



**CITY OF WALLED LAKE  
REGULAR COUNCIL MEETING  
TUESDAY, FEBRUARY 15, 2022  
7:30 P.M.**

Confidential Assistant Ms. Hana Jaquays described the hybrid format of the meeting and explained this open public meeting is being livestreamed on the City's YouTube page and public participation is available in-person and through Zoom telephone call-in. Ms. Jaquays introduced those in person: State Representative Kelly Breen, City Auditor John Pfeffer, City Manager Whitt, City Attorney Vanerian, Police Chief Shakinas, DPW Superintendent Dan Ladd, Assistant City Manager Pesta, Deputy Clerk Gross, and City Clerk Stuart. Those attending via Zoom were Fire Chief Coomer and Deputy Police Chief Kolke.

City Clerk Stuart introduced council members in-person and those attending via Zoom.

The Meeting was called to order at 7:30 p.m. by Mayor Ackley.

**PLEDGE TO FLAG & INVOCATION**

**ROLL CALL**

Mayor Ackley, Mayor Pro Tem Lublin, Council Member Ambrose, Council Member Fernandes, Council Member Owsinek, Council Member Woods

City Council member attending virtually announced their attendance from Alpena, Michigan.

There being a quorum present, the meeting was declared in session.

**OTHERS PRESENT**

City Manager Whitt, Confidential Assistant Jaquays, Assistant City Manager Pesta, Police Chief Shakinas, Deputy Police Chief Kolke, Fire Chief Coomer, City Attorney Vanerian, DPW Superintendent Ladd, Deputy Clerk Gross, and City Clerk Stuart

**CM 02-01-22 MOTION TO EXCUSE COUNCIL MEMBER LOCH FROM TONIGHT'S MEETING**

Motion by Owsinek, seconded by Fernandes, UNANIMOUSLY CARRIED: To excuse Council Member Loch from tonight's meeting.

## PRESENTATION

### **1. State Representative Kelly Breen – State of Michigan Special Tribute in memory of Mr. Casey J. Ambrose**

State Representative Kelly Breen read a special tribute signed and dedicated by State Representative Ms. Breen, State Senator Mr. Runestad, Lt. Governor Gilcrest, and Governor Whitmer to honor the memory of Mr. Casey J. Ambrose, Council Member, DDA Chairman, and former Mayor Pro Tem. Representative Breen provided a special tribute plaque to current Council Member Casey R. Ambrose, son of the late Mr. Casey J. Ambrose.

### **2. Auditor Pfeffer, Hanniford, and Palka present the Financial Audit for Fiscal Year 2021**

Mayor Ackley introduced city auditor Mr. John Pfeffer from Pfeffer, Hanniford, and Palka. Mr. Pfeffer said he also remembers working with Mr. Casey Ambrose many years and he worked so hard for the city; he was a joy to work with. Mr Pfeffer explained he was glad the son of Mr. Casey J. Ambrose was going to be a part of the future of Walled Lake as a council member. Mr. Pfeffer explained his firm's beginnings with the city almost 12 years ago. Mr. Pfeffer explained the city was in a predicament to possibly be assigned an emergency manager until City Manager Whitt was hired. Mr. Pfeffer explained the city's legacy costs of pension and post retirement items were an issue. Mr. Pfeffer said, working with City Manager Whitt and Council, negotiations occurred with the unions and different sources, and they were able to stop the continued increases with legacy costs. Mr. Pfeffer explained the city still has a hard road to go, but the city is above water and is going higher. Mr. Pfeffer explained the city's current cash management aided this. Mr. Pfeffer said it is important to explain the history, so it does not repeat itself. Mr. Pfeffer explained the city was able to purchase new fire equipment saving, over \$100,000 dollars. Mr. Pfeffer explained the city completed a major watermain project within Tri-A subdivision, patching city roads, improving city parks, painting the farmhouse, etc. Mr. Pfeffer said these may sound simple, but they are important to the residents of Walled Lake. Mr. Pfeffer said he is proud to be a part of the city's growth. Mr. Pfeffer said his firm audited over 35 authorities and the City of Walled Lake has a very good staff. Even with the skeleton crew, they are working very hard and doing a good job. Mr. Pfeffer said this helps the audit team do their job within budget and on time. Mr. Pfeffer said Ms. Chelsea Pesta stepped up in her position, learned a lot, and has done a great job. Mr. Pfeffer said council should be proud of the city staff. Mr. Pfeffer opined it is so hard to get good people and council should be happy with the staff and their efforts. Mr. Pfeffer explained the firm provided the city the highest opinion by an auditing firm, an unmodified opinion; the city's financial statements are presented fairly. Mr. Pfeffer explained the city continues to move in a positive direction. Mr. Pfeffer explained the government activities: water activity has increased, the city's net pension decreased, the net Other Post Employee Benefits (OPEB) decreased, and cash reserves remained healthy. Mr. Pfeffer asked if council had any questions.

Mayor Ackley opined the auditors Pfeffer, Hanniford, and Palka have always done a great job for the city.

Mayor Pro Tem Lublin explained the city was provided an unmodified opinion, the highest possible and that the staff and city are on the right track, as relayed by the auditing firm.

City Manager Whitt said he appreciates Mr. Pfeffer's remarks, and they were not unexpected. City Manager Whitt said city staff has worked very hard and is one of the better and well-educated staff in municipal governments he has had the pleasure to work with. City Manager Whitt explained there is another member who had a significant role in the city's finances, prior Finance Director Ms. Colleen Coogan. City Manager Whitt explained the city brought Ms. Coogan on board as a consultant and then hired as Finance Director. City Manager Whitt explained Ms. Coogan helped the city become financially stable and is currently training staff.

City Manager Whitt explained that also in attendance tonight, via zoom, was Mr. Scott Schrader. City Manager Whitt said Mr. Schrader has been brought on board to assist the city in the administration of the American Rescue Plan Act (ARPA) funds.

Mayor Ackley said the city staff is fantastic and the best staff the city has had. They are educated and motivated, and they do so much with a limited staff. Mayor Ackley opined job well done.

## **REQUESTS FOR AGENDA CHANGES**

Council Member Owsinek requested three resolutions to be added to the agenda regarding new business item 2, Cost-of-Living Adjustment (COLA) staff employment agreements.

Mayor Ackley added under new business as item three, four, and five.

## **AUDIENCE PARTICIPATION**

Mr. Casey Smith with Veer Consulting, a cannabis consulting firm, introduced himself and his firm.

## **APPROVAL OF MINUTES**

### **1. Regular Council Meeting of January 18, 2022**

**CM 02-02-22 MOTION TO APPROVE REGULAR COUNCIL MEETING  
MINUTES OF JANUARY 18, 2022**

Motion by Woods, seconded by Lublin, UNANIMOUSLY CARRIED: To approve regular council meeting minutes of January 18, 2022.

Roll Call Vote

Ayes (6)      Fernandes, Lublin, Owsinek, Woods, Ambrose, Ackley  
Nays (0)  
Absent (1)    Loch  
Abstain (0)

**CITY MANAGER'S REPORT**

**1. Departmental / Divisional Statistical Reports**

- a. Police
- b. Fire
- c. Code Enforcement
- d. Finance
  - Warrant

**CM    02-03-22      MOTION TO RECEIVE AND FILE THE  
DEPARTMENTAL / DIVISIONAL STATISTICAL  
REPORTS**

Motion by Fernandes, seconded by Woods, UNANIMOUSLY CARRIED: To receive and file the departmental / divisional statistical reports.

Roll Call Vote

Ayes (6)      Lublin, Owsinek, Woods, Ambrose, Fernandes, Ackley  
Nays (0)  
Absent (1)    Loch  
Abstain (0)

City Manager Whitt explained there will be three resolutions introduced later in the agenda and he will defer until then.

**CORRESPONDENCE**      None

**ATTORNEY'S REPORT**

**1. Confidential Attorney Client Communications DSL Holdings, LLC v Pontiac Trail Business Center, Inc. et al**

City Attorney Vanerian explained there are two items. The first is a pending litigation matter, DSL Holdings v Pontiac Trail Business Center. City Attorney Vanerian explained

the city's involvement is minimal. City Attorney Vanerian explained it is primarily a business dispute between former business parties. City Attorney Vanerian explained it is a new litigation matter, but no council action needed tonight.

**2. Confidential Attorney Client Communications City of Walled Lake v Aqua Grill, Inc. et al**

City Attorney Vanerian explained there are two lawsuits the city filed against a local business establishment. City Attorney Vanerian said the first is the city filing a condemnation proceeding for a storm facility sewer easement and the other concerns a collection of past due water and sewer fees. City Attorney Vanerian explained council was provided confidential attorney client communication regarding the status of those suits. City Attorney Vanerian explained that, due to technical difficulties tonight, we are not able to go into closed session, which is why he is addressing it during open session. City Attorney Vanerian explained there is action that council may want to take regarding to condemnation, as it relates to continuing the condemnation process. City Attorney Vanerian explained City Manager Whitt and Consultant City Engineer Maki have devised a new plan to relocate the sewer facilities onto city property, so the condemnation activity is no longer necessary.

**CM 02-04-22 MOTION TO AUTHORIZE THE CITY ATTORNEY TO MOVE FORWARD WITH WITHDRAWING THE CONDEMNATION FROM THE LOCAL BUSINESS.**

Motion by Owsinek, seconded by Fernandes: UNANIMOUSLY CARRIED: To authorize the City Attorney to move forward with withdrawing the condemnation from the local business.

Roll Call Vote

Ayes (6) Lublin, Owsinek, Woods, Ambrose, Fernandes, Ackley  
Nays (0)  
Absent (1) Loch  
Abstain (0)

**NEW BUSINESS**

**1. Engineering Services Decker Road Rehabilitation, MDOT Third Party Agreement between City of Walled Lake and Orchard, Hiltz, & McCliment, Inc.**

Assistant City Manager Pesta explained City Attorney Vanerian and city engineer reviewed the agreement. Assistant City Manager Pesta said the rehabilitation of Decker Road is starting spring of this year and that part of the grant funding requirements require a design engineer and a third-party construction engineering group. There is a cost for

this service that is part of the grant, and it falls below the 15% max. Assistant City Manager Pesta said she is requesting council's approval of the third-party agreement.

**CM 02-05-22 MOTION TO APPROVE THIRD PARTY AGREEMENT  
CONSTRUCTION ENGINEERING LOCAL AGENCY  
CONTRACT BETWEEN THE CITY OF WALLED LAKE  
AND ORCHARD, HILTZ AND MCCLEMENT, INC FOR  
SERVICES TO BE RENDERED FOR THE DECKER ROAD  
REHABILITATION PROJECT**

Motion by Lublin, seconded by Woods, UNANIMOUSLY CARRIED: To approve the third-party agreement construction engineering local agency contract between the City of Walled Lake and Orchard, Hiltz & McClement, Inc for services to be rendered for the Decker Road rehabilitation project.

Roll Call Vote

Ayes (6) Owsinek, Woods, Ambrose, Fernandes, Lublin, Ackley  
Nays (0)  
Absent (1) Loch  
Abstain (0)

City Manager Whitt said the city is moving forward on the Decker Road rehabilitation project and the start date will be occurring shortly. City Manager Whitt asked DPW Superintendent Ladd to provide an update.

DPW Superintendent Ladd explained April 2022 is the approximate start date. Mr. Ladd said he received correspondence from the Great Lakes Water Authority (GLWA), and they are still working on the 14-Mile Road project. The tie into the city meter pit will be done in March. Once that is done, the reconstruction can commence. That is the last step with the GLWA 14 Mile and Decker Road project. Mr. Ladd explained Oakland County will be repaving from E. Walled Lake Drive all the way to M-5.

City Manager Whitt explained this area is in the city's gateway and that these are great projects, in addition to the Decker Road rehabilitation. City Manager Whitt explained council is receiving calls on the potholes along Decker. The best that can be done right now is for DPW to continue filling them.

**2. Cost-of-Living Adjustment (COLA) Staff Employment Agreements**

City Manager Whitt explained the discussion came up with cost-of-living adjustments. City Manager Whitt explained the inflation rate is soaring. He opined the rate is higher than it has been in 40 years. City Manager Whitt explained retirees who receive a cost-of-living adjustments (COLA) are to keep up with inflation, so your buying power is the same it does not deal with promotions or increased responsibilities, or dual

responsibilities. City Manager Whitt explained the latest cost of living is being reported at 7.5%. City Manager Whitt explained there are employees who have not had a raise in eleven years. City Manager Whitt explained that he has issues with staff retention and retention of institutional memory. City Manager Whitt explained there are three resolutions to address cost of living adjustments and additional responsibilities they have. Resolutions focus on Assistant City Manager/Finance Director Pesta, City Clerk Stuart, Deputy City Clerk Gross, and Confidential Assistant Jaquays. City Manager Whitt explained the resolutions also require that he adjust and reclassify the responsibilities of other staff members in the office and set a salary commensurate of these reclassifications.

City Manager Whitt explained the second resolution is appointing Miranda Gross as the city's Human Resource Administrator. City Manager Whitt explained Ms. Gross holds a degree in Human Resource Management and is working on obtaining her master's degree.

City Manager Whitt explained the third resolution is appointing Hana Jaquays as Deputy Treasurer, by appointing Ms. Jaquays, she is granted the authority to sign documents on behalf of the City Treasurer. City Manager Whitt explained Ms. Jaquays needs to be approved as Deputy Treasurer by council, as required for legal purposes.

**CM 02-06-22 MOTION TO APPROVE RESOLUTION 2022-08 A  
RESOLUTION APPROVING EMPLOYEE COST OF  
LIVING ADJUSTMENTS WITH THE CITY CLERK AND  
FINANCE DIRECTOR; AUTHORIZING AND  
INSTRUCTING THE CITY MANAGER TO RECLASSIFY  
AND ASSIGN COST OF LIVING ADJUSTMENTS TO  
OFFICE STAFF**

Motion by Owsinek, seconded by Lublin, UNANIMOUSLY CARRIED: To approve resolution 2022-08 a resolution approving employee cost-of-living adjustments with City Clerk and Finance Director; authorizing and instructing the City Manager to reclassify and assign cost-of-living adjustments to office staff.

Roll Call Vote

Ayes (6)	Woods, Ambrose, Fernandes, Lublin, Owsinek, Ackley
Nays (0)	
Absent (1)	Loch
Abstain (0)	

**CM 02-07-22 MOTION TO 2022-09 A RESOLUTION CONFIRMING THE  
APPOINTMENT OF A HUMAN RESOURCE  
ADMINISTRATOR; PROVIDING FOR THE EXERCISE OF  
POWERS AND AUTHORITIES OF THE HUMAN  
RESOURCE ADMINISTRATOR**

Motion by Lublin, seconded by Ambrose, UNANIMOUSLY CARRIED: To approve resolution 2022-09 a resolution confirming the appointment of a Human Resource Administrator; providing for exercise of powers and authorities of the Human Resource Administrator.

#### Discussion

City Manager Whitt said Ms. Gross maintains the same responsibilities, including deputy clerk for elections, in addition to this title.

#### Roll Call Vote

Ayes (6)      Ambrose, Fernandes, Lublin, Owsinek, Woods, Ackley  
Nays (0)  
Absent (1)    Loch  
Abstain (0)

City Manager Whitt explained Ms. Jaquays will have this additional responsibility, along with prior obligations of the Farmer's Market Master, DDA Managing Director, and confidential assistant to the City Manager and Mayor's Office.

**CM    02-08-22      MOTION TO APPROVE 2022-10 A RESOLUTION  
CONFIRMING THE APPOINTMENT OF A DEPUTY  
TREASURER; PROVIDING FOR THE EXERCISE OF  
POWERS AND AUTHORITIES OF THE DEPUTY  
TREASURER**

Motion by Woods, seconded by Owsinek, UNANIMOUSLY CARRIED: To approve resolution 2022-10 a resolution confirming the appointment of a Deputy Treasurer; providing for the exercise of powers and authorities of the Deputy Treasurer.

#### Discussion

City Manager Whitt explained Ms. Jaquays holds her master's degree in Public Administration from Wayne State and remains his right hand. City Manager Whitt said, at one time, each of these employees have been his right hand to his office and the Mayor's office.

#### Roll Call Vote

Ayes (6)      Fernandes, Lublin, Owsinek, Woods, Ambrose, Ackley  
Nays (0)  
Absent (1)    Loch  
Abstain (0)

**UNFINISHED BUSINESS**            None

**COUNCIL COMMENTS**

Council Member Fernandes said thank you to staff and to City Manager Whitt. These raises are long overdue. The staff does a lot of work, some four or five jobs at one time.

Council Member Ambrose said a special thank you to State Representative Kelly Breen. The special tribute meant a lot to him, his family, and the community. Council Member Ambrose said the staff does a tremendous job, doing multiple jobs at one time. He thanked the men and women who work for the city.

Council Member Woods said he shares the statements of Council Member Fernandes and Council Member Ambrose the financial reports show the good work of the city staff, and he appreciates the work the staff does.

Council Member Owsinek said this Council's way to say thank you to the employees.

Mayor Pro Tem Lublin said the work the city staff does makes our city run smoothly; the increased compensation is our way to show support. We want to keep you. Mayor Pro Tem Lublin said he is excited about the Decker Road and Public Safety Campus projects, hats off to City Manager Whitt for continuing to move in the right direction.

**MAYOR'S REPORT**

**1. Receipt and File Resignation from Planning Commission Member McComas**

**CM    02-09-22            MOTION TO RECEIVED AND FILE RESIGNATION  
LETTER FROM PLANNING COMMISSION MEMBER  
RONALD MCCOMAS AND LETTER OF RECOGNITION  
TO BE SENT**

Motion by Owsinek, seconded by Ambrose, **UNANIMOUSLY CARRIED**: To receive and file resignation letter from Planning Commission Member McComas and letter of recognition be sent.

Roll Call Vote

Ayes (6)            Lublin, Owsinek, Woods, Ambrose, Fernandes, Ackley  
Nays (0)  
Absent (1)        Loch  
Abstain (0)

**2. Proposed Resolution 2022-11 Mayor's nomination and appointment of Robert Robertson to the Planning Commission**

Mayor Ackley explained that Mr. Robertson was a prior member of the Planning Commission. He is well qualified, was on City Council, and is a current member of the Parks and Recreation Commission.

**CM 02-10-22 MOTION TO APPROVE RESOLUTION 2022-11 A  
RESOLUTION ACCEPTING THE MAYOR'S  
NOMINATION TO FILL A POSITION ON THE PLANNING  
COMMISSION PURSUANT TO THE REQUIREMENTS OF  
THE CITY CHARTER, MAKING AN APPOINTMENT TO  
THE PLANNING COMMISSION FOR AN UNEXPIRED  
TERM**

Motion by Owsinek, seconded by Lublin, UNANIMOUSLY CARRIED: To approve resolution 2022-11 a resolution accepting the Mayor's nomination to fill a position on the Planning Commission pursuant to the requirements of the City Charter, making an appointment to the Planning Commission for an unexpired term.

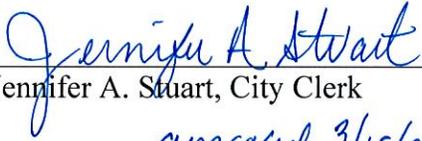
Roll Call Vote

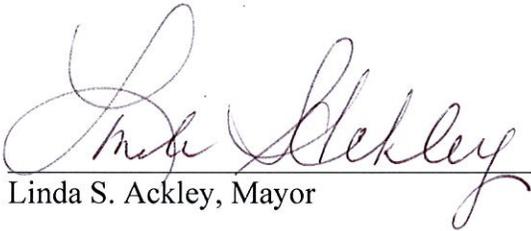
Ayes (6) Lublin, Owsinek, Woods, Ambrose, Fernandes, Ackley  
Nays (0)  
Absent (1) Loch  
Abstain (0)

Mayor Ackley said we have a tremendous staff, and they are very deserving of the raises this evening. We would be nothing without the staff and she appreciates them.

**ADJOURNMENT**

Meeting adjourned at 8:25 p.m.

  
\_\_\_\_\_  
Jennifer A. Stuart, City Clerk  
*approved 3/15/22*

  
\_\_\_\_\_  
Linda S. Ackley, Mayor