



City of the Village of Clarkston
375 Depot Rd
Clarkston, Michigan 48346
City Council HDC Joint Meeting
10 11 2021

1. Call To Order
2. Pledge Of Allegiance
3. Roll Call
Mayor Haven, Avery, Bonser, Casey, Luginski, Wylie
4. Approval Of Agenda - Motion
5. FYI
6. Public Comments:
Individuals have the opportunity to address the City Council on subjects not on the Agenda, limiting their comments to three minutes. Alternatively, public comments may be emailed to City Manager Jonathan Smith @ smithj@villageofclarkston.org or City Clerk Jennifer Speagle @ speaglej@villageofclarkston.org and they will be read out loud during this time. If preferred, comments may be stated or submitted anonymously.
7. City Manager Report
Documents:

[CITY MGR REPORT 10 11 2021.PDF](#)
8. Motion Acceptance Of The Consent Agenda As Presented
Minutes and Treasurer's Report

Minutes

Final 09 13 2021

Draft 09 27 2021

Treasurer's Report 10 11 2021

Documents:

[10 11 2021 CONSENT AGENDA.PDF](#)
9. Old Business
10. New Business
 - 10.a. Motion: Halloween Hours In The Village

Documents:

[MOTION HALLOWEEN HOURS IN THE VILLAGE 10 11 2021.PDF](#)

10.b. Motion: PC, ZBA, HDC Appts & Renewals

Documents:

[MOTION PC ZBA HDC APPT RENEWALS 10 11 2021.PDF](#)

11. Historic District Agenda For Joint Meeting 10 11 2021

Documents:

[HDC AGENDA FOR SPECIAL MEETING 10-11-2021.PDF](#)

12. Resolution: To Go Into Closed Session To Discuss Specific Pending Litigation (Council)

Documents:

[RESOLUTION CITY COUNCIL CLOSED SESSION FOR PENDING LITIGATION - LEHMAN V CITY HDC 10 11 2021.PDF](#)

13. Resolution: To Go Into Closed Session To Discuss Specific Pending Litigation (HDC)

Documents:

[RESOLUTION HDC CLOSED SESSION FOR PENDING LITIGATION - LEHMAN V CITY HDC 10 11 2021.PDF](#)

14. Return To Open Session

15. Adjourn: HDC

16. Adjourn: Council

Only those matters that are on the agenda are to be considered for action.

City of the Village of Clarkston
City Manager Report
October 11, 2021

Depot Park Pathway Paving

This week Ottman's Advance Asphalt completed the paving of new pathways in Depot Park and the repair of several existing pathways. A new culvert was installed in one of the repaired areas, replacing a badly deteriorated culvert connecting the two rain gardens. And PVC sleeves were also installed under the asphalt to facilitate the installation of a new sprinkler system in 2022. I am very pleased with the quality of workmanship from the Ottman team, as well as the fact that the work was done on time and on budget.

Roadway Marking

Also this week, the City's roadway marking contractor, Advanced Pavement Marking, is scheduled to complete the repainting of parking space lines on the city streets as well as stop bars and crosswalks at most of the City's intersections. Other roadway markings including turn arrows on Depot Road and a sidewalk delineation line on Miller Road are also included. All work will be done in the overnight hours to avoid parking and traffic issues.

Depot Road Storm Drain

I will be bringing estimates for the repair of a collapsing storm drain on Depot Road to the October 25th Council meeting. While unbudgeted, this repair must be considered urgent as the condition is worsening by the day. In the meantime, an orange construction barrel has been placed over the drain.

ARPA Funds Update

Shortly after the September 27th Council meeting, the City received the first of its two scheduled American Rescue Plan Act (ARPA) payments of \$48,200. As learned in the MML's annual conference, I have applied for a limited-time, free service being offered by the National League of Cities to assist municipalities in determining where grant monies are available to grow the ARPA funds based on their objectives.

SEMCOG Mini-Grant

The City was recently approved for a \$1,560 grant for collecting roadway surface condition data in 2022. No local match is required.

ITS Michigan Conference

This week I attended the 2021 Intelligent Transportation Society of Michigan annual conference in Ann Arbor to learn more about the latest road and traffic light technologies.

Respectfully submitted, **Jonathan Smith, City Manager, October 7, 2021**



City of the Village of Clarkston
Artemus M. Pappas Village Hall
375 Depot Road
Clarkston, Michigan 48346
City Council Regular Meeting Minutes
09 13 2021 Final Minutes

9/13/2021 - Minutes

1. Call To Order

By Mayor Haven @ 7:00pm

2. Pledge Of Allegiance

3. Roll Call

Mayor Haven, Avery, Casey, Wylie - Present. Bonser, Luginski - Absent.

4. Approval Of Agenda - Motion

Motion by Avery Second by Casey to approve the Agenda with the following change.

Moving 11g (ZBA Appointment) up to 11a. All Aye Motion Carried.

5. Public Comments:

By Chet Pardee and Christopher Moore.

6. FYI

7. Sheriff Report For August 2021

8. City Manager Report

9. Motion Acceptance Of The Consent Agenda As Presented

Motion by Wylie Second by Avery to approve the Consent Agenda as presented. All Aye Motion Carries.

10. Old Business

10.a. Resolution: Amended Depot Park Pathway Paving Bid

Motion by Avery Second by Casey to authorize the City Manager to contract with Ottman's Advanced Asphalt to install 700 lineal feet of new pathway around the playground, repair 76' of damaged pathway, and replace the 100' of pathway leading to the gazebo at a total projected cost of \$26,008.00 with \$21,000.00 funded by the FODP Charitable Account, \$3,008.00 funded by the FODP Operational Budget and \$2,000.00 funded by the Professional & Contractual Services Budget. Avery, Haven, Wylie, Casey - Yes. Motion Carries.

11. New Business

11.a. Motion: Zoning Board Of Appeals Appointment

Motion by Haven Second by Avery to appoint Jennifer Cotter to fill the open Zoning Board of Appeals seat vacated by Margaret DaCosta, effective immediately and ending June 31st 2024. All Aye Motion Carries.

11.b. Discussion: Tree Committee

Carol Eberhardt, Sharon Catallo and new member Amanda Wakefield discussed the future planting of trees throughout the City to replace those that were removed and to enhance the landscape. The Committee will work with the City Manager to bring a cost proposal to the 9/27 Council meeting.

11.c. Proclamation: National Recovery Month

Proclamation read by Mayor Haven. Oakland Community Health Network hereby recognize September 2021 as National Recovery Month. OCHN calls upon our citizens, government agencies, public and private institutions, businesses and schools to recommit our state to increasing awareness and understanding of substance use, and the need for appropriate and accessible services to promote recovery.

11.d. Proclamation: National Suicide Prevention Month

Proclamation read by Mayor Haven. Oakland Community Health Network hereby recognizes September 2021 as National Suicide Prevention Month. OCHN call upon our citizens, government agencies, public and private institutions, businesses and schools to recommit our state to increasing awareness and understanding of suicide prevention, and the need for appropriate and accessible services to assist individuals in crises.

11.e. Resolution: Publicly Funded Public Mental Health Services

Motion by Wylie Second by Avery to accept that Oakland Community Health Network Board of Directors hereby calls upon our citizens, elected officials, policymakers, and community partners to protect and promote Michigan's public mental health system. By advocating to enhance service delivery for people while also ensuring maintaining the integrity and that the oversight of public funding remains under the oversight of a public mental health system.

Haven, Avery, Casey, Wylie - Yes Motion Carries.

11.f. Resolution: 2022 Annual Permit For State Trunkline Right Of Way

Motion by Avery Second by Wylie to approve the Performance Resolution required by the Michigan Department of Transportation (MDOT) for purposes of issuing an "Individual Permit for Use of State highway Right of Way" and/or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way"

Be it further Resolved that City Manager Jonathan Smith and Clerk Jennifer Speagle are authorized to apply to the Department for the necessary permit to work within State Highway Right of Way on behalf of the City of the Village of Clarkston.

Haven, Avery, Casey, Wylie - Yes Motion Carries.

11.g. Resolution: Repainting Of Parking Space, Crosswalk And Stop Bar Markings

Motion by Wylie Second by Casey to authorize the City Manager to contract with Advanced Pavement Markings for a total not-to-exceed cost of \$5,083.61 to repaint street parking space markings, crosswalk markings and stop bar markings in the City (excluding parking lots), with \$3,00.00 paid from the Road and Crosswalk Painting budget and remainder from Road Resurfacing budget. Haven, Avery,

Casey, Wylie - Yes Motion Carries.

12. Adjourn

Motion by Avery Second by Wylie to adjourn at 8:02pm All Aye Motion Carries.

Respectfully Submitted by Jennifer Speagle, City Clerk.



City of the Village of Clarkston
Artemus M. Pappas Village Hall
375 Depot Road
Clarkston, Michigan 48346
City Council Regular Meeting Minutes
Draft Minutes 09 27 2021

9/27/2021 - Minutes

1. Call To Order

By Mayor Haven @ 7:00pm

2. Pledge Of Allegiance

3. Roll Call

Avery, Bonser, Casey, Haven, Luginski, Wylie - Present

4. Approval Of Agenda - Motion

Motion by Wylie Second by Luginski to approve the Agenda has presented. All Aye - Motion Carries.

5. Public Comments:

By Peg Roth

Christopher Moore

Chet Pardee

6. FYI: Rotary Annual Beer, Wine & Spirits @ Bordines Nursery

7. City Manager Report

8. Motion Acceptance Of The Consent Agenda As Presented

Motion by Avery Second by Casey to approve the Consent Agenda as presented. All Aye - Motion Carries.

9. Old Business

9.a. Discussion: Election Update

by Clerk Speagle

9.b. Resolution: Tree Committee Proposal

Motion by Wylie Second by Casey to authorize the City Manager to contract with the City's Tree Supplier (Wiegand's Nursery) to purchase, deliver and install 6 Ginko trees on South Main Street at a total coast of \$3,726.90 funded by \$2,666.00 from the Gazebo Repair Fund (401-901-970.112 and \$1,061.00 from the Tree Removal Fund (101-446-817.001). Avery, Bonser, Casey, Haven, Luginski, Wylie - Yes. Motion Carries.

9.c. Discussion: Parking Revenue Update

9.d. Discussion: Historic Study Committee Update

Update from Nancy Moon

10. New Business

11. Adjourn

Motion by Wylie Second by Bonser to adjourn @ 8:24pm. All Aye Motion Carries.

Respectfully Submitted by Jennifer Speagle, City Clerk.

DRAFT

TREASURER'S REPORT FOR CITY COUNCIL MEETING:

10/11/2021

Treasurer's Report:

I. Disbursements from 09/01/2021 -9/30/2021

101 General Fund	\$	91,946.06
202 Major Streets	\$	180.50
203 Local Street	\$	-
231 Parking Meter Fund	\$	566.16
236 Friends of Depot Park	\$	-
295 Mill Pond Lake	\$	2,312.00
301 GO Bond Debt	\$	161,568.70
305 GO Bond Debt	\$	76,687.50
401 Capital Projects Fund	\$	1,152.35
590 Sewer Fund	\$	466.91
703 Tax Fund	\$	1,416,486.32
Total	\$	1,751,366.50

II. Invoices for review and payment approval

Carlisle Wortman - Master Plan, Bldg Adm, Planner & Other	\$	-
Carlisle Wortman - Master Plan, Bldg Adm, Planner & Other	\$	-
Tom Ryan - Professional Services (September Invoice)	\$	142.50
Tom Ryan - Clarkston Court Prosecution (Sept. Invoice)	\$	2,565.00
Total	\$	2,707.50

III. Other Checks for Review

Ottman's Advance Asphalt	\$	24,865.00
	\$	-
	\$	-
Total	\$	24,865.00

GRAND TOTAL	\$	1,778,939.00
--------------------	-----------	---------------------

10/06/2021

CHECK DISBURSEMENT REPORT FOR CITY OF THE VILLAGE OF CLARKSTON
CHECK DATE FROM 09/01/2021 - 09/30/2021

Check Date	Check #	Payee	Description	Account	Dept	Amount
09/01/2021	10353	COMCAST	TELEPHONE EXPENSE	850.000	264	184.35
09/01/2021	10354	HOME DEPOT CREDIT SERVICES	PARK MATERIALS	728.000	265	204.38
09/01/2021	10355	DOUG WEAVER	BLDG INSPECTORS' SALARIES	703.004	371	325.00
09/01/2021	10356	JEFF SHAFER	BLDG INSPECTORS' SALARIES	703.004	371	260.00
09/01/2021	10357	MERLE WEST	BLDG INSPECTORS' SALARIES	703.004	371	195.00
09/08/2021	10358	CONSUMERS ENERGY	VH - UTILITIES CONSUMERS	921.000	265	15.00
09/08/2021	10360	RICOH USA, INC	OFFICE SUPPLIES	727.000	264	206.04
09/08/2021	10361	THOMAS J RYAN PC	LEGAL FEES	803.000	266	3,420.00
09/08/2021	10361	THOMAS J RYAN PC	LEGAL FEES	803.000	266	47.50
		CHECK GEN 10361 TOTAL FOR FUND 101:				3,467.50
09/08/2021	10362	SHERMAN PUBLICATIONS, INC	PUBLICATIONS	901.000	215	89.70
09/08/2021	10362	SHERMAN PUBLICATIONS, INC	PUBLICATIONS	901.000	215	89.70
		CHECK GEN 10362 TOTAL FOR FUND 101:				179.40
09/08/2021	10363	CHARTER TOWNSHIP OF INDEPE	VEHICLES - GAS & OIL	862.000	446	354.11
09/08/2021	10364	GREAT LAKES ACE HARDWARE	SUPPLIES	726.005	446	26.76
09/08/2021	10365	IOCO PAINTING SERVICES LLC	PARK MATERIALS	728.000	265	4,000.00
09/08/2021	10366	DTE ENERGY	DTE STREET LIGHTING	926.000	448	1,232.99
09/08/2021	10367*#	CARDMEMBER SERVICE	MISC EXPENSE	955.000	101	196.84
09/08/2021	10367	CARDMEMBER SERVICE	DUES & CONFERENCES	958.000	101	968.00
09/08/2021	10367	CARDMEMBER SERVICE	POSTAGE	727.001	264	221.85
09/08/2021	10367	CARDMEMBER SERVICE	TECHNOLOGY/INTERNET EXPENSE	852.000	264	15.89
09/08/2021	10367	CARDMEMBER SERVICE	PARK MATERIALS	728.000	265	1,019.23
09/08/2021	10367	CARDMEMBER SERVICE	PHYSICAL EXPENSE	720.000	441	29.02
09/08/2021	10367	CARDMEMBER SERVICE	DPW SUPPLIES	750.000	441	11.98
09/08/2021	10367	CARDMEMBER SERVICE	DPW EQUIPMENT	970.001	446	224.59
09/08/2021	10367	CARDMEMBER SERVICE	HISTORIC DIST COMMISSION EXP	956.003	723	198.00
		CHECK GEN 10367 TOTAL FOR FUND 101:				2,885.40
09/08/2021	10368	H2A ARCHITECTS, INC	HISTORIC DIST COMMISSION EXP	956.003	723	1,200.00
09/08/2021	10369	DTE ENERGY	DETROIT EDISON-VH	920.000	265	179.17
09/08/2021	10369	DTE ENERGY	DETROIT EDISON-VH	920.000	265	11.45
09/08/2021	10369	DTE ENERGY	DETROIT EDISON-VH	920.000	265	20.21
09/08/2021	10369	DTE ENERGY	DTE UPPER PARKING LOT	923.000	265	95.45
09/08/2021	10369	DTE ENERGY	DTE UPPER PARKING LOT	923.000	265	21.72
09/08/2021	10369	DTE ENERGY	DTE UPPER PARKING LOT	923.000	265	15.44
09/08/2021	10369	DTE ENERGY	DTE UPPER PARKING LOT	923.000	265	14.95
		CHECK GEN 10369 TOTAL FOR FUND 101:				358.39

10/06/2021

CHECK DISBURSEMENT REPORT FOR CITY OF THE VILLAGE OF CLARKSTON
CHECK DATE FROM 09/01/2021 - 09/30/2021

Check Date	Check #	Payee	Description	Account	Dept	Amount
09/15/2021	10370	CARLISLE/WORTMAN ASSOC INC	VH-PLANNER FEES	811.000	721	525.00
09/15/2021	10371	COMCAST	TELEPHONE EXPENSE	850.000	264	695.97
09/15/2021	10372	HOWARD & HOWARD	LEGAL FEES	803.000	266	105.00
09/15/2021	10373	STAPLES	OFFICE SUPPLIES	727.000	264	76.78
09/15/2021	10374	CARLISLE/WORTMAN ASSOC INC	ENFORCEMENT OFFICER SALARY	703.010	370	495.00
09/15/2021	10375	CARLISLE/WORTMAN ASSOCIATE	BLDG DEPT PROFESSIONAL FEES	809.000	371	1,500.00
09/22/2021	10376	HUTCHINSON'S ELECTRIC, INC	PARK MATERIALS	728.000	265	253.17
09/22/2021	10377	CLINTON RIVER WATERSHED CO	CLINTON RIVER WATERSHED EXPENSE	956.002	281	340.00
09/22/2021	10378	CLARKSTON AREA CHAMBER OF C	DUES & CONFERENCES	958.000	101	290.00
09/22/2021	10379	BLUE CARE NETWORK	HEALTH INSURANCE	709.000	441	344.32
09/22/2021	10381	STAPLES	OFFICE SUPPLIES	727.000	264	6.29
09/29/2021	10382#	CHARTER TWP OF INDEPENDEN	LAW ENFORCEMENT	802.000	301	32,756.54
09/29/2021	10382	CHARTER TWP OF INDEPENDEN	FIRE PROTECTION - IND TWP	802.001	336	39,176.30
			CHECK GEN 10382 TOTAL FOR FUND 101:			71,932.84
09/29/2021	10383	RICOH USA INC	RICOH COPIER LEASE	941.000	264	202.65
09/29/2021	10384	HOME DEPOT CREDIT SERVICES	SUPPLIES-VH BUILDING	726.004	265	84.72
			Total for fund 101 GENERAL			91,946.06
09/08/2021	10359	MAZZA AUTO PARTS	SUPPLY & MTLs - NON-WINTER MAINT	726.001	451	149.95
09/08/2021	10367*#	CARDMEMBER SERVICE	SUPPLY & MTLs - NON-WINTER MAINT	726.001	451	30.55
			Total for fund 202 MAJOR STREET			180.50
09/01/2021	1130	SPRINT / NEXTEL COMMUNICATI	PHONE EQUIPMENT	760.000	264	70.83
09/15/2021	1131	PASSPORT LABS, INC	MISC EXPENSE	757.000	264	307.50
09/15/2021	1131	PASSPORT LABS, INC	MISC EXPENSE	757.000	264	62.00
			CHECK PARK 1131 TOTAL FOR FUND 231:			369.50
09/29/2021	1132	SPRINT / NEXTEL COMMUNICATI	PHONE EQUIPMENT	760.000	264	70.83
09/29/2021	1133	T2 SYSTEM CANADA INC	MISC EXPENSE	757.000	264	55.00
			Total for fund 231 PARKING METER FUND			566.16

10/06/2021

CHECK DISBURSEMENT REPORT FOR CITY OF THE VILLAGE OF CLARKSTON
CHECK DATE FROM 09/01/2021 - 09/30/2021

Check Date	Check #	Payee	Description	Account	Dept	Amount
09/29/2021	261	LAKE PRO, INC.	WEED CONTROL - MILL POND MAINT'	813.000	265	2,112.00
09/29/2021	262	LAKE PRO, INC.	WEED CONTROL - MILL POND MAINT'	813.000	265	200.00
			Total for fund 295 MILL POND LAKE IMPROVEMENT FUND			2,312.00
09/29/2021	2032	CHASE	PRINCIPAL DEBT SERVICE PYMT	991.000	906	156,000.00
09/29/2021	2032	CHASE	INTEREST DEBT SERVICE PYMT	995.000	906	5,568.70
			CHECK 2012 2032 TOTAL FOR FUND 301:			161,568.70
			Total for fund 301 2012 GO BOND DEBT			161,568.70
09/22/2021	2031	BANK OF NEW YORK MELLON TR	PRINCIPAL PAYMENT 2000/2007 GO BONI	991.001	906	75,000.00
09/22/2021	2031	BANK OF NEW YORK MELLON TR	INTEREST PAYMENT 2000/2007 GO BOND	995.001	906	1,687.50
			CHECK 2012 2031 TOTAL FOR FUND 305:			76,687.50
			Total for fund 305 2000-2007 GO BOND DEBT			76,687.50
09/08/2021	10367*#	CARDMEMBER SERVICE	STREET SIGNS & POSTS	819.000	446	826.07
09/22/2021	10380	ADT	PROFESSIONAL & CONTRACTUAL SERVI	805.001	901	326.28
			Total for fund 401 CAPITAL PROJECT FUND			1,152.35
09/08/2021	2087	CARDMEMBER SERVICE	POSTAGE	727.001	536	397.85
09/22/2021	2088	GREAT LAKES WATER AUTHORITY IWC CHARGES IND TWP		814.002	536	69.06
			Total for fund 590 SEWER			466.91
09/08/2021	694(E)	CLARKSTON COMMUNITY SCHOO	TAX COLLECTIONS	220.000	000	127,318.06
09/08/2021	695(E)	OAKLAND COUNTY TREASURER	TAX COLLECTIONS	220.000	000	127,356.79
09/08/2021	696(E)	CITY OF CLARKSTON CVT	TAX COLLECTIONS	220.000	000	49,415.46
09/08/2021	697(E)	CITY OF CLARKSTON 2007 BOND	TAX COLLECTIONS	220.000	000	14,915.24
09/08/2021	698(E)	CITY OF CLARKSTON 2012 BOND	TAX COLLECTIONS	220.000	000	28,141.88
09/22/2021	2838	CORELOGIC CENTRALIZED REFU	TAX COLLECTIONS	220.000	000	4,753.93
09/22/2021	699(E)	CLARKSTON COMMUNITY SCHOO	TAX COLLECTIONS	220.000	000	330,106.57
09/22/2021	700(E)	OAKLAND COUNTY TREASURER	TAX COLLECTIONS	220.000	000	425,515.34
09/22/2021	701(E)	CITY OF CLARKSTON CVT	TAX COLLECTIONS	220.000	000	165,103.54
09/22/2021	702(E)	CITY OF CLARKSTON 2007 BOND	TAX COLLECTIONS	220.000	000	49,833.79
09/22/2021	703(E)	CITY OF CLARKSTON 2012 BOND	TAX COLLECTIONS	220.000	000	94,025.72
			Total for fund 703 TAX			1,416,486.32
			TOTAL - ALL FUNDS			1,751,366.50

*#-INDICATES CHECK DISTRIBUTED TO MORE THAN ONE FUND

#-INDICATES CHECK DISTRIBUTED TO MORE THAN ONE DEPARTMENT

Thomas J. Ryan, P.C.

2055 Orchard Lake Road
Sylvan Lake, MI 48320

Invoice submitted to:
Jonathan Smith
City Manager
375 Depot Road
Clarkston, MI 48346

October 01, 2021

In Reference To: Clarkston Court/Prosecution
Invoice #10986

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
9/1/2021 Phone call to 52/2 District Court re: 9/1/21 court docket (J. Kostin)	0.50 95.00/hr	47.50 ✓
9/15/2021 Attend 52/2 District Court Stakeholder meeting via zoom per Michigan Supreme Court Order	1.00 95.00/hr	95.00 ✓
For professional services rendered	1.50	\$142.50
Previous balance		\$47.50 <i>→</i>
Accounts receivable transactions		
9/14/2021 Payment - Thank You No. 10361		(\$47.50)
Total payments and adjustments		(\$47.50)
Balance due		<u><u>\$142.50</u></u>

101-266-803.000

Thomas J. Ryan, P.C.

2055 Orchard Lake Road
Sylvan Lake, MI 48320

Invoice submitted to:
Jonathan Smith
City Manager
City of the Village of Clarkston
375 Depot Road
Clarkston, MI 48346

October 01, 2021

Invoice #10987

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>	
9/1/2021 Review FOIA request from Mr. Mulvihill re: 42 W. Washington	0.50 95.00/hr	47.50	✓
Review Appeal to Court of Appeals, Claim of Appeal, Motion and Brief re: Oakland Cares vs. Speagle	3.00 95.00/hr	285.00	✓
9/2/2021 Research for draft answer to Motion and Brief re: Oakland Cares vs. Speagle	3.00 95.00/hr	285.00	✓
9/7/2021 Preparation of draft Answer to Motion and Brief	2.00 95.00/hr	190.00	✓
9/8/2021 Revise/finalize answer to Motion and Brief; Efile with Court of Appeals (Oakland Cares vs. Clarkston)	2.00 95.00/hr	190.00	✓
9/9/2021 Review Settlement Agreement per MRE 408 from Mr. Mulvihill re: Lehman vs. HDC	1.00 95.00/hr	95.00	✓
Review Appellant's Reply Brief (Oakland Cares vs. Speagle)	1.00 95.00/hr	95.00	✓
9/10/2021 Memorandum to City Manager, Mayor Haven and City Council re: initiatory petition charter amendment lawsuit (Oakland Cares Coalition v City Clerk)	0.50 95.00/hr	NO CHARGE	✓
Review Order from Court of Appeals Denying Appellant's appeal (Oakland Cares vs Speagle)	0.50 95.00/hr	47.50	✓
9/13/2021 Review Council Packet for 9/13./21 council meeting	0.50 95.00/hr	47.50	✓
Attend City Council Meeting	2.25 95.00/hr	213.75	✓

	<u>Hrs/Rate</u>	<u>Amount</u>
9/16/2021 Memorandum to City Manager, Council Members and Historic District Commission re: 42 W. Washington	1.00 95.00/hr	95.00 ✓
9/20/2021 Phone call to City Manager re: miscellaneous city matters	0.50 95.00/hr	NO CHARGE ✓
Phone call from Mr. Meloche re: 61 S. Holcomb fence issue	0.50 95.00/hr	47.50 ✓
9/21/2021 Review correspondence from City Manager re: joint meeting with City Council and HDC re: 42 W. Washington	0.50 95.00/hr	47.50 ✓
Review correspondence from HDC Chair, Mr. Meloche,; PHone call to Mr. Meloche re: fence issue at 61 S. Holcomb	1.00 95.00/hr	95.00 ✓
9/23/2021 Preparation of Resolution for City Council to go into Closed Session; Resolution for HDC to go into Closed Session; Moratorium of HDC and Moratorium of City Council; Correspondence to City Clerk to forward to City Council and HDC	3.00 95.00/hr	285.00 ✓
9/27/2021 Review Council meeting packet for 9/27/21 council meeting	0.50 95.00/hr	47.50 ✓
Phone calls to City Clerk re: closed session re: 42 W. Washington; Phone calls to HDC Chair, Mr. Meloche, re: joint meeting with City Council and HDC	1.00 95.00/hr	95.00 ✓
Attend City Council meeting	2.25 95.00/hr	213.75 ✓
9/28/2021 Phone call to Mr. Kostin re: issues at 35 Madison Court	0.50 95.00/hr	47.50 ✓
9/29/2021 Phone call from Mr. Kostin re: 35 Madison Court	0.50 95.00/hr	47.50 ✓
Phone call to Craig Strong re: 35 Madison Court (issue with Unit 4)	0.50 95.00/hr	47.50 ✓
For professional services rendered	28.00	\$2,565.00
Previous balance		\$3,420.00 JS
Accounts receivable transactions		
9/14/2021 Payment - Thank YouNo. 10361		(\$3,420.00)
Total payments and adjustments		(\$3,420.00)

101-246-803,000

	<u>Amount</u>
Balance due	<u>\$2,565.00</u>

Ottman's Advance Asphalt
Paving South East Michigan since 1972



INVOICE

Clarkston, MI 48346
Phone (248) 521-2575
Pete@MichiganAdvanceAsphalt.com
MichiganAdvanceAsphalt.com

INVOICE # 117
DATE OCT 7
2021

7944 BROOKWOOD DR
CLARKSTON MI

TO
Name: VILLAGE OF CLARKSTON 48348

FOR: Asphalt Paving and Repair
P.O. # _____

Company Name: _____

Street Address: DEPOT PARK

City, ST, Zip Code: _____

Phone: _____ Email: _____

\$ 24,865

Description of Work	Amount
<u>INSTALL/REPAIR BIKE PATH</u>	

- EXCAVATE GRASS 8' WIDE BY 8" DEEP INSTALL 4/6" STONE IN PROPOSED AREA FOR NEW PATH

- MACHINE APPLY 2-2" LAYERS ASPHALT & COMPACT. R+R SECTIONS OF EXISTING PATH & REPAVE 2-2" LAYERS & COMPACT

- FURNISH & INSTALL NEW 14' X 12" CULVERT & 10-4" X 10" PVC SCH. 40 CONDUITS

Total

Make all checks payable to Ottman's Advance Asphalt
Payment is due within 30 days.

\$ 24,865

If you have any questions concerning this invoice, contact Pete Ottman | (248) 521-2575

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurances. Our workers are fully covered by Workman's Compensation Insurance.

THANK YOU FOR YOUR BUSINESS!

City of the Village of Clarkston

375 Depot Road
Clarkston, Michigan 48346

Motion - Halloween Hours in the Village

Prior to 2020, the traditional Halloween Trick-or-Treating time was one hour from 6:00 PM to 7:00 PM on October 31st.

In 2020 during COVID, in an effort to allow families more time for Trick-or-Treating and the ability to socially distance, the hours were expanded to two hours, from 5:00 PM to 7:00 PM.

Motioned by _____ and Seconded by _____ to once-again set the Trick-or-Treating hours from 5:00 PM to 7:00 PM.

Avery	Bonser	Casey	Haven	TBD	Luginski	Wylie	Totals
<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No
<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain
<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent

Motion is Adopted

Motion is Defeated

Jennifer Speagle, City Clerk

October 11, 2021

Date

City of the Village of Clarkston

375 Depot Road
Clarkston, Michigan 48346

Motion - Planning Commission, Zoning Board of Appeals, Historic District Commission Appointments / Renewals

Planning Commission Nominations (Mayor nominates, Council approves):

Sue Wylie, Council Liason to replace Sue Wylie, Council Liason through June 2024

Derek Werner to replace Glenn Gauldoni through June 2024

Zoning Board of Appeals Nominations (Council nominates, Council approves):

Scott Meyland to replace Scott Meyland through June 2024

Sharron Catallo to replace Sharron Catallo through June 2024

Historic District Commission Nominations (Council nominates, Council approves):

Jim Meloche to replace Jim Meloche through June 2024

Mike Moon to replace Mike Moon through June 2024

Motioned by _____ and Seconded by _____ to accept the above listed nominations.

Avery	Bonser	Casey	Haven	TBD	Luginski	Wylie	Totals
<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No
<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain
<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent

Motion is Adopted

Motion is Defeated

Jennifer Speagle, City Clerk

October 11, 2021

Date

City of the Village of Clarkston

Board/Commission Appointments

Board/Commission	Who Appoints	Who Confirms	Term Length	Nominee Requirements
Planning Commission	Mayor Only	City Council	3 Years	City Resident
Zoning Board of Appeals	Any Council Member	City Council	3 Years	City Resident
Board of Review	Any Council Member	City Council	3 Years	City Resident and Qualified Elector
Historic District Commission	Any Council Member	City Council	3 Years	City Resident but not necessarily in the Historic District

Revised October 11, 2021

Derek Werner
3 North Holcomb, Clarkston, Michigan 48346
248.342.1970 – derek.werner@usa.net

WORK EXPERIENCE

Jack Morton Worldwide, Detroit, Michigan (2005-current)

Senior Account Director – Customer Care and Aftersales

- Responsibilities include managing:
 - CCA internal and external customer meetings, corporate events and trade shows
 - Sales promotions and trade rebate programs
 - Chevrolet Performance racing and contingency programs

COMMUNITY SERVICE

Pine Knob Ski Patrol, Clarkston, Michigan (1994-current)

- *Administrative Positions Held*
 - Patrol Director, 2019-current
 - Region Senior OEC Test Coordinator, 2013-current
 - Division Avalanche Supervisor, 2013-2014
 - Region Director, 2007-2013
 - Region Telemark Advisor, 2006-2007
 - Assistant Region Director, 2003-2007
 - Assistant Patrol Director, 1999-2007
 - Region Certified Advisor, 2003-2006
 - Region Proficiency Advisor, 2001-2004
 - Region Skiing Advisor, 2001-2002
- *Instructorships*
 - Avalanche Instructor Trainer, 2018
 - Instructor Development Instructor, 2017
 - OEC Instructor Trainer, 2013
 - Mountain Travel & Rescue Instructor, 2012
 - Avalanche Instructor, 2007
 - CPR Instructor, 2007
 - PSIA Level II Instructor, 2005
 - OET Instructor, 2005
 - OEC Instructor, 1997

North Oakland SCAMP Funding Corporation, Clarkston, Michigan (2006-current)

- *Administrative Positions Held*
 - Treasurer, 2013-current
 - Board Member, 2006-current

Planning Commission, City of the Village of Clarkston, Clarkston, Michigan (2013-2016 and 2006-2010)

- *Administrative Positions Held*
 - Commissioner and Chair, 2013-2016
 - Commissioner, 2006-2010

City Council, City of the Village of Clarkston, Clarkston, Michigan (2001-2004)



City of the VILLAGE of CLARKSTON
Historic District Commission
Art Pappas Village Hall • 375 Depot Road • Clarkston, MI 48346
Agenda for Special Meeting
Art Pappas Village Hall
Monday, October 11, 2021 at 7:30 p.m.
Village Hall Conference Room

Call to Order

Roll Call: Rob Hauxwell, Melissa Luginiski, Jim Meloche, Mike Moon, Jennifer Radcliff

1) Approval of the Agenda

2) Public Comments:

Individuals can address the HDC on issues limiting their comments to five minutes.

3) Resolution to go into Closed Session to discuss pending litigation re: Lehman Investment Company, LLC vs. City of the Village of Clarkston, a Municipal Corporation and its Historic District Commission, Case No. 21-186123-AA, pending in the Oakland County Circuit Court, Honorable Nanci Grant, pursuant to the Open Meetings Act, Act 267 of 1976, Section 15.268 Closed Sessions; Permissible purposes, Section 8(e) to discuss with its attorney a settlement proposal.

4) Adjourn

CITY OF THE VILLAGE OF CLARKSTON

**RESOLUTION TO GO INTO CLOSED SESSION
TO DISCUSS SPECIFIC PENDING LITIGATION**

At a regular meeting of the of the City of the Village of Clarkston, City Council, Oakland County, Michigan, held at the City Offices in the City of the Village of Clarkston, on Monday, October 11, 2021 at 7:00 p.m.

PRESENT: _____

ABSENT: _____

The following Resolution was offered by _____ with support from _____ moves to adopt the following resolution:

WHEREAS, at the regular City Council Meeting held on October 11, 2021, City Council desires to go into closed session to discuss specific pending litigation.

NOW, THEREFORE, BE IT RESOLVED that the City of the Village of Clarkston hereby agrees to meet in Closed Session with the Historic District Commission, as permitted by State Statue MCL 15.268(e) on Monday, September 27th at 7:00 p.m. immediately following the adjournment of the Regular Meeting held on Monday, October 11, 2021 at 7:00 p.m., at the City of the Village of Clarkston, 375 Depot Road, Clarkston, Michigan, 48346. The purpose of the Closed Session is to discuss the Lehman Investment Company, LLC v City of the Village of Clarkston, a Municipal Corporation and its Historic District Commission, Oakland County Circuit Court Case Number 2021-186123-AA, currently pending before the Honorable Nanci J. Grant, and to consult with the City Attorney, Thomas J. Ryan, regarding trial or settlement strategy in conjunction with the above named lawsuit, which if this session

was held in an open meeting would have a detrimental financial effect on the litigation or settlement position of the public body.

RESOLVED,

AYES: _____

NAYES: _____

ABSENT: _____

ABSTENTIONS: _____

RESOLUTION DECLARED ADOPTED.

Eric Haven, Mayor

CERTIFICATION

I, Jennifer Speagle, being the duly appointed and qualified Clerk of the City of the Village of Clarkston, Oakland County, Michigan, do hereby certify and declare that the foregoing is a true and correct copy of a Resolution adopted by the City Council of the City of the Village of Clarkston at its regular meeting held on October 11, 2021.

JENNIFER SPEAGLE, City Clerk

CITY OF THE VILLAGE OF CLARKSTON

**RESOLUTION TO GO INTO CLOSED SESSION
TO DISCUSS SPECIFIC PENDING LITIGATION**

At a special meeting of the of the Historic District Commission of the City of the Village of Clarkston, Oakland County, Michigan, held at the City Offices in the City of the Village of Clarkston, on Monday, October 11, 2021 at 7:30 p.m.

PRESENT: _____

ABSENT: _____

The following Resolution was offered by _____ with support from _____ moves to adopt the following resolution:

WHEREAS, at the special meeting of the Historic District Commission held on October 11, 2021, the Historic District Commission desires to go into closed session with City Council to discuss specific pending litigation.

NOW, THEREFORE, BE IT RESOLVED that the Historic District Commission of the City of the Village of Clarkston hereby agrees to meet in Closed Session with City Council, as permitted by State Statue MCL 15.268(e) on Monday, October 11th, at 7:30 p.m. immediately following the adjournment of the joint meeting held on Monday, October 11, 2021 at 7:30 p.m., at the City of the Village of Clarkston, 375 Depot Road, Clarkston, Michigan, 48346. The purpose of the Closed Session is to discuss the Lehman Investment Company, LLC v City of the Village of Clarkston, a Municipal Corporation and its Historic District Commission, Oakland County Circuit Court Case Number 2021-186123-AA, currently pending before the Honorable Nanci J. Grant, and to consult with the City Attorney, Thomas J. Ryan, regarding trial or settlement strategy in conjunction

with the above named lawsuit, which if this session was held in an open meeting would have a detrimental financial effect on the litigation or settlement position of the public body.

RESOLVED,

AYES: _____

NAYES: _____

ABSENT: _____

ABSTENTIONS: _____

RESOLUTION DECLARED ADOPTED.

Eric Haven, Mayor

CERTIFICATION

I, Jennifer Speagle, being the duly appointed and qualified Clerk of the City of the Village of Clarkston, Oakland County, Michigan, do hereby certify and declare that the foregoing is a true and correct copy of a Resolution adopted by the Historic District Commission of the City of the Village of Clarkston at its special meeting held on October 11, 2021.

JENNIFER SPEAGLE, City Clerk