

CHARTER TOWNSHIP OF ROYAL OAK
BOARD OF TRUSTEES – **REGULAR BOARD MEETING**
21131 GARDENLANE - GYMNASIUM
FERNDAL, MI 48220

MINUTES

THURSDAY, JANUARY 13, 2022, 6:30 P.M.

1. **MEETING CALLED TO ORDER** by Supervisor Squalls at 6:34 p.m.
2. **INVOCATION Prayer** by Frank Harris and silent meditation for bereavement for the Vickers, Luther Ross and and Sylvia Newberry families
3. **ROLL CALL** Trustee’s Wanda Allen, Deja Vasquez, Jeff Cushingberry, Clerk Gwendolyn Turner, Treasurer Genean Joshua

ABSENT: Trustee Karen Ballard

OTHERS PRESENT: Bill Cunningham, Financial Manager

Brad Sheplar, HRC

Attorney’s Mike Bosnic and Anthony Chubb, of Law Firm GMH

Attorney Matthew J Zalewski

4. **AUTHORIZATION TO EXCUSE MEMBERS FROM THE MEETING** (Quorum present)

5. **AGENDA**

a. **Approve/Disapprove/Deletions/Additions**

Addition

7H. Up-date of Fire, Streetlighting and Garbage Assessment District Status

I. Refund Police, Parks, and Building Special Assessment Fund Accounts

J. Approve/Disapprove Attorney Thall to assist with the Approve/Disapprove Attorney Thall to assist with sending out letters by January 17, 2022, to the business entities that signed the petitions of objection to verify that the signatory was authorized to sign on behalf of the entity and the entity will be given till January 28, 2022, to provide attorney Thall with the requested verification or the signature will be stricken.

K. Approve/Disapprove Attorney Thall Approve/Disapprove Attorney Thall move forward with the assistance of attorney Thall to refund funds contained in the township special assessment accounts for police, parks and building.

L. Approve closed session.

8. a. Approve/Disapprove the purchase of the Citizens Notification and Alert Software in the amount of an Annual cost of \$2,400

11a. Trustee

Town Meeting

Motioned by Vasquez supported by Cushingberry that we approve the agenda with all the additions.

YEAS ALL

NAYS NONE

ABSENT Ballard

MOTION CARRIED

6. **MINUTES**

- a. Approve/Disapprove Minutes of Regular Board Meeting December 9, 2021

Motioned by Vasquez supported by Cushingberry that we approve the minutes of regular board meeting December 9, 2021, with the necessary corrections. (Joshua was asked to provide any corrections)

YEAS ALL

NAYS NONE

ABSENT Ballard

MOTION CARRIED

- b. Approve/Disapprove Minutes of Special Meeting on December 17, 2021

Motioned by Vasquez supported by Cushingberry that we approve the minutes of special meeting on December 17, 2021.

YEAS ALL

NAYS NONE

ABSENT Ballard

MOTION CARRIED

- c. Approve/Disapprove Minutes of Special Meeting on December 20, 2021
Motioned by Vasquez supported by Cushingberry that we approve the minutes of special meeting on December 20, 2021.

YEAS ALL
NAYS NONE
ABSENT Ballard
MOTION CARRIED

- d. Approve/Disapprove Minutes of Special Meeting on December 27, 2021 (BUDGET)
Motioned by Vasquez supported by Cushingberry that we approve the minutes of special meeting on December 27, 2021.

YEAS ALL
NAYS NONE
ABSENT Ballard
MOTION CARRIED

- e. Approve/Disapprove Minutes of Public Hearing on December 27, 2021, for (CDBG)
Motioned by Vasquez supported by Cushingberry that we approve the minutes of special meeting on December 27, 2021.

YEAS ALL
NAYS NONE
ABSENT Ballard
MOTION CARRIED

- f. Approve/Disapprove minutes of Special Meeting on December 31, 2021
Motioned by Vasquez supported by Cushingberry that we approve the minutes of special meeting on December 31, 2021.

YEAS ALL
NAYS NONE
ABSENT Ballard
MOTION CARRIED

- g. Approve/Disapprove Minutes of Public Hearing on December 31, 2021
Motioned by Vasquez supported by Cushingberry that we approve the minutes of special meeting on December 31, 2021.

YEAS ALL
NAYS NONE
ABSENT Ballard
MOTION CARRIED

7. SUPERVISOR (Supervisor called for a 5-minute recess at 7:12 a.m. reconvened at 7:20 p.m.) Police was called

- A. Approve/Disapprove the engagement letter between Dickerson Wright PLLC and the Charter Township of Royal Oak
Motioned by Vasquez supported by Cushingberry that we approve the engagement letter between Dickson and the Charter Township of Royal Oak.

YEAS Turner, Vasquez, Allen, Cushingberry, Joshua, Squalls
NAYS NONE
ABSENT Ballard
MOTION CARRIED

- B. Approve/Disapprove a Resolution Declaring Official intent to Reimburse Project Expenditures with Bond Proceeds and Authorizing Publication of Notice of Intent to Issue Bonds
Motioned by Vasquez supported by Cushingberry that we approve a resolution declaring official intent to reimburse project expenditures with bond proceeds and authorizing publication of notice of intent to issue bonds.

YEAS Joshua, Turner, Vasquez, Cushingberry, Allen, Squalls

NAYS NONE

ABSENT Ballard

MOTION CARRIED

- C. Approve/Disapprove a Resolution for Interim Appointment of Giamarco, Mullins and Horton as General Counsel

Motioned by Cushingberry supported by Turner that we approve a resolution for Interim Appointment of Giamarco, Mullins and Horton as General Counsel effective immediately

YEAS Turner, Allen, Vasquez, Cushingberry, Joshua, Squalls (argument again)

NAYS NONE

ABSENT Ballard

MOTIONED CARRIED

- D. Approve/Disapprove Employee Leasing Agreement between GovHR and The Charter Township of Royal Oak

Motioned by Cushingberry supported by Vasquez that we approve the Employee Leasing Agreement between GovHR and the Charter Township of Royal Oak.

YEAS Turner, Vasquez, Cushingberry, Allen, Squalls

NAYS Joshua

ABSENT Ballard

MOTION CARRIED

- E. Approve/Disapprove a Resolution to adopt the 3-minute rule for citizens comments

Motioned by Cushingberry supported by Vasquez that we approve a Resolution to adopt the 3-minute rule for citizen comment.

YEAS Cushingberry, Vasquez, Turner, Allen, Squalls

NAYS Joshua

ABSENT Ballard

MOTION CARRIED

- F. Approve/ Disapprove Accounts Payable dated 12/8/2021 in the amount of 35,098.43

Motioned by Vasquez supported by Cushingberry that we approve the accounts payables from 12-21-21 check dated 01/03/22 in the amount of \$53,667.25; and second accounts payable check dated 1/11/2022 in the amount of \$31,412.48.

YEAS ALL

NAYS NONE

ABSENT Ballard

MOTION CARRIED

- G. Approve/Disapprove Payroll dated 12/9/2021 through 12/23/2021 in the amount of 26,194.57

Motioned by Vasquez supported by Cushingberry that we approve Payroll dated 12/9/2021 through 12/23/2021 in the amount of \$26, 194.57

YEAS ALL

NAYS NONE

ABSENT Ballard

MOTION CARRIED

- H. Up-date of Fire, Streetlighting and Garbage Assessment District Status

Supervisor gave an update on Fire, Streetlighting and Garbage Assessment District Status after the supervisor, clerk and treasurer had a meeting.

- I. Refund Police, Parks, and Building Special Assessment Fund Accounts

Motioned by Vasquez supported by Joshua that we approve refunding police, parks and building special assessment fund accounts to the residents.

YEAS Turner, Vasquez, Joshua, Allen, Cushingberry, Squalls

NAYS NONE

ABSENT Ballard

MOTION CARRIED

- J. Approve/Disapprove Attorney Thall to assist with sending out letters by January 17, 2022, to the business entities that signed the petitions of objection to verify that the signatory was authorized to sign on behalf of the entity and the entity will be given till January 28, 2022, to provide attorney Thall with the requested verification or the signature will be stricken.

Motioned by Vasquez supported by Cushingberry to approve Attorney Thall to assist with sending out letters by January 17, 2022, to the business entities that signed the petitions of objection to verify that the signatory was authorized to sign on behalf of the entity and the entity will be given till January 28, 2022, to provide attorney Thall with the requested verification or the signature will be stricken.

YEAS Turner, Allen, Cushingberry, Vasquez, Joshua, Squalls,

NAYS NONE

ABSENT Ballard

MOTION CARRIED

- K. Approve/Disapprove Attorney Thall move forward with the assistance of attorney Thall to refund funds contained in the township special assessment accounts for police, parks, and building.

Motioned by Vasquez supported by Cushingberry that we approve Attorney Thall move forward with the Assistance of refunding funds contained in the township special assessment accounts for police, parks and Buildings.

YEAS ALL

NAYS NONE

ABSENT Ballard

MOTION CARRIED

- I. Approve/Disapprove Closed Meeting pursuant to MCL.15.268. to discuss settlement strategy in International Outdoor vs Charter Township of Royal Oak, and two cases entitled Mansour Oram v Turner et. al., the open discussion of which would have a detrimental financial effect on the Township's settlement position.

Motioned by Vasquez supported by Cushingberry that we approve close meeting pursuant to MCL.15.268. to discuss settlement strategy in International Outdoor vs Charter Township of Royal Oak, and two cases entitled Mansour Oram v Turner et. al., the open discussion of which would have a detrimental financial effect on the Township's settlement position.

C. CLERK

- a. Approve/Disapprove the purchase of the Citizens Notification and Alert Software in the amount of an Annual cost of \$2,400

After brief discussion, it was motioned by Turner supported by Joshua that we approve the Citizens Notification and Alert Software in the amount of an annual cost of \$2,400 to be processed immediately, executing the contract, the Clerk Office will be the administrative users and that the senior coordinator set up training for any seniors that want to learn the new software.

YEAS ALL

NAYS NONE

ABSENT Ballard

MOTION CARRIED

D. TREASURER (NO INFORMATION ATTACHED TO SUPPORT ITEMS)

1. Bank Balances provided
2. Approve/Disapprove refund of all Special Assessments by more than 5% of the original roll to the persons who are the respective record owners of the properties (MCL 41.732) within 60 days. Supervisor dealt with this item
3. Approve/Disapprove any funds not used to pay for the special assessment improvement for which they were made or prove insufficient for any reason be returned to each respective special assessment fund within 30 days. (MCL 41.732)

Motioned by Vasquez supported by Joshua that we approve a refund for water infrastructure to the persons on the original roll.

YEAS Vasquez, Joshua
NAYS Allen, Turner, Cushingberry, Squalls
ABSENT Ballard
MOTION DIED WITH LACK OF SUPPORT

Supervisor stated that the Attorney we should not use these funds at this time.

Motioned by Joshua supported by Vasquez that we table item #3,

YEAS ALL
NAYS NONE
ABSENT Ballard
MOTION CARRIED

4. Approve/Disapprove Request for Proposals for Township Attorney.
5. Approve/Disapprove Request for Proposals for Township Grant Writer.
Motioned by Joshua supported by Vasquez that we approve Request for Proposals for Township Grant Writer.

YEAS Turner, Vasquez, Cushingberry, Allen, Joshua, Squalls
NAYS NONE
ABSENT Ballard
MOTION CARRIED

6. Approve/Disapprove using some of available \$126,544.40 Coronavirus Local Fiscal Recovery Funds (CLFRF) to purchase equipment for the treasurer, clerk, and supervisor to work remotely. (Total grant amount \$253,089)
Motioned by Joshua supported by Vasquez that we create a committee with individuals from park and recreation, senior department, DPW and the administrative team to decide on how we will use Coronavirus Recovery Fund for a total grant amount of \$253,089.

YEAS ALL
NAYS NONE
ABSENT Ballard
MOTION CARRIED

7. Status on recreation center since tabled for closure.
Director Donovan Jackson gave an up-date including a report will be forthcoming from OLSHA giving the green light to move forward with limited renovations. We all were happy to hear this. A copy of the report from OLSHA was requested.
8. Building official report on licenses and permits at 10811 Northend Avenue.
The Atty. for Building located at 10811 Northend was available to answer questions.
9. Status on completion of road humps on Westview and Mitchelldale.
Representative from HRC was available with an up-date on road humps with not a soon completion date. The county is in charge of the roads in the township. They will inspect the whole system and they do the signs. Request for the road commission has been granted for the strips but that will not happen until the spring.

(Cushingberry left the meeting at 10:16 p.m.)

10. Discussion of Billy R. Cunningham's contract.
Billy R. Cunningham contract was discussed. Attorney Bosnic stated there is a signed contract through February 2023. There were meeting minutes regarding contracts but none for his last contract.
Motioned by Joshua supported by Vasquez that we amend the agenda.

YEAS Joshua, Vasquez
NAYS Allen, Turner, Squalls
ABSENT Ballard
MOTION DIED WITH LACK OF SUPPORT

11. Discussion on December 2021 Revenue Sharing withheld due to a failure to file F65 report.

F65 cannot be completed until the audit is done. Supervisor also stated when it was completed, they thought the audit firm submitted it, but it was not. It was submitted and we will receive the balance of the revenue sharing.

12. Coronavirus Protocol for Charter Township of Royal Oak.

Treasurer stated she had been asking for the protocol plan for Coronavirus. Clerk stated a copy was in her mailbox and need up-dated. It was approved 07/20/2020. At that time, it was given to personnel.

13. Approve/Disapprove Zoom account for Charter Township of Royal Oak.

Supervisor stated we already have an account for the township under the Supervisor.

10. FINANCE COMMITTEE

No items

11. TRUSTEE

Trustee Vasquez presented a Flyer for Town Hall Meeting hosted by Joshua and herself at New Mt, Vernon Missionary Baptist Church for January 29, 2022. Anyone is invited.

12. ATTORNEY - none

13. UNFINISHED BUSINESS

14. CITIZEN COMMENTS (3 MINUTES) PLEASE STATE YOUR NAME

Jerry Saddler of the Martin Luther King, Jr. Committee announced the 30th Annual Martin Luther King, Jr Day celebration will be on Monday, January 17, 2022, Virtual at 1:00 p.m. on You Tube. He stated there would be local federal and state representatives, poetry, choir, dancers, special musical guest, and Rev. Wendell Anthony President of the Detroit Chapter of the NAACP. The theme for this year is, Justices Denied Justices.

Herbert Welch asked for the refunds

Motioned by Vasquez supported by Joshua pursuant to MCL.15.268€, to discuss settlement strategy in International Outdoor vs Charter Township of Royal Oak, and two cases entitled Mansour Oram v Turner et. al., the open discussion of which would have a detrimental financial effect on the Township's settlement position. We will proceed in close session at 11:30 p.m.

YEAS Vasquez, Allen, Joshua, Turner, Squalls

NAYS NONE

ABSENT Cushingberry, Ballard

MOTION CARRIED

Motioned by Vasquez supported by Turner that we come out of close session to convene meeting at 12:22 a.m.

YEAS Vasquez, Turner, Joshua, Allen, Squalls

NAYS NONE

ABSENT Cushingberry, Ballard

MOTION CARRIED

15. ADJOURNMENT

Motioned by Vasquez supported by Turner that we adjourn the regular board meeting at 12:23 a.m.

YEAS ALL

NAYS NONE

ABSENT Cushingberry, Ballard

MOTION CARRIED

MEETING ADJOURNED

CERTIFICATION

I, Gwendolyn Turner, a duly elected Clerk of the Charter Township of Royal Oak do affirm the forgoing to be true and correct and represents the proceedings of a **Regular Board Meeting** at the Township Hall Room, in the gymnasium, Ferndale, MI 48220 on Thursday, January 13, 2022 at 6:30 p.m.

CLERK, GWENDOLYN TURNER

DRAFT