



MINUTES

REGULAR MEETING OF THE LAKE ORION VILLAGE COUNCIL

Monday, September 24, 2018

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, September 24, 2018 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 President Kenneth Van Portfliet 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 Van Portfliet	Village of Lake Orion	President	Present	
Bradley Mathisen	Village of Lake Orion	President Pro-Tem	Present	
David Churchill	Village of Lake Orion	Council Member	Present	
Raymond Hammond	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	
Teresa L Rutt	Village of Lake Orion	Council Member	Present	

STAFF PRESENT:

- Joseph Young, Village Manager
- Susan C. Galeczka, Village Clerk
- Jerry Narsh, Police Chief
- Mary Kucharek, Village Attorney, Beier Howlett

4. Presentations

1. Lake Orion Community Schools

Marion Ginopolis, Lake Orion Community Schools Superintendent and John Fitzgerald, Lake Orion Community Schools Assistant Superintendent of Business and Finance, using a video and Power Point presentation provided an overview of the Lake Orion Community Schools Bond Proposal including:

- School funding and Proposal A
- Bonds
 - Refunding 2012-2016
 - Restructuring Phase 2015-2018
 - November 6, 2018 Bond Proposal
- Bond comparisons
 - Bond to mortgage
 - Sinking Fund to debit card
- Bond payment Schedule
- Bond proposal will provide the funding to remodel and re-equip schools to be safe, smarter and stronger
 - Scripps Road Complex Overview
 - CERC Project
 - Relocation of CERC Functions
 - Renovate CERC vs Replacement
 - Replace Blanche Sims

Council Members discussed the future of Blanche Sims schools and the placement of residential housing on that site.

2. Water Main Replacement Project Update

Eddie Zmich, Village Engineer, Hubbell, Roth and Clark (HRC), provided an update on the Village's Water Main Project noting the following:

- Review the updated map recently emailed to Council Members
 - Red/pink: streets that have the new main installed and are in service
 - Green: streets that have the new water main installed and have conducted the pressure test; now starting to connect the service to houses.
 - Andrews, Shadbolt and Beebe will be the next streets where installation will begin
 - They will stay in this area and do Lake St and Flint and then move to Central

- Prior to doing the burst on Central they want to do the directional burst under Lake Orion
- For the areas that are completed and will be completed in the next few weeks, they will begin restoration work - patching, paving and lawn restoration
- 10% of the project has been completed; first payout has been submitted. The second payout will be this week
- Two progress meetings have been held
 - Village staff, the construction company and HRC
 - Village staff, MDEQ and HRC
(Council Member Ranville exited at 8:13 PM and re-entered at 8:15 PM)
- Reviewed the disbursement process
- At this point the project is under budget; so they had discussions regarding the addition of some mains that would improve water ability in the area. With the additions, the project remains under budget
- Communications with the residents have been going well.

Village Manager Young stated that two additional mains have been added and the fire hydrants in the area are on the main and active.

President Van Portfliet expressed concerns that the contingency costs have not yet been calculated into the budget.

Mr. Zmich indicated that they have added a couple of valves because the valves were not there; however they also deleted some so there is a balance. He noted that there is a water main going through the sewer which will result in some additional costs

5. Call to the Public

Steven Samet, 2478 White Pine Dr., Oxford, MI, stated he recently purchased the vacant lot at the northwest corner of Shadbolt and Washington with the intention of building a new home on the lot. He noted the lot has a very large right-of-way on Washington St., of 36 inches versus the standard right-of-way of 20 inches and that he is interested in purchasing a portion of the Village's right-of-way. Mr. Samet indicated that he had no plans to use the right-of-way but needed the additional land to help with the lot coverage calculation for a new home he would like to build on the lot.

Village Manager Young stated that there is an excessive right-of-way at a few places within the Village. He suggested Council hold a work session on what should be allowed in these area and how these types of requests should be handled.

6. Consent Agenda

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bradley Mathisen, President Pro-Tem
SECONDER:	John Ranville, Council Member
AYES:	Van Portfliet, Mathisen, Churchill, Hammond, Hobbs, Ranville, Rutt

1. DDA Appointment - Lloyd Coe

RESOLVED: To confirm President Van Portfliet's appointment of Lloyd Coe as a property interest representative to the Downtown Development Authority to a four-year term to expire on November 1, 2022.

2. Parks & Recreation Advisory Committee Appointment

RESOLVED: To appoint Sally Kelly to the Parks & Recreation Advisory Committee to fill the term vacated by Teresa Rutt, to expire on March 31, 2020.

3. BZA Resignation - Matt Berard

RESOLVED: To accept the resignation of Matthew Berard from the Board of Zoning Appeals, with regrets, and request the Village Clerk to send Mr. Berard a letter of appreciation for his service to the community.

4. Schedule Public Hearings CDBG Reprogramming

RESOLVED: To schedule a public hearing for the Community Development Block Grant (CDBG) Program reprogramming the Community Development Block Grant (CDBG) Program Years (PY) 2017 and PY 2018 for Monday, October 22, 2018 at 7:30 PM.

5. Schedule CDBG PY 2019 Public Hearing

RESOLVED: To schedule a public hearing for the Community Development Block Grant (CDBG) Program Year (PY) 2019 funds of \$9,881 for October 22, 2018 at 7:30 p.m.

6. McKenna Planning Monthly Report

RESOLVED: To receive and file the McKenna August 2018 Monthly Planning Report.

7. Building Permit Monthly Report for August

RESOLVED: To receive and file the August 2018 Building Permit report.

8. Receive and File Police Department Reports - January 2018

RESOLVED: To receive and file the following August 2018 Lake Orion Police Department (LOPD) Reports: LOPD Activity Report, Ordinance Officer Report, and Reserve Hours Report.

9. DDA Executive Director Report - September 2018

RESOLVED: To receive and file the DDA Executive Director's Report for September 2018.

10. Approval of Village Council Regular Meeting Minutes - September 10, 2018

RESOLVED: To approve the Village Council regular meeting minutes of September 10, 2018, as presented.

11. Receive and File Downtown Development Authority Meeting Minutes - August 14, 2018

RESOLVED: To receive and file the Tuesday, August 14, 2018 Downtown Development Authority regular meeting minutes.

12. Receive and File Paint Creek Trailways Commission Meeting Minutes - August 21, 2018

RESOLVED: To receive and file the Tuesday, August 21, 2018 Paint Creek Trailways Commission regular meeting minutes.

7. Approval of Agenda

Motion to: approve the Agenda for the Monday, September 24, 2018 regular Council Meeting.

RESULT:	APPROVED AS PRESENTED [UNANIMOUS]
MOVER:	Bradley Mathisen, President Pro-Tem
SECONDER:	Teresa L Rutt, Council Member
AYES:	Van Portfliet, Mathisen, Churchill, Hammond, Hobbs, Ranville, Rutt

8. Public Hearings

9. Agenda Items for Consideration

A. Financial Matters

1. Invoice Register and Bill Approval

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bradley Mathisen, President Pro-Tem
SECONDER:	David Churchill, Council Member
AYES:	Van Portfliet, Mathisen, Churchill, Hammond, Hobbs, Ranville, Rutt

RESOLVED: To approve the bills paid September 17 of \$30,888.43, September 18 of \$9,206.20 and to approve payment of the September 20 Invoice Register Report in the amount of \$67,332.02.

2. Budget Financial Report August

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bradley Mathisen, President Pro-Tem
SECONDER:	David Churchill, Council Member
AYES:	Van Portfliet, Mathisen, Churchill, Hammond, Hobbs, Ranville, Rutt

RESOLVED: To receive and file the budget and financial reports for August 2018.

B. Other Items

1. Police Vehicle Lease

Police Chief Narsh stated the Police Department is budgeted for a new police vehicle under the Ford Motor Municipal Lease Program. With this program, the Village will pay for the vehicle over a two year period and then own the vehicle outright. Police Chief Narsh noted that one of the 2013 Ford Police Interceptors that are currently in use will be sold and the Department will be transferring most of the emergency police equipment from that vehicle to the new vehicle. He also indicated that with the normal vehicle replacement program is for two vehicles; however due to purchasing one vehicle last year because of an accident with a police vehicle, he is requesting to purchase only one vehicle this year.

Police Chief Narsh stated that they are looking to purchase a Ford Explorer through the Oakland County Purchasing program, which represents the lowest bid through the authorized dealer where the Village purchases all its police vehicles. He noted the graphics are included in the price.

Police Chief Narsh requested Council approve the purchase of the vehicle and the budget amendment.

Council discussed the following:

- Height of the vehicles
- New location of the dealer
- Vehicle fittings, which are not included
- Reuse of equipment, including strip down costs and installation costs.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David Churchill, Council Member
SECONDER:	Douglas Hobbs, Council Member
AYES:	Van Portfliet, Mathisen, Churchill, Hammond, Hobbs, Ranville, Rutt

RESOLVED: To approve the purchase of a 2018 Ford Explorer Interceptor from Gorno Ford for an amount not to exceed \$27,489 with lease financing to be arranged and purchase lettering from Tool Sport & Sign Co. for an amount not to exceed \$1,045.00 and to authorize the Village Manager to sign the contracts subject to review by the Village Attorney;

BE IT FURTHER RESOLVED: To approve a budget transfer in the amount of \$27,489 as presented, a copy of which is attached and incorporated as part of these minutes.

2. Asphalt Street Crack Sealing/Overbanding

Village Manager Young stated that the Village accepted proposals for crack sealing and an alternate for overbanding services for various streets within the Village. He explained that the original bid was for crack sealing; however as an alternative overbanding was submitted by Birmingham Sealcoat, which is a one-step process and is longer lasting than crack sealing due to less moisture infiltrating the seams. Birmingham Sealcoat is the highest bid; however the other two bidders do not use this process. Village Manager Young stated that overbanding is more thorough; however the downside is that aesthetically it is more noticeable.

Ryan Austin, Birmingham Sealcoat, provided an overview of the overbanding process noting that they use a crack-jet torch that heats up to 2800 degrees the area where the material is applied. This is a more time consuming process. Mr. Austin stated that he has offered the Village to piggy-back off of a job which they are doing for Orion Township. This is a good opportunity for the Village to get a good price to do the overbanding, noting it is the best proactive way to maintain the streets. Mr. Austin stated the time frame for completion would be around Thanksgiving, however that would be dependent on the weather.

Village Manager Young stated that he contacted the other bidders for a price on the overbanding process and they indicated they do not do the overbanding process.

Village Attorney Kucharek stated that there is no reason to rebid the project. The other bidders were contacted and had an opportunity to provide answers to the same questions asked.

RESULT:	ADOPTED [6 TO 1]
MOVER:	Bradley Mathisen, President Pro-Tem
SECONDER:	John Ranville, Council Member
AYES:	Van Portfliet, Mathisen, Hammond, Hobbs, Ranville, Rutt
NAYS:	David Churchill

RESOLVED: To award the crack sealing overbanding to Birmingham Sealcoat in amount not to exceed \$55,000 and authorize the Village Manager to sign the contract subject to a review by the Village Attorney

BE IT FURTHER RESOLVED: To approve a budget transfer of \$13,000 from the Local Street Fund Balance account (# 203-000-671-999) to Capital Outlay account (# 203-875-977-000), a copy which is attached and incorporated as part of these minutes.

3. Copier Lease

Village Manager Young stated that with the current Xerox copier 60 month lease is expiring, and proposals to replace the unit in Administrative offices were solicited. He stated he is recommending Council accept the proposal offered through the State of Michigan MiDeal purchasing program which is a \$329.76 monthly lease (48 months). The monthly lease would include up to 16,000 black impressions copies and 4,000 color impressions. Village Manager further explained that based on the current average use the flat monthly rate will total \$3,957.12 which is a savings of over \$1,000 (20%) based on the past years costs.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Douglas Hobbs, Council Member
SECONDER:	Bradley Mathisen, President Pro-Tem
AYES:	Van Portfliet, Mathisen, Churchill, Hammond, Hobbs, Ranville, Rutt

RESOLVED: To approve the Xerox C8045H 48 month proposal from Michigan Office Solutions at a monthly rate of \$329.76 and authorize the Village Manager to sign the contract subject to review by the Village Attorney.

10. Call to the Public

Let the record show now public comments were received.

11. Council Comments

Council Member Churchill stated that the roundabout work seems to be relatively calm without many issues.

Council Member Hammond complimented the DDA Seasonal worker for her work ethic, rate of speed and attitude toward her job.

President Van Portfliet inquired if the blue ribbons, which were placed on the light posts, were approved and who will remove them.

Village Manager Young responded that the approval was for the month of September and the organization will removed them at the end of September.

Council Member Hobbs inquired if there was an update on the TV in the Council Chambers, which has a smashed screen.

Village Manager Young stated the Administration does not know how it happened. He indicated the Village is working with the Cable Commission to replace the TV and are discussing the possibility of replacing it with a larger screen.

12. Village Manager Comments

1. Manager's Report

Village Manager Young reported on the following:

- The DPW Director is off for three months and Chris Carpenter has stepped up to take on the responsibilities of the DPW Director in Jeremy's absence.
- The DPW is currently at 50% staffing and the Village is in the process of hiring two new people for the DPW
- Auditors are in this week to do the audit
- The fiber optics where the roundabout is being installed are not where they thought they were and are conflicted with a storm drain.

13. Closed Session Items

1. Adopt Resolution to Adjourn to Closed Session Pursuant to Public Act 267 of 1976, Section 15.268 Section 8(E) - Attorney Client Privileged Communication

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bradley Mathisen, President Pro-Tem
SECONDER:	John Ranville, Council Member
AYES:	Van Portfliet, Mathisen, Churchill, Hammond, Hobbs, Ranville, Rutt

RESOLVED: To adjourn to Closed Session pursuant to Public Act 267 of 1976, Section 15.268 Section 8(e) - Attorney Client Privileged communication.

Village Council adjourned to Closed Session at 9:13 PM.

14. Reconvene to Open Session

Motion to: reconvene to Open Session

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bradley Mathisen, President Pro-Tem
SECONDER:	John Ranville, Council Member
AYES:	Van Portfliet, Mathisen, Churchill, Hammond, Hobbs, Ranville, Rutt

Village Council reconvened to Open Session at 9:57 PM.

15. Business From Closed Session

16. Adjournment

1. **Motion to:** adjourn the Monday, September 24, 2018 Village Council Meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bradley Mathisen, President Pro-Tem
SECONDER:	John Ranville, Council Member
AYES:	Van Portfliet, Mathisen, Churchill, Hammond, Hobbs, Ranville, Rutt

The Lake Orion Village Council regular meeting adjourned at 9:58 PM.

Kenneth VanPortfliet
President

Susan C. Galeczka, CMC CMMC
Village Clerk

Date Approved: _____