



MINUTES

REGULAR MEETING OF THE LAKE ORION VILLAGE COUNCIL

Monday, August 28, 2017

7:30 PM

Lake Orion Village Hall Council Chambers

21 East Church Street

LAKE ORION, MI 48362

(248) 693-8391 ext. 102

1. Call to Order

The Monday, August 28, 2017 Regular Meeting of the Lake Orion Village Council was called to order in the Lake Orion Village Hall Council Chambers located in the 21 East Church Street, Lake Orion, MI 48362 by Council President Kenneth VanPortfliet at 7:30 PM followed by the Pledge of Allegiance.

2. Pledge of Allegiance

3. Roll Call and Determination of Quorum

Attendee Name	Organization	Title	Status	Arrived
Kenneth VanPortfliet	Village of Lake Orion	Council President	Present	
Bradley Mathisen	Village of Lake Orion	President Pro-Tem	Present	
Shauna Brown	Village of Lake Orion	Council Member	Present	
David Churchill	Village of Lake Orion	Council Member	Present	
Douglas Hobbs	Village of Lake Orion	Council Member	Present	
John Ranville	Village of Lake Orion	Council Member	Present	
Steve Watson	Village of Lake Orion	Council Member	Present	

4. Presentations

5. Call to the Public

Harry Stephen, 311 North Shore Drive, addressed Council on the following items:

1. Positive within the Village
 - a. Patching of roads was well done.
 - b. Cemetery looks exceptional

- c. Hydrants are being addressed
- 2. Negatives within the Village
 - a. Street painting of crosswalks and lines were not done last year nor this year and need to be addressed.
 - b. People continue to store recreational vehicles on their properties, such as snowmobiles in the summer months and boats in the winter months. The Village has an ordinance against this type of storage and it needs to be enforced.
 - c. On the lake people are wake surfing too close to the shoreline and need to stay in the center of the lake. Residents' break walls are being "hammered" by the wake from these boats.
 - d. People are allowing guests to moor boats at their homes, increasing the volume of boats on the lake
 - e. Not all residents get the Lake Orion Review and there needs to be a mechanism to notify people of major events in the Village such as the dam issue
 - f. The Village's sidewalks have not been repaired since 1997 and they need to be assessed. In addition, trees and bushes are encroaching in the sidewalks and need to be trimmed so the sidewalks remain clear of obstructions.
 - g. Some of the decorative streets lights on M24 are painted and others are not. In addition there are gaps in the street lights between where the developers were required to install them. The DDA should fill in the gaps.
 - h. The left hand turn light at Atwater and M-24 is unsafe and this should addressed with MDOT.
 - i. The Village should be looking to charge private and/or non-profit organizations to cover the cost of the Police Department and DPW assistance during major events in the downtown, such as the Orion Art Center - Dragon on the Lake and the Lions Club - Jubilee.
 - j. The Tax Increment Financing (TIF) for the DDA was established in 1988 and since that time a lot of taxes have been going to the DDA. The balance of the community expenses are being paid for by the general operating millage. The Village needs to look at what the DDA is capturing.

6. Consent Agenda Adopted

All items on the Consent Agenda are approved by one vote.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bradley Mathisen, President Pro-Tem
SECONDER:	Shauna Brown, Council Member
AYES:	VanPortfliet, Mathisen, Brown, Churchill, Hobbs, Ranville
EXCUSED:	Steve Watson

1. Approval of Village Council Regular Meeting Minutes - August 14, 2017**Adopted**

RESOLVED: To approve the Village Council Regular Meeting Minutes of August 14, 2017 as presented.

2. Receive and File Trailways Commission Minutes - July 18, 2017**Adopted**

RESOLVED: To receive and file the Paint Creek Trailways Commission Meeting Minutes of July 18, 2017.

7. Approval of Agenda

Motion to: approve the Agenda for the Regular Village Council Meeting of August 28, 2017**Approved as Presented**

8. Public Hearings

1. Public Hearing - Ordinance No. 18.28, Amending Title V, Chapter 53, Section 53.03, Water Rates, Billing and Lien Upon Premises Rates
2. Public Hearing - Title IX. General Regulations to Add Chapter 98: Regulations for Use of Pelton Point Public Boat Docks for Boats Excluding Personal Watercrafts

9. Agenda Items for Consideration

A. Financial Matters

1. Invoice Approval - AUGUST 24, 2017 INVOICES FOR APPROVAL, INCLUDING ELECTRONIC INVOICES**Adopted**

RESOLVED: That the list of Invoices Due with G/L Account Numbers as of August 24, 2017 in the amount of \$102,321.70, which includes the electronic invoices are approved for payment.

B. Other Items

1. Emergency Dam Repair Contracts**Adopted**

RESOLVED: To postpone approving the contract for the emergency inspection of the Lake Orion Dam submitted by Hubbell, Roth & Clark to the September 11, 2017 Village Council Meeting to allow time for the Village Manager to obtain additional information.

2. Metro Act Permit Request - Verizon **Adopted**

RESOLUTION 2017-035

APPROVING TELECOMMUNICATIONS PERMIT APPLICATION

RECITALS:

The Metropolitan Extension Telecommunications Rights-of-Way Oversight Act, Act No. 48 of the Public Acts of 2002 (the "Act") took effect November 1, 2002; and

The Act, as amended, among other things, provides for a uniform permit and permit application for access to and use of the public rights-of-way by telecommunications provides; and

The Village previously adopted Right-of-Way Management Ordinances, codified in the Village of Lake Orion Code, and Resolutions regarding implementation of that Ordinance, including the establishment of fees.

On or about August 4, 2017 the Village received an application for a Metro Act Permit submitted by MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services;

This Act requires that a municipality shall not unreasonably deny an application for a Metro Act Permit where the application complies with the requirements of the Act subject to the Municipality's imposition of conditions as provided by the Act; and

The August 2, 2017 Metro Act Permit Application submitted by MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services materially complies with the requirements of the Act.

NOW, THEREFORE, BE IT RESOLVED: That the above reference Telecommunications Permit Application is hereby approved and the Village Clerk is authorized and directed to promptly sign and date two (2) originals of the attached Bilateral Form Permit and submit those to MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services Administrator, Manoj Devdas, 600 Hidden Ridge, Irving TX 75038 with instructions that MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services sign and date the Acknowledgement of Receipt and return on (1) original to the Clerk.

BE IT FURTHER RESOLVED: That this resolution is approved contingent upon the following:

- Village Attorney reviewing and approving the insurance certificate for accuracy

- The applicant providing the Village with an accurate location map.
 3. Ordinance No. 18.28, Amending Title V, Chapter 53, Section 53.03, Water Rates, Billing and Lien Upon Premises Rates**Adopted**

RESOLVED: That Ordinance 18.28, an amendment to the Village Code of Ordinances, Chapter 53, Section 53.08 Water Rates, Billing and Lien Upon Premise Rates to Delinquent Utility bills accounts to bring the Ordinance in line with current State Law is hereby accepted for **second reading** and **adopted** and shall become effective upon the publication of a synopsis of this Ordinance in *The Lake Orion Review* pursuant to the Charter of the Village of Lake Orion.

4. Ordinance No 12.07 Amending Title IX. General Regulations to Add Chapter 98: Regulations for Use of Pelton Point Public Boat Docks for Boats Excluding Personal Watercrafts**Adopted**

RESOLVED: To amend Propose Ordinance 12.07, amending Title IX. General Regulations to Add Chapter 98: Regulations for Use of Pelton Point Public Boat Docks for Boats Excluding Personal Watercrafts as follows:

1. Delete Section 98.03(C): ~~“Permit holders must comply with all Village Park regulations.”~~
2. Add a new Section 98.03(C): “Boats shall not be moored for a longer than (3) hours at a time.”

FURTHER RESOLVED: That Proposed Ordinance 12.07, an amendment to the Village Code of Ordinances, amending Title IX. General Regulations to Add Chapter 98: Regulations for Use of Pelton Point Public Boat Docks for Boats Excluding Personal Watercrafts is hereby accepted for **second reading** and **adopted with said changes** and shall become effective upon the publication of a synopsis of this Ordinance in *The Lake Orion Review* pursuant to the Charter of the Village of Lake Orion

5. Introduction and First Reading - Ordinance No. 23.37- Chapter 51 Sewage Disposal Systems, Section 51.26 Sewer Disposal Service Charges**Adopted**

RESOLVED: That Ordinance No. 23.37 an Ordinance to amend Village of Lake Orion Code of Ordinances, Title V, Public Works, Chapter 51, Sewage Disposal Systems, Section 51.28 Sewer Disposal Charges is here by **introduced** and **accepted** for First Reading;

FURTHER RESOLVED: To schedule a public hearing on Ordinance No. 23.37 for Monday, September 25, 2017 at 7:30 p.m.

10. Call to the Public

Let the record show no public comments were received.

11. Council Comments

Council Member Hobbs stated that people are abusing the stop sign and no left turn sign on Washington and Flint. He noted people are making a left turn when the sign says right turn only.

Council Member Churchill stated the Perry Street Project is moving along well. He concurred with Mr. Stephen's concerns regarding the sidewalks, noting there are several areas that need to be addressed.

Council Member Ranville stated that he will not be in attendance at the September 11th Council Meeting and asked to be excused. He concurred with Mr. Stephen's that groups should be reimbursing the Village for services provided by the DPW and Police Department at their events.

President Van Portfliet commented on the following:

- Requested an update on the sound system in the Council Chambers.

Village Manager Young reported last Friday Ian Locke of ONTV had a number of sound men visit the chambers to provide proposals for acoustics and lighting to be presented to the O.C.C.C.C. and the Village Council.

- Requested a report from MDOT and the Oakland County Road Commission on how the lights work in M-24

- Noted a number of items mentioned by Mr. Stephen under Public Comment are already being addressed by the Village. They include the TIF Plan, which expires in 2020, street lights and crosswalk painting.

12. Village Manager Comments

Manager Report - 8/28/2017

13. Closed Session Items

14. Reconvene to Open Session

15. Business From Closed Session

16. Adjournment

Motion to: adjourn the Regular Village Council Meeting.**Adopted**

The August 28, 2017 Regular Village Council Meeting adjourned at 8:57 PM.

Kenneth VanPortfliet
President

Susan C. Galeczka, CMC
Village Clerk

Date Approved: _____