



MINUTES

REGULAR MEETING OF THE LAKE ORION VILLAGE COUNCIL

Monday, September 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, September 11, 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

- Darwin McClary, Village Manager
- Susan C. Galeczka, Village Clerk
- Sonja Stout, Village Finance Director/Treasurer
- Wes Sanchez, DPW Director

4. Presentations

5. Call to the Public

Harry Stephen, 311 North Shore noting that the Village Council Special Meetings are not taped by ONTV, suggested those meetings be recorded and made available to the public. He further referenced the following items from the Consent Agenda where there was no discussion or details for the public. They include No. 1 Budget Adjustment increasing Budget by \$19,000; No. 2 Letter from resident offering his services; No. 6, Minutes which reference 7% pay increase, when the Deputy Treasurer received a 9.2% increase, Administrative Coordinator received a 9.7% increase; the life guard Supervisor received a 11.7 increase and the Life guards pay was increased to \$17.00/hour; and No. 8 Planners Report, which contained information regarding the Jacobsen Property Development, which the public should be aware of.

6. Consent Agenda

Council Member Lamb request Agenda Item No 2 be removed from the Consent Agenda for Separate discussion.

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

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

1. FY 2023-24 Budget Amendments - #1

RESOLVED: To approve FY 2023-24 budget amendment BA 2024-101-751-01 - Supplemental appropriation for engineering services for the Children's Park pedestrian bridge steel structure - \$2,000.

FY 2023-24 Budget Amendments - #2

RESOLVED: To approve FY 2023-24 budget amendment BA 2024-202-01 - Supplemental appropriation for engineering services for the 2023 Pavement Asset Management Plan Project (50%) - \$8,800.

FY 2023-24 Budget Amendments #3

RESOLVED: To approve FY 2023-24 budget amendment BA 2024-203-01 - Supplemental appropriation for engineering services for the 2023 Pavement Asset Management Plan Project (50%) - \$8,800.

2. Correspondence from George Dandalides Dated September 6, 2023, Regarding Capital Improvement Plan -**Removed from Consent Agenda**
3. Receive and File Water Resources Commissioner Sanitary Sewer System FY 2023 Quarter 3 Reports

RESOLVED: To receive and file the reports for the Village of Lake Orion Sewage Disposal System for Fiscal Year 2023 Quarter 3 (October 1, 2022 to June 30, 2023).

4. Receive and File Oakland County Home Improvement Program Report for July 2023

RESOLVED: To receive and file the Oakland County Home Improvement Program Report for July 2023.

5. National Recovery Month - September 2023

RESOLUTION 2023-048

A RESOLUTION RECOGNIZING SEPTEMBER 2023 AS NATIONAL RECOVERY MONTH.

WHEREAS, according to the Substance Abuse and Mental Health Services Administration (SAMHSA), in 2021 16.5 percent of Americans (or 46.3 million people) 12 years or older, were classified as having a substance use disorder in the past year, including 29.5 million people who were classified as having an alcohol use disorder and 24 million people who were classified as having a drug use disorder; and

WHEREAS, according to the Center for Disease Control and Prevention (CDC) over 105,000 overdose deaths occurred in the United States in 2022, a 2% decrease from 2021; and

WHEREAS, substance use recover is important for individual well-being and vitality, as well as for families, friends, communities and businesses; and

WHEREAS, OCHN continues to educate and raise awareness of the risks and potential harm associated with prescription drug misuse; and

WHEREAS, stigma and stereotypes associated with substance use disorders often keep people from seeking treatment that could improve their quality of life; and

WHEREAS, substance use disorders occur when the re-current use of alcohol and/or other drugs cause clinically or functionally significant impairment, such as health problems disability, and failure to meet major responsibilities at work school, or home; and

WHEREAS, substance use disorder recover is a journey of healing and transformation, enabling people to live in a community of their choice while striving to achieve their full

potential; and

WHEREAS, substance use disorder recovery, benefits individuals with substance use disorders by focusing on their abilities to live, work, learn, and fully participate and contribute to society and enriches the community culture;

NOW THEREFORE BE IT RESOLVED: that the Village of Lake Orion hereby recognizes September 2023 as National Recovery Month, and calls upon individuals, government agencies, public and private institutions, businesses, faith-based organizations, and schools to re-commit our State to increasing awareness and understanding of substance use, and the need for appropriate and accessible services to promote recovery.

6. Approval of Village Council Regular Meeting Minutes- August 28, 2023

RESOLVED: To approve the Regular Village Council Meeting Minutes of Monday, August 28, 2023, as presented.

7. Planning and Zoning Monthly Report - June, July and August, 2023

RESOLVED: To receive and file McKenna's Planning and Zoning Report for June, July and August, 2023.

8. Police Department Reports - August 2023

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

9. Planning Commission Regular Meeting Minutes - July 17, 2023

RESOLVED: To receive and file Planning Commission regular meeting minutes of Monday, July 17, 2023.

10. Parks & Recreation Advisory Committee Regular Meeting Minutes -June 27, 2023

RESOLVED: To receive and file the minutes of the Parks & Recreation Advisory Committee regular meeting of June 27, 2023.

Items removed from Consent Agenda for Separate Discussion

- 2 Correspondence from George Dandalides Dated September 6, 2023, Regarding Capital Improvement Plan

Council Member Lamb read into the record the letter from George Dandalides dated September 6, 2023.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Nancy Moshier, Council Member Teresa Rutt, President Pro Tem
SECONDER:	Kenneth Van Portfliet, Council Member
AYES:	Narsh, Rutt, Cyrowski, Ford, Lamb, Moshier, Van Portfliet

RESOLVED: To receive and file the correspondence from George Dandalides, 226 Bellevue Avenue, dated September 6, 2023, regarding the Capital Improvement Plan.

7. Approval of Agenda

1. **Motion to** approve the Monday, September 11, 2023 regular meeting of the Lake Orion Village Council amended as follows: move agenda Item No. 2 to No. 1 and renumber the agenda respectively

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Jerry Narsh, President
SECONDER:	Carl Cyrowski, Council Member
AYES:	Narsh, Rutt, Cyrowski, Ford, Lamb, Moshier, VanPortfliet

8. Public Hearings

9. Agenda Items for Consideration

A. Financial Matters

1. Invoice Approval -September 12, 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 approve September 12, 2023 bills in the amount of \$159,804.86 of which \$13,570.90 are DDA Bills for a net total of \$146,233.96 are approved for payment; and to receive and file the DDA bills.

B. Other Items

1. Review of Mobile Food Establishments Ordinance

Village Manager McClary stated that pursuant to the request of Council Member Van Portfliet at the May 22, 2023, regular meeting, Council is scheduled to review the Village's current Mobile Food Establishments ordinance, Lake Orion Code of Ordinances, Sec. 115.01 et. seq. He noted that to date, administration has received suggested changes to the Mobile Food Establishments Ordinance from Council Member Van Portfliet, which have been provided to Council in the packet.

Council Members discussed the following items related to the Mobile Food Establishments Ordinance:

- State regulations and requirements for mobile food establishments
- Enforcement and the lack of funding
- Commercial Vehicle Ordinance as it relates to mobile food establishments
- Permit approval should be by Village Council
- Variance for unique situations
- Using Zoning Ordinance to regular mobile food establishments and the issues with granting use of the land through the Zoning Ordinance
- Definitions may be used to clarify differences in trucks
- Issues with food trucks using the M24 corridor.
- Mobile Food Establishments for special community events only and/or for private events

Council Member Moshier exited from 8:21 PM to 8:23 PM

- Use of Mobile Food Establishments for private parties
- Requests from Mobile Food Establishments include:
 - Time to have for setting up operations and taking it down
 - Areas they can operate
 - Ability to keep food truck at residence to prep; day before and after the event

RESOLVED: To direct the Administration to prepare a proposed draft ordinance which include Council Member Van Portfliet's comments submitted at the September 11, 2023 regular Village Council meeting; provide definitions for public events and private events with time duration of 5 days for public events and 3 days for private events; address storage or parking for prep time up to 48 hours; and check with the Commercial Vehicle Ordinance on how to allow food trucks to be allowed at the owners home for

preparation up to 48 hours.

2. Payment Application No. 5 - Meeks Park Pedestrian Bridge Replacement Project - JSS Macomb LLC

Village Manager McClary stated that the Administration is requesting Council approve Payment Application No. 5 from JSS-Macomb, LLC., in the amount of \$5,475.68 for the Meeks Park Pedestrian Bridge Replacement Project. This pay application represents the final payment for this project.

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

RESOLVED: To approve Payment Application No. 5 from JSS-Macomb, LLC, in the amount of \$5,475.68 for the Meeks Park Pedestrian Bridge Replacement Project as recommended by the Village Engineer to be charged to prior FY 2022-23 Account No. 101-255-975-004 - General Fund - Community Development - Meeks Park Bridge Project. This pay application represents the final payment on the project.

3. Ethics Ordinance - Introduction and First Reading

Village Manager McClary stated Administration is requesting that Council introduce and give first reading to the proposed ethics ordinance drafted by Village Attorney Kucharek. The proposed ordinance was drafted in response to a request by Council for consideration of an ethic policy. He noted Council held a work session on May 3, 2023, to receive a presentation from James Robb, chair of the City of Birmingham Ethics Board, and to discuss the proposed ethics ordinance. Village Manager McClary noted that Village Attorney Kucharek has incorporated Section 4.2 of the village charter regarding nepotism as requested by the village council at council's June 26 meeting.

RESULT:	ADOPTED [6 TO 1 5 TO 2]
MOVER:	Kenneth VanPortfliet, Council Member
SECONDER:	Carl Cyrowski, Council Member
AYES:	Narsh, Rutt, Cyrowski, Ford, Lamb , VanPortfliet
NAYS:	Lamb, Moshier

RESOLVED: To introduce and give first reading to Ordinance No. 24.10 **AN ORDINANCE TO ADD TITLE III, CHAPTER 30, OF THE VILLAGE CODE, ADMINISTRATION, § 30.60 - ETHICS**, schedule the Ordinance for second reading and consideration for adoption at Council's September 25, 2023, regular meeting, and request that the Village Clerk

publish the Ordinance synopsis as required by Village Charter.

4. Proposed Amendments to Council Rules of Procedure

President Pro Tem Rutt reviewed the changes which were made to the Council Rules of Procedure to Section D.4 Conduct in Meeting, Section G. Agenda Preparation, paragraph 3, and Section 9.A.1 Consent Agenda, Council members discussed other possible changes to

- Section C, Bullet point 6, Public Participation to require letters from the public to be submitted by Wednesday prior to the Council meeting,
- Section D.5 Conduct in meetings, and selected time limits to be changed from 10 to 5 minutes and 5 to 3 minutes.
- Section E Disorderly Conduct to remove from rules.
- Section G Agenda Preparation paragraph 3,
 - Contacting of attorney and consultants and whether to add “and any other contractors or consultants”
 - President and President Pro Tem are given additional powers and that Council Members should be able to contact consultants and contractors

Harry Stephen, 311 North Shore, stated that any postings which are posted by the Village should be posted on Thursday because the Village offices are closed on Friday. He further requested the Rules of Procedure address reading of public letters into the record under “Call to the Public” because there are people who are unable to attend meetings who want to add their input.

RESULT:	ADOPTED [UNANIMOUS 5 TO 2]
MOVER:	Jerry Narsh, President
SECONDER:	Kenneth VanPortfliet, Council Member
AYES:	Narsh, Rutt, Cyrowski, Ford, Lamb, Moshier, VanPortfliet
NAYS:	Lamb, Moshier

RESOLUTION NO. 2023-049

WHEREAS, the Village Council of the Village of Lake Orion has considered the adoption of Rules of Procedure regarding the conduct of the meetings of the Village Council; and

WHEREAS, the Village Council of the Village of Lake Orion believes it is in the best interest of the citizens of the Village of Lake Orion to adopt Rules of Procedure to provide the structure for the orderly conduct of its meetings which provides for citizen participation and for the opportunity for review and discussion by the Council; and

WHEREAS, the Village Council of the Village of Lake Orion adopted their Rules of

Procedure on April 10, 2000, and amended them on August 11, 2003, June 27, 2005, November 13, 2008, and July 9, 2019; and September 19, 2023;

THEREFORE, BE IT HEREBY RESOLVED: That the following Rules of Procedure for the Village of Lake Orion be the same are hereby amended and re-adopted:

BE IT FURTHER RESOLVED: In compliance with Section 3 (5) of the Open Meetings Act, Act 267 of the Public Acts of 1976, as amended, Rules of Procedure for the Lake Orion Village Council are hereby established and recorded as follows:

Rules of Procedure

A. Meetings

All meetings of the Lake Orion Village Council shall be held in accordance with the provisions of the Open Meetings Act, Act 267 of the Public Acts of 1976, as amended, and with all applicable provisions of the Charter of the Village of Lake Orion.

B. Notification of Meetings

The policy of the Lake Orion Village Council regarding notification of said meetings shall be in compliance with the Open Meetings Act and additionally as follows:

- Notice shall be provided to the local cable TV coordinator to be run on the Local Government Channel.
- Notice (Agenda) shall be emailed and/or delivered on the day of packet preparation to any individual who has a position on any Village board, commission or committee the meeting notice pertains to.
- Notice (Agenda) shall be published on the Village website or made available in print in the Village office by Friday for the following Monday's meeting.

C. Public Participation

Meetings of the Council shall be conducted in a manner which will encourage attendance by and participation of members of the public. The following guidelines for public participation are as follows:

- Members of the public shall address all remarks to the chair.
- Any member of the public who wishes to speak shall identify themselves by name and residence.

- A member of the public shall limit their remarks to one four-minute comment per agenda segment.
- Members of the Council will not engage in debate or respond during public comment. The chair may direct the administration to follow up on questions.
- A member of Council may choose to, during the approval of the agenda, request to add an item that may arise during public comment. Agenda item requests are subject to the rules under section G.6 Approval of Agenda.
- Individuals or other groups who wish to voice their opinion to the Village Council and who are unable to attend in person are encouraged to submit written comments to the Village Clerk via email, mail, or delivered to the Village offices. Written comments will be given to Council Members for the current meeting and placed on the consent agenda at the next meeting to receive and file for public record.

D. Conduct in Meetings

The following rules for conduct shall be observed for members of the Council:

1. In debate, members of the Council shall address the chair, or address each other through the chair, maintaining a courteous and respectful tone (RROO 3:12 and 4:30)
2. Before a member can make a motion or speak, they must first obtain the floor by being recognized by the chair. (RROO 3:30)
3. A member who makes a motion has preference to be recognized first in debate. (RROO 4:27)
4. In debate, each member has the right to speak twice on the same question, the same day, for no longer than five the first time and three minutes the second time, but may not speak a second time so long as any member who has not yet spoken desires the floor. The time that the member holds the floor includes member questions to and answers from staff and/or consultants.
5. Debates must be confined to the merits of the pending question. (RROO 4:29 and 43:20)

E. Disorderly Conduct

The chair or a council member may call to order any person who is breaching the peace or being disorderly by speaking without recognition, interrupting, engaging in booing or

catcalls, applauding, failing to be germane to the topic or issue being considered, speaking longer than the allotted time, speaking vulgarities, name calling, personal attacks, or engaging in other conduct which is determined by the chair to be disruptive. Any person so disrupting may be removed or excluded and guilty of a misdemeanor (MCL 750.170)

F. Regular Meetings

The regular Meetings of the Council shall be held in the Village Hall at 7:30pm on the second and fourth Monday of each month. Change in time and/or place shall be permitted upon proper legal notifications. If any time set for the holding of a Regular Meeting of the Council shall be a holiday, then such meeting shall be held on the next secular day which is not a holiday.

Meetings shall not extend past 10:30 unless by a majority vote of the Council present at the meeting. Any items left on the agenda will be tabled to the following meeting.

Items of business to be transacted at Regular Meetings of the Council shall be in accordance with a prepared Agenda which has been submitted to the Council in advance of the meeting, and which shall be approved by the Council at the meeting to which it applies.

G. Agenda Preparation

To be included on the prepared Agenda, an item of business shall be submitted in written form to the Village Clerk no later than noon on the Tuesday preceding the Regular Meeting. Such written presentation of the item of business shall include sufficient detail to provide Council with full information regarding the scope and cost of any proposal. If such information is not provided, Council reserves the right to set aside action on the proposal until such time as full and complete information is available.

If an item of business is requested and the Village Manager determines that the item requested will require extensive staff research and preparation, the Manager may first prepare a resolution for Council to determine whether to proceed on said item, before staff undertakes extensive time and research.

Only the Village Manager shall direct or issue requests of the Village consultants and department heads. Except that only the President and President Pro Tem may initiate contact with the Village Attorney insofar as their duties for the Council are concerned. Village consultants shall include the Attorney, Planner, and Engineer.

The prepared agenda, except for the first meeting in November following the General

Election shall be in the following format:

1. Call to order by President or President Pro Tem
2. The Pledge of Allegiance
3. Roll Call and Determination of Quorum
4. Presentations
5. Call to the Public
 - a. This segment shall be for the public to make comments on non-agenda items, subject to the rules of public participation in section C. Public Participation.
6. Approval of the Agenda
 - a. In this portion of the Agenda the Council may consider the addition of the following:
 - Items that arise during public comment
 - Requests of items from the members of the Council.
 - Requests from Administration and/or the attorney.
 - b. Addition of items to the prepared Agenda shall be considered individually and shall require the affirmative vote of at least four (4) members of Council.
 - c. Unless Council shall decide a different placement of the item is more appropriate, approved items shall be added at the end of the prepared Agenda in order of their introduction.
 - d. In general, items added to the prepared Agenda which involve the expenditure of Public funds shall not be acted upon by Council until a successive meeting. It is the intent of this provision to require that Council be provide with written information fully explaining the scope and cost of a proposal in advance of the meeting at which action on the proposal is to be taken.
7. Consent Agenda
 - a. The Consent Agenda includes items of a routine nature and will be approved with one motion. The motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may ask a question regarding an item as well as speak on the recommended action by removing an item from the Consent Agenda and having it considered as a separate item. Any

item removed from the Consent Agenda shall be considered after other items on the consent portion of the agenda have been heard.

8. Public Hearings

9. Agenda Items for Consideration

a. Financial Matters

b. Other Items

i. Every effort is to be made by the Administration in putting together the Agenda to put items of public interest or controversy and then items for which there will be input from consultants or other professionals and then items that may require comment from the Village Attorney before items of routine business.

ii. Council will proceed to address the items on the approved Agenda as follows:

1. Presentation of item by sponsor, staff member, or consultant
2. A motion and deliberation of the item by Council, utilizing staff and/or consultants.
3. Call to the public for any comment of the item. This period is to allow members of the public a reasonable, uninterrupted opportunity to present information or express opinions regarding an item subject to the rules laid out in section C. Public Participation. This period of comment shall be closed by the chair when, at their discretion, the public has received a reasonable opportunity to participate.
4. The Council shall then re-address the item of business and take whatever action it deems appropriate. This period shall be uninterrupted by the public.

10. Call to the Public

- a. This segment shall be for the public to make comments on non-agenda items, subject to the rules of public participation in section C. Public Participation.

11. Council Comments

- a. This segment shall afford Council Members the opportunity to make comments of various types. It is not an opportunity for debate or dialogue about issues nor to give direction to administration or consultants (Village Charter 6.12)

b. The time limit for each Council Member shall be 4 minutes.

12. Village Manager Comments

13. Closed Session Items

14. Reconvene in Open Session

15. Business from Closed Session

16. Adjournment

H. Special Meetings

Special Meetings may be called by written request of the Council President or of 2 Council Members, in accordance with the provisions of the Charter of the Village of Lake Orion. The nature of items discussed at special meetings may be such that the topic requires an intensified degree of concentration of study and consultation with advisors. The following Rules of Procedure for the conduct of Special Meetings are therefore hereby established.

All Special Meetings shall be conducted in accordance with the provisions of the Open Meetings Act, Act 267 of the Public Acts of 1976, as amended, and with all applicable provisions of the Charter of the Village of Lake Orion, the conduct of the meeting shall be in accordance with the following format:

1. Call to order by President or President Pro Tem
2. Pledge of Allegiance
3. Roll Call and Determination of Quorum
4. Statement by President or President Pro Tem of the purpose of the meeting as outlined in the call to the meeting
5. Call to the Public
6. Agenda Item(s) for Consideration
 - a. The Council shall proceed to address the items of business stated in the call. The initial period of discussion shall be reserved for Council, staff, consultants, or advisors and shall afford adequate opportunity for the full and complete discussion of the subject by these individuals. This period of discussion shall be uninterrupted by members of the public.
 - b. When, at the discretion of the President or President Pro Tem, Council has had

full opportunity to discuss the subject and secure adequate information from those advisors it has invited to be present, the President or President Pro Tem shall call on the public to afford members of the public a reasonable, uninterrupted opportunity to speak regarding the item under consideration, subject to the rules of public participation outlined in section C. When, at the discretion of the President or President Pro Tem, the public has received a reasonable opportunity to participate in the discussion, the President or President Pro Tem shall close this portion of the discussion.

- c. The Council shall then re-address the item of business and take whatever action it deems appropriate. This period shall be uninterrupted by the public.
7. Closed Session, if needed
8. Reconvene in Open Session, if needed
9. Adjournment

Note: Only items listed in the call of a special meeting may be considered at a special meeting. However, if all members of Council are present, then any business which might lawfully come before a regular meeting of Council may be transacted as such special meeting.

I. Change in Order of Business

The order of business of any meeting may be changed upon the affirmative vote of at least four (4) members of Council.

J. Conflict of Interest

The ethics ordinance shall prevail as it applies to conflict of interest. In the absence of an ethics ordinance, the following shall apply:

A potential conflict of interest exists when a member of Council, an immediate family member of a Council member, or employer of a Council member has a financial interest in the outcome of a decision of Council.

If any member of Council believes he has a potential conflict of interest or what may be perceived as having a conflict regarding an item on the approved agenda, they shall reveal that potential conflict when the Presiding Officer introduces that item and before any comment has been made and shall explain the particulars of the potential conflict. After a Council member has revealed and explained the potential conflict the remaining

Council members shall discuss, if necessary, and vote to excuse or not excuse that member from deliberating and voting on the item in question. It shall require a majority vote of the remaining Council members present to excuse a member from voting.

K. Requirement to Vote

Each Council member is required to vote on each item of business on the approved Agenda. A Council member shall not abstain from voting on any given item unless he has revealed a potential conflict of interest and has been excused by the other Council members from deliberating and voting on the item in question.

L. Parliamentary Procedure

Robert's Rules of Order, Newly Revised, shall prevail as to parliamentary procedure, except as modified by the Village Charter or these rules. The Village Attorney shall be the parliamentarian.

M. Conflicts with Statues or Charter

In all matters where the rules adopted herein may conflict with the Statues of the State of Michigan as adopted or with the provision of the Charter of the Village of Lake Orion, then and in such event, the State Law and Charter shall in all cases prevail.

Certification

I, Susan C. Galeczka, Clerk of the Village of Lake Orion, do hereby certify that the foregoing is a true and complete copy of a resolution, duly adopted by the Village Council of the Village of Lake Orion at a Regular Meeting held on the 10th day of April, 2000 (On Motion By Council President Pro Tem, Van Portfliet, Seconded by Council Member Stephen and Adopted. Ayes - 7.)

Amended at a Regular Meeting held on the 11th day of August, 2003 (On Motion by Council Member Van Portfliet, Seconded by President Pro Tem Stephen and Adopted. Ayes - 7.)

Further amended at a Regular Meeting held on the 27th day of June, 2005 (On Motion by Council President Pro Tem Stephen, Seconded by Council Member Hollenbeck and Adopted. Ayes - 6, Absent - 1 (Albert).

Further amended at a Regular Meeting held on the 13th day of November, 2018 (On a Motion by Council President Pro Tem Mathisen, seconded by Council Member Ranville, and adopted. Ayes 5; Nays: 0; Absent: 2 [Churchill, Rutt])

Further amended at a Regular Meeting held on the 8th day of July, 2019 (On a motion by Council President Pro Tem Mathisen, seconded by Council Member Ray Hammond and adopted. Ayes: 7, Nays: 0.)

Further amended at a Regular Meeting held on the 11th day of September, 2023 (On a motion by Council President Narsh, seconded by Council Member Van Portfliet and adopted. AYES: 5; NAYS: 2 (Lamb, Moshier.)

5. Schedule Council Work Sessions - Capital Improvement Plan and Fee Schedule Preparation

Village Manager McClary stated the Administration is requesting that Council schedule several work sessions during the months of September, October, and November for the purpose of completing the preparation of the Village's multi-year capital improvement plan and comprehensive fee schedule.

RESULT:	ADOPTED [UNANIMOUS 6 TO 1]
MOVER:	Kenneth VanPortfliet, Council Member
SECONDER:	Carl Cyrowski, Council Member
AYES:	Narsh, Rutt, Cyrowski, Ford, Lamb , Moshier, VanPortfliet
NAYS:	Lamb

RESOLVED: To direct the Village Manager to send a doodle poll to Council Members to determine dates for the special meetings.

10. Call to the Public

Rosemary Ford, 225 N. Broadway, suggested there should be a definition for food trucks versus a truck because some are trucks and some are trailers.

Harry Stephen, 311 North Shore, addressed Council regarding Mobil Food Trucks stating that the Village already has many ordinances on the books and he is not sure whether the Village needs another ordinance. In regard to the lawsuit filed by Village, he stated that the Village should not be suing Tom Patterson, noting he was served today.

11. Council Comments

Council Member Cyrowski stated that under Council Comments Council members should not include comments regarding Agenda Items. These issues were already discussed during the agenda item.

Council Member Moshier reflected on the importance 9/11, noting it is a sad day even 22 years later.

Council Member Ford reported on the Paint Creek Bridge Walk, noting there were a number of people using the trail.

Council Member Lamb stated that ONTV has a video of the meetings and the ability to tape the meetings. He suggested the Village tape the meetings for the convenience of the residents. He stated it is very sad that Mr. Patterson is being sued by the Village.

President Narsh, in regard to 911, stated we must always remember. He congratulated Chief Stanford on his recognition.

12. Village Manager Comments

Village Manager McClary commented on the following:

- Village Website Update
- EGLE Violation
- Park Avenue Retaining Wall
- Village Manager's Performance Evaluation
- Police Chief Appointment
- Electronic Agenda Packets
- Peak Agenda Management System
- Evergreen Cemetery Fence
- Redevelopment Ready Communities Presentation
- West Lofts PUD Project
- Identification of Village owned properties
- Parking Meter Proposals
- FY 2024 Community Development Block Grant (CDBG) application
- LOLA Law Enforcement meeting
- Upcoming important dates

13. Closed Session Items

14. Reconvene to Open Session

15. Business From Closed Session

16. Adjournment

Motion to adjourn the Monday, September 11, 2023 regular Village Council Meeting.

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

The Lake Orion Village Council adjourned the Monday, September 11, 2023 regular meeting at 9:32 PM.

Jerry Narsh
President

Susan C. Galeczka, CMC MiPMC
Village Clerk

Date Approved: