recycle the blue shrink wrap that can be found in plentiful amounts in the Township. He will share as information becomes available.

Director O'Neil shared that the survey for the master plan update can be found on the Township's website. He shared that this happens every ten years. The record for the survey is approximately 350 responses and this survey is at 1,019 responses as of today. He thanked everyone who has pushed it out via social media. John Early, resident. He shared that when he took the survey and attempted to do it again, the system recognized that he had already done so. He wonders how this will be dealt with for those who need to use the computers at the library.

Director O'Neil will follow-up with the consultant that did the survey and look into it.

Supervisor Kowall wished everyone a good night and God bless.

## **ADJOURNMENT**

**It was MOVED by Clerk Noble, SUPPORTED by Trustee Smith to adjourn. The motion PASSED by voice vote (6 yes votes).**

The meeting adjourned at 8:23 p.m.

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Rik Kowall, Supervisor  
Charter Township of White Lake

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Anthony L. Noble, Clerk  
Charter Township of White Lake