



## MINUTES

### REGULAR MEETING OF THE LAKE ORION VILLAGE COUNCIL

Monday, August 14, 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, August 14, 2023 Regular Meeting of the Lake Orion Village Council was called to order in the Lake Orion Village Hall Council Chambers located 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:**

- Todd Stanfield, Interim Village Manager/Interim Police Chief
- Susan C. Galeczka, Village Clerk
- Peter Gojcaj, Beier Howlett, Village Attorney

#### 4. Presentations

#### 5. Call to the Public

Art Watson, 16 North Shore, addressed Council regarding mobile food trucks, the need for diverse businesses in the downtown, and support of the for the Lumberyard Project to include a market, parking and a good location for food trucks.

Harry Stephen, 311 North Shore, noting the Village's participation with crack sealing on Atwater and Flint, stated that the cost should be shared with the DDA.

## 6. Consent Agenda

Council Member Lamb requested Consent Agenda Item 6.2 be removed from the Consent Agenda for separate discussion.

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

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

1. Board of Zoning Appeals Regular Members Re-Appointments - Brenton Bailo and Mary Chayka-Crawford

**RESOLVED:** To re-appoint Dr. Brenton Bailo and Mary Chayka-Crawford to three-year terms on the Board of Zoning Appeals (BZA) as a regular members, term to expire on June 30, 2026.

2. Appointment of Stan Ford to Boards and Committees - ***Removed from Consent Agenda***
3. Complaint from Council Member Carl Cyrowski Regarding Conduct of Council Member Michael Lamb

**RESOLVED:** To receive and file the email communication from Council Member Carl Cyrowski dated August 2, 2023, requesting sanctions on Council Member Michael Lamb for Council Member Lamb's conduct at recent meetings.

4. LOPD Golling Car Show 2023

### **RESOLUTION 2023-046**

#### **A RESOLUTION RE-APPROVING THE AMENDED 2023 LAKE ORION POLICE DEPARTMENT GOLLING CAR SHOW EVENT PERMIT TO CHANGE THE DATE.**

**RESOLVED:** To approve the amended Lake Orion Police Association Golling Car Show permit, which changes the date to October 1, 2023 as presented

**FURTHER RESOLVED:** It is the recommendation of the Orion Township Fire Department that the event, 2023 LOPA / Golling Car Show, be approved with the following conditions:

1. There shall be no parking in the Fire Station parking lot or along Anderson Street.
2. All road blocking barriers shall be easily moved in the case of an emergency.
3. All vehicles shall be parked on the side of the road to allow access for apparatus.
4. No unmovable structures shall be in the roadway that will block access.
5. The street in front of 120 S. Broadway shall remain free from any and all obstructions. This shall include small tents and/or display stands.

**FURTHER RESOLVED:** To approve the License agreement between the License Agreement between the Village of Lake Orion and the Lake Orion Police Association and authorize the President and Village Clerk to execute the agreement on behalf of the Village.

5. LOHS Homecoming Parade 2023

#### **COUNCIL RESOLUTION 2023-041**

##### **A RESOLUTION APPROVING THE EVENTS PERMIT APPLICATION FOR THE 2023 LAKE ORION HIGH SCHOOL HOMECOMING PARADE AND LICENSE AGREEMENT**

**RESOLVED:** To approve the Events Permit Applications submitted by Lora Hogan on behalf of the Lake Orion Leadership Class- Lake Orion High School for the 2023 Lake Orion High School Homecoming Parade 2023 to be held on Sunday, October 8, 2023. Road closure to start at 3:00 PM, parade to start at 3:30 PM on various Village properties as outline in the application which is attached.

**FURTHER RESOLVED: Fire Department Requirements:** It is the recommendation of the Orion township Fire Department that the event, Lake Orion Homecoming Parade, be approved with the following conditions.

1. There shall be no parking in the Fire Station parking lot or along Anderson Street.
2. Parade route shall follow the approved map that was submitted with application.
3. Anderson and Front Streets shall remain open.

**FURTHER RESOLVED:** To approve the License Agreement between the Village of Lake Orion and the Lake Orion Leadership Class- Lake Orion High School, Lori Hogan- Advisor for the Lake Orion Homecoming Parade and to authorize the Village President and Village Clerk to execute the Agreement on behalf of the Village.

6. Approval of Village Council Special Meeting Minutes- July 24, 2023

**RESOLVED:** To approve the Special Village Council Meeting Minutes of Monday, July 24, 2023, as presented.

7. Approval of Village Council Regular Meeting Minutes- July 24, 2023

**RESOLVED:** To approve the Regular Village Council Meeting Minutes of Monday, July 24, 2023, as presented.

8. Approval of Village Council Special Meeting Minutes - August 1, 2023

**RESOLVED:** To approve the Special Village Council Meeting Minutes of Tuesday, August 1, 2023, as presented.

9. Police Department Reports - July 2023

**RESOLVED:** To receive and file the Lake Orion Police Department (LOPD) the Police, Ordinance and Passport Reports for July 2023.

***Items removed from the Consent Agenda for Separate Discussion.***

2. Appointment of Stan Ford to Boards and Committees

Council Members discussed changing the SEMCOG delegate to Council Member Van Portfliet and appointing Council Member Ford as the Alternate.

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

**RESOLVED:** To appoint Council Member Ford to fill the following Boards/Commissions/Committees to fill vacancies created by the resignation of Council Member Luchsinger:

- Village Representative to Paint Creek Trails
- Alternate to SEMCOG -
- Ordinance Review - Ad Hoc Committee
- Council Rules of Procedure Review Committee

**FURTHER RESOLVED:** Appoint Council Member Van Portfliet as the Delegate to SEMCOG.

Terms ending on November 9, 2024.

## 7. Approval of Agenda

1. **Motion to** approve the Monday, August 14, 2023 Village Council regular meeting agenda with the following amendment: Remove Agenda Item 13.1 - Closed Session.

<b>RESULT:</b>	<b>APPROVED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Teresa L Rutt, President Pro Tem
<b>SECONDER:</b>	Carl Cyrowski, Council Member
<b>AYES:</b>	Narsh, Rutt, Cyrowski, Ford, Lamb, Moshier, VanPortfliet

## 8. Public Hearings

## 9. Agenda Items for Consideration

### A. Financial Matters

1. Invoice Approval -August 15, 2023

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

**RESOLVED:** To approve August 15, 2023 bills in the amount of \$123,556.23 of which \$12,836.90 are DDA Bills for a net total of \$110,719.33 are approved for payment; and to receive and file the DDA bills.

2. Resolution Establishing FY 2023-24 Pay Ranges and Salaries/Wages - Non-Union Employees

<b>RESULT:</b>	<b>POSTPONED [UNANIMOUS]</b>	<b>Next: 8/28/2023 7:30 PM</b>
<b>MOVER:</b>	Kenneth VanPortfliet, Council Member	
<b>SECONDER:</b>	Nancy Moshier, Council Member	
<b>AYES:</b>	Narsh, Rutt, Cyrowski, Ford, Lamb, Moshier, VanPortfliet	

**RESOLVED:** To Postpone Agenda Item. Resolution Establishing FY 2023-24 Pay Ranges and Salaries/Wages - Non-Union Employees to the August 28, 2023 regular Council Meeting.

**B. Other Items**

1. Lake Street Roadway Configuration Agreement - Starboard Development Project

**Motion to** allow Council Member Van Portfliet to continue to participate in Agenda Item B.1 Lake Street Roadway Configuration in that there is no conflict.

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

Dominic Mocerri, Starboard LLC, was present and response to questions from Council Members. He noted that the realignment is not needed for the development. He noted that it makes the intersection safer for the community, and it is the preference of the Village; that is why they are doing it.

Art Watson 16 N. North Shore, addressed Council regarding the changes with how development in the Village is changing the landscape of the Village from a quaint town to a city, noting that is not why people moved here. He asked that Council and Village be truthful with the residents as to what is really happening.

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

**RESOLVED:** To approve the Lake Street Configuration Agreement between the Village of Lake Orion and Starboard Orion LLC as presented and authorize the Village Manager to execute the agreement on behalf of the village.

**FURTHER RESOLVED:** To approve the conceptual plan for the redesign of Flint and Lake Streets, as shown in the Giffels Webster plans dated June 26, 2023.

2. Appointment of Delegate and Alternate to MML Annual 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>	Narsh, Rutt, Cyrowski, Ford, Lamb, Moshier, VanPortfliet

**RESOLVED:** To designate Council Member Kenneth Van Portfliet as the Village of Lake Orion's delegate and to designate Council Member Stan Ford as the

Village of Lake Orion Alternate to the MML 2023 Annual Meeting to be held on Wednesday, October 18, 2023 at 4:30 PM.

**MOTION #2 – ATTENDANCE AT MML CONVENTION**

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

**RESOLVED:** To authorize Council Member Kenneth Van Portfliet and Council Member Stan Ford's attendance at the MML 2023 Annual Convention to be held on October 18 thru 20, 2023 in Traverse City, MI and to pay the necessary expenses.

**10. Call to the Public**

Harry Stephen, 311 North Shore, noted that in the DDA Ordinance, the procedure indicates the Planning Commission shall be involved with the DDA's projects. The Planning Commission has not seen any of the DDA's projects, noting the Planning Commission is being left out.

Bill Kokenos, GMC, thanked Council for approving the date change for the Car Show, noting the date change was requested because of the weather. He gave a brief overview of the event and invited everyone to come to the Car October 1st.

**11. Council Comments**

Council Member Ford, noting the Council has adopted a Vision , Goals and Objectives, stated that Council be held accountable for their behavior. He further stated that the Goals and Objectives outlay a plan for the Village, and Council should be working towards those goals.

Council Member Moshier referencing Council Member Cyrowski's letter regarding Council Member Lamb's conduct, stated that she finds it offensive and not acceptable that Council Member Cyrowski included her in the letter and referenced her as his wife and not as Council Member Moshier. She stated that she is Council Member Lamb's wife; however, they do not vote the same.

Council Member Van Portfliet commented on the following:

1. Thanked Dr. Bailo and Ms. Chayka-Crawford for their willingness to continue serving on the Board of Zoning Appeals. He noted there are five positions on the BZA and there are currently two vacancies.
2. Reminded everyone that the Golling Car Show has been moved to October 1<sup>st</sup>. He thanked Golling GMC for hosting this event, noting that the proceeds from the Car Show are earmarked for the Police Department's Shop with a Hero Program. He encouraged all to attend and support this program.

3. Requested the Village Manager, upon he return from vacation, provide a report or update regarding the Park Ave retaining wall.

President Narsh commented on the following:

1. Commented on the changes in the Village and the influx of new people who want to live in Lake Orion. He noted that the Planning Commission and Village Manager are very aware as to what is going on and that is how the Village manages these changes.
2. Noted that the Council Rules of Procedure will be on the next Village Council meeting. He asked Council to be civil and represent the community well.

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

Interim Village Manager Stanfield thanked Council for giving him the opportunity to sit in the Village Manager's chair during the Manager's absence.

### **13. Closed Session Items**

1. Approval of 2023-2026 Collective Bargaining Agreement - POAM

### **14. Reconvene to Open Session**

### **15. Business From Closed Session**

### **16. Adjournment**

**Motion to:** adjourn the Monday, August 14, 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>	Carl Cyrowski, Council Member
<b>AYES:</b>	Narsh, Rutt, Cyrowski, Ford, Lamb, Moshier, VanPortfliet

The Monday, August 14, 2023 regular meeting of the Lake Orion Village Council adjourned at 8:21 PM.

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Jerry Narsh  
President

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Susan C. Galeczka, CMC MiPMC  
Village Clerk

Date Approved: August 28, 2023, as presented.

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