



# Memorandum

Office of the Village Manager

**TO:** Honorable President Narsh and Village Council  
**FROM:** Darwin D. P. McClary, Village Manager  
**DATE:** July 24, 2023

**RE:** **VILLAGE MANAGER'S REPORT**

## **STREET CORNER SOLICITATION ORDINANCE**

Council had previously introduced and gave first reading to an ordinance regarding street corner solicitation. Further review of the village's ordinances found that the village has already adopted provisions that bring the village into compliance with the 2017 changes to state law that expressly permit street corner solicitation under certain conditions. No further action is necessary by council.

## **VILLAGE HALL DOOR DAMAGE**

The lower pane of glass on the east front entrance door to village hall was damaged. We believe that a citizen in a wheel chair may have hit the door with the chair foot rest when trying to enter the building. The window pane is being replaced on Wednesday.

## **VILLAGE HALL LOBBY FLOORING**

Public Works has obtained two price quotes for the replacement of the tile flooring in the lobby of village hall with rubberized flooring, and a third price quote is expected soon. Council included an appropriation in the FY 2023-24 budget for this project.

## **VILLAGE HALL COUNCIL CHAMBERS CEILING REPAIR**

Public Works will be seeking price quotes soon to repair the water damaged ceiling in the council chambers. Water infiltration through the steeple is the cause of the damage, and the steeple was previously repaired to eliminate the infiltration. Council included an appropriation in the FY 2023-24 budget for this project.

## **MEEKS PARK PEDESTRIAN BRIDGE REPLACEMENT PROJECT**

The pedestrian bridge has been replaced. Some land restoration work still needs to be done. Administration has submitted a request for reimbursement for this project through the Oakland

County Community Development Block Grant (CDBG) Program in the amount of \$69,439. I will be requesting that village council reprogram some of the village's 2020, 2021, and 2022 CDBG funds to cover more of this project's costs and will be seeking a contribution from DDA for the remaining costs. I am also requesting that DDA reimburse the village for the costs of the Children's Park pedestrian bridge steel beams.

### **BELLEVUE WATER MAIN DWSRF ELIGIBILITY AND LEAD SERVICE LINE REPLACEMENT ISSUES**

I am pleased to inform the council that, on July 21, the village received a letter from the Michigan Department of Environment, Great Lakes, and Energy (EGLE) informing us that the village has returned to compliance regarding the construction of water main without required permits in May 2021 as part of the Phase II of the Water Main Replacement Project. I want to express my appreciation to Public Works Director Sanchez and engineers Nowak and Fraus and Hubbell, Roth & Clark for their hard work on this matter. Attached is the letter for the information of council.

We are still trying to confirm that this \$188,000 portion of water main is now eligible for reimbursement under the DWSRF loan. We also continue to work on the 515 Bellevue Avenue lead service line issue.

### **WEB SITE REDESIGN**

Administration is currently migrating data from the old web site to the new and adding new content. We are excited about the new design, navigation, and functionality of the new site and will announce when the new site is available to the public.

### **PURCHASE ORDER SYSTEM**

Administration has instituted the BS&A purchase order system after several years of not utilizing the module. The PO system will provide tremendous assistance in managing the budget in real time and in monitoring compliance with the village's new purchasing policy.

### **DEVELOPMENT PROJECT UPDATES**

Attached please find a report from Planning and Zoning Coordinator Belko on the current status of development projects within the village.

### **HEALTH INSURANCE RENEWAL**

Administration met with the village's health insurance benefits advisor, Corporate Benefit Solutions, on July 19 to review the village's insurance coverage renewals. The village will be seeing the following increases:

- Health Insurance: 5.44%
- Dental Insurance: 5.40%
- Optical Insurance: 0%

- Life and Accidental Death/Dismemberment (AD&D) Insurance: 0%
- Short Term Disability Insurance: 0%
- Long Term Disability Insurance: 0%
- TOTAL COST INCREASE (ALL INSURANCES): 4.98% from \$195,695.80 to \$205,441.36 annually.

The village's health insurance costs will continue to be less than the State of Michigan hard cap limits in accordance Public Act 152 of 2011, and I will be recommending that council adopt the hard cap limits for 2023 at your August 28 regular meeting. The village's benefit plan year starts on September 1 of each year.

I budget for 10% increases annually for health insurance and 5% increases for all other insurances. Corporate Benefit Solutions will be attending council's August 28 regular meeting to give a presentation on the village's health insurance premiums.

### **VILLAGE MANAGER'S TEMPORARY ABSENCE**

I will be out of the office on Thursday, July 27, for my birthday and on Monday, July 31, for a medical procedure. I will also be out of the country on vacation from Friday, August 4, through Sunday, August 20. I will be back in the office on Wednesday, August 23.

### **IMPORTANT DATES**

- July 26 – DDA Lake Orion Live! Music Series – 6:30-8:00 PM
- August 1 – Parks and Recreation Advisory Committee rescheduled regular meeting
- August 2 – DDA Lake Orion Live! Music Series – 6:30-8:00 PM
- August 3 – Board of Zoning Appeals regular meeting
- August 7 – Planning Commission regular meeting
- August 9 – DDA Lake Orion Live! Music Series – 6:30-8:00 PM
- August 14 – Village Council regular meeting



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY  
WARREN DISTRICT OFFICE



PHILLIP D. ROOS  
DIRECTOR

July 21, 2023

VIA EMAIL AND U.S. MAIL

Darwin McClary, Village Manager  
Village of Lake Orion  
21 East Church Street  
Lake Orion, Michigan 48362

WSSN: 03740  
County: Oakland  
System: Village of Lake Orion

Dear Darwin McClary:

**SUBJECT: Compliance Communication – Return to Compliance for Failure to Obtain Construction Permits**

The Department of Environment, Great Lakes, and Energy (EGLE), Drinking Water and Environmental Health Division (DWEHD), is tasked with permitting all water main construction, in accordance with the Michigan Safe Drinking Water Act, 1976 PA 399, as amended (Act 399). On June 7, 2023, Village of Lake Orion was issued a Violation Notice (VN) for its failure to obtain the required Act 399 permit prior to its work on the Bellevue Avenue Water Main Replacement project. Specifically, the work completed was 1,155 feet of 8-inch high density polyethylene water main, using pipe bursting methodology and replacement of associated appurtenances, along Bellevue Avenue from Heights Road to house number 384. This water main was associated with a Drinking Water State Revolving Fund (DWSRF) construction (project #7429-01). This letter is to acknowledge that Village of Lake Orion has completed the required corrective actions outlined in the VN and has successfully returned to compliance.

In response to its June 7, 2023, VN, Village of Lake Orion completed the following corrective actions and submitted documentation to EGLE in an email dated June 20, 2023.

1. Provided documentation of the construction timeline of the project.
2. Outlined a number of improvements to Village of Lake Orion's permit review process to prevent future Act 399 violations related to the acquisition of permits.
3. Submitted digital copies of as-built plans and project specifications.
4. Submitted commissioning details documenting the hydrostatic testing disinfection process and the results.

This documentation, including the project as-built plans, construction timeline, and commitments to improve Village of Lake Orion's plan review process, has been accepted for our records, and Village of Lake Orion has returned to compliance. Please

be reminded that the requirement that permits be obtained prior to construction is in place to protect public health by ensuring that drinking water infrastructure is designed and installed, in accordance with all relevant Act 399 requirements, industry standards, and best practices. Future instances of construction under the purview of Act 399, which occur without first obtaining a permit, may result in additional enforcement action, including civil fines.

We thank you for your cooperation in responding to this violation and your swift return to compliance. If you have any questions regarding this Compliance Communication, please contact me by phone at 248-504-9142; by email at [IslamA@Michigan.gov](mailto:IslamA@Michigan.gov); or in writing at EGLE, DWEHD, Warren District Office, 27700 Donald Court, Warren, Michigan 48092-2793.

Sincerely,



Abuzoha Islam, District Engineer  
Field Operations Section  
Drinking Water and Environmental Health Division

cc: Wesley Sanchez, Village of Lake Orion (via email)  
Carol Thurber, Nowak & Fraus Engineers (via email)  
Oakland County Health Department (via email)  
Brandon Onan, PE, EGLE (via email)  
Vicki Garon, PE, EGLE (via email)  
Maureen Nelson, EGLE (via email)  
David Worthington, EGLE (via email)

## Darwin McClary

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**From:** Zoning  
**Sent:** Tuesday, July 11, 2023 7:26 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Mocerri Developments  
**Attachments:** N035 LT-11 Parcel Combination Review 2.pdf; Address Plan 1 rev. 7-11-23 v2.pdf; Address Plan 2 rev. 7-11-23.pdf

Good evening,

Please see the following project updates below:

### Mystic Cove

- Proceeding through final engineering review: Revised plans received; awaiting water and sewer permit approvals.
- Split/Combo #1 (w/BZ) – Complete; County will record the revised description.
- Split/Combo #2 (Mystic site only) – Latest review attached, recommending approval; scheduled for July 17 PC meeting, then July 26 Council meeting; paperwork will then be sent to County with resolution for recording.
- Address Assignments – Drafted (see attached); awaiting approval for Split/Combo #2 prior to issuing memo to agencies (which needs to include updated, approved description)
- Demolition Permits – Zoning compliance permit should be issued tomorrow (Manager's signature needed); will then deliver all materials to Township for building permit issuance.

### Constellation Bay

- Proceeding through final engineering review – revised plans received.

### The Starboard (Multifamily Building, Boat House, Beach House)

- Mocerri Team is preparing site plan package.
- Village Clerk should have reached out regarding FOIA for 10 S. Park Blvd. – you are welcome to review files in person; we can provide copies at a charge. Please coordinate with the Village Clerk for further details.

### The Peninsula (Condos)

- Mocerri team has application documents, will submit when ready.

### Flint/Lake Street Reconfigurations

- Flint Street Split/Combo – Previously approved by engineering; Scheduled for July 17 PC meeting, then July 26 Council meeting; paperwork will then be sent to County with resolution for recording.
- Lake Street Redesign – Construction plans received; drawings and draft agreement scheduled for July 26 Council meeting.

**When responding, please include the itemized list above with your comments; this will help me with project tracking.**

Thank you,  
Gage

### **Gage Belko, AICP**

Planning and Zoning Coordinator  
Office Hours: Tuesdays 9:00am-4:00pm