



# City Council Regular Meeting Minutes

Monday, April 19, 2021 at 7:00 PM  
27400 Southfield Road, Lathrup Village, Michigan 48076

## ZOOM REMOTE MEETING INFORMATION

**Webinar ID:** 985 6614 5146

**Password:** 282771

**CLICK HERE:** [Online Link](#)

**Telephone:** 646.558.8656 or 312.626.6799

**CLICK HERE:** [Public Comment Form Link](#)

*In accordance with Emergency Orders issued by the Michigan Department of Health and Human Services, Oakland County, local officials, State of Michigan legislation, and City of Lathrup Village's Declaration of a Local State of Emergency (March 2020), that continues to exist and which allows for electronic meetings of public bodies, notice is hereby given that the City of Lathrup's City Council will be meeting electronically using [www.Zoom.us](http://www.Zoom.us) for videoconference and public access.*

1. **Call to Order** by Mayor Garrett *(in accordance with PA 254 of 2020, the members should identify their physical location by stating the county, city, township, or village and state from which he or she is attending the meeting remotely).*
2. **Roll Call**

Present: Mayor Mykale Garrett, Mayor Pro Tem Bruce Kantor

Council members: Ian Ferguson and Saleem Siddiqi

Excused: Council member Donna Stallings

Present: City Administrator, Dr. Sheryl L. Mitchell Theriot, Assist. City Administrator/Treasurer, Pamela Bratschi, City Attorney, Scott Baker, Police Chief, Scott McKee, Director, Community and Economic Development/DDA, Susie Stec and City Clerk, Yvette Talley

Others Present: Jill Bahm and Scott Ringler – Giffels Webster

All City Council members announced that they are in Lathrup Village, Michigan – Oakland County.

Excuse Council member Stallings

Motion by Councilmember Ferguson, seconded by Mayor Pro Tem Kantor to excuse Council member

Stallings from this meeting.

**CITY OF LATHRUP VILLAGE CITY CONCIL MEETING MINUTES APRIL 19, 2021**

Ayes: Ferguson, Garrett, Kantor

No: None

Motion carried.

**3. Pledge of Allegiance**

**4. Approval of Agenda**

Motion by Council member Ferguson, seconded by Council member Siddiqi to Approve the Agenda.

Yes: Ferguson, Garrett, Kantor, Siddiqi

No: None

Motion carried.

**5. Presentations**

None

**CITY COUNCIL CONVENE AS ZONING BOARD OF APPEALS**

Motion by Mayor Pro Tem Kantor, seconded by Council member Ferguson to convene as Zoning Board of Appeals.

Ayes: Ferguson, Garrett, Kantor, Siddiqi

No: None

Motion carried.

**MOTION TO RECONVENE AS CITY COUNCIL**

Motion by Board member Kantor, seconded by Board member Ferguson to reconvene as City Council.

Ayes: Ferguson, Garrett, Kantor, Siddiqi

No: None

Motion carried.

Please review Zoning Board of Appeals meeting minutes of February 22, 2021.

**7. Consent Agenda**

*All items listed under "Consent Agenda" are considered to be routine and non-controversial by the City Council and will be approved by one motion. There will be no separate discussion. If a discussion is desired, that item(s) will be removed from the consent agenda and discussed separately immediately after consent agenda approval in its normal sequence on the regular agenda.*

**CITY OF LATHRUP VILLAGE CITY CONCIL MEETING MINUTES APRIL 19, 2021**

**Approval of Minutes – Study Session Meeting March 15, 2021**

Motion by Mayor Pro Tem Kantor, seconded by Council member Ferguson to approve the minutes for March 15, 2021 Study Session Meeting.

Ayes: Ferguson, Garret, Kantor, Siddiqi  
No: None  
Motion carried.

**Approval of Minutes – March 15, 2021 – City Council Meeting**

Motion Mayor Pro Tem Kantor, seconded by Council member Ferguson to approve the minutes for March 15, 2021 City Council Meeting.

Ayes: Ferguson, Garrett, Kantor, Siddiqi  
No: None  
Motion carried.

**Approval of Minutes – March 30, 2021 Goal Setting Meeting**

Motion by Mayor Pro Tem Kantor, seconded by Council member Ferguson to approve the minutes for March 30, 2021 Goal setting meeting.

Ayes: Ferguson, Garrett, Kantor, Siddiqi  
No: None  
Motion carried.

**Approval of Minutes – April 5, 2021 Study Session Meeting**

Motion by Mayor Pro Tem Kantor, seconded by Council member Ferguson to approve the minutes for April 5, 2021 Study Session meeting.

Ayes: Ferguson, Garrett, Kantor, Siddiqi  
No: None  
Motion carried.

**E. Approval to Set Budget Hearing - Fiscal Year 2021/22 and Capital Improvement Plan for 2021-26 for May 17, 2021 at 7:00 p.m.**

Motion by Mayor Pro Tem Kantor, seconded by Council member Ferguson to approve the scheduling of a public hearing for the Fiscal Year 2021/22 Budget and Capital Improvement Plan for 2021-26 for May 17, 2021 at 7:00 p.m.

Ayes: Ferguson, Garrett, Kantor, Siddiqi  
No: None  
Motion carried.

**CITY OF LATHRUP VILLAGE CITY CONCIL MEETING MINUTES APRIL 19, 2021**

**8. Disbursement Report**

Motion by Mayor Pro Tem Kantor, seconded by Council member Ferguson to approve Disbursement report for March 2021.

FUND 101	GENERAL FUND	\$ 260,362.73
FUND 202	MAJOR ROADS	\$ 10,294.59
FUND 203	LOCAL ROADS	\$ 84,034.14
FUND 258	CAPITAL FUND	\$ 2,057.33
FUND 494	DOWNTOWN DEV AUTH	\$ 55,139.29
FUND 592	WATER & SEW.	<u>\$ 167,897.65</u>
		\$ 579,785.73

Ayes: Ferguson, Garrett, Kantor, Siddiqi  
No: None  
Motion carried.

**9. CONSIDERATION OF A MOTION TO ACCEPT DEPARTMENTAL REPORTS**

Dr. Sheryl Mitchell Theriot gave an overview and answered specific questions.

Motion by Council member Siddiqi, seconded by Council member Ferguson to approve the Departmental Report. Receive and File – Department Reports: Code Enforcement, Parks & Recreation, Police Dept., Community & Economic Development, Building Dept.

Ayes: Ferguson, Garrett, Kantor, Siddiqi  
No: None  
Motion carried.

**10. Public Comments for Items on the Agenda (Speakers are limited to 3 minutes)**

There were no public comments

**11. Public Hearings**

None

**12. Action Requests - For Consideration / Approval**

**A. Sidewalk Ordinance - Amendment**

Dr. Sheryl Mitchell Theriot gave an overview and answered specific questions.

**CITY OF LATHRUP VILLAGE CITY CONCIL MEETING MINUTES APRIL 19, 2021**

Discussed the process that will allow special payment arrangements instead of a special assessment process and the placement of the repair costs on the property taxes.

Motion by Mayor Pro Tem Kantor, seconded by Council member Ferguson to approve the 2<sup>nd</sup> Reading and adoption to amend Chapter 62 – Streets, Sidewalks, and other Public Places, Section 122 and 123 – Duty of Property Owners Generally and Standards Generally.

Yes: Ferguson, Garrett, Kantor, Siddiqi

No: None

Motion carried.

**B. Sidewalk Replacement Program – Tree Root Policy**

Dr. Sheryl Mitchell Theriot gave an overview and answered specific questions. For the 2021-2023 Sidewalk Replacement Program, that the City of Lathrup Village assume the costs associated with grinding the roots of city trees that are impacting safe sidewalk conditions.

Motion by Council member Ferguson, Seconded by Council member Siddiqi to Adopt Policy and Amend the 2021-2023 Sidewalk Replacement Program to reflect that the City of Lathrup Village will assume the costs associated with grinding the roots of city trees that are impacting safe sidewalk conditions.

Yes: Ferguson, Garrett, Kantor, Siddiqi

No: None

Motion carried.

**C. Adoption of Adoption of Final Delinquent Special Assessment Roll**

Dr. Sheryl Mitchell Theriot gave an overview and answered specific questions.

Motion by Council member Ferguson, seconded by Council member Siddiqi, to Adopt the resolution for Delinquent Special Assessments.

Yes: Ferguson, Garrett, Kantor, Siddiqi

No: None

Motion carried.

**CITY OF LATHRUP VILLAGE CITY CONCIL MEETING MINUTES APRIL 19, 2021**

**D. Lathrup Village Lead Service Line Replacement Policy and Agreement**

Dr. Sheryl Mitchell Theriot gave an overview and answered specific questions. Encouraged residents to participate in the lead service line replacement. This is mandated by the State of Michigan. If it's not done, someone will have to come into your home and at this time, it's highly encouraged to do self-identification.

Motion by Council member Ferguson, Seconded by Council member Siddiqi to adopt the Lead Service Line Replacement Policy and Agreement .

Yes: Ferguson, Garrett, Kantor, Siddiqi

No: None

Motion carried.

**E. Michigan EGLE – 3<sup>rd</sup> Amended Administrative Consent Order**

Dr. Sheryl Mitchell Theriot gave an overview and answered specific questions.

The City submitted a Long-Term Corrective Action Plan to EGLE for review and approval on April 7, 2020. By September 1, 2022, the City is to submit to EGLE a work plan with implementation schedule to certify that the long-term corrective action plan meets either the Town Outlet Capacity (TOC) for sanitary waste water or Flow Capacity Agreement, along with progress reports.

Motion by Council member Ferguson, Seconded by Mayor Pro Tem Kantor to approve the Third Amended administrative Consent Order from the State of Michigan Department of Environment, Great Lakes, and Energy Water Resources Division and authorize the City Administrator to sign the Order and related documents.

Yes: Ferguson, Garrett, Kantor, Siddiqi

No: None

Motion carried.

**CITY OF LATHRUP VILLAGE CITY CONCIL MEETING MINUTES APRIL 19, 2021**

F. City of Lathrup Village 2020 Consumer Annual Report on Water Quality

Dr. Sheryl Mitchell Theriot gave an overview and answered specific questions. This is an annual report on water quality shows the sources of our water, lists the results of our tests and contains important information about water and health. A copy of the report is posted and available on the city's website. Links to the report have been shared with residents via water bills, eNewsletters and social media.

Motion by Council member Ferguson, seconded by Council member Siddiqi to Accept the City of Lathrup Village 2020 Consumers Annual Report on Water Quality and instruct the City Clerk to forward a copy of the report to the State of Michigan DEQ, SOCWA and Oakland County Health Department, along with the Certificate of Distribution, as required under the laws of Michigan.

Yes: Ferguson, Garrett, Kantor, Siddiqi

No: None

Motion carried.

G. Infrastructure Committee - Recommendations for 2022 Road Projects

Mayor Pro tem Kantor gave an overview and answered specific questions.

Discussion: The recommendation for the specific roads for the summer of 2022 project was created by the City and Project Engineers based upon engineering concerns, minimizing disruption and lowering costs. The advantage of this approach is that it produces an unbiased recommendation as the engineers are unaware of specific resident concerns, City politics, where individual reside etc.

These are the specific roads scheduled for road repaving for the 2022 construction season:

Lacrosse	Bloomfield to Santa Barbara
Glenwood	Santa Barbara to Bloomfield
Saratoga	Bloomfield to Sunset
Cambridge	Santa Barbara to Bloomfield
San Rosa	Southfield Road to the City line

**CITY OF LATHRUP VILLAGE CITY CONCIL MEETING MINUTES APRIL 19, 2021**

Wiltshire	Southfield Road to the City Line
East California	Southfield Road to Coral Gables
Lathrup Boulevard	Southfield Road to Coral Gables
Rainbow Court	Rainbow Drive to Rainbow Court
Eldorado Place	Middlesex to Rainbow Drive
Cambridge	Southfield Road to Lathrup Boulevard

\*Contingent upon approval of their ditch special assessment district.

City engineer recommended these streets - 1A construction is the most expensive form of reconstruction. They felt that doing most of these in the same year would save the city money. Full construction 1A roads are located south of I-696 and the engineers felt that it made sense to work on the roads to save on future mobilization costs. Two streets, Wiltshire and San Rosa were chosen because their water mains are being replaced during the summer of 2021 which will make it necessary for subsequent repaving in 2022.

**H. Professional Auditing Services –Request for Proposals**

Dr. Sheryl Mitchell Theriot gave an overview and answered specific questions. City Council requests than an RFP be issued to solicit responses for these services.

Motion by Council member Ferguson, seconded by Mayor Pro Tem Kantor to authorize the release of the RFP for Professional Auditing Services.

Yes: Ferguson, Garrett, Kantor, Siddiqi

No: None

Motion carried.

**I. Fund Balance and Reserve Policy**

Dr. Sheryl Mitchell Theriot gave an overview and answered specific questions about the fund Balance and Reserve Policy. Components are: Nonspendable fund balance, restricted fund balance, committed fund balance, assigned fund balance, unassigned fund balance. The Reserve Policy is to maintain an unrestricted Fund Balance of 15-20% of expenditures.



**CITY OF LATHRUP VILLAGE CITY CONCIL MEETING MINUTES APRIL 19, 2021**

Motion by Council member Siddiqi, seconded by Council member Ferguson to Adopt the fund Balance and Reserve Policy as presented.

Yes: Ferguson, Garrett, Kantor, Siddiqi

No: None

Motion carried.

**J. Oakland County West Nile Virus Fund Program for 2021**

Dr. Sheryl Mitchell Theriot gave an overview and answered specific questions. Oakland County has provided reimbursement for all Cities, Villages and Townships for their purchasing of larvicide and insect repellent to prevent West Nile virus. This year the city is eligible to receive up to \$564.73.

Motion by Council member Siddiqi, seconded by Council member Ferguson to Adopt the Resolution to Approve Participation in the Oakland County West Nile Virus Fund Reimbursement Program 2021.

Yes: Ferguson, Garrett, Kantor, Siddiqi

No: None

Motion carried.

**K. Proclamation Declaring April 24, 2021 as Arbor Day**

There will be an Arbor Day program here in the city on Saturday, April 24, 2021

**13. City Administrator Report**

**City Administrator Report by Dr. Sheryl Mitchell Theriot**

Water bill clerk position has been vacant for the last two months. If you have questions or concerns, contact the office. There have been ongoing issues with some water meters that have been inconsistent with the information that it's sharing. We're working hard to fix issues but depending on the issue, there may be adjustments on some bills. Water bills adjust annually in July after City Council approves the water rates. If you request a re-read, they are done on Monday, Wednesday and Fridays. Branch chipping is done on Friday's – place branches with the cut end facing the street.

**CITY OF LATHRUP VILLAGE CITY CONCIL MEETING MINUTES APRIL 19, 2021**

**14. City Attorney Report**

None

**15. Reports of Boards, Commissions, and Committees**

**Building materials and cannabis will be discussed at Planning Commission meeting April 20<sup>th</sup> at 7:00 p.m.**

**16. Unfinished / New Business**

None

**17. Public Comment**

None

**18. Mayor and Council Comments**

Bruce Kantor suggested residents go to city's website to watch PSA on Infrastructure projects in the city. Reminder to do self-identification on water meter.

**19. Adjourn**

Motion by Council member Siddiqi, seconded by Mayor Pro Tem Kantor to adjourn this meeting.

Ayes: Ferguson, Garrett, Kantor, Siddiqi  
No: None  
Motion carried.

The meeting was adjourned at 8:10 p.m.

Transcribed by Yvette Talley

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Mykale Garrett, Mayor

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Transcribed by Yvette Talley  
City Clerk