



CITY OF WALLED LAKE
SPECIAL COUNCIL MEETING
TUESDAY, JANUARY 6, 2026
7:30 P.M.

The meeting was called to order at 7:30 p.m. by Mayor Gunther.

PLEDGE TO FLAG & INVOCATION

Invocation by Mayor Pro Tem O'Rourke.

ROLL CALL

Mayor Gunther, Mayor Pro Tem O'Rourke, Council Member Ambrose, Council Member Arnold, Council Member Loch, Council Member Schinzing, and Council Member Woods

OTHERS PRESENT

City Manager Whitt, City Attorney Vanerian, and City Clerk Stuart

AUDIENCE PARTICIPATION

Tony Swiatek, 415 Common - 415 Common Street said he has lived there since 1987. He has been in the city since 1968 and worked for the U.S. Post Office from 1985 to 2018, including work in growth management. He said because of that background, he has seen a great deal of construction and development over the years in Walled Lake, Commerce Township, and Novi. He is here tonight in support of the idea of updating our inspection processes, code enforcement, and related regulations. He believes those updates are needed. He has also lived through many development-related issues in this city. His parents ran a business at 1987 East West Maple, and they dealt with neighboring development that caused flooding problems. He was involved in many meetings regarding the Maple Road extension and later the Foster Farm project where Riley Fields is located. He has a long history of working with the city on development concerns. One current issue he deals with daily is the Dairy Queen at the end of Common Street. He understands and accepts that it was approved, there simply is not adequate parking. Customers come and park near the old junior high site and in church parking areas, and traffic backs up onto Pontiac Trail. He has nearly been hit several times trying to turn onto Common Street because of the congestion. Delivery trucks unloading supplies adds to the problem. He has watched council meetings from late summer and early fall regarding proposed development at the former junior high site. He wanted to remind everyone that St. William's School is nearby and that there are children in the area. He noticed on an early plan that unloading was proposed on Common Street. He said Common Street is already used as a cut-through, and that would be dangerous. He has grandchildren who visit often, and especially in the summer, children are outside. This is a serious safety concern for him. Another issue relates to construction timing. Across Maple Road on the north side, a condo development began nearly 20 years ago. footings and plumbing were installed, and then the site sat unfinished for years with exposed pipes, creating a safety hazard. His daughter and son-in-law even owned a condo there for a time, and he saw this firsthand. He

understands construction delays; he once held a builder's license but leaving a site in that condition for years is not reasonable. They are only now constructing the fifth building. He wants to be clear that he supports updating codes, inspections, and enforcement. He believes developments need to be better thought through than they have been in the past. The examples of the Dairy Queen and the long-delayed construction on Maple Road illustrate why these changes are important. He thanked council for their time, and he plans on attending future meetings.

Julie Omer, 850 Ladd – said she is a privileged member of the Walled Lake Consolidated School District staff. She is surprised to find this on the agenda tonight. They have been working very diligently to make sure that they are responsible partners in looking at a development, and it sounds like there's a possibility that items here on this agenda might impact that development. Her hope is that the council members give some very thoughtful consideration to the impact and perhaps on how to roll this out responsibly. The district has been working with this particular property to make sure that it goes on the market so that they are responsible stewards of the taxpayer dollar, reutilizing to benefit the community and benefit the school district. They have been working again with the developer/partners to make sure that the planned unit development is solid. They are making sure that they are good neighbors and looking forward to that development taking place. She explained they understand that things need to be reviewed, but they are amid this project, and they hope that City Council can take that into consideration.

Randy Thomas 2019 Twp Drive Commerce - They are consultants on the real estate side for schools. He said he certainly understands where City Council is coming from because there are a lot of new members here, you are trying to get up to speed and probably drinking out of a fire hose right now. There are only two properties that he can see, maybe where the application of the PUD may occur, the school property being one of them. Maybe as a suggestion, let everybody get together and figure out the path forward, take a look, and consider a shorter timeframe instead of 180 days, maybe 90 days, and involve some work sessions with the proposed developer for the subject property. Hopefully that may be a forum where details can get worked out. He understands and he deals with it all the time. He said if there's an open forum for discussion between the parties, that may be the best result. Thank you.

Danny Verdi - builder for this project – explained he echoes the sentiment that Randy just shared with City Council, his suggestion represents a reasonable compromise. They submitted their plans October 31st in order to be on next week's meeting agenda. As of today, however, they have not received any reviews or comments from the city's consultants. He called earlier today to check on the status of those documents and to confirm next week's meeting, and he was informed that there may not be a quorum, which he understood. That said, the result is that a 180-day delay would push this development well into the middle of next year. He said holding a work session however City Council chose to organize it makes a lot of sense. Once they receive feedback from the planning and engineering reviewers, they can have a productive, informed discussion about what the council does or does not want and how to keep this process moving forward. He did not believe there is always a full understanding of how long state permitting takes. Typically, it takes four to six months. Additionally, they have a very limited paving season. They were fortunate this year to pave as late as Thanksgiving, but that's not always possible. With a 180-day moratorium, we wouldn't even be able to resume meaningful discussions until July, which would automatically push construction into the middle of next year.

He respectfully asked the City Council to reconsider this approach and look at alternatives that allow the process to continue moving forward. He said he believes this project will add significant value to the community through increased tax revenue, new residents, and potentially more students for the school district.

CORRESPONDENCE *None*

ATTORNEY'S REPORT *None*

NEW BUSINESS

1. Proposed Resolution 2026-01 Adopting 180 Day Moratorium on Proposed Planned Unit Development and Commercial Planner Unit Development Options

Mayor Gunther said he appreciates everyone coming out tonight, because this is obviously an important topic. One of the consistent things we heard from residents while campaigning for council and mayor was that people want smart development. He explained he spent some time in downtown Rochester, and it really stood out it is a beautiful, cohesive design, common facades, consistent materials, and a sense that everything works together. He said when we look at our own ordinances, we simply don't have that. They're filled with "recommends," "encourages," and "coulds," but very few clear requirements. The result is what we see today along Pontiac Trail, East Lake Drive, and much of Maple Road a patchwork of buildings with no uniformity or shared vision. The question is: how do we move toward development that's cohesive, predictable, and compatible with surrounding neighborhoods. He said that is why he is not opposed to a 90-day moratorium, and he welcomes it as we work to rewrite these ordinances. The goal is to replace vague language with clear, enforceable standards, the "shalls" and "musts", not suggestions. This is about creating predictable, high-quality developments that protect residents. He wants to move Walled Lake away from negotiated zoning and toward clean, enforceable standards that deliver consistent outcomes. When you look at surrounding communities like Novi, they establish a high-end material palette brick, consistent design language, and a unified look. Even in older areas, they work toward alignment through façade improvements and incentive programs. That kind of consistency matters. Right now, we have too much discretion and not enough structure. Four council members, by simple majority, can override zoning and planning recommendations, and those decisions are not even appealable to the Zoning Board of Appeals. That's highly unusual. In most communities, PUDs and CPDs still allow for appeals and follow a structured process. Ours effectively bypasses those safeguards. He said we are trying to correct that by adopting fewer discretionary overrides and more rule-based approvals to ensure that the master plan and underlying zoning cannot be bypassed so easily. He said this is not anti-development. He said we are absolutely pro-development, but it has to be the *right* development, compatible with neighbors and aligned with a shared vision for the city. There are other gaps we need to address. Traffic impact studies, for example, are currently optional. That makes no sense. You can introduce hundreds of vehicle trips onto a street without any formal analysis. Utilities and sewer capacity should be evaluated the same way if the capacity exists great; if not, we need to adjust. We should also consider fiscal impact studies so projects demonstrate that they can support the services they require. Design quality is another major issue. He said he can talk about facades all day if he must, because when you look at parts

of East Lake Drive, it's a hodgepodge. That is not something we should be proud of. He said he plans on living here for a long time, and he wants to see us raise that bar. Protecting our natural assets and adopting best-in-class standards from successful communities is how we create fairness, predictability, and better outcomes. It reduces "I'll do this if you do that" negotiations and replaces them with clear expectations for everyone. He said he does not believe this requires 180 days. He explained with today's tools, much of this work is cut-and-paste adapting proven ordinances from places like Plymouth or Rochester. He said right now, too often, Walled Lake feels like a place people pass through rather than a destination. He explained that is his perspective on what we're discussing tonight. He welcomes agreement, disagreement, and additional input from council.

Council Member Schinzing explained as a former member of the Commerce Township Planning Commission they declined more projects than they approved and often for the same reasons being discussed tonight. There was a strong desire on the Planning Commission to ensure commonality, compatibility, and quality in development. He explained there are a couple of projects, they were not particularly proud of, overall that structure made a difference. He said what stands out to him is the lack of structure in our current ordinances. He read through the materials and when looking at projects like the one behind his house the density alone would never have been approved in Commerce Township. He said they routinely heard from developers, "You'll never sell that property at that density," and our response was, "That's okay." They did not want that kind of development, and they stood by it. He does not believe that level of density reflects who Walled Lake is. Walled Lake has a similar look and feel to Commerce Township and even Novi in some respects and I think our ordinances should reflect that. There's a lot more the city can do to ensure that what gets built aligns with what residents want. He explained, for example, there are not many drive-thrus in Commerce Township because of the impact they have on nearby neighborhoods. Headlights and traffic at all hours affect residents, and those concerns were taken seriously. He explained he fully supports strengthening our ordinances to provide clearer expectations and better outcomes for both residents and developers. He said he agrees that this work can be accomplished within 90 days

Mayor Pro Tem O'Rourke explained he agrees with what Mayor Gunther and Councilman Schinzing. He said he does want to raise an issue in Walled Lake that he did not believe was being addressed quickly enough or effectively and that is traffic. He explained there is significantly more traffic coming through our city, particularly along Pontiac Trail and Maple Road. With the upcoming closure of 14 Mile Road due to sewer work, even more traffic will be diverted onto Decker Road, Pontiac Trail, Maple Road, Leon, and surrounding routes. That will only intensify the problem. I recently met with the Police Chief to discuss the Maple Road and Pontiac Trail intersection, and accident rates there have increased substantially. It is a very dangerous intersection. Even when drivers are trying to avoid running yellow lights, traffic is moving aggressively from all directions, creating serious safety concern. He explained we must take a much closer look at traffic patterns and require thorough traffic studies especially for any development on the former school property. We need to understand what kind of traffic those developments will generate, how many vehicles the site can accommodate, and how that traffic will impact surrounding neighborhoods. As Mr. Swiatek mentioned earlier, we must consider how these projects affect nearby residential communities. It is also critical that properties are zoned appropriately for what is being proposed. We cannot put the cart before the horse, zoning

and land-use considerations need to come first, and any flexibility or changes to zoning should be carefully evaluated and discussed before development moves forward. There is a lot happening right now related to traffic and safety in our community due to increased vehicle volume, and I want to assure residents that this will be a priority for me as we continue to review and discuss development across the City of Walled Lake.

Council Member Loch explained that she agrees reviews are needed, extending may be necessary but is still very concerned about the delays. She does not want to do anything that could potentially cause our community more issues. She explained when the city considers a PUD or the CPD, we have a little more negotiation control or power. The city can negotiate and get what we want. Where if we just close it down, she is afraid we may open a can of worms.

Mayor Pro Tem O'Rourke asked Council Member Loch for an explanation, what cans of worms.

Council Member Loch explained if we legally shut everything down for 180 days with no movement, that puts their timelines way behind, sale of property most likely contingent upon PUD approvals or could be lawsuits.

City Attorney Vanerian explained there are always legal concerns, if the city places hurdles, there is always the potential for legal exposure when development is not approved. We have denied proposals and we have been sued.

Council Member Schinzing explained when he was in Commerce they denied so many and they were not sued. He explained this is what we need to address, asking if the city ordinances not strong enough to address items.

Council Member Arnold explained he agrees that we need to have a stronger set of rules. He explained he did go through the build process but not a commercial build. He explained the city building process being very open and very loose. He explained having a structured set of rules is due. He thinks all agree that 180 days just may be a placeholder and City Council can pull that in. We owe to the community to address these concerns and get whatever we want changed as quickly as possible.

Mayor Gunther explained that the last developer doing the gas station on the corner of Decker and Maple commented if the city had any ordinances that would have required them to do high-end material, they would have done it, but the city does not have anything that takes us to it. We will end up with brick painted on an OSB board for your exterior. He explained it is the policy that we heard specifically from the community that we were developing for the sake of development and it didn't matter. He said if you look at the way the ordinance is written, it doesn't matter if the planning commission or traffic impact study said it was bad. We just vote to do it anyway, and I just don't think that's right.

Council Member Woods explained he has been on council for six years, and going back to a project that was mentioned earlier the PUD behind Council Member Schinzing's neighborhood, that decision was made before he was on council. He explained while that project did bring in higher density, there was a negotiation involved. He explained at the time, the city was in a

difficult financial position and didn't have the resources to address sewer, water flow, and flooding issues. That particular development helped alleviate flooding into Tri A, so while the density was higher, there were tangible infrastructure benefits that came from it. He explained his agreement with the traffic concerns that have been raised. The City Council has discussed traffic issues near Decker Road in past council meetings, especially where Decker meets Maple Road. The City Council did make changes there such as adding eastbound turn lanes to help manage the heavy traffic. He explained the city is seeing traffic impacts from the development near Decker and Pontiac Trail where access points are being reconfigured to improve inflow and outflow. He explained his concern relates to how we move forward, whether that's a 90-day or 180-day timeline. If we decide to take this step, we have to ensure the process is transparent. He said while staff and council can do the necessary background work, it's critical that residents, developers, and all stakeholders have a clear opportunity to see what's being proposed and to provide input. Is 90 days too short? Is 180 days more appropriate? He explained he is not sure of the timeline for a moratorium, but transparency and public engagement are essential, and we need to make sure everyone has a chance to participate in the discussion. He explained that even with PUDs and CPDs, there are already some built-in checks. If items were voted down by the Planning Commission, in some cases the process could stop there. He agreed improvements and corrections can be made and he is middle ground on this issue of number of days. He looks forward to continuing the discussion

Council Member Schinzing explained when he was in Commerce there were joint meetings between the planning commission, council members and zoning board to discuss their clear expectations of what they wanted to see for the community.

Mayor Gunther explained as a council majority, we really should be focused on having policy-level discussions, and that is essentially what today was about establishing policy direction. Once that direction is set, we should allow the teams underneath us to do their work. Mayor Gunther said City Manager Whitt runs the city, and staff should be empowered to carry out the policies established by council.

City Manager Whitt explained directions from council begins with amending the ordinance. He said holding meetings to tell boards how to vote is not the best approach. Ordinances are. City Manager Whitt explained if City Council chooses to amend the ordinance specifically the CPD provisions to remember that it is all one ordinance. Some people misunderstand that. The zoning ordinance includes CPDs and PUDs; those are simply acronyms within the same document. Once amended, that ordinance applies to everyone going forward, including City Council, even during negotiations. City Manager Whitt explained to some extent; you are bound by what you adopt. He said there was mention earlier that the city has not been sued. He said the city has been sued but we did not lose, that is the key distinction. He said the city did have a lawsuit with a PUD developer. He said it was ultimately shut down because the applicant would not negotiate and give City Council what it wanted. That final decision came by motion and vote. He said City Council does have control over the process. City Manager Whitt explained amending the ordinance is the proper way to give directions to the Planning Commission. Meeting with them is also reasonable so they understand the majority's intent but remember majorities change. This City Council just experienced this. The majority today may not feel the same way next year. City Manager Whitt explained that City Council can handle however they choose. If council wants a

moratorium, the process is straightforward: put it on the agenda, make a motion, second it, and then amend the motion to specify the number of days. Once that's done, City Council has a moratorium. Whether we get sued or not is not the issue. What matters is whether we lose. Cities get sued all the time. Some lose and some lose a lot of money. He said the key is to follow proper procedure, build a defensible record, and not be afraid to take action. He said staff will follow the rules City Council writes keeping in mind changes that come from a vote of four council members—not one. City Manager Whitt said there are no back-channel instructions. He said four votes determine the amendment, and that's what moves forward. There are people here tonight who are unhappy with potential changes and want projects to move forward as planned. City Manager Whitt explained City Council has the authority to pause, adjust, and correct the process if they believe it's necessary. City Manager Whitt explained his understanding is City Council is not necessarily about stopping development, it's about making an adjustment.

Mayor Gunther explained he appreciates the developer being here to discuss with City Council. He said if the developer could be a part of communication, the conversation around what we need to, what we need to change, what we need to do better, because they know better than anybody.

Council Member Ambrose said Mr. Thomas, the school consultant, made recommendation about a potential workshop that could be a benefit for our city, for the developer, not to say to continue moving the project forward, but it continues the transparency. It allows people, the developer, and the school district to know what changes may be coming. We owe that to all the residents.

Mayor Gunther said he agrees.

Discussion was held on time limit of the moratorium.

City Manager Whitt explained City Council does not have to vote “no” on the moratorium. If there is agreement on a specific time limit, or if City Council wants to pass it as is, doing so will change the situation somewhat. He explained that even if a moratorium is approved for a set period, that doesn't prevent staff or council from working with developers and encouraging progress. Both can happen simultaneously. Staff can continue their work while the moratorium sets the policy framework. Regarding procedure, to pass the resolution for the moratorium, it needs to be formally moved. A motion must be made, whether to approve, deny, or amend it. That's why it's on the agenda today, and that is the main reason for this meeting, as he discussed with the mayor.

City Attorney Vanerian said that amending a zoning ordinance takes some time. There has to be a first reading, then the ordinance is referred to the Planning Commission, which holds a public hearing and provides a recommendation back to council. After that, it returns to council for a second reading. So, you're talking about a minimum of three meetings just to get an ordinance adopted. Drafting the ordinance itself can be done within that timeframe if City Council knows exactly what changes they want. But if City Council is considering a comprehensive rewrite, updating design standards or making substantial changes, City Council will likely need multiple reviews. You'll look at a draft, decide what works, what doesn't, make revisions, and possibly send it back for additional feedback. City Attorney Vanerian explained the given 90 days may

not be enough time. If the intent is to make significant, substantive changes to the ordinances, it will probably require more than one review cycle with City Council and potentially the Planning Commission before it's ready for final approval. So, completing all of that in 90 days is unlikely.

CM 01-01-26 MOTION TO APPROVE RESOLUTION 2026-01 WITH A 90 DAY MORATORIUM ON PROPOSED PLANNED UNIT DEVELOPMENT AND COMMERCIAL PLANNED DEVELOPMENT OPTIONS

Motion by Schinzing, seconded by Arnold, MOTION CARRIED: To approve 90-day moratorium on proposed Planned Unit Development and Commercial Planned Development options.

Roll Call Vote

Ayes (4)	Arnold, O'Rourke, Schinzing, Gunther
Nayes (3)	Ambrose, Loch, Woods
Absent (0)	
Abstain (0)	

Mayor Gunther asked if a committee can be put together.

City Manager Whitt said yes, we can meet and fast track what changes are requested.

2. Discussion on Amending the City's Current Planned Unit Development & Commercial Planned Development Ordinances

Discussion held earlier in meeting.

3. Motion to Appoint Mayor Gunther to the WOCCCA Board

City Manager Whitt explained the board we're talking about was created through an agreement called the Intergovernmental Cable TV Agreement in 1983. Some may remember when they first installed the cable infrastructure. Under this agreement, several communities came together to create an authority, and Walled Lake created a board as part of that authority. Appointments to the board are determined by our local charter: the mayor makes the nomination, and the appointed members may be elected or designated officials. City Manager Whitt explained historically our former mayor served on this board. The board meets to decide how to allocate funds. Most of you probably haven't heard much about it but Walled Lake should be receiving about \$10,000 per year in management service fees. Since 1983, those funds have typically been sent to the school district. The last time we tried to redirect any of the funds for city use, the WOCCCA board declined. City Manager Whitt explained this board has over \$1 million in reserves. For practical purposes, if the mayor is willing, he would recommend that the mayor take the lead in engaging with the board. Staff can assist in administering the process, which is not complicated, but historically, the one community administering the program received \$10,000 per year for doing so. City Manager Whitt explained since Walled Lake has been

handling administration, we've received no compensation of management service fees. While most of the money is going elsewhere, it is still our city's money, and decisions on its use will involve negotiation with other entities, such as the school board. The surrounding communities are represented on the board typically by supervisors or appointed staff, not necessarily city managers. Right now, the board is calling for a meeting, so this is the appropriate time for Walled Lake to engage. City Manager Whitt explained if the mayor is willing to nominate himself to the board, staff can help manage administration, including disbursing checks and other oversight. After that, the responsibility could be delegated to someone else if needed.

CM 01-02-26 MOTION TO NOMINATE MAYOR GUNTHER TO WOCCCA BOARD

Motion by Ambrose, seconded by Schinzing, CARRIED UNANIMOUSLY: To nominate Mayor Gunther to the WOCCCA Board.

Roll Call Vote

Ayes (7) Arnold, Loch, O'Rourke, Schinzing, Woods, Ambrose, Gunther
Nayes (0)
Absent (0)
Abstain (0)

4. Discussion on Grant Writing

Mayor Gunther said grant writing is important, and the city may have already missed a few smaller opportunities for grants worth a few thousand dollars here and there. Historically, the city's approach has been that department heads write the grants.

City Manager Whitt said the city has not missed opportunities. We make strategic choices about which grants to pursue. City Manager Whitt explained under his direction, we've applied for and received millions of dollars in grants many times with staff, engineering firms, planners, and consultants writing applications. He said the city does not apply for every available grant because not every grant aligns with our needs or priorities. Grant writing is not a cure-all. Seeking out grants consumes time, and our priority is running the city. He explained as an example, if a grant offers funding for something we don't need like an extra 1,000 trees we shouldn't apply for it. Grants only make sense if they support city objectives and don't divert resources unnecessarily. City Manager Whitt explained instances where grants created complications. He said a good example is Mercer Beach, we received grant money for the beach in the past, but it came with requirements that reduced our control, forcing us to open it to everyone. That's why we are selective now. He said that grants have been very beneficial, we've received millions since he's been here. City Manager Whitt explained the largest grant he secured in his career was for \$60 million, which actually played a big role in why he was hired here. City Manager Whitt said if City Council wishes to pursue a dedicated grant writer, that's an option. City Manager Whitt explained if the grant aligns with council priorities, requires no additional city funding, and serves a purpose the council supports, then it could be worthwhile.

Otherwise, we have a solid track record of pursuing grants strategically without creating a full-time grant writing position.

Mayor Gunther asked City Attorney Vanerian to figure out wording for grant writing position, an unpaid role and bring back before council at the next meeting.

Mayor Gunther said there are several vacancies on all the boards and commission that need to be filled.

Mayor Pro Tem O'Rourke asked if there is a certain number of people required for each board and commission.

City Manager Whitt said yes, for example, City Council has a seven-member board. City Manager Whitt explained others may be created by ordinance, such as the DDA board, eleven members are required.

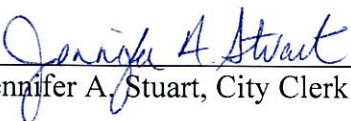
City Attorney Vanerian explained he will review each board and commission and report back to council with state law and city ordinance requirements.

City Manager Whitt said Planning Commission and ZBA should be top priority.

ADJOURNMENT

CM 01-03-26 ADJOURNMENT

Motion by Woods, seconded by Ambrose: CARRIED UNANIMOUSLY: To adjourn the meeting at 8:40 P.M.



Jennifer A. Stuart, City Clerk

Richard Gunther, Mayor

Approved 1/20/26