

CHARTER TOWNSHIP OF WHITE LAKE
DRAFT Minutes of the Regular Board of Trustees Meeting
January 21, 2025

CALL TO ORDER

Supervisor Kowall called the meeting to order at 6:30 P.M. He led the Pledge of Allegiance.

ROLL CALL

Clerk Noble called the Roll:

Present:

Rik Kowall, Supervisor
Anthony L. Noble, Clerk
Mike Roman, Treasurer
Scott Ruggles, Trustee
Steve Anderson, Trustee
Andrea Voorheis, Trustee
Liz Smith, Trustee

Also Present:

Sean O'Neil, Community Development Director
Catherine Derocher, H.R. Manager
Aaron Potter, DPS Director
Daniel T. Keller, Chief of Police
John Holland, Fire Chief
Kristin Kolp , Township Attorney
Hannah Kennedy-Galley, Recording Secretary

APPROVAL OF AGENDA

It was **MOVED** by Clerk Noble, seconded by Trustee Ruggles, to approve the agenda as presented.
The motion carried with a voice vote: (7 yes votes)

PUBLIC COMMENT

None.

CONSENT AGENDA

- A. REVENUE AND EXPENSES
- B. CHECK DISBURSEMENTS
- C. DEPARTMENT REPORT - POLICE
- D. DEPARTMENT REPORT - FIRE
- E. DEPARTMENT REPORT - COMMUNITY DEVELOPMENT
- F. DEPARTMENT REPORT - TREASURER
- G. 20204-2025 OTHER POST EMPLOYMENT BENEFITS (OPEB) ACTUARIAL REPORTS AGREEMENT

It was **MOVED** by Treasurer Roman, seconded by Clerk Noble to approve the consent agenda as presented. The motion carried with a voice vote: (7 yes votes).

MINUTES

- A. APPROVAL OF MINUTES - REGULAR BOARD MEETING, NOVEMBER 19, 2024
- B. APPROVAL OF MINUTES - SPECIAL BOARD MEETING, DECEMBER 02, 2024
- C. APPROVAL OF MINUTES - REGULAR BOARD MEETING, DECEMBER 17, 2024

It was **MOVED** by Treasurer Roman, seconded by Trustee Voorheis, to approve the regular board meeting minutes of November 19, 2024, the special board meeting minutes of December 2, 2024, and the regular board meeting minutes of December 17, 2024, as presented. The motion carried with a voice vote: (7 yes votes).

PRESENTATION

- A. SWEARING IN OF OFFICER MIKAEL ZIEGLER

Clerk Noble administered the oath of office. Officer Ziegler was pinned by his wife, Chelsea.

NEW BUSINESS

- A. PRELIMINARY SITE PLAN APPROVAL - 9101 HIGHLAND RD

Director O'Neil presented the applicant's request. The Planning Commission considered the applicant's revised preliminary site plan at their meeting on January 16, 2025. The neighbors were not at the Planning Commission meeting, but a question was brought up regarding the landscape buffer. Director O'Neil and the applicant wanted feedback from the 10 or so neighbors directly adjacent to the site on whether they like the landscaping buffer as presented: an 8' vinyl decorative fence along the property line, or would they prefer to move the fence about 20' and have landscaping planted between the fence and the common property line. The latter option will provide a softer buffer. Director O'Neil wanted the Board to decide this evening. The property owner did not have a preference and was willing to work with the neighbors. The Planning Department will work with the applicant to contact the surrounding neighbors to determine landscaping and fence placement.

Trustee Ruggles stated that the south side of the property should have landscaping backing up to the residences. He stated the plans currently show the fence facing towards the houses and it should be changed so the residents have something better to look at.

Supervisor Kowall agreed with Trustee Ruggles and added the highest consideration and lowest impact needs to be given to the neighbors.

Treasurer Roman stated that contacting neighbors about issues like this has not been successful. He suggested that if the Board agrees on the additional landscaping, it should be decided tonight.

It was **MOVED** by Trustee Ruggles, seconded by Clerk Noble, to approve the preliminary site plan at 9101 Highland, subject to staff and consultant's comments and the changes to the trees and fencing on the south side of the property as discussed. The motion carried with a voice vote: (7 yes votes).

B. FIRST READING; REZONING REQUEST - 4001 CARON RIDGE

Director O'Neil presented the applicant's request. He stated several neighbors came to the Planning Commission meeting on January 16, 2025, to support the applicant's request. The Planning Commission unanimously voted to recommend approval of the applicant's rezoning request from R1-A Single Family Residential to Suburban Farm.

Supervisor Kowall stated his support for the rezoning request. Land conversation north of Highland Road is desirable for the neighbors and White Lake Township.

It was **MOVED** by Trustee Voorheis, seconded by Trustee Smith to move the rezoning request for 4001 Caron Ridge Drive to second reading. The motion carried with a voice vote: (7 yes votes).

C. REQUEST TO APPROVE EARNED SICK TIME POLICY – FULL-TIME AND PART-TIME EMPLOYEES

Cathy Derocher, Human Resource Manager advised Michigan State Legislature passed the Earned Sick Time Act, which replaces the Paid Medical Leave Act of 2018. There isn't much difference, but the newest change is part-time employees will earn sick time based on the number of hours worked. It was previously based upon an average quarterly. A part-time employee will earn one hour of sick time per 10 hours worked. This will not affect employees who are in the collective bargaining agreements.

Trustee Anderson asked H.R. Manager Derocher how many part-time employees the Township has. She said four to ten employees.

It was **MOVED** by Supervisor Kowall, seconded by Trustee Anderson, to adopt the Earned Sick Time Policy – Full-Time and Part-Time Employees. The motion carried with a voice vote: (7 yes votes).

D. REQUEST TO APPROVE PEERLESS MIDWEST WELL AND PUMP MAINTENANCE 2025 CONTRACT EXTENSION

Director Potter stated the contract offered by Peerless Midwest has been in place since 2018. The contract has been extended for one year. He said he is happy with the work the company has been doing for the Township. The company provides routine maintenance testing to all Township water supply wells and will overhaul pumps as necessary. Two pumps are scheduled for overhaul this year. The contract language is unchanged from previous years.

Treasurer Roman asked Director Potter if a longer contract could be obtained. Director Potter said the contract is bargained through the Oakland County Water Resources Commission, so the Township adopts the extension the County adopts

Supervisor Kowall stated the services provided are all necessary to support the Township water system. Director Potter confirmed. Peerless Midwest provides an annual well and pump performance report with back up data.

It was MOVED by Supervisor Kowall, seconded by Clerk Noble, to approve a one-year extension of the OCWRC Peerless Midwest contract not to exceed \$100,000. The motion carried with a roll call vote: (7 yes votes). (Kowall/yes, Roman/yes, Noble/yes, Smith/yes, Ruggles/yes, Voorheis/yes, Anderson/yes)

E. FIRST READING; CONSIDER AMENDMENT TO CHAPTER 18, ARTICLE II, OF THE TOWNSHIP FIRE CODE

Chief Holland stated this is the first reading of the amendment. The Township has been under the 2015 edition for the past seven years. He said he wants to stay in sync with the Building Department, but the state has been slow to adopt the new edition of the building code.

It was MOVED by Trustee Voorheis, seconded by Trustee Smith, to move the amendment to Chapter 18, Article II of the Township Fire Code to the second reading. The motion carried with a voice vote: (7 yes votes).

F. REQUEST TO APPROVE 2025 ADMINISTRATIVE VEHICLE PURCHASE - POLICE DEPARTMENT

Chief Keller said the Police Department needs a new administrative vehicle. The vehicle would be assigned to the Officer working the DEA Taskforce. The current vehicle the DEA agent uses has over 137,000 miles on it and needs replacement. Chief Keller stated he will be rotating a newer vehicle into the fleet and assigning an older used vehicle to the DEA assignment to curb cost. He stated he received four quotes, and Szott M-59 Jeep provided the best vehicle in terms of price and mileage.

Supervisor Kowall stated it is prudent to purchase a vehicle with lower mileage that can be serviced locally. He noted that the vehicle will be paid for from the Drug Forfeiture funds.

It was MOVED by Clerk Noble, seconded by Treasurer Roman to approve the 2025 Administrative Vehicle Purchase for the Police Department. The motion carried with a roll call vote: (7 yes) (Kowall/yes, Smith/yes, Ruggles/yes, Noble/yes, Roman/yes, Anderson/yes, Voorheis/yes)

G. REQUEST TO APPROVE 2025 FLEET VEHICLE PURCHASE - POLICE DEPARTMENT

Chief Keller stated this is the annual purchase of three fleet vehicles. Szott Dodge has the lowest prices. He confirmed outfitting will be done and that the equipment will be exchanged from the older vehicles.

Trustee Voorheis asked Chief Keller when the vehicles would be in Township possession. Chief Keller said about one to four months.

In response to Trustee Voorheis, Chief Keller explained the process for the vehicles taken out of service. He stated that once vehicles are retired from patrol, they will be turned over to the Clerk's Office for disposition.

Trustee Voorheis expressed concern about the retired vehicles not being sold. She stated as a trustee, her main responsibility is fiduciary. She stated that she asked back in March of 2014 (sic) that the vehicles be gone.

Supervisor Kowall stated the cars have not been sitting since 2014.

Clerk Noble added that vehicles are currently up for auction.

Trustee Smith asked Trustee Voorheis what her concern with the cars was and Trustee Voorheis said she believed the Township is losing money. She stated the vehicles are worth less if they are sitting outside in the elements.

Supervisor Kowall reiterated that the cars are being sold.

Treasurer Roman asked the Chief how the Durango's compare to the Explorer. Chief Keller stated overall they are favored for performance and interior space but like with any brand there are some problems. Chief Keller confirmed that the requested vehicles are all-wheel drive and have the V6 engines.

It was MOVED by Supervisor Kowall, seconded by Trustee Ruggles to approve the 2025 Fleet Vehicle purchase for three Dodge Durango pursuit vehicles from Szott Dodge in the amount of \$127,500. The motion carried with a roll call vote: (7 yes votes) (Smith/yes, Ruggles/yes, Noble/yes, Kowall/yes, Roman/yes, Voorheis/yes, Anderson/yes).

H. REQUEST TO APPROVE PLANNED DEVELOPMENT AGREEMENT – PANERA

Director O'Neil reminded the Board that the Township Attorney is now preparing the agreements to facilitate an expeditious process with White Lake Retail Management II and their tenant Panera. The final site plan was approved at the Planning Commission meeting on January 16, 2025, and the Planning Commission recommended approval of the PDA. A few items will require minor changes, but the Development Agreement is in good order. He then cited specifically, item F on page four which would include the change to reduce the landscape buffer on the east side of the building to allow for the 20' fire lane. Additionally, on item H also on page four, Panera will donate \$20,000 to the Corridor Improvement Fund as a Public Benefit. Minor clerical revisions will be made when the Township Attorney is back in town, and the Township Engineer will work with her to button up the exhibits.

Trustee Anderson commented that he recalled the applicant from his time on the Planning Commission and he commends them for working with the Township.

Trustee Smith said she is glad to be able to say Panera is coming to White Lake and welcomed the applicant.

Trustee Ruggles stated he was not in favor of the monetary contribution and would like to see a tangible community benefit.

It was MOVED by Supervisor Kowall, seconded by Trustee Smith, to approve the planned development agreement for Panera (White Lake Retail Management II), subject to administrative review, amendment, and attorney approval. The motion carried with a voice vote: (7 yes votes).

I. REQUEST TO APPROVE CONSULTATION SERVICES PROPOSAL FOR MDNR LAND & WATER CONSERVATION FUND GRANT APPLICATION - BECKETT & RAEDER

Supervisor Kowall stated the last big grant with the State of Michigan allowed the Township to purchase Stanley Park. Before the Board, there is another matching fund grant from the State for up to \$500,000. The application is due April 1, 2025.

Director O'Neil summarized the request and indicated it is straightforward, but the project and grant request have not been decided on. Beckett and Raeder will be working with staff and the Parks Committee to develop a project and grant application. The Parks Committee suggested building a concession/restroom building that would also provide a storage area for equipment used to maintain the park. He provided the Board a projection of cost around \$480,000 and \$640,000. He acknowledged the cost but qualified that the building would be commercial grade.

Trustee Anderson asked for clarification of what would be provided for the \$5000 dollar fee. Specifically, whether Beckett and Raeder would be providing a vision session, or will they work solely with staff and the Parks Committee.

Director O'Neil said the visioning and planning was done when the Parks Master Plan was developed. The Parks Committee is focused on the restroom/concession building to move forward with Phase Two development at Stanley Park.

Trustee Smith offered Trustee Anderson the history of her work on the subcommittee with Parks and Recreation. She explained the processes and how all the meetings were public.

Supervisor Kowall added that there are a lot of moving parts, and a lot of work has been done. He stressed that the project must come in under budget.

Treasurer Roman asked for clarification on the building.

Supervisor Kowall answered, along with the restrooms, it would be a support building for a future amphitheater. He added that it would also store equipment used to take care of the parks.

Treasurer Roman stated he was shocked that the price was a million dollars. He stated 25% for soft cost is high. He also stated he does not see the need for construction management on a 1600 square foot building.

Director O'Neil reminded that only the first ten percent can be covered by the grant and after that the Township is out of pocket on soft cost.

Clerk Noble stated he is for it but the cost is concerning. He stated we have a lot of other debt currently with the Civic Center.

Trustee Smith asked about the storage need. Supervisor Kowall said due to the grant terms, only park-related items such as lawnmowers for example could be stored in the building. He stated Township staff would cut the grass.

Trustee Smith asked if the demolition of the building would be included in the proposed costs. Supervisor Kowall confirmed. Trustee Smith said the cost appears high. She asked if the proposed building would be put in the same location as the existing dilapidated building. Director O'Neil said the location of the proposed building will be tweaked a little to make better sense in terms of placement. The existing building will be torn down this spring.

Trustee Ruggles said in his opinion, the construction costs for the building were high. He added that we are going to get nicked and dined, that everything is inflated, and it is insane. He questioned where it stops.

Mike Leuffgen, DLZ, said programs are looking for shovel-ready projects, and even if this grant is not accepted, another opportunity could be accepted in the future.

Director O'Neil said the application costs are \$5,000. Once the grant is approved, the design phase will begin.

Trustee Anderson asked staff if there is a way of knowing what items will score high on the grant evaluation. Director O'Neil said scores from previous projects are published and can be reviewed. He offered to ask the state about the scoring.

It was MOVED by Trustee Voorheis, seconded by Trustee Ruggles, to approve the Consultation Services Proposal for MDNR Land & Water Conservation Fund Grant Application - Beckett & Raeder, not to exceed \$5,000. The motion carried with a roll call vote: (5 yes votes). Kowall/yes, Voorheis/yes, Anderson/yes, Smith/yes, Ruggles/yes, Roman/no, Noble/no).

J. REQUEST TO APPROVE ENGAGEMENT LETTER FROM DICKINSON WRIGHT FOR ASSISTANCE WITH AMBULANCE PURCHASES

Treasurer Roman said it is State law to require bond counsel for IPA purchases.

Chief Holland said the ambulances will be received by June of this year.

It was **MOVED** by Treasurer Roman, seconded by Clerk Noble, to approve the engagement letter from Dickinson Wright for assistance with Ambulance Purchases in the amount of \$10,650 plus out-of-pocket expenses. The motion carried with a voice vote: (7 yes votes).

K. REQUEST TO APPROVE ELECTRICAL CONTRACTOR CHANGE - NEW TOWNSHIP HALL BUILDING

Supervisor Kowall stated that the bidder for the electrical work on the new Township Hall building, Axis Electric, is unable to meet their financial requirements for their performance bond and has retracted their bid. The Township is now looking into retrieving their bid bond. The second lowest bidder, O'Donnell Electric's bid is \$377,471 more than Axis'. The only good thing is it's better for this to happen now than later in the construction process.

Director O'Neil said O'Donnell Electric held their original bid price and does great work according to Mr. Phillips.

It was **MOVED** by Treasurer Roman, seconded by Supervisor Kowall to replace Axis Electric with O'Donnell Electric for an additional \$377,471 and pursue any bid bonds that can be collected on. (Kowall/yes, Roman/yes, Noble/yes, Smith/yes, Ruggles/yes, Voorheis/yes, Anderson/yes.).

L. REQUEST TO APPROVE CONTRACT AMENDMENT #5 - NEW CIVIC CENTER DEVELOPMENT

It was **MOVED** by Supervisor Kowall, seconded by Treasurer Roman to approve Contract Amendment #5 - New Civic Center Development. The motion carried with a roll call vote: (Kowall/yes, Noble/yes, Roman/yes, Ruggles/yes, Smith/yes, Voorheis/yes, Anderson/yes)

OLD BUSINESS

A. SECOND READING; REZONING REQUEST - 9451 ELIZABETH LAKE ROAD

Director O'Neil summarized the applicant's request to rezone the business from General Business to RM-1. This would be the second reading. It was approved in December by the Planning Commission and the first reading was already approved by the Township Board.

It was **MOVED** by Trustee Ruggles, seconded by Trustee Anderson to adopt the rezoning request 9451 Elizabeth Lake Road from General Business to RM-1. The motion carried with a voice vote: (7 yes votes).

Trustee Smith asked about an update for the Civic Center. Supervisor Kowall indicated that it wasn't on the agenda because of minimal activity but provided a timeline for concrete work for the foundation that has been affected by the cold weather.

The Board collectively discussed the lighting and oversight by the Oakland County Road Commission.

TRUSTEE COMMENTS

Trustee Anderson stated the ZBA will meet on January 23, 2025. He thanked his fellow Board members for their help with getting acclimated. He added to be safe in the cold.

Treasurer Roman thanked Kristin for coming out today and wished for safe travels to Lisa. He thanked the residents for coming out, and for people keeping their pets inside. He thanked Assessor Hieber for all his help with the bonding questionnaires.

Trustee Voorheis stated the Parks Committee has a new member, Scott Rolando. She encouraged everyone to stay warm and to check on their neighbors.

Trustee Smith said the library is celebrating its 50th anniversary, and there will be programming to celebrate all year long. She encouraged residents to visit the Idea Lab at the library. She encouraged residents to check on their neighbors and bring their pets inside.

Clerk Noble thanked Treasurer Roman, Deputy Supervisor Pergament and Assessor Heiber for all their hard work over the past few weeks.

Trustee Ruggles stated the Planning Commission met on January 16, 2025. The next meeting will be on February 6, 2025.

Supervisor Kowall thanked Deputy Pergament for all her work on updating Township security and software. He thanked Director April Stevenson at the library for sharing renderings of the Civic Center at the library. He encouraged all the work together as a nation, and to stay warm and protect your pets from the cold.

ADJOURNMENT

It was **MOVED** by Clerk Noble, seconded by Trustee Smith, to adjourn at 8:19 P.M. The motion carried with a voice vote: (7 yes votes).

Rik Kowall, Supervisor
Charter Township of White Lake

Anthony L. Noble, Clerk, MiPMC
Charter Township of White Lake