

CHARTER TOWNSHIP OF OAKLAND BOARD OF TRUSTEES
JUNE 10, 2014 – REGULAR MEETING
APPROVED MINUTES

CALL TO ORDER

The June 10, 2014 Regular Meeting of the Charter Township of Oakland Board of Trustees was called to order by Supervisor Gonser at 6:02 PM in the Township Hall, 4393 Collins Rd., Rochester, MI.

ROLL CALL

Clerk Reilly called the Roll.

PRESENT: Terry R. Gonser, Supervisor
Jeanne Langlois, Treasurer
Karen Reilly, Clerk
Robin Buxar, Trustee
Michael Bailey, Trustee
Maureen Thalmann, Trustee
John Giannangeli, Trustee

Ann Capela, Township Manager
Daniel Kelly, Township Attorney

ABSENT: NONE

A quorum was present.

CLOSED SESSION

MOVED BY THALMANN, SECONDED BY BAILEY to approve going into closed session at 6:06 PM for the purpose of (1) MCL 15.268(d) to consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained, (2) MCL 15.268(e) receive three written legal opinions, and (3) MCL 15.268(e) consult with attorney regarding a trial or settlement strategy in connection with a specific litigation.

Clerk Reilly took a roll call vote:

AYES: GONSER, LANGLOIS, REILLY, BUXAR, BAILEY,
THALMANN, GIANNANGELI

NAYS: NONE

MOTION PASSES: UNANIMOUS

MEETING RECONVENED

MOVED BY BUXAR, SECONDED BY LANGLOIS to reconvene into open session at 7:05 PM.

MOTION PASSES: UNANIMOUS

CALL TO ORDER

Supervisor Gonser reconvened the Regular meeting at 7:12 PM in the Township Hall.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Sgt. Roger Schmidt led the Pledge of Allegiance.

Clerk Reilly called the Roll.

PRESENT: Terry R. Gonser, Supervisor
Jeanne Langlois, Treasurer
Karen Reilly, Clerk
Robin Buxar, Trustee
Michael Bailey, Trustee
Maureen Thalmann, Trustee
John Giannangeli, Trustee

Ann Capela, Township Manager
Daniel Kelly, Township Attorney
Mary Purcell, Recording Secretary

ABSENT: NONE

A quorum was present.

CITIZENS COMMENTS

The Board heard public comment from:
David Phillips, 4252 Sheldon Rd., OT
Dick Michalski, 3070 Wains Way, OT
Mindy Milos-Dale, Parks & Recreation Director
Barbara Barber, Historic Preservation Planner

AMENDMENTS/APPROVAL OF THE AGENDA

Supervisor Gonser suggested adding items #11, #12, and #13 to the agenda; appoint a BOT representative to the Election Commission, authorize the attorney to proceed with the opinion he discussed in the closed session, and authorize the attorney to proceed with the condemnation of a burned out house at 3836 Catalpa. Trustee Buxar suggested adding item #14; an offer to purchase real property.

MOVED BY BAILEY, SECONDED BY BUXAR to approve the agenda as amended.

MOTION PASSES: UNANIMOUS

CONSENT AGENDA

The Board considered approval of the following items on the consent agenda containing:

- #1. Approval of minutes for the May 13, 2014 Regular and Special (Closed Session) meetings. There were no changes to the Closed Session minutes of the Special meeting and the Board accepted those minutes as presented.
- #2. Approval of the bills from (a) May 27, 2014 in the amount of \$322,222.15, (b) June 10, 2014 in the amount of \$79,585.52, and (c) June 11, 2014 in the amount of \$26,381.09. A copy of the lists of invoices is attached as part of these minutes.
- #3. West Nile Virus Fund Expense Reimbursement Resolution #14-08. A copy of this resolution is attached as a part of these minutes.

MOVED BY BAILEY, SECONDED BY BUXAR to approve the consent agenda without check #54142 of the May 27, 2014 bills.

MOTION PASSES: UNANIMOUS

HISTORIC DISTRICT COMMISSION (HDC) APPOINTMENT

MOVED BY BAILEY, SECONDED BY BUXAR to appoint Mr. Gene Ferrera as HDC Commissioner for the term ending May 2017.

The Board heard public comment from:
Barb Barber, Historic Preservation Planner

MOTION PASSES: UNANIMOUS

APPOINTMENT OF PLANNING COMMISSIONER REPRESENTATIVE TO ZBA

MOVED BY GIANNANGELI, SECONDED BY THALMANN to appoint Mr. Ron Hein as member representative from the Planning Commission to the Zoning Board of Appeals (ZBA).

The Board heard public comment from:
Ron Hein, 5859 Murfield, OT

MOTION PASSES: UNANIMOUS

WYNDGATE C.C. FIREWORKS APPLICATION

MOVED BY BAILEY, SECONDED BY LANGLOIS to approve the application of Wyndgate Country Club for fireworks other than consumer or low impact for June 14, 2014, with a starting time no earlier than 10:00 PM and ending no later than 10:45 PM.

The Board heard public comment from:
A Wyndgate Country Club representative, 1975 W. Gunn Rd., OT

MOTION PASSES: UNANIMOUS

SEWAGE DISPOSAL RATE RESOLUTION 14-09

Tim Prince and Connie Simms ~~and Vikki Capela~~ from the Oakland County Water Resources Commission (WRC) and Vicki Putala, Engineer with Orchard, Hilz, and McCliment (OHM) gave a presentation and overview of the water and sewer issues within the Township. They also explained Phase 1 of rate projections through 2017.

MOVED BY BAILEY, SECONDED BY LANGLOIS to adopt Sewage Disposal Rates Resolution 14-09 to increase sewer rates from \$95.63 per quarter to \$102.74 per quarter.

The Board heard public comment from:
Dick Michalski, 3070 Wains Way, OT
Bob Yager, 1146 Bear Creek Ct., OT
John Markel, 245 Birch Hill Dr., OT
Paul Montgomery, 4228 Oak Tree Circle, OT
Trevor Barkham, 717 Letts Rd., OT
Doug Hodgkins, 357 Oakbridge Dr., OT

MOTION PASSES: UNANIMOUS

A copy of this resolution is attached as part of these minutes.

BUILDING DEPARTMENT STAFFING

MOVED BY BAILEY, SECONDED BY BUXAR to approve the hiring of a Code Compliance Officer incorporating an .5FTE budget amendment of \$25,000.

The Board heard public comment from:

Tim Berger, Building Director
Dick Michalski, 3070 Wains Way, OT
Mindy Milos Dale, Parks & Recreation Director
John Markel, 245 Birch Hill Dr., OT
Frank Ferriolo, 5600 Kirkridge Tr., OT

MOTION PASSES: UNANIMOUS

BUILDING MAINTENANCE COORDINATOR/ADMINISTRATIVE SUPPORT

Ann Capela, Township Manager, discussed the need for the combined position of a Building Maintenance Coordinator /Administrative Support (formerly called a custodian) and how to structure it by revising the job description.

The Board heard public comment from:

Dick Michalski, 3070 Wains Way, OT
Mindy Milos-Dale, Parks and recreation Director
John Markel, 245 Birch Hill Dr., OT
Frank Ferriolo, 5600 Kirkridge Tr., OT

No action was taken by the Board.

PARKS & RECREATION/LAND PRESERVATION FUND

Mindy Milos-Dale, Parks & Recreation Director, addressed the Board. The PRC requested an amendment to line item 408-901-980-755 for the purpose of adding \$2,000 toward the approved purchase of a new truck for use by the stewardship staff.

MOVED BY BAILEY, SECONDED BY BUXAR to approve a transfer of \$2,000 from the 2014/15 Land Preservation budget line item 408-756-805-040 (Prof. Consultant Land Stewardship) to 408-901-980-755 (Capital Expenditures – Equipment).

AYES: GONSER, LANGLOIS, REILLY, BUXAR, BAILEY,
GIANNANGELI
NAYS: THALMANN

MOTION PASSES: 6 – 1

ORION ROAD BRIDGE BUDGET AMENDMENT

A motion was approved on August 13, 2013 for the Orion Road. Bridge Improvement Project – Railing and Lights. A budget amendment to pay for the project is required to record the \$25,000 increase to 101-901-975-010 from funds appropriated in the general fund balance.

MOVED BY BAILEY, SECONDED BY BUXAR to approve the budget amendment of \$25,000 to increase 101-901-975-010 ~~in the general fund balance~~ Orion Road Bridge Replacement to come from funds appropriated from the General Fund fund balance 101-931-699-000.

MOTION PASSES: UNANIMOUS

PURCHASING GUIDELINES

MOVED BY BAILEY, SECONDED BY LANGLOIS to approve the Oakland Township Purchasing Guidelines effective July 7, 2014 with the following changes and until such time as the BOT adopts a purchasing policy:

Section II Procurement Guidelines For:

Shall read...

“\$1,000.00 - \$5,000.00	At least two (2) informal quotes/proposals
\$5,001.00 - \$20,000.00	At least three (3) written quotes/proposals
Above \$20,001.00	At least three (3) competitive bids”

Exceptions - ... (vendors of record) shall read... “ (vendors of record as maintained by the Township Manager)”

Section III Conferences/Seminars/Travel

Add line 3 which shall read...

“BOT approval if over \$1,500.00 if not budgeted”

AYES: GONSER, REILLY, THALMANN, GIANNANGELI, BUXAR,
BAILEY

NAYS: LANGLOIS

MOTION PASSES: 6 – 1

BOARD RECESSED at 10:30 PM for a break

MEETING RECONVENED at 10:41 PM

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) RESOLUTION 14-10

The Township has been a participating member of the Oakland County Urban County Community Development Block Grant (CDBG) program for many years and has helped several organizations such as Neighborhood House and Rochester Community House.

MOVED BY THALMANN, SECONDED BY BAILEY to approve Resolution 14-10 authorizing participation in the OC Community Development Block Grant Urban County Program for years 2015, 2016, and 2017 , (and authorize the Supervisor to sign the same).

MOTION PASSES: UNANIMOUS

A copy of this resolution is attached as a part of these minutes.

GOODISON SUB AREA PLAN

MOVED BY THALMANN, SECONDED BY GONSER to table discussion of the Goodison Sub Area Plan until the September 23, 2014 BOT meeting.

AYES: GONSER, REILLY, THALMANN, GIANNANGELI,
BAILEY

NAYS: BUXAR, LANGLOIS

MOTION PASSES: 5 – 2

MOVED BY BAILEY, SECONDED BY GIANNANGELI to have public comment on the revised Goodison Plan at the July and August 2014 BOT meetings.

The Board heard public comment from:
Frank Ferriolo, 5600 Kirkridge Tr., OT

MOTION PASSES: UNANIMOUS

AMENDMENTS TO THE BOT RULES OF ORDER

MOVED BY THALMANN, SECONDED BY REILLY to approve Amendment #1, Section #5 in the Rules of Order to read... “agenda items must be submitted by 12:00 Noon on Wednesday...” (instead of Thursday).

MOTION PASSES: UNANIMOUS

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MOVED BY LANGLOIS, SECONDED BY BUXAR to approve Amendment #2, Section #5 in the Rules of Order to read... “or requested by a MEMBER (instead of at least two members of the Board) of the...”

The Board heard public comment from:
Frank Ferriolo, 5600 Kirkridge Tr., OT

AYES: LANGLOIS, REILLY
NAYS: BUXAR, BAILEY, GONSER, THALMANN, GIANNANGELI

MOTION FAILS: 2 – 5

MOVED BY THALMANN, SECONDED BY GIANNANGELI to approve Amendment #3, Section #5.3 in the Rules of Order to read...
“Eliminate item IX Public Comment – with a note of explanation at the bottom of the section explaining the process of Public Comment in the item IV.
Note: If there are members of the public who were not able to address the Board during the initial Public Comment , the Board will entertain a motion to amend the Board’s agenda to include a second Public Comment period. Following the completion of the Pending Business.”

The Board heard public comment from:
Frank Ferriolo, 5600 Kirkridge Tr., OT
Dick Michalski, 3070 Wains Way, OT

AYES: THALMANN
NAYS: GONSER, REILLY, GIANNANGELI, BUXAR, BAILEY,
LANGLOIS

MOTION FAILS: 6 – 1

ELECTION COMMISSION APPOINTMENT

MOVED BY BAILEY, SECONDED BY LANGLOIS to appoint Trustee Giannangeli to the position of Election Commission Representative from the Board.

MOTION PASSES: UNANIMOUS

ATTORNEY TO PROCEED

MOVED BY BAILEY, SECONDED BY BUXAR to authorize the Township attorney to proceed with the opinion he discussed in closed session with the Board.

MOTION PASSES: UNANIMOUS

CONDEMNATION OF BURNED HOUSE

MOVED BY BUXAR, SECONDED BY LANGLOIS to authorize the Township Attorney to proceed with condemnation of the burned out house at 3836 Catalpa Dr. in Oakland Township.

MOTION PASSES: UNANIMOUS

OFFER TO PURCHASE REAL PROPERTY

MOVED BY BUXAR, SECONDED BY BAILEY to authorize an offer to purchase real property as discussed in closed session.

AYES: BUXAR, BAILEY, LANGLOIS, REILLY, GIANNANGELI
NAYS: THALMANN, GONSER

MOTION PASSES: 5 – 2

CITIZENS COMMENTS

The Board heard public comment from:
Frank Ferriolo, 5600 Kirkridge Tr., OT

TOWNSHIP MANAGER’S REPORT

Manager Capela included her full report in the Board packet. In addition, she thanked Treasurer Langlois and her staff for assisting with the Standard and Poor’s bond rating. The Township has been notified from S&P in Chicago that the Township will have a AAA bond rating once again. Manager Capela also reported that State Share Revenue has increased, therefore the Township will receive approximately \$60,000 - \$70,000 more than anticipated as part of the State Share Revenue.

BOARD REPORTS

TRUSTEE GIANNANGELI

No Report

TRUSTEE BUXAR

No Report

TRUSTEE BAILEY

Trustee Bailey has requested the Township attorney draft a “Vicious Dogs” ordinance for the Township. Currently there is no ordinance that allows a person to make a complaint about vicious dogs.

TRUSTEE THALMANN

Trustee Thalmann reported the recent May 31 NO HAZ event was a great success. Several hundred people, including 75 OT residents, dropped off their hazardous materials. She announced the next NO HAZ event will be on June 21 at Oakland University. The Trustee is seeking volunteers from the Board, staff, and residents. Contact information can be found on the Township website at oaklandtownship.org

TREASURER LANGLOIS

Treasurer Langlois requested two (2) items be put on the July agenda for discussion:
1) fire Millage for the November ballot and 2) representation on the Lakes Board to replace Trustee McKay. The Treasurer also reported the Safety Paths and Trails Committee (SPTC) met for the first time as a larger board.

CLERK REILLY

Clerk Reilly announced the absentee ballot applications will be mailed out from the Township during the week of June 23.

SUPERVISOR GONSER

No Report

ADJOURNMENT

MOVED BY BUXAR, SECONDED BY LANGLOIS to adjourn the meeting at 11:55 PM.

MOTION PASSES: UNANIMOUS

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NEXT SCHEDULED MEETING

Tuesday, July 8, 2014 at 7 PM
Oakland Township Hall – 1st Floor Meeting Room

Respectfully submitted,

Karen Reilly, Clerk
OT Board of Trustees

Approved,

Terry R. Gonser, Supervisor
OT Board of Trustees