



City of the Village of Clarkston
Artemus M. Pappas Village Hall
375 Depot Road
Clarkston, Michigan 48346
City Council Regular Meeting Minutes
03 08 2021 Final Minutes

3/8/2021 - Minutes

1. Call To Order
By Mayor Pro Tem Wylie @ 7:01

2. Pledge Of Allegiance

3. Roll Call
Wylie, Avery, Bonser, Casey, Kneisc, Luginski present and calling in from Clarkston. Haven - Absent

4. Approval Of Agenda - Motion
Motion by Avery Second by Luginski to approve the Agenda as presented. Wylie, Avery, Bonser, Casey, Kneisc, Luginski - Yes Motion Carried

5. Public Comments:

Chet Pardee - Thanked City officials for updating the financial report format. He also asked if the City's Budget will require an amendment for paying Atty Mark Peyser monies beyond that which was previous approved. He suggested that the RAMP report be presented to Council by the City's engineer in order to refresh and educate Council Members. He also suggested that the information regarding the financing of the City Hall and DPW garage improvements be summarized, reviewed by Council and added to the website.

Cory Johnston (read by City Manager Jonathan Smith) regarding the settlement cost of the Bison v Clarkston Lawsuit information from the City Manager report, Short Term Rentals and in person meetings.

No response was given to either public comments.

Mayor Pro Tem Wylie thanked Clerk Speagle changing the format of the Council minutes by adding details to the public comments and discussions. She also thanked Jonathan Smith for changing the format of the financial reports that are included in the Consent Agenda. Jonathan replied stating that it was a combination of Greg and Evelyn, Wylie in turn thanked them.

6. FYI:

7. Sheriff Report For February 2021

Lt Hill was on the line for any questions. Ed Bonser asked how best to handle loud road noise, specifically loud vehicles traveling down M15 that continuously rev their engines or backfire. Lt Hill suggested that if you have someone that comes the same time of day every day call the non emergency dispatch number at (248) 858-0951 or 0950.

8. City Manager Report

Included is the Annual City Manager Report. Kneisc thanked Smith for looking into installing a guardrail on northbound White Lake Rd at Depot Rd. Smith stated that this portion of the road is owned and maintained by Oakland County. One thing we are looking at doing is moving the "Your Speed" sign down before the curve to be more visable to oncoming traffic which in turn should slow down traffic sooner. Casey agreed and said it would also be a better location for solar reasons.

Ed Bonser in regards to the City Manager Annual Report wanted to thank Smith for everything he has done this past year and hopes that he feels gratification in what he does as he does not get paid nearly as much as he should for everything he does.

9. Motion Acceptance Of The Consent Agenda As Presented

Avery inquired about the WRC soil erosion bill. Smith explained that the closer you are to water the higher the inspection fees and the inspection wont stop until the final grading, hydroseeding and new rain gardern is installed, which will be done in the spring.

Wylie asked about the Tom Ryan bill regarding Line v HDC. Atty Ryan stated that this work pertained to the final decision affirming the decision of the HDC relative to the Line railing. 2/15 bill regarding correspondance with Mayor Haven and Mrs. Wylie. Atty Ryan stated the coorespondance between Wylie, Haven & Smith was forwarded to him for review.

Casey asked about the 3/2 bill for McLean v HDC. Atty Ryan explained McLeans are suing the HDC to overturn the HDC's decision regarding their fence much like the Lines v HDC case over their porch railings. Casey also asked what Clarkston V Thrift. Atty Ryan stated it was an assault and Battery Case.

Chet Pardee asked if we get our monies worth on the Holcomb paving? Smith stated we did get 3' wide shoulders on both sides the \$700 overage was due to number of sewer grates that had to be lifted to correctly pave around them.

Motion by Casey Second by Kneisc to accept the Consent Agenda as presented. Wylie, Avery, Bonser, Casey, Kneisc, Luginski - Yes Motion Carried

10. Old Business

10.a. Motion: Short Term Rentals

Ben Carlisle from Carlisle Wortman presented different options for the City to address Short Term Rentals (STR's). 1. Ban STR's 2. Ban STR's in R1 & R2's but allow in Village Commercial District 3. Allow STR's with regulations.

Atty Ryan warned that the State Legislature can preempt our laws and Charter if they deem its for a public purpose.

Residents Theresa Fabrizio, Ed Bonser & Sharon Kramer all shared their thoughts for keeping STR's offering personal experiences in favor of and stated why they believe they are good for the City.

Luginski would be in favor with a regulation on the number allowed in the City. Kneisc and Casey are in favor of option 3.

Chet Pardee questioned the Mill Pond Inn and questions the overhead cost for the City to oversee regulations. Atty Ryan stated that the Mill Pond Inn has its own ordinance under Bed & Breakfast.

Motion by Avery Second Wylie to table a motion on Short Term Rentals until all Council Members are present. Wylie, Avery, Casey, Kneisc, Luginski - Yes Motion Carried. Bonser Recused.

10.b. Motion: In Person Meetings

Smith stated that Public Meeting Act 254 that allowed virtual meetings is set to expire 03/31. Smith stated during a virtual meeting with MML they believe there is a possiblity of a last minute extension. Atty Ryan stated that once Act 254 expires, council may attend virtually if you are an active Veteran in the Military, if the local unit declares a disaster due to the pandemic or you have a medical condition in

which protocol must be followed. He went on to state that MDHHS changed the restrictions starting March 5th you can have indoor gatherings of no more than 25 person with social distancing and masks. In order to accommodate the staff, council and public and not have to turn anyone away we will need to do some sort of hybrid of in person and virtual.

Wylie stated that Senate Bill 207 regarding extending virtual meeting (to June 30th) is making its way through legislature and if anyone would like to support this bill and help move it forward please contact your State Senator or local Rep (Rosemary Bayer and/or Andrea Schroeder)

Luginski asked if the 6' social distance is a law, suggestion or guideline? Atty Ryan stated that it is an MDHHS order that has a force of law behind it. Luginski commented that he does know that Oakland County Historic Committee has started meeting in person.

11. New Business

11.a. Discussion: 35 Madison Ct

Smith stated the office has had numerous complaints from the residents of 35 Madison Ct apartment complex, most of which are seniors and/or disabled. Lack of sidewalk and parking lot snow removal, insufficient trash receptacles, mold, poor water quality, can not reach landlord and no response to complaints. Smith and Building Official Craig Strong walked the building and was allowed entry to 2 apartments and made a list of violations. A letter was written and sent to the building owner via certified mail with a list of violations.

Al Avery asked what options do we have. Atty Ryan said we can do what we have been by sending the Building Official, contacting owner and following up on making sure the owner is keep up with the building.

12. Adjourn

Motion by Avery Second by Luginski to adjourn at 9:02pm. Wylie, Avery, Bonser, Casey, Kneisc, Luginski - Yes Motion Carried.

Respectfully Submitted by Jennifer Speagle, City Clerk.