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## MINUTES

### REGULAR MEETING OF THE LAKE ORION VILLAGE COUNCIL

Monday, November 13, 2023

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, November 13, 2023 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 Council Member Stan Ford 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
Jerry Narsh	Village of Lake Orion	President	Excused	
Teresa L Rutt	Village of Lake Orion	President Pro Tem	Excused	
Carl Cyrowski	Village of Lake Orion	Council Member	Present	
Stan Ford	Village of Lake Orion	Council Member	Present	
Michael Lamb	Village of Lake Orion	Council Member	Present	
Nancy Moshier	Village of Lake Orion	Council Member	Present	
Kenneth VanPortfliet	Village of Lake Orion	Council Member	Present	

#### **STAFF PRESENT:**

- Village Manager Darwin McClary
- Village Clerk Susan Galeczka
- Village Treasurer/Recording Secretary Sonja Stout
- DPW Director Wes Sanchez

2. **Motion to:** make Stan Ford acting chair for the Village Council meeting.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kenneth VanPortfliet, Council Member
<b>SECONDER:</b>	Carl Cyrowski, Council Member
<b>AYES:</b>	Cyrowski, Ford, Lamb, Moshier, VanPortfliet
<b>EXCUSED:</b>	Jerry Narsh, Teresa L Rutt

**4. Presentations**

**5. Call to the Public**

**6. Consent Agenda**

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

Request to remove item #2 on consent agenda and add to a later dated agenda with a full council.

<b>RESULT:</b>	<b>ADOPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Carl Cyrowski, Council Member
<b>SECONDER:</b>	Nancy Moshier, Council Member
<b>AYES:</b>	Cyrowski, Ford, Lamb, Moshier, VanPortfliet
<b>EXCUSED:</b>	Jerry Narsh, Teresa L Rutt

Receive and File Sample Ethics Board Opinion - City of Birmingham

**RESOLVED:** To removed Consent Agenda Item No. 2,Receive and File Sample Ethics Board Opinion - City of Birmingham and to add to a later dated agenda with a full Council.

1. Schedule Public Hearing on PY 2024 CDBG Annual Application

**RESOLVED:** To schedule a public hearing for Monday, November 27, 2023, at 7:30 PM, for the purpose of receiving public comments on the Village of Lake Orion Program Year 2024 Community Development Block Grant application; and to authorize village administration to provide notice of the public hearing through posting of the same at village hall and on the Village of Lake Orion web site at least 10 days prior to the hearing.

2. Receive and File Sample Ethics Board Opinion - City of Birmingham  
3. Schedule Public Hearing on Reprogramming of CDBG Funds

**RESOLVED:** To schedule a public hearing for Monday, November 27, 2023, at 7:30 PM, on the proposed reprogramming of Village of Lake Orion Program Years 2020 and 2021

Community Development Block Grant funds; and to authorize administration to post the notice of the same at village hall and on the village's web site at least 10 days prior to the hearing.

4. Special Event Permit Ice Fest 2024

**COUNCIL RESOLUTION 2024-002**

**SPECIAL EVENT PERMIT ICE FEST**

**RESOLUTION TO APPROVE THE APPLICATION FOR  
2024 ICE FEST, LIVE ICE SCULPTING.**

**RESOLVED:** To approve the Event Permit Application requesting the use of Public Streets and Right-of-Ways submitted by Arizona Goulet on behalf of the Lake Orion DDA, for the 2024 Ice Fest, a Live Ice Sculpting event. There will be 2 live ice sculpturing performances and 12 pre-sculpted ice blocks on the sidewalks downtown. There will be 2 warming hubs and propane heaters throughout town. Saturday, February 10, 2024, between 10:00 AM- 6:00 PM

Date/Time: Event for live ice carving Saturday, February 10, 2024, 10:00 AM - 6:00 PM

Ice sculptures will remain on display until they melt.

Properties: Use of regular parking on streets and lots in the village.

Normal use of sidewalk garbage bins.

Portion of the sidewalks up against the buildings on Broadway and Flint Street for pre-sculpts, 2 fire pits, propane heaters by carving stations. Parking spots near live sculpting will be blocked off with barricades.

Warming hubs at the corner of Flint & Anderson Street and at the American Legion.

No road closures.

Other requests:

Use of equipment Saturday, February 8 & 9, 2024, DPW to set out cinder blocks.

Barricades to be placed around one parking space and sidewalk while carving demonstration is taking place.

- Use of electrical connections by trees for carving equipment and lights.

Municipal Equipment:

- Barricades
- Electrical connections: Plugs by the trees

Set-up/Tear down: Live carving, February 10, 2024, 10:00 AM - 6:00 PM.

Tear down as sculptures melt.

Contingent on the following:

**FIRE DEPARTMENT:** It is the recommendation of the Orion Township Fire Department that the event, Live Ice Sculpting, be approved with the following conditions.

1. There shall be no parking in the Fire Station parking lot or along Anderson Street.
2. All Open burning warming hubs shall be attended at all times by a responsible adult and will follow open burning regulations.

**FURTHER RESOLVED:** That the Village Council approves the License Agreement between the Lake Orion DDA and authorize the President and Clerk to execute it on behalf of the Village Lake Orion

5. Approval of Village Council Regular Meeting Minutes-October 23, 2023

**RESOLVED:** To approve the Regular Village Council Meeting Minutes of Monday, October 23, 2023, as presented.

6. Approval of Village Council Special Meeting Minutes-October 25, 2023

**RESOLVED:** To approve the Special Village Council Meeting Minutes of Monday, October 25, 2023, as presented.

7. Receive and File October 2023 Police Activity Report

**RESOLVED:** To receive and file the October 2023 Police Department Activity Report.

8. DDA Executive Director's Report - October 2023

**RESOLVED:** To receive and file the DDA Executive Director's Report for October 2023.

9. Planning and Zoning Monthly Report - October 2023

**RESOLVED:** To receive and file McKenna's Planning and Zoning Report for October 2023.

10. Parks & Recreation Advisory Committee Regular Meeting Minutes August 26, 2023

**RESOLVED:** To receive and file the minutes of the Parks & Recreation Advisory Committee regular meeting of August 26, 2023.

11. Parks & Recreation Advisory Committee Regular Meeting Minutes - September 25, 2023

**RESOLVED:** To receive and file the minutes of the Parks & Recreation Advisory Committee regular meeting of September 25, 2023.

12. DDA Board Regular Meeting Minutes -September 19, 2023

**RESOLVED:** To receive and file the Downtown Development Authority regular meeting minutes of September 19, 2023.

13. DDA Board Special Meeting Minutes -September 29, 2023

**RESOLVED:** To receive and file the Downtown Development Authority Special meeting minutes of September 29, 2023.

14. Planning Commission Regular Meeting Minutes -October 2, 2023

**RESOLVED:** To receive and file Planning Commission regular meeting minutes of Monday, October 2, 2023.

**7. Approval of Agenda**

**Motion to:** approve the November 13, 2023 Village Council Agenda.

<b>RESULT:</b>	<b>APPROVED AS PRESENTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kenneth VanPortfliet, Council Member
<b>SECONDER:</b>	Carl Cyrowski, Council Member
<b>AYES:</b>	Cyrowski, Ford, Lamb, Moshier, VanPortfliet
<b>EXCUSED:</b>	Jerry Narsh, Teresa L Rutt

**8. Public Hearings**

## 9. Agenda Items for Consideration

### A. Financial Matters

1. Invoice Approval -November 13, 2023

<b>RESULT:</b>	<b>FAILED [3 TO 2]</b>
<b>MOVER:</b>	Kenneth VanPortfliet, Council Member
<b>SECONDER:</b>	Carl Cyrowski, Council Member
<b>AYES:</b>	Carl Cyrowski, Stan Ford, Kenneth VanPortfliet
<b>NAYS:</b>	Michael Lamb, Nancy Moshier
<b>EXCUSED:</b>	Jerry Narsh, Teresa L Rutt

**RESOLVED:** To approve November 13, 2023 bills in the amount of \$196,632.33, of which \$17,787.29 are DDA Bills for a net total of \$178,845.04 and to receive and file the DDA bills.

### B. Other Items

1. Obligation of American Rescue Plan Act (ARPA) CLFRF Funds

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kenneth VanPortfliet, Council Member
<b>SECONDER:</b>	Michael Lamb, Council Member
<b>AYES:</b>	Cyrowski, Ford, Lamb, Moshier, VanPortfliet
<b>EXCUSED:</b>	Jerry Narsh, Teresa L Rutt

**VILLAGE OF LAKE ORION**

**COUNTY OF OAKLAND**

**STATE OF MICHIGAN**

**RESOLUTION 2023-052**

**A RESOLUTION TO OBLIGATE THE VILLAGE OF LAKE ORION CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS PURSUANT TO THE STATE OF MICHIGAN CVTRS FY 2024 PROGRAM REQUIREMENTS.**

**WHEREAS**, the Village of Lake Orion received a total of \$335,128 in grant funding as a Non-Entitlement Unit (NEU) under the American Rescue Plan Act of 2021, Public Law 117-2, Coronavirus Local Fiscal Recovery Fund (CLFRF), the receipts of which were

posted to the Village's Water and Sewer Fund; and

**WHEREAS**, under the State of Michigan City, Village, and Township Revenue Sharing (CVTRS) Program, municipalities who received such funds must fully obligate those funds for a specific purpose by December 31, 2023, in order to receive a CVTRS-CLFRF payment equal to 1% of their eligible FY 2023 ongoing CTRS payment amount; and

**WHEREAS**, the Village of Lake Orion desires to be eligible for such CVTRS-CLFRF payment;

**NOW, THEREFORE, BE IT RESOLVED** that the Lake Orion Village Council does hereby fully obligate its CLFRF funds in the total amount of \$335,128 by appropriating the same to the Village's 2024 Sanitary Sewer Pump Stations Improvement Project; and

**BE IT FURTHER RESOLVED** that the Lake Orion Village Council does hereby authorize the Village Manager and Finance Director/Treasurer to execute all necessary documents to effectuate the same on behalf of the village.

2. Meeting Essentials Ultimate Agenda and Minutes Management System - CivicPlus

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Lamb, Council Member
<b>SECONDER:</b>	Kenneth VanPortfliet, Council Member
<b>AYES:</b>	Cyrowski, Ford, Lamb, Moshier, VanPortfliet
<b>EXCUSED:</b>	Jerry Narsh, Teresa L Rutt

**RESOLVED:** To approve the migration from the Granicus IQM2/MinuteTrac agenda and minutes management system and to approve a contract with CivicPlus of Manhattan, Kansas, for the Meeting Essentials Ultimate agenda and minutes management system in the amount of \$4,710.00 in the first year, \$3,370.50 in the second year, and each subsequent year subscription to adjust by 5% as outlined in their proposal dated October 18, 2023; and to authorize the Village Manager to execute all necessary documents on behalf of the village relating to this contract award.

3. Purchase Request-Dump/Plow Truck

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Carl Cyrowski, Council Member
<b>SECONDER:</b>	Nancy Moshier, Council Member
<b>AYES:</b>	Cyrowski, Ford, Lamb, Moshier, VanPortfliet
<b>EXCUSED:</b>	Jerry Narsh, Teresa L Rutt

**RESOLVED:** To utilize the State of Michigan MIDeal competitive bids and approve the

purchase of the F-350 Dump/Plow truck from Gorno Ford in the amount of \$94,352.00; and to authorize the Village Manager to execute all necessary documents related to this bid award.

4. Approval of POAM Contract Memorandum of Understanding - Starting Pay for New Hires

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kenneth VanPortfliet, Council Member
<b>SECONDER:</b>	Michael Lamb, Council Member
<b>AYES:</b>	Cyrowski, Ford, Lamb, Moshier, VanPortfliet
<b>EXCUSED:</b>	Jerry Narsh, Teresa L Rutt

**RESOLVED:** To approve the POAM 2023-2026 Collective Bargaining Agreement Memorandum of Understanding permitting the village to hire new employees within the POAM bargaining unit above the starting wage based on prior years of experience in the law enforcement field; and to authorize the Village Manager and Village Clerk to execute the Memorandum of Understanding on behalf of the village.

5. Appointments to Village of Lake Orion Board of Ethics

<b>RESULT:</b>	<b>FAILED [3 TO 2]</b>
<b>MOVER:</b>	Kenneth VanPortfliet, Council Member
<b>SECONDER:</b>	Carl Cyrowski, Council Member
<b>AYES:</b>	Carl Cyrowski, Stan Ford, Kenneth VanPortfliet
<b>NAYS:</b>	Michael Lamb, Nancy Moshier
<b>EXCUSED:</b>	Jerry Narsh, Teresa L Rutt

**RESOLVED:** Direct Village Manager to provide the Village Council with a process for appointing the ethics board members at a later meeting.

6. Receive Resignation of Village Clerk Susan Galeczka Due to Retirement

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kenneth VanPortfliet, Council Member
<b>SECONDER:</b>	Michael Lamb, Council Member
<b>AYES:</b>	Cyrowski, Ford, Lamb, Moshier, VanPortfliet
<b>EXCUSED:</b>	Jerry Narsh, Teresa L Rutt

**RESOLVED:** To receive, the letter of resignation of Village Clerk Susan Galeczka dated October 24, 2023, and effective January 5, 2024, due to her impending retirement and to schedule the same for consideration for acceptance in accordance with Section 4.5 of the village charter at the Village Council's November 27, 2023, regular meeting.



#### **10. Call to the Public**

Drew Ciora, 112 Park Island, discussed his concern for the cost of the election that ran last week, and would like it made public how the village would pay for the cost of the election.

Matt Pfeiffer, 497 Bellevue Ave, discussed fiscal responsibility within the council members and also mentioned the importance of having a Police Chief and how it might impact the police staffing. He also thanked Susan Galeczka for her service and willingness to train her replacement after her retirement.

Rosemary Ford, 225 N. Broadway, thanked Susan Galeczka for her service and for helping with the Parks and Recreation board.

#### **11. Council Comments**

Council Member Cyrowski stated he had no comment and would save them for the next meeting.

Council Member Moshier congratulated Susan Galeczka on her retirement and also thanked her for her service over the years. She was also pleased with the turnout for the voting election last week.

Council Member Van Portfliet thanked Susan Galeczka for going above and beyond in her tenure with the village. Thanked the contributors who contributed for the Ice festival and provided support which would include Meijer, Flip Spot, Cold Carriage, Moceri.

Council Member Lamb was pleased that his voice was being heard amongst the citizens. Thanked all the voters who came out last week for the election. Thanked Susan Galeczka for her help in the past years.

Council Member Ford thanked Susan Galeczka for all her efforts in the past. Acknowledged the Veterans and those who have served. Stated he loves leaf pickup and greatly appreciates the DPW for their help during that time. Halloween night was impressive with the police patrol. Appreciated all those who voted in last weeks election. Children's Park tree lighting ceremony is this upcoming Thursday with good weather.

#### **12. Village Manager Comments**

Village Manager McClary thanked Susan Galeczka for her service and all of her help over the past several years that he has been in the Village. He also spoke about the following from the manager's report:

- Police Chief appointment
- 2023 Village special election unofficial results
- Fee schedule work session

- Metered downtown parking
- Mobile food establishment ordinance review
- Sanitary sewer pump stations improvement project
- Park avenue retaining wall replacement project
- Village hall lobby flooring replacement
- Capital Improvement plan submissions due
- New Village website
- Upcoming dates

### 13. Closed Session Items

### 14. Reconvene to Open Session

### 15. Business From Closed Session

Excuse Village council members from November 13, 2023 meeting.

**Motion to:** excuse Village Council President Narsh and President Pro Tem Rutt from the Monday November 13, 2023 Meeting.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kenneth VanPortfliet, Council Member
<b>SECONDER:</b>	Carl Cyrowski, Council Member
<b>AYES:</b>	Cyrowski, Ford, Lamb, Moshier, VanPortfliet
<b>EXCUSED:</b>	Jerry Narsh, Teresa L Rutt

### 16. Adjournment

**Motion to:** Adjourn the Monday November 13, 2023 regular meeting of the Lake Orion Village Council.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kenneth VanPortfliet, Council Member
<b>SECONDER:</b>	Michael Lamb, Council Member
<b>AYES:</b>	Cyrowski, Ford, Lamb, Moshier, VanPortfliet
<b>EXCUSED:</b>	Jerry Narsh, Teresa L Rutt

The Monday November 13, 2023 regular meeting of the Lake Orion Village Council adjourned at 8:51 PM.

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Jerry Narsh  
President

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Susan C. Galeczka, CMC CMMC  
Village Clerk

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Sonja Stout  
Treasurer/Recording Secretary

Date Approved: November 27, 2023 as presented.