

CHARTER TOWNSHIP OF WHITE LAKE
DRAFT Minutes of the Regular Board of Trustees Meeting
November 19, 2024

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
Liz Smith, Trustee
Andrea Voorheis, Trustee
Michael Powell, Trustee

Also Present:

Sean O'Neil, Community Development Director
Nick Spencer, Building Official
Daniel T. Keller, Chief of Police
Jason Hudson, Ordinance Officer
Lisa Hamameh, Township Attorney
Hannah Kennedy-Galley, Recording Secretary

APPROVAL OF AGENDA

Supervisor Kowall asked for item 8A to be removed from the agenda.
(Swearing In of Public Officials)

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

PUBLIC COMMENT

Mary Earley, 5925 Pine Ridge Court, thanked the Board and those involved for their work on the Elizabeth Lake Road Project

Gary LaPorte, 1132 Castlewood, spoke regarding the need for walkability within the Township.

John Campbell, 1218 Castlewood Drive, spoke on walkability and the need for a sidewalk along Oxbow Lake Road.

CONSENT AGENDA

A. REVENUE AND EXPENSES

- B. LIST OF BILLS
- C. BUDGET AMENDMENTS
- D. CHECK DISBURSEMENTS
- E. DEPARTMENT REPORT - POLICE
- F. DEPARTMENT REPORT - FIRE
- G. DEPARTMENT REPORT - COMMUNITY DEVELOPMENT
- H. DEPARTMENT REPORT - TREASURER
- I. COST PARTICIPATION AGREEMENT WITH OAKLAND COUNTY ROAD COMMISSIONERS TO RECEIVE FUNDS FOR ELIZABETH LAKE ROAD CONSTRUCTION PROJECT
- J. LIQUOR LICENSE ORMOND MARKET - NOTICE OF INVESTIGATION BY DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS FOR TRANSFER REQUEST
- K. CERTIFICATION OF SPECIAL ASSESSMENTS LEVIED ON 2024 TAX BILLS
- L. APPOINTMENTS - BOARD OF REVIEW 2025-2026

Trustee Powell wanted to remove item G from the consent agenda.

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

Member Powell stated that the ZBA approved a gravel parking surface for Lasting Impressions landscaping. He has concerns with the River Caddis preliminary site plan proposal, particularly the proposed density. He asked the Board to review the site plan carefully when it came before them. He added that the Board can modify the buffer between the parking and the residences at the 9101 Highland development.

MINUTES

- A. APPROVAL OF MINUTES - SPECIAL BOARD MEETING, OCTOBER 1, 2024

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

NEW BUSINESS

- A. FIRST READING; REZONING REQUEST - ELIZABETH LAKE ROAD AND HIGHLAND ROAD

Director O'Neil gave a summary of the applicant's request. The Planning Commission recommended the Township Board approve the rezoning request at their November 7, 2024 meeting.

Trustee Ruggles stated that the Planning Commission did not see an issue with the rezoning.

Trustee Powell said he read the Planning Commission minutes, and it was brought up why the applicant did not want to move forward with Planned Development rezoning. He asserted that he didn't know a developer around that likes the Planned Development zoning because it puts the Township and the community in control of how the property is developed. A General Business rezoning allows an applicant to do more with a site, as long as zoning compliance is met. He added that the Planned Development

zoning would give the Board more control over what will be developed at the site. The conceptual plan also showed two entrances off of M-59, and he did not favor it.

Dave Yaldo, 40306 Telegraph, was present to answer questions.

Supervisor Kowall reiterated due to the importance of the site, there needs to be a collaboration between the Township and the developer on what is ultimately put there.

It was MOVED by Trustee Powell, seconded by Trustee Ruggles to move the rezoning requested by ELR Development for vacant parcel 12-21-426-007, to rezone from Agricultural (AG) to General Business (GB) to second reading. The motion carried with a voice vote: (7 yes votes)

B. REQUEST TO APPROVE BID FOR DEMOLITION OF DANGEROUS BUILDING - 9538 BUCKINGHAM

Building Official Spencer said the structure is in non-compliance with a court order, and the homeowner of the property was ordered to demolish the house by October 11, 2024. The property has been issued numerous tickets from the Ordinance Officer not only for the building but for the property as well. The existing structure is caving in.

Trustee Voorheis asked staff if the structure had brick or siding. Building Official Spencer said it is sided.

Clerk Noble reviewed the items included in the demolition contract and asked Building Official Spencer if he had spoken to the contractor. Building Official Spencer said his secretary spoke with the contractor's secretary, and it was requested that the contractor update his contract to specify everything included in the contract price.

Trustee Ruggles stated that the last few times a demolition has been requested, it has been to the same low bidder. He felt it was in the Township's best interest to consider other bidders.

Building Official Spencer said he had spoken with two other contractors who did not bid since the same bidder was awarded the demolitions. He added that the contract did not include permit fees and that the permit for demolition would be an additional \$250. He stated that in the future, the Building Department will require a manifest for Township-initiated demolitions. This will ensure the debris is being properly disposed of.

It was MOVED by Clerk Noble, seconded by Supervisor Kowall to approve the bid for demolition of the dangerous building at 9538 Buckingham not to exceed \$6,862.00, plus permit fees, subject to attorney review. The motion carried with a voice vote: (7 yes votes).

C. REQUEST TO APPROVE COMPENSATION INCREASE FOR BOARD OF REVIEW

David Hieber, Township Assessor, said the Board of Review did not receive a wage increase several years back when the wage increases were approved for the Planning Commission and ZBA members. He

proposed to increase the Board of Review pay from \$50 for a half day to \$75, and from \$100 for a full eight-hour day to \$150. He presented comparables: West Bloomfield pays up to \$240 per day, Lyon Township pays \$130 per day, and Independence Township pays \$120 for over four hours.

Trustee Voorheis asked Assessor Hieber what a typical meeting was like. Assessor Hieber stated the Board of Review meets to hold an organizational meeting lasting a couple of hours in March, and then two meetings the following week are at least eight-hour meetings, and they meet again for a couple of hours in July and December. He estimated the increase would cost the Township an additional \$1,000-\$1,500.

Supervisor Kowall stated he has seen the work the Board of Review does, and for the amount of money they receive, they do a good service to the community. He is in support of the increase.

Treasurer Roman stated the pay raises are reasonable and he is in support.

It was MOVED by Trustee Ruggles, seconded by Supervisor Kowall to approve the compensation increase for the Board of Review from \$50/half day to \$75/half day and from \$100/full day to \$150/full day. The motion carried with a voice vote: (7 yes votes).

D. RESOLUTION #24-058; CONFIRMING THE SPECIAL RE-ASSESSMENT ROLL FOR THE SPECIAL ASSESSMENT DISTRICT DESIGNATED 2021-2025 RESIDENTIAL REFUSE COLLECTION PROJECT

Supervisor Kowall explained, this is for properties added and removed from the roll.

Assessor Heiber said this is an annual resolution that the board adopts. 77 homes will be added, and 9 parcels will be removed. This is within the 10% allowed so a public hearing is not required. He added this is the last year the Township is under contract with the garbage provider, and the Board will need to resubmit the garbage collection assessment when a new contract is approved.

It was MOVED by Treasurer Roman, seconded by Trustee Powell to approve Resolution #24-058 Confirming the Special Re-Assessment Roll for The Special Assessment District Designated 2021-2025 Residential Refuse Collection Project. The motion carried with a voice vote: (7 yes votes).

E. RESOLUTION #24-060; APPROVING BOARD OF REVIEW POVERTY EXEMPTION GUIDELINES

Assessor Hieber said some changes to the guidelines are due to changes in the state law. Prior guidelines included property tax credit as income, but it is no longer allowed and will be removed from the guidelines. There is also added clarification for producing income statements and related documents. Assessor Hieber added the State of Michigan made a change that allowed for 75% exemption, so that change was also made.

It was MOVED by Trustee Ruggles, seconded by Trustee Powell, to approve Resolution #24-060; approving the Board of Review Poverty Exemption Guidelines. The motion carried with a voice vote: (7 yes votes)

F. RESOLUTION #24-059; ESTABLISHING COMPOSITION OF THE WHITE LAKE PLANNING COMMISSION

Director O'Neil said the Planning Commission has had nine members since the nineties, and none of the surrounding communities have nine-member Planning Commissions. He said it makes sense from an efficiency standpoint to reduce the Planning Commission to seven members. Fees have also been considered before making this request.

Supervisor Kowall said this request may make having quorum easier.

Trustee Powell said he has seen Planning Commissions across the state and few are nine-member Boards.

Trustee Ruggles stated he supports the request.

It was MOVED by Trustee Ruggles, seconded by Trustee Smith, to approve Resolution #24-059; Establishing Composition of the White Lake Planning Commission. The motion carried with a voice vote: (7 yes votes).

G. RESOLUTION #24-061; IMPOSING PROPERTY TAX ADMINISTRATION FEE

Treasurer Roman stated years ago when the new buildings were first discussed, there were discussions on how to free up money to pay for the buildings. The 1% is an admin fee on taxes that are billed out, and it does not apply to SADs. The money collected would then be earmarked to help pay for the tax collection process as well as the assessing process. The money collected will free up other monies currently used to pay Treasury and Assessing needs. Other communities collect this fee. Assessor Hieber provided an example schedule of how much money this change would bring the Township.

Trustee Smith stated she researched and found around 30 local communities charge this fee.

Supervisor Kowall stated that this fee will allow costs to be recouped and put back into the General Fund. It is a fair and equitable solution without going overboard.

Trustee Voorheis stated she is surprised to add another fee to the residents.

It was MOVED by Treasurer Roman, seconded by Clerk Noble to approve Resolution #24-061; Imposing Property Tax Administrative Fee. The motion carried with a roll call vote: (6 yes votes) (1 no vote) (Voorheis/no, Smith/yes, Ruggles/yes, Powell/yes, Noble/yes, Kowall/yes, Roman/yes)

H. RESOLUTION #24-062; COMCAST FRANCHISE RENEWAL AGREEMENT

Supervisor Kowall said this request is for licensing and to allow Comcast to work within the community. Attorney Hamameh said there is no negotiation ability with the agreement, the franchise fee is the maximum.

It was MOVED by Trustee Powell, seconded by Clerk Noble to approve Resolution #24-062; Comcast Franchise Renewal Agreement. The motion carried with a voice vote: (7 yes votes).

I. REQUEST TO APPROVE RATE INCREASE FOR LABOR ATTORNEY SHIFMAN FOURNIER

Supervisor Kowall said the rate was proposed to be adjusted from \$150/hour to \$165/hour. He added that Shifman Fournier has not requested an increase in the past few years.

Clerk Noble said the labor attorney is not used as much as the in-house counsel.

It was MOVED by Supervisor Kowall, seconded by Treasurer Roman to approve the rate increase for Shifman Fournier from \$150 an hour to \$165 an hour. The motion carried with a voice vote: (7 yes votes).

FYI - CIVIC CENTER UPDATE

Treasurer Roman stated foundations will be poured soon, weather permitting.

Supervisor Kowall stated that Trustee Powell has been extremely helpful in this process and the development of the Civic Center project. He added that in conversations with the construction manager, Aaron Phillips, there have been recommendations made to the Board. Mr. Phillips said from time to time, there will be change orders. Anything under \$5,000 will be signed off on by one of the in-house elected officials. Change orders over \$5,000 - \$100,000 require two in-house elected official signatures. Change orders over \$100,000 and under \$250,000 require three in-house elected official signatures. Anything above \$250,000 will come before the Board.

Supervisor Kowall added when changes need to be made, this process will help not hold the project up.

Trustee Smith suggested making the rest of the Board aware of any change orders. Supervisor Kowall said yes.

Treasurer Roman added that three elected officials will sign off on all of the monetary draws to pay for construction and contractors when they are received.

It was MOVED by Supervisor Kowall, seconded by Trustee Powell to approve the payment process on change orders: Change orders over \$5,000 - \$100,000 require two in-house elected official signatures. Change orders over \$100,000 and under \$250,000 require three in-house elected official signatures. Amounts above \$250,000 will come before the Board. This process is limited strictly to constructing

**the Township Hall, Public Safety building, and Civic Center site work, subject to the limits of the contingency fund. The motion carried with a roll call vote: (7 yes votes).
Voorheis/yes, Ruggles/yes, Smith/yes, Noble/yes, Powell/yes, Roman/yes, Kowall/yes).**

Supervisor Kowall said the site is sandy and there is good drainage.

TRUSTEE COMMENTS

Trustee Voorheis said a member of the Historical Society complimented the lawns at the Township Buildings and wanted to give kudos to the DPS Department. December 6, 2024, is the Tree Lighting at Fisk Farm, from 6-8 P.M. Santa will be back at Fisk Farm on December 8, 2024. She added kudos to Clerk Noble for rearranging the swear-in ceremony and being flexible. She said she would miss Trustee Powell.

Treasurer Roman congratulated Steve Anderson on his election to the Board. He complimented Trustee Powell's engineering knowledge. He asked Trustee Powell to keep his eyes out on the Township Board.

Clerk Noble thanked his staff and election workers, it has been a busy year. He recognized Ordinance Officer Hudson on his 20th anniversary with the Township. He said it was an incredible experience to serve with Trustee Powell and will miss his expertise.

Trustee Smith said the Friends of the Library will hold their book sale starting December 4, 2024. The groundbreaking ceremony was a lovely event. The Veteran's Day ceremony was lovely and the VFW participated as well. The VFW also hosted a Thanksgiving dinner on Monday, October 18, 2024. She said she will miss Trustee Powell, and not many realize how dedicated he is to the Board and the community. He is a wealth of information and wisdom.

Trustee Ruggles said the Planning Commission will meet on December 5, 2024. He gave Trustee Voorheis kudos for her work at the Veteran's ceremony. He appreciated Trustee Powell and added he will be missed.

Trustee Powell said he has lived in the Township since 1958. He thanked the resident for his 20 years on the Board and thanked the Board as well. He said the Board needs prayer, and they need guidance from the community and the Lord. He will miss the monthly Board meetings but will make himself available to the Board and the community. He wishes a Happy Thanksgiving and a Merry Christmas to all.

Supervisor Kowall commended Clerk Noble on his work on the election. He said Treasurer Roman treats the Township money very seriously and has come up with many good ideas for cost savings. The groundbreaking ceremony was for all residents, current and future. Trunk or Treat was amazing, there were around 2000 kids in attendance, and he thanked those who helped make the event come together. He congratulated all the elected officials. He wished everyone a Happy Thanksgiving.

ADJOURNMENT

It was MOVED by Supervisor Kowall, seconded by Trustee Powell to adjourn at 7:39 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

DRAFT