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## MINUTES

### REGULAR MEETING OF THE LAKE ORION VILLAGE COUNCIL

Monday, March 25, 2024

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, March 25, 2024 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 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	Excused	
Stan Ford	Village of Lake Orion	Council Member	Present	
Michael Lamb	Village of Lake Orion	Council Member	Excused	
Nancy Moshier	Village of Lake Orion	Council Member	Excused	
Kenneth VanPortfliet	Village of Lake Orion	Council Member	Present	

#### STAFF PRESENT:

- Village Manager Darwin McClary
- Village Treasurer/Clerk Sonja Stout
- Interim Police Chief Tom Lindberg
- DPW Director Wes Sanchez

2. **Motion to:** excuse Council member Carl Cyrowski, Nancy Moshier and Mike Lamb from the March 25, 2024 regular Village Council meeting.

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

#### 4. Presentations

Interim Chief Lindberg spoke briefly about his background and goals to overcome the current police department challenges of staffing.

#### 5. Call to the Public

Let the record show no public comments were received.

#### 6. Consent Agenda

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

Pull item #9 from Consent agenda for further discussion.

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

1. Memorial Day Services & Parade 2024 Resolution 2024-017

#### **RESOLUTION 2024-017**

#### **A RESOLUTION APPROVING THE MEMORIAL DAY SERVICES AND PARADE- 2024**

**RESOLVED:** To approve the Events Permit Applications submitted by Thomas Allport on behalf of the American Legion Post 233, dated January 25 2024, for the 2024 Memorial Day Services and Parade on Monday, May 27 2024 to be held from 9:00 AM TO 11:00 AM on various Village properties as outline in the application which is attached.

9:00 AM- Cemetery, Rifle Salute

10:00 AM - Children's Park, Ceremony & Rifle Salute

11:00 AM- Downtown Lake Orion

10:15 AM - 11:00 AM Parade line up from Blanch Simms school to Emman Center

**Street and Parks and Parking Lot Closures**

1. Parking Lots - Parking at all Parking lots and Streets throughout the village, except on parade route. Route From Blanche Sims school To Emman center.
2. Street Closures - To be determined by the Lake Orion Police Department.

**Administrative Requirements**

1. Clean-up of the area is the responsibility of the applicant
2. Additional trash receptacles are the responsibility of the applicant and must be arranged for by the applicant.

**Police Department Requirements**

1. The cellular telephone numbers of event staff and on-scene managers is provided to the police department within twenty-four (24) hours of the event.

**DPW Requirements**

1. Use of Village Orange Cones will be based upon availability
2. DPW will not supply extension cords or cord covers.
3. As always, Village properties will be properly maintained before the events begin.

**Fire Department Requirements**

1. It is recommendation of the Orion Township Fire Department that the event, Memorial Day Parade and Services, be approved with the following condition.
  - A. Parade route will follow as indicated on the provided map from the applicant highlighted in YELLOW only.

**BE IT FURTHER RESOLVED:** To approve the License Agreement between the Village of Lake Orion and American Legion Post 233 for this event and authorize the Village Council President and Village Clerk to execute the Agreement on behalf of the Village.

2. Lake Orion Downtown Corn Hole League 2024

**RESOLVED: COUNCIL RESOLUTION 2024-016**

**A RESOLUTION APPROVING THE EVENTS PERMIT APPLICATION FOR THE 2024 LAKE**

## **ORION DOWNTOWN CORN HOLE LEAGUE**

**RESOLVED:** To approve the Events Permit Applications submitted by Lloyd Coe on behalf of the American Legion/ Sons of the American Legion, dated February 12, 2024 for the 2024 Lake Orion Downtown Corn Hole Series to be held on every Thursday, starting June 6, 2024 and ending August 29, 2024, from 7:00 PM to 9:00 PM on various sidewalks in the village.

### **Fire Department Requirements**

It is the recommendation of the Orion Township Fire Department that the event, Lake Orion Downtown Corn Hole League 2023, be approved with the following condition.

1. There shall be no parking in the Fire Station parking lot or along Anderson Street.
3. Orion Veterans Memorial Day Race, May 27, 2024 Resolution Number 2024-011

**RESOLVED:** To approve the Orion Veterans Memorial Day Race 2024 to be held on MAY 27, 2024, as presented. This is an annual event and is the 8th year for the event.

**FURTHER RESOLVED:** This approval is conditioned on the following requirements of the Fire Department

**Fire Department Requirements:** It is the recommendation of the Orion Township Fire Department that the event, Orion Veterans Memorial Day Run/Walk 2024 on May 27, 2024, be approved with the following condition.

1. There shall be no parking in the Fire Station parking lot or along Anderson Street.

**FURTHER RESOLVED:** To approve the Sign Permit to place various signs throughout the Village, Outside of Children's Park, the horse shoe area, Meeks park along the walkway.

Signs are standard campaign/yard sign size 18x24.

4. Special Event Permit Orion Art & Flower Fair 2024 Resolution 2024-009

## **COUNCIL RESOLUTION 2024-009**

### **RESOLUTION TO APPROVE THE APPLICATION FOR THE**

**SPECIAL EVENT PERMIT ORION ART & FLOWER FAIR 2024**

**RESOLVED:** To approve the Event Permit Application requesting the use of Public Streets and Right-of-Ways submitted by Holly Nicosia on behalf of Orion Art Center, for the 2024 Orion Art & Flower Fair, Event to be held on Saturday, May 18, 2024 through Sunday, May 19, 2024

as follows:

Date/Time: Friday, May 17, 2024 9:00 AM, Shut down parking lot 3  
Saturday, May 18, 2024 from 10:00 AM to 11:00 PM  
Sunday, May 19, 2024 from 10:00 AM to 6:00 PM

Properties: Flower Fair Vendors: N and S Broadway, W and E Flint - vendors  
Vendor parking on 55 Elizabeth  
Large tent to be placed parking lot 3 to shelter Beer Garden.  
Large tent to be placed in parking lot 3 to shelter OAC, DIY events  
Vendors tent, 10x10 on Broadway and Flint

Other requests: Set up/ Tear down

Friday, May 17, 2024- Set up in Parking lot 3, S. Anderson St. 9:00 AM  
Saturday, May 18, 2024- Vendor set up 6:00 AM, Broadway & Flint  
Sunday, May 19, 2024- 6:00 AM - 8:00 PM tent and vendor tear down

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

**FURTHER RESOLVED:** The Sign Permit application submitted by Holly Nicosia on behalf of the Orion Art Center is approved.

**FURTHER RESOLVED:** This approval is conditioned on the following:

**Administrative Requirements:**

1. Proof of Insurance to be provided to the Village Clerk prior to the event, as follows:
  - § General Liability - no less than \$1,000,000
  - § Liquor Liability - no less than \$1,000,000
  - § Village to be a Certificate Holder and listed as An Additional Insured on the Certificate
2. The Michigan Liquor Control Commission (MLCC) temporary permit for beer & wine sales on village property located at the municipal parking lot at the corner of Anderson and Front must be approved by the MLCC and copy of license provided must be submitted to the Village Clerk prior to the event. All alcohol sales are controlled and regulated by staff of the requesting organization. Snow fencing will be used to create secure tent entrance and exits to unauthorized activity. Event staff will provide entrance and exit security to the Beer Garden.
3. Temporary electrical wiring or equipment, if used, must be approved by the electric inspector.
4. 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 perhaps cause serious injury.
5. Any tents or temporary structures that may have cooking or other heating devices have a minimum of ten-pound multi-use fire extinguisher. More commonly referred to as an "ABC" fire extinguisher.
6. All food vendors must have the approval of the Oakland County Health Department
7. All food trucks must be approved by the Fire Department.
8. Clean-up of the area is the responsibility of the applicant
9. Trash cans will be placed throughout the event. Trash will be monitored and collected by Orion Art Center and/or it's designee. Trash will be disposed in an onsite dumpster.
10. Portable restrooms and location:

1 @ Flint & Lapeer, 1 @ Shadbolt & Broadway and 5 @ Parking lot 3

**Police Department Requirements as follows**

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

**Fire Department comments:** Approves the event with the following conditions

1. There shall be no parking in the Fire Station parking lot or along Anderson Street.
2. Vendor tents shall only be placed in the parking spaces along the curb.
3. Full access shall be maintained in the center of the roads.
4. No obstructions in the intersections.
5. Event coordinator shall contact Fire Prevention Division at 248-391-0304 ext 2000 prior to the event opening to the public.

**DPW Requirements**

1. Use of Village Orange Cones will be based upon availability
2. DPW will not supply extension cords or cord covers.
3. As always, Village properties will be properly maintained before the events begin.
4. DPW will provide barricades for street and parking lot closure following a request from the Chief of Police.

5. Approval of Village Council Regular Meeting Minutes of March 11, 2024

**RESOLVED:** To approve the Monday, March 11, 2024 regular meeting minutes as presented.

6. DDA Board Special Meeting Minutes - February 13, 2024

**RESOLVED:** To approve the Downtown Development Authority Board Special meeting

minutes of Tuesday, February 13, 2024.

7. DDA Board Regular Meeting Minutes -February 15, 2024

**RESOLVED:** To approve the Downtown Development Authority Board Regular meeting minutes of Thursday, February 15, 2024.

8. DDA Board Regular Meeting Minutes -February 20, 2024

**RESOLVED:** To approve the Downtown Development Authority Board Regular meeting minutes of Tuesday, February 20, 2024.

## 7. Items pulled for separate discussion

1. Director's Report

Executive Director Matt Gibb expanded on the Director's report from the March 19, 2024 DDA meeting.

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

**RESOLVED:** To receive and file the DDA Executive Director's Report for March 2024.

## 8. Approval of Agenda

1. **Motion to:** approve the March 25, 2024 Village Council agenda with the rescheduling of closed session items 14.1 and 14.2 to the April 8th, 2024 Village Council meeting.

<b>RESULT:</b>	<b>APPROVED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Jerry Narsh, President
<b>SECONDER:</b>	Teresa L Rutt, President Pro Tem
<b>AYES:</b>	Jerry Narsh, Teresa L Rutt, Stan Ford, Kenneth VanPortfliet
<b>EXCUSED:</b>	Carl Cyrowski, Michael Lamb, Nancy Moshier

## 9. Public Hearings

## 10. Agenda Items for Consideration



*A. Financial Matters*

1. Invoice Approval - March 25, 2024

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

**RESOLVED:** To approve March 25, 2024, bills in the amount of \$93,067.52 of which \$9,417.68 are DDA Bills for a net total of \$83,649.84 are approved for payment; and to receive and file the DDA bills.

*B. Other Items*

1. 2024 Green's Park Access Management Agreement - Pedal Boat Pub LLC

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

**RESOLVED:** To approve the 2024 Green's Park Access Management Agreement between the Village of Lake Orion and Pedal Boat Pub, LLC, for the term of May 1, 2024, through October 31, 2024, and authorize the Village Manager and Clerk/Treasurer to execute the agreement on behalf of the village.

2. 2024 Green's Park Access Management Agreement - Tour on Orion LLC

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

**RESOLVED:** To approve the 2024 Green's Park Access Management Agreement between the Village of Lake Orion and Tour on Orion, LLC, for the term of May 1, 2024, through October 31, 2024, and authorize the Village Manager and Clerk/Treasurer to execute the agreement on behalf of the village.

3. Deputy Clerk/Treasurer Employment Agreement

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

**RESOLVED:** To approve the Clerk/Treasurer Employment Agreement between the Village of Lake Orion and Lynsey Blough as presented and authorize the Village Manager and Village Clerk/Treasurer to execute the agreement on behalf of the Village.

4. Adoption of 2023 Oakland County Multi-Jurisdictional Hazard Mitigation Plan

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

**RESOLVED:** To adopt the following resolution approving the 2023 Oakland County Multi-Jurisdictional Hazard Mitigation Plan:

**VILLAGE OF LAKE ORION  
COUNTY OF OAKLAND  
STATE OF MICHIGAN**

**Resolution No. 2024-019**

**A RESOLUTION  
AUTHORIZING THE ADOPTION OF THE  
OAKLAND COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN**

**WHEREAS**, the mission of Oakland County and the participating jurisdiction of Village of Lake Orion include the charge to protect the health, safety, and the general welfare of the people of the County and municipalities; and

**WHEREAS**, Oakland County, Michigan, is subject to flooding, tornadoes, winter storms, and other natural, technological, and human-caused hazards; and

**WHEREAS**, pro-active mitigation of known hazards before and after a disaster event can reduce or eliminate long-term risk to life and property; and

**WHEREAS**, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre- and post-disaster hazard mitigation programs; and

**WHEREAS** to remain eligible to receive mitigation monies, Oakland County prepared a Hazard Mitigation Plan (the “PLAN”) for the County and all communities in the County; and

**WHEREAS**, Oakland County and the Village of Lake Orion have participated in and completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of hazards, develops a mitigation strategy consistent with a set of uniform goals, and creates a plan for implementing, evaluating and revising this strategy;

**NOW THEREFORE BE IT RESOLVED** that the Village Council for the Village of Lake Orion:

- 1.) Adopts in its entirety the 2023 Oakland County Multi-Jurisdictional Hazard Mitigation Plan (Plan)
- 2.) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3.) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4.) Will continue its support of the Hazard Mitigation Steering Committee and continue to participate in the planning partnership as described by the Plan.

- 5.) Will help to promote and support the mitigation successes of all planning partners.

**PASSED AND ADOPTED** on March 25, 2024, by the following vote:

YES:

NO:

ABSENT:

ABSTAIN:

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ATTEST:

5. Amendments to FY 2023-24 Municipal Fee Schedule

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

**RESOLVED:** To approve changes to the FY 2023-24 Municipal Fee Schedule to increase the full-time police officer per-minute rate fee from \$0.87 to \$0.93 and to add a new Water System Connection Permit and Inspection Fee of \$100.00.

6. Schedule FY 2024-25 Budget Work Sessions

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

**RESOLVED:** To schedule FY 2024-25 budget work sessions for the following dates and times: April 10th, 2024 at 6:30 PM , April 11th, 2024 at 6:30 PM, April 15th, 2024 at 6:30 PM.

## 11. Call to the Public

Francesca Kemendora, spoke about the current upcoming election and his concerns with the ability to run for the upcoming election based on the Village charter requirements.

## **12. Council Comments**

Council member Ford stated the Paint Creek Trail 40th anniversary run will be held at the memorial event in Rochester rather than being held in April as before mentioned. He also spoke about the recognition event that he attended for the Lake Orion DDA, where they had received an award for their trolley services.

Pro Tem Rutt thanked the DPW for their work in cleaning up the Village for spring clean up.

Council member VanPortfliet attended the DDA meeting in March and encouraged the public to attend the meetings in the future. He also attended the SEMCOG meeting and briefly went over some of the innovative ideas from the past SEMCOG meeting.

President Narsh stated that with the good weather approaching, it's important for the residents to watch out for motorcycles. He also encourages residents to look at the Village and DDA's websites and come to the local meetings when seeking out public information.

## **13. Village Manager Comments**

Village Manager McClary briefly went over the following:

- SEMCOG funding; the Village was awarded funding and was 1 out of the 15 communities that were selected for funding for reimbursement for Paser ratings.
- Lake level management; Public works is in the process of raising the water level in Lake Orion over the period of the next four weeks.
- Acting Police Chief; Lindberg currently joined the team March 18 on a temporary basis until recruitment and selection of a permanent Chief of Police is completed.
- Police Officer Recruitment; Chief Lindberg is focused on recruiting new police officers for the department.
- FY 24-25 budget preparation update; April 8<sup>th</sup> the proposed budget will be submitted to council.
- Sanitary sewer pump station; the Village should receive the \$1.75 million funding up front rather than in disbursements on a reimbursement basis.
- CivicPlus meetings essential agenda management system; Administrative staff will receive training on the new agenda management system tomorrow afternoon. The council meeting for April 8<sup>th</sup> will be done on the new agenda management system.

## **14. Closed Session Items**

1. Clerk/Treasurer Annual Performance Evaluation

<b>RESULT:</b>	<b>POSTPONED [UNANIMOUS]</b>	<b>Next: 4/8/2024 7:30 PM</b>
<b>MOVER:</b>	Jerry Narsh, President	
<b>SECONDER:</b>	Teresa L Rutt, President Pro Tem	
<b>AYES:</b>	Jerry Narsh, Teresa L Rutt, Stan Ford, Kenneth VanPortfliet	
<b>EXCUSED:</b>	Carl Cyrowski, Michael Lamb, Nancy Moshier	

**RESOLVED: POSTPONED UNTIL APRIL 8<sup>TH</sup>, 2024 REGULAR VILLAGE COUNCIL MEETING.**

2. Village Manager Annual Performance Evaluation

<b>RESULT:</b>	<b>POSTPONED [UNANIMOUS]</b>	<b>Next: 4/8/2024 7:30 PM</b>
<b>MOVER:</b>	Jerry Narsh, President	
<b>SECONDER:</b>	Teresa L Rutt, President Pro Tem	
<b>AYES:</b>	Jerry Narsh, Teresa L Rutt, Stan Ford, Kenneth VanPortfliet	
<b>EXCUSED:</b>	Carl Cyrowski, Michael Lamb, Nancy Moshier	

**RESOLVED: POSTPONED UNTIL APRIL 8<sup>TH</sup>, 2024 REGULAR VILLAGE COUNCIL MEETING.**

**15. Reconvene to Open Session**

**16. Business From Closed Session**

**17. Adjournment**

**Motion to:** adjourn the Monday, March 25, 2024, regular Village Council meeting.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jerry Narsh, President
<b>SECONDER:</b>	Teresa L Rutt, President Pro Tem
<b>AYES:</b>	Jerry Narsh, Teresa L Rutt, Stan Ford, Kenneth VanPortfliet
<b>EXCUSED:</b>	Carl Cyrowski, Michael Lamb, Nancy Moshier

The Monday, March 25th, 2024, regular Village Council meeting adjourned at 8:20 PM.

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Jerry Narsh  
President

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Sonja Stout  
Village Clerk/Treasurer

Date Approved: as presented April 8<sup>th</sup>, 2024.