



MINUTES

REGULAR MEETING OF THE LAKE ORION VILLAGE COUNCIL

Monday, December 11, 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, December 11, 2023 Regular Meeting of the Lake Orion Village Council was called to order in the Lake Orion Village Hall Council Chambers located in the Village Hall at 21 East Church Street, Lake Orion, MI 48362 by President Jerry Narsh 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	Present	
Teresa L Rutt	Village of Lake Orion	President Pro Tem	Present	
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
- Lt. Todd Stanfield

4. Presentations

1. School Millage Proposals - Lake Orion Community Schools Superintendent Ben Kirby

Ben Kirby, Lake Orion Community Schools Superintendent, gave a brief presentation about two upcoming ballot proposals for the February 27, 2024 election. The ballot proposals are a 10-year proposal replacement millage and the other is a 10-year sinking fund millage proposal.

5. Call to the Public

Dwayne Decker, 397 North Shore, spoke about his opinions towards the idea of parking meters and his experience with parking meters in the past. He votes "NO" on parking meters.

Diane Geiger, 137 Summer St, discussed her opinion towards parking meters.

6. Consent Agenda

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kenneth VanPortfliet, Council Member
SECONDER:	Michael Lamb, Council Member
AYES:	Narsh, Rutt, Cyrowski, Ford, Lamb, Moshier, VanPortfliet

1. Approval to Excuse Council Member Moshier's Absence at November 20, 2023, Special Meeting
RESOLVED: To excuse Council Member Nancy Moshier's absence at the November 20, 2023, special meeting of the Village Council.
2. Receive and File Correspondence Linwood Orion LLC, Requesting Sewer Bill Reduction
RESOLVED: To receive and file the correspondence from Linwood Orion LLC.
3. SEMCOG Annual Membership Renewal 2023-2024
RESOLVED: To approve the 2023-24 Village of Lake Orion membership in the Southeast Michigan Council of Governments (SEMCOG) in the amount of \$807.00 for the period of December 15, 2023, through December 15, 2024
4. St Patrick's Day Celebration RESOLUTION 2024-006

COUNCIL RESOLUTION 2024-006

A RESOLUTION RECOMMENDING APPROVAL OF THE ST PATRICK'S DAY CELEBRATION SPECIAL EVENT PERMIT APPLICATION

RESOLVED: To approve the Event Permit Applications submitted by Drew Ciora, on

behalf of The Lockhart's BBQ #2 LLC, dba The 313 Pizza Bar, dated 11/21/2023 for the St Patrick's Day Celebration to be held on March 16, 2024 5:00 PM - Midnight and March 17, 2024 Noon - 9 PM to be held at the parking lot behind The 313 Pizza Bar.

Set-up of the tent on Friday, March 15, 2024 after 12:00 PM.

Breakdown and clean up Monday, March 18, 2024.

FURTHER RESOLVED: To approve the License Agreement between the Village of Lake Orion and Lockhart's BBQ #2 LLC, dba The 313 Pizza Bar and to authorize the Village President and Village Clerk to execute the Agreement on behalf of the Village.

FURTHER RESOLVED: The approval is conditioned on the following:

Administrative Requirements

1. Execution of the Lease Agreement by Lockhart's BBQ #2 LLC, dba, The 313 Pizza Bar.
2. All tents and/or temporary structures shall be properly secured in case of inclement weather or wind conditions so that they are not blown away and cause serious injury or damage.
3. Clean-up of the area is the responsibility of the applicant
4. Additional trash receptacles are the responsibility of the applicant (None needed; they will be using the existing dumpster).
5. Liquor license and insurance must be provided to the village prior to the event.

Liquor license and insurance has already been received at the village offices.

Police Department Requirements - The applicant must meet all requirements of the Police Department including but not limited to

1. The police department will direct the placement of all required barricades for parking lots and any approved street closures. DPW will provide barricades and detour signage.
2. The cellular telephone numbers of event staff and on-scene managers will be provided to the police department within twenty-four (24) hours of the event.

DPW Requirements The applicant must meet all requirements of the DPW, including but not limited to

1. Use of Village Orange Cones will be based upon availability
2. DPW will not supply extension cords or cords covers.
3. DPW will provide barricades for street and parking lot closure following a request from the Chief of Police.

Fire Department Requirements: *This event has NOT been approved by the Fire Department.*

The Orion Township Fire Department has completed its review of the application for the St. Patrick's Day Celebration for the limited purpose of compliance with Village of Lake Orion's Ordinance's, Michigan Building Code, and all applicable Fire Codes.

Based upon the application and documentation provided, the Fire Department has the following recommendation: **The Fire department did not approve this event.**

Comments:

Tents or membrane structures shall not be located within 20 feet of lot lines, buildings, other tents or membrane structures, parked vehicles, or internal combustion engines.

For the purpose of determining required distances, support ropes and guy wires shall be considered as part of the temporary membrane structure or tent.

An unobstructed fire break passageway or fire road no less than 12 feet wide and free from guy ropes or other obstructions shall be maintained on all sides of all assembly tents.

Combustible refuse shall be kept in noncombustible containers with tight fitting or self-closing lids. Combustible refuse shall be removed from the event site at regular intervals to prevent an unsafe accumulation within the event site.

If there are any questions, the Fire Department may be reached at 248-391-0304

ext. 2004 The applicant must meet all the requirements of Fire Marshall.

Jeff Williams, Fire Marshal

FINALLY RESOLVED: To adopted Resolutions 2024-006 , recommending approval of a special event Permit Application for The Lockhart's BBQ #2 LLC, dba The 313 Pizza Bar, dated 11/21/2023 for the St Patrick's Day Celebration to be held on March 16, 2024 5:00 PM - Midnight and March 17, 2024 Noon - 9 PM for a St. Patrick's Day Celebration and approving the Lease Agreement between the Village of Lake Orion and The Lockhart's BBQ #2 LLC, dba The 313 Pizza Bar, for the St Patrick's Day Celebration authorizing the Council President and Village Clerk to execute the agreement on behalf of the Village.

5. Budget Amendment Request

RESOLVED: To approve the budget amendment request BA-23-032 in order to pay the bill for the MML Dues and upcoming Cobra monthly fees.

6. Adopt Resolution Setting 2024 Village Council Meeting Schedule

COUNCIL RESOLUTION 2024-004

RESOLUTION ADOPTING THE 2024 VILLAGE COUNCIL MEETING SCHEDULE

WHEREAS, Pursuant to the Open Meetings Act public bodies are required to adopt and publish a schedule of their meetings prior to the start of each year.

WHEREAS, The Village Council, as indicated in the Village Charter, meets on the second and fourth Monday of each month, at 7:30 p.m. unless otherwise designated in its meeting schedule.

NOW, THEREFORE BE IT RESOLVED, The Lake Orion Village Council adopts its 2024 Village Council Meeting Schedule as follows:

MONDAY, JANUARY 8, 2024	MONDAY, JANUARY 22, 2024
MONDAY, FEBRUARY 12, 2024	MONDAY, FEBRUARY 26, 2024
MONDAY, MARCH 11, 2024	MONDAY, MARCH 25, 2024
MONDAY, APRIL 8, 2024	MONDAY, APRIL 22, 2024

MONDAY, MAY 13, 2024	TUESDAY, MAY 28, 2024
MONDAY, JUNE 10, 2024	MONDAY, JUNE 24, 2024
MONDAY, JULY 8, 2024	MONDAY, JULY 22, 2024
MONDAY, AUGUST 12, 2024	MONDAY, AUGUST 26, 2024
MONDAY, SEPTEMBER 9, 2024	MONDAY, SEPTEMBER 23, 2024
MONDAY, OCTOBER 14, 2024	MONDAY, OCTOBER 28, 2024
TUESDAY, NOVEMBER 12, 2024	MONDAY, NOVEMBER 25, 2024
MONDAY, DECEMBER 9, 2024	MONDAY, DECEMBER 22, 2024 - No meeting

7. Village Office Closed December 27, 2023

RESOLVED: To approve the Village offices to be closed Wednesday December 27, 2023 as presented.

8. Approval of Village Council Regular Meeting Minutes of November 27, 2023

RESOLVED: To approve the Monday, November 27, 2023, regular meeting minutes as presented.

9. Approval of Village Council Special Meeting Minutes of November 22, 2023

RESOLVED: To approve the Wednesday, November 22, 2023, special meeting minutes as presented.

10. Approval of Village Council Special Meeting Minutes- December 3, 2023

RESOLVED: To approve the Special Village Council Meeting Minutes of Sunday, December 3, 2023, as presented.

11. Receive and File November 2023 Police Activity Report

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

12. November 2023 DDA Executive Director Report

RESOLVED: To receive and file the DDA Executive Director's Report for November 2023

13. DDA Board Regular Meeting Minutes -October 17, 2023

RESOLVED: To receive and file DDA Minutes of Tuesday, October 17, 2023.

7. Approval of Agenda

Motion to: approve the December 11, 2023 Village Council meeting agenda.

RESULT:	APPROVED AS PRESENTED [UNANIMOUS]
MOVER:	Kenneth VanPortfliet, Council Member
SECONDER:	Teresa L Rutt, President Pro Tem
AYES:	Narsh, Rutt, Cyrowski, Ford, Lamb, Moshier, VanPortfliet

8. Public Hearings

9. Agenda Items for Consideration

A. Financial Matters

1. Invoice Approval -December 11, 2023

RESULT:	ADOPTED [5 TO 2]
MOVER:	Teresa L Rutt, President Pro Tem
SECONDER:	Carl Cyrowski, Council Member
AYES:	Narsh, Rutt, Cyrowski, Ford, VanPortfliet
NAYS:	Michael Lamb, Nancy Moshier

RESOLVED: To approve December 11, 2023, bills in the amount of \$117,037.60 of which \$10,486.66 are DDA Bills for a net total of \$106,550.94 are approved for payment; and to receive and file the DDA bills.

2. Invoice Approval -Necessary Invoices to be Paid on December 20, 2023

RESULT:	ADOPTED [5 TO 2]
MOVER:	Kenneth VanPortfliet, Council Member
SECONDER:	Teresa L Rutt, President Pro Tem
AYES:	Narsh, Rutt, Cyrowski, Ford, VanPortfliet
NAYS:	Michael Lamb, Nancy Moshier

RESOLVED: To authorize the Village Manager and Finance Director to pay the remainder of the December 2023 bills that are necessary to keep bills from accumulating late fees and penalties during the holiday season on the next check run date of December 20, 2023.

B. Other Items

1. PUD Agreement - West Village PUD at 55 W. Elizabeth

Gage Belko, Village Planner, spoke about the West Village PUD agreement and how the village can propose certain conditions such as proof of land ownership

before being approved along with a requirement of a performance guarantee which is usually 1%-3% he recommended not exceeding .5% due to the size of the current project.

Kyle Westberg, Developer on the West Village PUD project, spoke about the project and his concerns about the second condition proposal and not being aware of the second proposed condition prior to this evening.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Carl Cyrowski, Council Member
SECONDER:	Kenneth VanPortfliet, Council Member
AYES:	Narsh, Rutt, Cyrowski, Ford, Lamb, Moshier, VanPortfliet

RESOLVED: To approve the agreement between the Village of Lake Orion and West Village 55, LLC for the proposed Planned Unit Development located at 55 W. Elizabeth, conditioned upon the developer providing proof of ownership or control of all land proposed for the development and further conditioned upon the developer remitting a performance guarantee for the cost of infrastructure not to exceed the amount listed in Oakland County permits.

2. Use of Unimproved Public Property Agreement - Starboard Development Project

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jerry Narsh, President
SECONDER:	Kenneth VanPortfliet, Council Member
AYES:	Narsh, Rutt, Cyrowski, Ford, Lamb, Moshier, VanPortfliet

RESOLVED: To request the provision of land-based access onto a portion of Village property, also known as Green's Park, through the proposed Starboard Orion development, insofar that said property is otherwise inaccessible via land and such provision is not unreasonably burdensome, and to cause such access to be recorded as a permanent easement.

3. Appointment to Chief of Police Position

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kenneth VanPortfliet, Council Member
SECONDER:	Jerry Narsh, President
AYES:	Narsh, Rutt, Cyrowski, Ford, Lamb, Moshier, VanPortfliet

RESOLVED: To confirm the Village Manager's appointment of Lake Orion Police Lieutenant Todd Stanfield as Chief of Police for the Village of Lake Orion effective December 12, 2023.

Motion #2: Employment Agreement

President Narsh congratulated Chief Stanfield for being promoted to Chief and a picture was taken with Chief Stanfield and the Council.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kenneth VanPortfliet, Council Member
SECONDER:	Jerry Narsh, President
AYES:	Narsh, Rutt, Cyrowski, Ford, Lamb, Moshier, VanPortfliet

RESOLVED: To approve the employment agreement for Todd Stanfield as Chief of Police as presented by the Village Manager and to authorize the Village Manager and Village Clerk to execute the agreement on behalf of the village.

4. Approval of Clerk-Treasurer and Deputy Clerk-Treasurer Job Descriptions

RESULT:	ADOPTED [5 TO 2]
MOVER:	Kenneth VanPortfliet, Council Member
SECONDER:	Teresa L Rutt, President Pro Tem
AYES:	Narsh, Rutt, Cyrowski, Ford, VanPortfliet
NAYS:	Michael Lamb, Nancy Moshier

RESOLVED: To approve the Village Clerk/Treasurer and Deputy Village Clerk/Treasurer job descriptions as presented.

5. Appointment to Clerk/Treasurer Position

RESULT:	ADOPTED [5 TO 2]
MOVER:	Kenneth VanPortfliet, Council Member
SECONDER:	Carl Cyrowski, Council Member
AYES:	Narsh, Rutt, Cyrowski, Ford, VanPortfliet
NAYS:	Michael Lamb, Nancy Moshier

RESOLVED: To approve the Village Manager's appointment of Finance Director Sonja Stout to the new position of Clerk/Treasurer effective on January 8, 2024.

Motion #2: Employment Agreement

RESULT:	ADOPTED [5 TO 2]
MOVER:	Kenneth VanPortfliet, Council Member
SECONDER:	Carl Cyrowski, Council Member
AYES:	Narsh, Rutt, Cyrowski, Ford, VanPortfliet
NAYS:	Michael Lamb, Nancy Moshier

RESOLVED: To approve the employment agreement for Sonja Stout for the position of Clerk/Treasurer and to authorize the Village Manager and Village Clerk to execute the agreement on behalf of the village.

10. Call to the Public

11. Council Comments

Council Member Lamb stated that he fully supported Sonja Stout in her job, however he just feels that position is too much. He also stated that the village has hired the Sheriff's department, and he expressed his concern about the sustainability of the police department in the future and his concern about the amount of money that we are paying the Sheriff's department. He would like the Village Manager to negotiate another contract in the future.

Council Member Ford wanted to wish everyone a happy holiday and enjoy the time and with family.

President Pro Tem Rutt appreciated everyone who came out to talk about the parking meters and her experience in Royal Oak with parking meters. She did mention that the parking meter sticks are not aesthetically pleasing to look at, but she is looking forward to more discussion from the businesses.

Council Member VanPortfliet wanted to thank Sonja Stout and believes and looks forward to meeting an assistant when that employee is hired. He also believes the village has a good contract with the Sheriff's department and believes we have good standard rates. He mentioned the DDA party for Director Molly LaLone. He also wished everyone a Merry Christmas and a Happy New Year.

Council Member Moshier wanted to thank Sonja Stout and appreciates everything that she is doing. She mentioned when it came to parking meters, she is in support of the parking meters, and it will bring in additional revenue to the village. She appreciates the new Chief Stanfield and is excited that he has accepted the contract and wishes everyone a Merry Christmas and Happy Hanukkah to those who celebrate those holidays and enjoy your holiday season.

Council Member Cyrowski spoke about the Lighted Christmas Parade and spoke about improvements for the next upcoming year. He thanked everyone that participated in the Lighted Christmas Parade, and he stated he believes the Village of Lake Orion has the best lighted parade around.

President Narsh thanked Chief Stanfield and welcomed Sonja Stout into a dual role position. He also thanked Chris Barnett, Orion Township Supervisor, for meeting with him and his ability to step up and assist the village in a timely manner. In regard to the parking meters, he stated he is looking forward to public discussion, but he is open-minded towards the parking meters. He also wishes everyone a happy holiday.

12. Village Manager Comments

Village Manager McClary thanked Village Clerk Susan Galeczka for her years of service as this meeting was her last Village Council meeting before retiring.

The village Manager congratulated Chief Stanfield for accepting the Police Chief position and congratulated Sonja Stout for accepting the dual role position.

McClary spoke briefly about the following:

- Audit report FY 2022-23
- Police services contract with Township and Oakland County Sheriff
- Village Hall lobby floor
- Park Avenue retaining wall replacement project
- Water main improvement project phases I and II
- CDBG PY 2024 Application
- CDBG PY 2020 and 2021 reprogramming of funds
- Board of Ethics advertisement
- FY 2024-25 Budget preparation
- Important Dates

13. Closed Session Items

14. Reconvene to Open Session

15. Business From Closed Session

16. Adjournment

Motion to: adjourn the Monday, December 11, 2023 regular meeting of the Lake Orion Village Council.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Carl Cyrowski, Council Member
SECONDER:	Kenneth VanPortfliet, Council Member
AYES:	Narsh, Rutt, Cyrowski, Ford, Lamb, Moshier, VanPortfliet

The Monday, December 11, 2023 regular meeting of the Lake Orion Village Council adjourned at 9:07 PM.

Jerry Narsh
President

Sonja Stout
Recording Secretary

Date Approved: as presented January 8th, 2024.