

## CITY of NOVI CITY COUNCIL

Agenda Item 1  
May 3, 2010

**SUBJECT:** Re-evaluation of financial participation in the Walled Lake Improvement Board project, should the Walled Lake Improvement Board approve a special assessment roll that includes back lot parcels within the City of Novi that are not directly adjacent to Walled Lake.

**SUBMITTING DEPARTMENT:** Department of Public Services, Engineering Division <sup>BTC</sup>

**CITY MANAGER APPROVAL:** 

### BACKGROUND INFORMATION:

The Walled Lake Improvement Board was formed by resolutions by both the City of Walled Lake and the City of Novi and is now fully constituted as a separate and independent statutory public agency that is charged with the responsibility of carrying out desired improvements to Walled Lake as governed by Public Act 451 of 1994, Part 309. The Lake Board passed a resolution in November 2009 establishing a project that includes mechanical harvesting and chemical treatment for weeds in the amount of \$518,615 over five years. Although property that is owned by each city is exempt from assessment under the statute, the Novi City Council approved a contribution to the Walled Lake Improvement Board on February 8, 2010 in the amount of \$45,000 for the estimated portion of the total five-year cost of the lake improvement project attributable to the Landings, Lakeshore Park and 15 other parcels that are either owned by the City of Novi or that have unknown ownership. The Novi contribution reduces the total amount assessed to all properties in both communities (70% of the property frontage on the lake is in the City of Novi), while the City of Walled Lake and the Walled Lake Downtown Development Authority have decided to not participate directly.

The Lake Board met on March 25, 2010 to hold a public hearing and to discuss the proposed special assessment roll as presented by the City of Novi Assessor, with assistance from Oakland County (Walled Lake's assessor). The proposed roll included only the owners of those parcels that physically abut Walled Lake (i.e., the riparian or lakefront parcels). The back lot properties were not included in the original roll because of the difficulty in determining lake access rights with certainty. Unlike recent plats and condos, lake access for back lot owners is not identified on the plat and requires research of deeds, court judgments and abstracts to reasonably identify back lot parcels with deeded access. The City's contribution was intended to alleviate administrative and legal costs in conducting the necessary research for what amounts to a minimal assessment for the back lot parcels.

Several residents spoke at the public hearing and submitted letters to the Lake Board encouraging the Lake Board to include back lot parcels (i.e., those parcels that don't abut the lake but that have rights of access or other use over the lakefront parcels in the assessment roll). The Lake Board ultimately decided to adjourn the public hearing until May 20 to allow 45 days for additional research on exactly which back lot owners parcels have lake access (in both communities). The Lake Board directed the assessor to revise the roll to include back lot owners where lake access is reasonably determined with certainty within the 45 day period.

Many property owners (several of whom are back lot owners) have provided documents to the Lake Board Chairperson since the March 25 meeting identifying back lot parcels that have lake access rights. As directed by the Lake Board, the assessor is preparing a revised roll that includes these back lot parcels in Novi and Walled Lake. By including the back lot parcels, it is estimated that approximately 700 parcels will be added to the assessment roll bringing the total number of parcels included on the roll to approximately 1500 parcels. It is anticipated that the roll will propose an assessment of 0.1 unit of benefit for each back lot parcel, which equates to approximately \$20 to \$25 per year for each back lot parcel.

The Lake Board will meet on May 20 to continue the public hearing from March 25 and to consider the proposed special assessment roll, and could potentially approve a revised roll that includes back lot parcels.

Because this action would be contrary to the City Council's motion on February 8, 2010 regarding financial participation in the Lake Board's project, the City Council may want to reconsider the contribution amount. If the City Council desires to reconsider the contribution to be reflective of only the parcels actually titled to the City of Novi (and not including those whose ownership is classified as "unknown"), the revised amount would be approximately \$30,000, a reduction of \$15,000 from what had been approved if the Lake Board continues with its current momentum on including back lot parcels on the roll. Because the City is exempt from assessment under the statute and the contribution is strictly voluntary, the City of Novi could elect to make its contribution zero.

The approved project still reflects the City Council's original goal and intent in the creation of the Lake Improvement Board as approved by resolution in January 2009 to "control nuisance growth of invasive aquatic plants in Walled Lake."

**RECOMMENDED ACTION:** Consideration of a reduction in the financial participation in the Walled Lake Improvement Board project, if the Walled Lake Improvement Board approves a special assessment roll that includes back lot parcels within the City of Novi that are not directly adjacent to Walled Lake, from the originally approved amount of \$45,000 (intended to include City-owned parcels and several lake access lots of unknown ownership), to \$30,000, which would include only City-owned parcels.

	1	2	Y	N
Mayor Landry				
Mayor Pro Tem Gatt				
Council Member Crawford				
Council Member Fischer				

	1	2	Y	N
Council Member Margolis				
Council Member Mutch				
Council Member Staudt				

# Location of Parcels Included in Novi Contribution Calculation

Walled Lake Improvement Board



## Map Legend



### Novi Contribution Parcels

-  CITY OWNED
-  LAKE ACCESS
-  LAKESHORE PARK
-  THE LANDINGS



1 inch = 800 feet



**City of Novi**  
Engineering Division  
Department of Public Services  
45175 W Ten Mile Rd  
Novi, MI 48375  
cityofnovi.org

Map Author: Brian Coburn, PE  
Date: 1/29/10 Rev: 4/23/10  
Project: Walled Lake Improvement Board  
Version #: 1.1

### MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.



## MEMORANDUM

TO: CLAY PEARSON, CITY MANAGER  
FROM: BRIAN COBURN, P.E.; SENIOR CIVIL ENGINEER  
SUBJECT: WALLED LAKE IMPROVEMENT BOARD UPDATE  
DATE: APRIL 21, 2010

APRIL 22, 2010  
MAYOR & COUNCIL  
BACKGROUND FOR  
THE CONTINUED  
DISCUSSION OF  
THE LAKE  
BOARD. ALSO  
ADDITIONAL WORK  
IS BEING DONE  
RE: BACK-LOT  
OWNERS.  
DANIEL M.

The Walled Lake Improvement Board met on March 25, 2010 and held a public hearing on the proposed assessment roll to fund the lake improvements (draft meeting minutes, attached). The proposed special assessment roll included only those parcels that physically touch the lake. (The roll can be reviewed on the lake board web page at [www.cityofnovi.org/lakeboard](http://www.cityofnovi.org/lakeboard)). As reported previously, there are several subdivisions around the lake that were platted in the early 20<sup>th</sup> century. Unlike recent plats and condos, lake access for back lot owners is not identified on the plat and requires research of deeds, court judgments and abstracts to reasonably identify back lot parcels with deeded access.

The roll that was discussed at the March 25 meeting identified several parcels of "unknown ownership" meaning that they are not currently shown with an owner on the assessing records and may serve as an access lot for back lot parcels. Within the City of Novi, a \$45,000 contribution by the City of Novi was intended to include these parcels of unknown ownership to limit the amount of research needed to determine back lot access rights (February 8, 2010 motion packet, attached). A request for a similar contribution was made to the City of Walled Lake (February 8, 2010 letter, attached); however Walled Lake has not provided a contribution to the project. The parcels of unknown ownership in Walled Lake were included on the roll that was reviewed at the March 25 meeting and each was assessed 2 units of benefit anticipating that those who have rights to the parcel (or the City of Walled Lake) would collectively pay the assessment.

There were 28 individuals that spoke during the public hearing and more than 60 letters received in response to the public hearing notice. A common theme amongst the respondents (some of them are back lot owners) was that the back lot owners should be assessed for their use of the lake because of the benefit they would receive from the project. While most of the focus of this discussion was on the subdivisions in Walled Lake, there were a few from Novi that were unhappy that the Novi back lot owners were not included in the assessment. During the Board's discussion, I clearly stated that the intent of Novi's contribution was to cover both the City-owned parcels and the assessment of any potential back lot owners. The board ultimately decided to adjourn the public hearing until May 20 to allow 45 days for additional research on lake access for back lot owners (in both communities) and directed the assessor to revise the roll to include back lot owners where lake access is reasonably determined with certainty within the 45 day period.

That research is underway and a number of documents have been provided by residents to the Chairperson of the Lake Board that demonstrate lake access rights to the back lot owners in both Novi and Walled Lake. The Lake Board's attorney has reviewed the information and is satisfied that it proves access rights to the back lot owners. These new documents are being used by the Assessor to revise the proposed assessment roll to include these back lot parcels based on the direction of the Lake Board. The proposed assessment roll should be completed by May 10 in anticipation of a continuation of the public hearing in front of the Lake Board on May 20.

Because there is a potential that the Lake Board could act to include the back lot owners in the roll, which is contrary to the Novi City Council's motion approving the contribution, the City Council may want to reconsider the contribution amount. The revisions to the proposed assessment roll are in progress, however, we estimate that if City Council desires to reconsider the contribution to be reflective of only the parcels titled to the City of Novi, the revised amount would be approximately \$30,000. The revised amount would include Lakeshore Park, the Landings property, and 3 parcels that are titled to the City of Novi.

We can prepare an item for consideration on the May 3 agenda to revise the City's contribution if this course of action is desired. This schedule would allow the Assessor to finalize the proposed roll based on the revised contribution so the roll can be posted on May 10 in advance of the May 20 Lake Board public hearing.

Please let me know if you have any questions.

cc: Rob Hayes, P.E.; Director of Public Services/City Engineer  
Glenn Lemmon, City Assessor  
Marjorie Bixby, Deputy Assessor  
Kathy Smith-Roy, Finance Director

WALLED LAKE  
LAKE IMPROVEMENT BOARD MEETING *DRAFT* MINUTES  
March 25, 2010

The meeting of the Lake Improvement Board for Walled Lake was held at the Novi Civic Center at 45175 W. 10 Mile Road on March 25, 2010. The meeting was called to order by Dave Galloway, Chairman, at 7:06 p.m.

Present: William Burke, City of Walled Lake  
Brian Coburn, Secretary-Treasurer, City of Novi  
Karen Warren, Oakland County Water Resource Commissioner's Office  
Dave Galloway, Chairman and Riparian Representative  
Jeff Potter, Oakland County Board of Commissioners Representative

Also

Present: Glenn Lemmon, City Assessor  
Marjorie Bixby, Deputy City Assessor  
Mark Roberts, Attorney, Secrest Wardle

**At Public Comment on Items not on the Agenda, William Roberts, 584 E Walled Lake Drive, spoke regarding the process.**

**Steve Loe, 1507 W Lake Drive, encouraged the board to bid the project first to get an actual cost, then assess the parcels based on the actual costs. He encouraged the board to take a giant step backward.**

**Joe DeBrincat, 1339 E Lake Drive, commented about the types of chemicals used for treating the Lake. He claimed that the chemicals used for weed control were toxic to wildlife and children.**

**Sandra Carolan, 835 Bluffton, was concerned about the composition of the board and how the members of the board were selected. She asked how long the lake would be unusable during the season. She thought the scope and authority of the board was unclear. She asked at what point homeowners and members had the ability to get involved in the solution.**

**Larry Kern, 1159 E. Lake Drive, heard that there would be a time that they would not be allowed on the lake after a treatment occurred; he was concerned about the impact of the chemicals and the weed kill on fishing.**

**Tom Harvey, 1195 W. Lake Drive, had a question of the lake management budget about the mechanical and the chemical areas to be treated and thought it sounded like there was a lack of communication. He wanted the assessor to discuss the analysis of the assessment district.**

**Casey Ambrose, 440 E. Walled Lake Drive (Walled Lake City Council), stated that there had been a request to the City of Walled Lake, but there had been no clear answers for the need for the money and its use. He wanted some clear answers so that maybe the Walled Lake City Council could address it again.**

**Moved by Coburn, Supported by Warren; CARRIED UNANIMOUSLY: To approve the Minutes of November 5, 2009.**

Secretary-Treasurer Coburn presented bills for payment to: The Observer & Eccentric Newspapers (Invoice Nos. 3430943, 3432469), Spinal Column (Invoice Nos. S1800040, S1812640), Secrest Wardle (Invoice Nos. 1195368, 1196397, 1196918, 1197953) and Spalding DeDecker (Invoice No. 0058404), totaling \$10,650.87

**Moved by Coburn, Supported by Warren; CARRIED UNANIMOUSLY: To approve payment of Bills.**

**The public hearing was opened by Dave Galloway.** He explained that the purpose of the public hearing was to review, to hear any objections to, and to consider confirming a five-year Special Assessment Roll for the purpose of implementing a Lake Improvement Program for the years 2010 through 2014. He reviewed the rules for the public hearings that were previously adopted by the board. He also reviewed the documentation regarding the public hearing notice.

Glenn Lemmon, Novi City Assessor, provided an overview of the project and the assessment roll. He wanted to make it clear that the proposed Special Assessment roll was a draft only and could be changed if the Board so determined. He indicated that based on assessment records and the plats, there was no way to know the deeded access owners for Walled Lake without researching individual property deeds from the early 20<sup>th</sup> century. He stated that the preparation of the roll presented many challenges: the huge number of participants, two governmental units, a variety of parcels, some owners were private, some were governmental. The estimated cost of the project was \$518,615 for five years. He took the lake perimeter (375 parcels that touched the Lake) and came up with an average 64 feet per parcel.

Mr. Lemmon explained that the property owned by each city was exempt under the statute; however, each city could choose to adopt a resolution to be included in the assessment, could choose to make a contribution or could choose to maintain an exempt status. The average parcel frontage was then used to establish the estimated contribution amount for each community. An estimate of \$45,000 was presented to Novi to include city owned and lake access parcels. An estimate of \$16,000 was presented to Walled Lake to include Mercer Beach and several lake access lots. He indicated that the City of Novi committed to paying \$45,000 but the City of Walled Lake did not commit to provide a contribution.

Mr. Lemmon explained that there are several types of properties in the roll. The proposed roll only assesses the properties that actually touch the lake. He explained that he did not have much direction from the board regarding the properties to include in the roll and is looking for any direction that the board would like to provide. The average single family parcel with a frontage of less than 95 feet was assessed 1 unit of benefit and those with more than 95 feet of lake frontage were assess 1.5 units of benefit. Commercial properties on the lake were assessed 3.0 units of benefit. The condo units that have direct lakefront access were assessed 0.75 units each and the condo units with a common lake access lot were assessed 0.1 units of benefit each. Lake access parcels with unknown ownership were assessed 2.0 units of benefit each.

Mr. Lemmon calculated that the final per unit cost would be \$1,094.69 per participant, to be paid in five installments, with a 6 percent interest rate, which if approved would be added to the July 1 tax bill.

Ms. Warren asked how many owners were unknown. Mr. Lemmon indicated that there were eight on the Walled Lake side and that the City of Walled Lake had decided not to contribute toward the cost of the project. Mr. Roberts answered that the Oakland County Equalization Department had been contacted for help but that the Department had not gotten back to him. Mr. Potter asked why the six percent interest rate had been used, which he thought was high. Mr. Lemmon responded that the six percent rate was the maximum allowed by statute in setting up lake boards; he said that the Lake Board could reduce the rate.

Mr. Coburn commented that the Board had received over 60 letters in response to the proposed assessment roll.

The floor was opened for public comment. The following persons spoke:

**Tom Harvey**, 1603 West Lake Drive, was disappointed that the resolution was on the agenda. He felt that the cost per unit for Walled Lake should be higher since a contribution was made by Novi. He said that "benefit" was defined by statute and felt that anyone with access to the lake "benefitted" from the lake and should be taxed. He gave his website, [www.walledlakeboardtax.com](http://www.walledlakeboardtax.com).

**Jason Woodward**, 420 Old Pine Way, Walled Lake, representing East Bay Village Condominiums, wanted to know what the rate of the assessment was for East Bay Village. He said that East Bay Village did not have boat rights. He said he likes the weeds. He wanted clarification of who is on the board. He said that values had dropped dramatically and felt it was not the time to tax. He wanted to know what was done with the permit fees for events on the lakes and beach tolls, etc. He wanted East Bay Village removed entirely from the roll.

**Dorothy Ducheneau**, 1191 South Lake, questioned how units were assigned. She felt the assessment should be fair, for example, using the existing standard of 25 feet of frontage for each boat in the water as a unit of assessment.

**Patrick Ziarnik**, 1601 West Lake Drive, was in favor of the project but felt that the backlots owners should pay part of the assessment. He requested that the Board not rush to approve the roll without having all of the information.

**Joe DeBrincat**, 1339 East Lake Drive, stated that there were several acres that shed to Walled Lake and that fertilizer went into the lake. He believed that it was unfair and should be assessed differently. He asked how much it would cost if they paid it all at once and also questioned the interest rate calculation. He thought that frontage foot would be a fairer method of assessment. He also felt that the City of Novi should pay more for the 1500 of frontage that it had; he also believed that the City of Walled Lake should pay for its frontage.



**Steve Loe**, 1507 West Lake Drive, had been against "poisoning" of the lake to control weeds from the beginning. He disagreed with the lake board attorney in saying that the City may be exempt from paying; he heard the mayor say that he committed to paying the assessment. He wanted to know how much money had been spent to date. In order to be fair about the assessment, people should have to prove that they have lake access. He felt the Board should take a giant step backward and suspend all spending until the total cost was resolved. He reiterated that Walled Lake was a healthy lake according to the Spalding DeDecker report.

**Jan Barlow**, 875 South Pontiac Trail #301, said that in looking at the unknown properties, the assessor had neglected the end of road accesses. She appreciated Novi's contribution. She said any overage goes back to the municipalities and felt that the six percent interest charge was excessive and should have been discussed before. She felt that this should be suspended until things were in order.

**Sandra Carolan**, 835 Bluffton, wanted to know how to change the way the process would be done. She was uncomfortable about the fact that people were assessed and taxed without representation. She said that questions remained unanswered. She felt that the Board was overreaching its authority and asked if it could be dissolved by petition. She felt that her deeded ownership was in danger on her plat. Her deed stated that she had access and feared that the Board could make changes to her ownership.

**Robert Dillon**, 1605 East Lake Drive, believed the Board was doing a great job, thought it was a good first draft and wanted the Board to move forward. He was happy to pay the costs. He questioned the 95 feet of frontage and suggested that the threshold should be 35 feet or 45 feet. He thought that they were road ends that were taken over by Walled Lake, but he believed a higher value should be placed on the unknown lots. He felt that the interest rate should be lowered.

**Delores Newman**, 462 Conway, hoped that the assessment roll was tentative; she had questions and wanted fair assessment.

**Tom Harvey, Sr.**, 1195 West Lake Drive, said that we're really looking at \$518,000, not just \$1,000; he said a good way to sell programs was to minimize the cost. If we were trying to be fair, we should study the lake and all the parcel ownership; he didn't think we could come up with something fair between now and July 1. He asked how the Lake Board came up with the area and the costs. He was concerned that the Lake Board would move ahead without considering their interest, since it was not elected; he suggested a team of people to get the job done.

**Paul Olsen**, 1312 East Lake Drive, thanked the Board for its energies and said he was willing to contribute. He was satisfied with the roll, which he didn't think was unreasonable. He was disappointed that the City of Walled Lake not contributing, however.

**Alan Dezell**, 1217 East Lake, said he had been involved since the beginning and fully supported the Board moving forward. He said the Board needed to do the right thing and assess all those that had a benefit on the lake. He thought that backlot owners

needed to contribute a portion as well. He suggested that the Board consider using frontage feet as part of the calculation.

**Randy St Laurent**, 159 East Bay Drive, said there were 372 properties at the condos, 10% of the total budget, 0% of water privileges. He believed that they needed to have some privileges on the lake or don't charge.

**Mark Adams**, 1721 East Lake Drive, thought the Board was doing a great job, but the assessment roll should be tweaked. The lake level regulator was installed and there was a study on the access to the lake. He said there was a guide book done a few years ago of all the parcels that had access to Walled Lake that could be used to research.

**Michael Condon**, 1411 West Lake Drive, thanked the Lake Board and says that we are in a tough position but do not take a step backward. The weeds have been a problem for many years. They needed to be able to use the lake; it was tough to figure out how to fairly distribute the cost. If the backlots could be assessed – great – but keep moving forward to save the Lake.

**James Kern**, 561 East Walled Lake, encourage expansion of the district to include the tributary area that discharges fertilizer to the lake.

**David Hultgren**, 116 Arvida, Welfare Sub, hoped that the property could be included in the roll. He thanked the Board and hoped that we could move forward expeditiously. He said we could argue percentages for years.

**Gwendolyn Martin**, 1155/1127 South Lake. She said that the back building didn't touch the Lake at all; the front building faced the lake, but the units did not touch the water. She said some owners have pontoons, 13 were allowed but have only 5. She wondered how they will locate those co-owners to assess them. She was retired and living on a fixed income; 55+ seniors lived in the complex. She wanted the Lake to be cleaned up.

**William Roberts**, Mayor of the City of Walled Lake, 584 East Walled Lake Drive, said that he formally appeals the assessment on the property. There were 11 properties in Walled Lake that had combined their lots; three others where the lot could easily be combined. The most ardent supporters of this were backlot owners. They were not paying a penny; he asked the Board to step back and re-evaluate. He invited the assessor to sit with him at the City Hall tomorrow to establish the ownership of the lake access lots. They had records on the unknown lots. He was on a fixed income and asked that it be one parcel. He wanted a more equitable roll.

**James Street**, 1915 West Lake Drive, supported the Board's efforts moving forward. He thought his assessment was fair. He was concerned with the backlots; he thought they needed to be included in Bentley Subdivision. He thought more lots needed to be identified to share in the cleanup of the Lake.

**Bob Daar**, 148 Arvida, thanked Mr. Potter for his point of view. He said there were a lot of points made and some people in East Bay Village used the lake. There was access

over a given lot or several lots and it was shared. He didn't have the full benefit of a lakefront lot and didn't believe backlot owners should pay the same percentage as lakefront owners. He indicated that the backlot owners had not been mailed a meeting notice; therefore, there might need to be another meeting. Since we want to tax him he needs to be notified or it would be taxation without representation. He had access to seven lots; was he responsible for payment on all of those lots? The health of the Lake was his major concern and it was healthy.

**Dave Cook**, 306 Eubank, spoke as a backlot owner; he thought they should have to pay a share but not the same percentage. He believed that everyone benefitted from the Lake and should pay a reasonable share. He asked that the Board not move forward tonight until things had been settled.

**Ernie Schlager**, 1419 West Lake Drive, said he heard words like "benefit," and said he didn't want weed killer in the lake. He was choosing not to participate.

**Renee Riding**, 895 Pontiac Trail, asked when the harvesting would start and how to harvest after the docks were in. She had petitioned for the Board and gathered signatures telling people that the most it would cost was \$150 per year. The November 5<sup>th</sup> resolution stated that the backlots would be included and that it could be appealed. She had told everyone that there would be no harvesting because it didn't work on Wolverine Lake and it wouldn't work here.

**A spokesperson for Chester Marena**, 1143 East Lake Drive, said she couldn't understand how a cottage could be identified as a commercial property. She wanted to know how contract overages would be addressed. She also asked how assessments would change, how they might be absorbed. She also asked if the assessed had the option to prepay to hold in escrow by a legitimate agent instead of the Board.

**George Baczewski**, 1945 West Lake Drive, said he was not opposed to paying his fair share; he only owned 30 feet of property. He knew of no safe chemical; he asked when the chemicals were used were the residents going to breathe the chemical and prohibit access to lakefront?

**Larry Kern**, 1159 East Lake Drive, asked if the Lake would be closed to boating during the application. The riparian was losing access of the lake. He asked if they could assess per boat. Per foot wouldn't be fair when one lot had multiple boats.

The public hearing was closed.

A discussion was held regarding the six percent interest rate for the assessment and whether it was reflective of the true cost of money to the city. There was discussion about the proposed Consideration of Resolution Confirming Assessment Roll and inclusion of the back lot owners. There was a discussion about new information provided by a property owner that clearly demonstrates that several parcels in the Welfare Lakeview Subdivision has deeded access through several lots to Walled Lake. Mr. Lemmon added that this is the type of proof that he needs to add the back lot owners to the assessment roll.

**Moved by Potter: To approve that those lots that have an adjacent vacant lot next to an occupied home where adjacent lot is less than 30 feet of lake access that those two lots be considered with 1 unit of benefit; No Support. Motion Fails.**

Coburn stated that even though the lot may be considered unbuildable, it can still serve as a lake access and receives a benefit. Warren questioned if the board could give direction to the Assessor to reduce the benefit for unbuildable lots. Mr. Roberts stated that it is not the Assessor's responsibility to deem a lot as buildable or not that that additional direction about lot size would be needed from the Board.

Warren asked if the meeting could be adjourned. Roberts said the meeting could be adjourned if the Board wanted to investigate adding backlots to the assessment roll. Potter stated that the Board needed to give the Assessor guidance regarding the backlot owners; he added that he was looking at the mid to high \$100 per unit of benefit as the price point for the property owners. Coburn asked that the motion summarize questions to resolve interest rate. There was discussion about the units of benefit to be used for the back lot parcels and a consensus to request a recommendation from the Assessor.

Coburn asked if the motion included the Novi parcels in the research on backlot owners, and Potter answered that Novi back lots are included. Coburn stated that Novi's contribution was intended cover the lake access parcels in Novi.

**Moved by Potter; Supported by Burke: CARRIED 4 to 1 (Coburn, No); To adjourn the public hearing until May 20<sup>th</sup> to allow 45 days for additional research on lake access for backlot owners in both communities and to direct the assessor to revise the roll to include backlot owners where lake access was reasonably determined with certainty within the 45 day period and the Assessor shall work with the Finance Director to determine the city's cost for lost revenue for delinquent payments.**

Coburn asked the Board to consider a letter of support requested by the City of Novi for The Landings Property at Walled Lake for the Michigan Natural Resources Trust Fund Grant to be submitted by April 1, 2010.

**Moved by Potter, Supported by Burke; CARRIED UNANIMOUSLY: To approve letter of support for the Landings Property on Walled Lake for the Michigan Natural Resources Trust Fund Grant to be submitted by the City of Novi.**

**At Public Comment,**

**Steve Loe** thanked the Board for all its work. Dave Cook suggested that all condos and anyone who could put boat in water be assessed at 0.2.

**Lady** asked how long the Lake would be closed and when.

**Kevin Fifely**, Old Pine Way, wanted clarification for the City Council of Walled Lake so it could contribute.

**Casey Ambrose**, City Council Member for Walled Lake, wanted direction so he could provide clarity to Walled Lake City Council to approve a contribution.

**Mayor Roberts**, Walled Lake, thanked the Board for its deliberations; he had expected this to move forward tonight.

\_\_\_\_\_, 201 Osprey, appreciated what the Board was doing and thought it should remove the poison portion and it would remove the budget.

**Mike Condon** wanted the Board to move forward as is and add backlots next year so they could enjoy the Lake and control the weeds.

**Bob Daar**, Welfare Lakeview Subdivision, wanted to know the impact the chemical treatments would have on the fish in the Lake.

**ADJOURNMENT:** There being no further business to come before the Lake Board, the meeting was adjourned at 10:29 p.m.

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Brian Coburn, Secretary-Treasurer

February 8, 2010

City Council  
City of Walled Lake  
1499 E. West Maple Road  
Walled Lake, MI 48390

Re: Request for City Contribution to Lake Board for Improvements to Walled Lake

Dear Council:

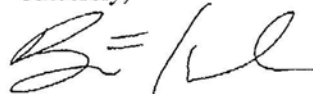
I am writing as the Secretary/Treasurer of the Walled Lake Improvement Board regarding the property located within the Walled Lake Improvement Board district that is shown on the tax records as owned by the City of Walled Lake. There are eleven lake front properties listed under the City of Walled Lake's name that were discovered while developing the proposed assessment roll for the Lake Board Assessment. In evaluating these properties, the assessor estimated the assessment for all eleven properties would be approximately \$20,000.00.

The City of Walled Lake is exempt from any assessment by the Lake Board. There had been some discussion, however, that the City would voluntarily contribute to the Project through a gift to the Lake Board. The City of Novi also controls property on the waterfront of Walled Lake. An evaluation of the City-owned property for Novi led to an estimated assessment at roughly \$45,000.00. The City of Novi is also being asked to consider making a contribution to the Lake Board Project in proportion to its ownership of lake front property.

Of the eleven properties listed under the City of Walled Lake name, only three appear to be actually owned by the City. The other eight properties are listed under the City's name because they are not being assessed for property taxes. This is presumably due to their use as subdivision lake access lots which are indirectly assessed through added value to the subdivision lots that make use of the access lot. The property is listed under the City's name but is not actually owned by the City. The City Assessor could research the ownership issue, but to determine the actual ownership may prove a costly endeavor. The County, serving as the City's assessor, will make an initial attempt to determine actual ownership of these eight properties but getting a precise name could prove difficult.

The three properties actually owned by the City are the properties that make up the Mercer Beach. If assessed, the total assessment for these three properties alone would be approximately \$4,000.00. The Lake Board is asking the City to consider a voluntary contribution to the Lake Improvement Board for the project to be undertaken. To be clear, the City property is exempt from assessment and the Lake Board is not asking the City of Walled Lake to participate in the special assessment district. Instead, the Lake Board is requesting a voluntary contribution from the City of Walled Lake in the form of a gift. The City could consider a gift amount roughly proportional to the amount that the lake front properties listed as City owned would be assessed if not exempt. The Lake Board thanks you for your consideration of this contribution.

Sincerely,



Brian T. Coburn, Secretary/Treasurer  
Walled Lake Improvement Board  
c/o City of Novi  
45175 W. Ten Mile Road  
Novi, MI 48375



# CITY of NOVI CITY COUNCIL

Agenda Item 2  
February 8, 2010

**SUBJECT:** Consideration of financial participation in the Walled Lake Improvement Board project in the amount of \$45,000 for the estimated portion of the total five-year cost of the project attributable to the Landings, Lakeshore Park and 15 other parcels that are either owned by the City of Novi or that have unknown ownership.

**SUBMITTING DEPARTMENT:** Department of Public Services, Engineering Division <sup>1220</sup> Assessing

**CITY MANAGER APPROVAL:** 

EXPENDITURE REQUIRED	\$45,000
AMOUNT BUDGETED	\$0
APPROPRIATION REQUIRED	\$45,000 (To be included in a future budget amendment from Drain Fund—Fund Balance)
LINE ITEM NUMBER	To be determined (Drain Fund)

## BACKGROUND INFORMATION:

The Walled Lake Improvement Board was formed by resolutions from the City of Walled Lake City Council on November 18, 2008 and the City of Novi City Council on January 12, 2009. The Lake Board is a separate statutory public agency that is charged with the responsibility of carrying out desired improvements for a specific lake as governed by Public Act 451 of 1994, Part 309, as amended. The Walled Lake Improvement Board has met several times since February 2009 to develop a project, which began with an engineering study. The engineering study was required under the statute to determine, among other requirements, the condition of the lake, existing problems with the lake and to recommend a project to improve the lake. The Lake Board passed the enclosed resolution on November 5, 2009 to proceed with a project that includes mechanical weed harvesting and chemical treatment for weeds, and to direct the Assessors for the Cities of Walled Lake and Novi to prepare a special assessment roll to fund the project. The project costs are estimated to be \$130,615 for the first year and \$97,000 for each of the four subsequent years of the assessment, for a total cost of \$518,615. (An excerpt of the Lake Improvement Study for Walled Lake and the Resolution are attached—the entire document is available at [cityofnovi.org/lakeboard](http://cityofnovi.org/lakeboard)).

The City Assessors have begun the development of the special assessment roll for the Lake Board. Preliminary costs per unit of benefit have been developed, but have not yet been finalized. Property that is owned by each city is exempt from assessment under the statute. However, each city can 1) choose to adopt a resolution to be included in the assessment roll for each parcel, 2) choose to financially participate at a level determined by the City, or 3) choose to maintain an exempt status and not participate in the project cost. The Novi City Council had a special meeting on January 12, 2009 during which the resolution to proceed with the Lake Board was approved. Based on the discussion at this meeting, during which Council entertained the idea of financial participation in the project, an estimate of the city's portion of the assessment has been developed for consideration by the City Council. The final cost per unit of benefit will be determined after each City pledges a project participation amount, if any.

The City's participation amount was determined based on the methodology described in the attached January 27, 2010 memo from Glenn Lemmon and Brian Coburn in which several parcels that are either owned by the City or have indeterminate ownership were used to calculate the amount of the financial participation. The enclosed map illustrates the parcels that were included in the calculation. If the City Council were to financially participate in the project at level that is consistent with the assessment of the other parcels in the district, Novi's financial participation for the five year assessment would be approximately \$45,000.

The estimated assessment is being presented to each City for consideration prior to finalizing the assessment roll. If the cities decide to financially participate in the cost of the project, this amount would then be deducted from the total amount to be assessed against the properties receiving a benefit from the project.

**RECOMMENDED ACTION:** Consideration of financial participation in the Walled Lake Improvement Board project in the amount of \$45,000 for the estimated portion of the total five-year cost of the project attributable to the Landings, Lakeshore Park and 15 other parcels that are either owned by the City of Novi or that have unknown ownership.

	1	2	Y	N
Mayor Landry				
Mayor Pro Tem Gatt				
Council Member Crawford				
Council Member Fischer				

	1	2	Y	N
Council Member Margolis				
Council Member Mutch				
Council Member Staudt				



## MEMORANDUM



TO: CLAY PEARSON, CITY MANAGER  
FROM: GLENN LEMMON, CITY ASSESSOR  
BRIAN COBURN, P.E.; SENIOR CIVIL ENGINEER  
SUBJECT: LAKE IMPROVEMENT BOARD—CITY CONTRIBUTION  
DATE: JANUARY 27, 2010

1/27/10  
G. Lemmon  
B. Coburn  
C. Pearson  
FYI

The Walled Lake Improvement Board passed a resolution on November 5, 2009 approving a lake improvement project consisting of mechanical weed harvesting and chemical treatment for weeds. The resolution also directed the City Assessors for Walled Lake and Novi to prepare an assessment roll for the approved project. The resolution states that the total project costs for the first year are \$130,615, with an estimated budget of \$97,000 for each of the four subsequent years of the assessment, for a total cost of \$518,615.

Work has begun on the development of a special assessment roll in preparation for a future Lake Board public hearing. Preliminary costs per unit of benefit have been developed, but have not yet been finalized. Property that is owned by each city is exempt from assessment under the statute. However, each city can choose to adopt a resolution to be included in the assessment, can choose to make a contribution, or choose to maintain an exempt status. The Novi City Council met on January 12, 2009 during a special meeting during which the resolution to proceed with the Lake Board was approved. Based on the discussion at this meeting, during which Council entertained the idea of making a financial contribution toward the project, an estimate of the city's portion of the assessment has been developed for consideration by the City Council. The final cost per unit of benefit will be determined after each City pledges a contribution amount to the project, if any.

The method to determine the City's contribution was based on the relative size of the city owned property to the other lakefront lots. The contribution for large parcels such as Lakeshore Park and the Landings property was determined based on the total lake frontage of each large city parcel compared to the average lake frontage of the a typical lake parcel, calculated to be approximately 63 feet of lake frontage. Small parcels were assigned one unit of benefit, similar to other privately owned lakefront parcels. There are seven parcels fronting on Walled Lake that are listed on the tax rolls under the City of Novi. There are an additional eight parcels without assigned ownership, of which one is the canal between Walled Lake and Shawood Lake, five are lake access lots along South Lake Drive and two are lake access lots (one on West Lake Drive and one on East Lake Drive). If use of the lake access parcels is decided to the backlot owners, the backlot owners could be assessed; however determining the deeded rights for these parcels is a time-consuming and potentially expensive process. Rather than dedicating resources to research the ownership of parcels that may have been platted in the early 1900s, staff recommends including these parcels be included in the city's contribution for a total of 15 units of benefit.

Based on the calculation above, the City of Novi's contribution for the five year assessment would be approximately \$45,000. The estimated assessment is being presented to each City for consideration prior to finalizing the assessment roll. If the cities decide to provide a contribution, this amount would then be deducted from the total amount to be assessed against the properties receiving a benefit from the project.

We plan to prepare this item for consideration by the City Council on an upcoming agenda.

cc: Kathy Smith-Roy, Finance Director  
Rob Hayes, PE; Director of Public Services

STATE OF MICHIGAN

COUNTY OF OAKLAND

WALLED LAKE IMPROVEMENT BOARD

RESOLUTION APPROVING PROJECT AND PROPERTIES  
TO BE INCLUDED IN DISTRICT

RECITATIONS:

The Walled Lake Improvement Board, pursuant to the authority given in MCL §324.30908, determined to consider weed harvesting and/or chemical weed control measures as a lake improvement authorized under MCL §324.30902(1) and having retained Spalding DeDecker Associates, Inc. to prepare the engineering study and economic report as required by MCL §324.30909, and received the study and scheduled a public hearing as required by MCL §324.30910, and following the public hearing finds;

1. As required by MCL §324.30909(3), a tentative Special Assessment District has been described in the engineering study and economic report, namely, the property to be referenced as the Lake Board District, which includes all lake front parcels and all parcels with deeded access rights to the waters of the lake to be benefited by The Project.
2. The plan for The Project which excludes the self-help program, waterfowl management program, and lake management fees; and an estimate of the costs of The Project in the amount of \$130,615.00 have been prepared and notice has been published according to law to the owners of property within the Lake Board District with respect to a hearing for the purpose of presenting any objections to the engineering study and economic report regarding The Project.
3. The hearing was conducted consistent with the Notice, following which the Lake Board determined to proceed with The Project and to authorize the preparation of a special assessment roll.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the engineering study and economic report is determined to be sufficient.
2. That the Lake Board shall proceed with The Project as described in the engineer's study, excluding the self help, waterfowl management and the lake management fee aspects of The Project.
3. The plans prepared for modified The Project and the modified cost estimate are approved.
4. The Special Assessment District shall consist of the Lake Board District, described above, against which 100 percent of the cost of The Project shall be assessed.
5. The duration of the Special Assessment District shall be five (5) years.
6. The Assessors for the Cities of Walled Lake and for Novi shall prepare a special assessment roll which shall include all parcels of land to be assessed with the names of the respective record owners of each parcel, if known, and also including the total amount to be assessed against each of the parcels of land. The amount to be assessed against each parcel of land shall represent the relative portion of the whole sum to be levied against all parcels of land in the District as the benefit to the parcel bears to the total benefit of all parcels of land in the District.
7. When the Assessors complete the assessment roll, the Assessors shall affix their certificates to the roll stating that the roll has been made pursuant to a resolution of the Lake Board adopted on this date and that, in making the assessment roll, the Assessors according to their best judgment have conformed in all respects to the directions contained in this resolution and in the statutes of the State of Michigan.

AYES: Galloway, Burke, Coburn, Warren  
NAYS: none  
ABSTENTIONS: none  
ABSENT: Potter

**CERTIFICATION**

It is hereby certified that the foregoing Resolution is a true and accurate copy of the Resolution adopted by the Walled Lake Improvement Board at a meeting duly called and held on the 5th day of November, 2009.

Walled Lake Improvement Board

BY:   
Brian Coburn, Secretary-Treasurer

### Approved Lake Management Budget

At the November 5, 2009 meeting of the Walled Lake Improvement Board, a *Resolution Approving Project and Properties to be Included in the District* was approved setting the costs of the project at \$130,615. This amount varies from the recommended budget in Section 5 of the *Lake Improvement Study for Walled Lake*. The summary below is intended to provide a summary of the changes made by the Lake Improvement Board upon approval of the resolution.

#### Year 1

A.	Herbicide Treatment (40 acres)	\$ 16,500	
B.	Mechanical Weed Harvesting (120 acres)	\$ 78,000	
<del>C.</del>	<del>Waterfowl Management Program</del>	<del>\$ 2,000</del>	(Recommended in study, but excluded from approved resolution)
<del>D.</del>	<del>Self Help Program (year 1)</del>	<del>\$ 2,000</del>	(Recommended in study, but excluded from approved resolution)
E.	Lake Improvement Study	\$16,115	
F.	Administrative/Legal Fees	\$20,000	
<del>G.</del>	<del>Lake Management Fees</del>	<del>\$1,500</del>	(Recommended in study, but excluded from approved resolution)
	<b>Year 1 Total</b>	<del><b>\$ 136,115</b></del>	<b>\$130,615 (Budget amount approved in the resolution)</b>

#### Subsequent Years

A.	Herbicide Treatment (20 acres)	\$ 9,000	
B.	Mechanical Weed Harvesting (120 acres)	\$ 78,000	
<del>D.</del>	<del>Waterfowl Management Program</del>	<del>\$ 2,000</del>	(Recommended in study, but excluded from approved resolution)
<del>D.</del>	<del>Self Help Program</del>	<del>\$ 500</del>	(Recommended in study, but excluded from approved resolution)
E.	Administrative/Legal Fees	\$ 10,000	
<del>F.</del>	<del>Lake Management Fees</del>	<del>\$ 1,500</del>	(Recommended in study, but excluded from approved resolution)
	<b>Subsequent Year Annual</b>	<del><b>\$101,000</b></del>	<b>\$97,000</b>

## SECTION 5

### LAKE IMPROVEMENT RECOMMENDATIONS

#### A. GOALS AND OBJECTIVES DISCUSSION

The research performed with this study bears out the fact that Walled Lake functions as a thriving, viable water body. As with any viable lake, an ecological balance must be maintained in order for the lake to survive. The resources utilized behind the research performed have been varied but all necessary to accurately assess Walled Lake's current condition and improvements to the lake that are necessary in order for it to survive and thrive.

In addition to research detailed in prior sections, discussions with the Walled Lake Board identified overall goals and objectives for lake improvement. These included:

- Reduction in aquatic weed growth
- Reduce/eliminate closing of E.V. Mercer Beach due to high E.coli levels

The primary objective for this section of our report is to summarize deficiencies within the Lake and provide practical and economical lake improvement recommendations given the stated goals and objectives of the Lake Board. As with most Lake Improvement Boards, funding for construction improvements is limited. Therefore, a thoughtful approach to remediate the identified lake problems is necessary. Our recommendations are therefore categorized into Short Term and Long Term Lake Management plans.

Short Term Improvements constitute those activities which can be performed with minimal cost and construction impacts to the Lake. These improvements require little if any design or regulatory effort (permits, approvals, etc.). These improvements are intended to be implemented on a yearly basis for the most part.

Long Term Improvements include those activities which will typically require more expense and longer construction timing and which may pose complicated access issues to the lake. The lead time necessary to raise funding for these types of improvements can extend well beyond 1 year. For these reasons we consider Long Term Improvements to be those implemented for year 3 and beyond of the Lake Management Plan.

The Lake Management Plan (Short and Long Term Improvements) timing and costs should constitute the basis behind a Lake Area Special Assessment District for Walled Lake.

Our research on Walled Lake has found that the following conditions exist:

- Low Nutrient Levels

## SECTION 5

### LAKE IMPROVEMENT RECOMMENDATIONS

- Greater weed growths in depth of 5 to 16 feet in depth and silty and marly bottom substrates
- Abundant Zebra Mussels, which is an invasive specie

Our Lake Management recommendations include detailed descriptions of the treatment, estimated costs to implement, and the initial frequency recommended for the treatment. Finally, implementation options and procedures for the management plans are outlined.

#### B. LAKE MANAGEMENT PLAN

**OVERVIEW** - Discussion with the Walled Lake Board indicates that the majority of residents of Walled Lake would like to eradicate or reduce the growth of aquatic weeds in Walled Lake. Short term recommended actions include:

**Herbicide Treatment Program** - We recommend that an herbicide treatment program be implemented annually. Applications may have to be performed two to three times annually as needed.

The MDEQ Water Bureau has produced a table containing information about the herbicides permitted for aquatic plant and algae control in Michigan (see Appendix I). Considering the August 3rd and 5th vegetation survey results, it appears that an annual application of herbicides may be needed at Walled Lake to control early and mid season growth of Eurasian water-milfoil.

It is important to note that complete eradication of all aquatic plants in a lake is not the objective of an herbicide treatment program. Most plants play a very important role as part of the ecological health of a lake system. Therefore, the purpose of an aquatic plant management program is to manage the growth and proliferation of aquatic nuisance plants from only selected areas. The areas that are to be managed should be based upon those parcels that have existing homes and those areas that need to be cleared for access to the lake.

It is recommended that a product such as 2,4-D, Fluridone, or Diquat Dibromide be used to control the Eurasian Water Milfoil in the areas identified as densely populated. It is estimated that the densely populated encompasses 30 acres of the Lake. The application should be performed in the spring (mid-May), while the Milfoil is still relatively small and won't leave as much decaying plant matter on the bottom of the lake. Approximately 30 days, after the initial application, a second application should be applied as needed to follow up and to control any remaining Milfoil growth. The process will probably have to be applied on an annual basis but the overall treatment area may decrease based

## SECTION 5

### LAKE IMPROVEMENT RECOMMENDATIONS

on the effectiveness of the previous year's application, thereby resulting in a reduction of yearly management costs.

The use of contact herbicides should be avoided when using 2,4-D to control the growth of Eurasian Milfoil. The main reason for this concern is that 2,4-D acts as a systemic control method, whereas contact herbicides may kill the tops of the plants and interfere with the systemic action of 2,4-D.

Please refer to Figure 2.6, 2.7 and 2.8 which illustrates the Aquatic Plant densities for Walled Lake, based upon the August 3, 2009, plant survey. The licensed herbicide applicator should conduct a pretreatment survey with a representative as designated by the Lake Board, in order to confirm the general limits of the plant growth and finalize the treatment plans.

In addition to recommended herbicide treatment modifications an annual aquatic plant survey should be performed, at least for the first three treatment seasons, in order that a plant response can be observed and recorded. These observations will allow the herbicide treatment program to be further modified as needed and may provide an early indication as to the success of the program. A state licensed herbicide applicator can perform this task once the program begins, and can include these observations along with the permit application to the MDEQ.

#### *ESTIMATED COST:*

##### *Aquatic Herbicide Treatment Program (Milfoil) – Initial Application*

\$375/Acre x 30 Acres	\$11,250
Permit Fee	<u>\$ 1,500</u>
	\$12,750

##### *Aquatic Herbicide Treatment Program (Milfoil) – Follow Up Application*

\$375/Acre x 10 Acres	\$ 3,750
<b>Project Total (Annual Cost)</b>	<b>\$16,500</b>

*APPLICATION FREQUENCY* - Annually

**Mechanical Weed Harvesting** – The implementation of a mechanical weed harvesting program would assist in providing aquatic weed control near the top 5 to 6 feet of the lake. This method would not eradicate the invasive plants, such as Eurasian Milfoil, but would have a similar effect as mowing a lawn. It is anticipated that it would be necessary to have a minimum of two subsequent follow up harvestings to manage the aquatic weeds due to regrowth. The level and speed of regrowth will be affected by climatic conditions and can vary from year to year. It should be noted that if the harvesting operation distributes fragmented pieces of Eurasian Milfoil that the Lake may experience new growth from the fragments. Careful selection of the harvester should be made to address this issue.

SECTION 5

LAKE IMPROVEMENT  
RECOMMENDATIONS

It is recommended that a weed harvesting program is implemented to control excessive weed growth for areas that are not treated by the herbicide program. It is estimated that this area encompasses 120 acres. The initial harvesting program should be conducted two times annually to further evaluate the aquatic weeds response and should be conducted in June and July.

*ESTIMATED COST:*

*Mechanical Weed Harvesting (Approximately 120 acres)*  
\$325.00/Acre x 120 Acres      \$39,000

*Assume 2 times per year*  
Project Total (Annual Cost)      \$78,000

*FREQUENCY – Annually*

**Waterfowl Management Program** - We recommend that a waterfowl management program be implemented annually to assist in controlling E.coli levels within Walled Lake. A spring and summer program may need to be implemented.

A waterfowl management program is permitted through the Michigan Department of Natural Resources (MDNR). Currently there is not a permit fee but it is anticipated that a fee of approximately \$200 will be required in the future. A waterfowl management company can assist in controlling waterfowl populations. These practices typically include a spring time swan and goose nest removal. These activities can be performed by residents according to the MDNR parameters and permit.

A follow up goose round up may be required during the summer. (Swans are not controlled in this manner.) The geese are collected during the summer before the young geese are able to fly and when the adult geese have lost their flight feathers. Geese are relocated to swamps, ponds, and lakes throughout Michigan as directed by the MDNR.

This program is recommended on an annual basis but may be re-evaluated annually upon the effectiveness of the waterfowl removal in preceding years.

A waterfowl management program will reduce the E.coli level contributions from waterfowl, though they may not be the only source of E.coli contributions to the lake. Existing programs, as required through the National Pollutant Discharge Elimination Program, are in effect that require Municipalities to identify and correct sources of E.coli from illicit connections.



SECTION 5

LAKE IMPROVEMENT  
RECOMMENDATIONS

ESTIMATED COST:

*Spring Nest Removal*

Permit Fee	\$ 200
Contractor Appearance Fee (for Geese)	\$ 100
Contractor Appearance Fee (for Swans)	\$ 200
\$30/nest x 10 nests	<u>\$ 300</u>
	\$ 800

*Summer Goose Round Up*

Appearance Fee	\$ 100
100 geese	<u>\$1,100</u>
<b>Project Total (Annual Cost)</b>	<b>\$2,000</b>

**Self-Help Program** - The MDEQ has developed a program that has been entitled the Cooperative Lakes Monitoring Program [http://www.michigan.gov/deq/1,1607,7-135-3313\\_3686\\_3731-14766--00.html](http://www.michigan.gov/deq/1,1607,7-135-3313_3686_3731-14766--00.html). It is recommended that the Lake Improvement Board for Walled Lake, begin such a program on the lake. The data that is collected by the residents of Walled Lake will assist in developing a historical data, by which future projects may be based upon. Several of the items that can be included in such a program are: Secchi disks observations, lake level water observations, temperature, pH, and dissolved oxygen levels, among others. Self imposed restrictions may also be developed that will benefit the lake water quality such as: limited use of phosphorus based fertilizers, encourage the raking of leaves adjacent to shoreline (to prevent the leaves from being blown into the lake), restricted yard waste burning, irrigation schedules and the development of neighborhood environmental awareness programs. A vegetative buffer zone, or lake-scaping program, should also be considered as a Best Management Practice (BMP).

These programs also offer the most important aspect that can be available to any organization that share common goals, and that is networking. The association will be able to make contact with other associations and lake improvement boards that have already implemented some of the programs and projects that the residents may be in the process of considering, such as the Michigan Lake and Stream Association.

**ESTIMATED COST** – Costs to develop this program can vary. If performed by residents, it is recommended that a budget of \$2,000 be established for year 1 and \$500 for subsequent years.

**FREQUENCY** – Year 1, updated annually.

## SECTION 5

### LAKE IMPROVEMENT RECOMMENDATIONS

#### C. BUDGETS AND FINANCING OPTIONS

The budgets that are developed below are to be used for estimating purposes only. As one begins the process of planning, designing, construction and maintenance phases of projects involving lakes, a word of advice would be to proceed, prudently.

If the projects are to be financed for a period of several years, then interest cost would need to be accounted for and added to the cost shown below.

##### Lake Management Budget

	<u>Year 1</u>	
A.	Herbicide Treatment (40 acres)	\$ 16,500
B.	Mechanical Weed Harvesting (120 acres)	\$ 78,000
C.	Waterfowl Management Program	\$ 2,000
D.	Self Help Program (year 1)	\$ 2,000
E.	Lake Improvement Study	\$ 16,115
F.	Administrative/Legal Fees	\$ 20,000
G.	Lake Management Fees	<u>\$ 1,500</u>
	<b>Year 1 Total</b>	<b>\$ 136,115</b>

	<u>Subsequent Years</u>	
A.	Herbicide Treatment (20 acres)	\$ 9,000
B.	Mechanical Weed Harvesting (120 acres)	\$ 78,000
D.	Waterfowl Management Program	\$ 2,000
D.	Self Help Program (year 1)	\$ 500
E.	Administrative/Legal Fees	\$ 10,000
F.	Lake Management Fees	<u>\$ 1,500</u>
	<b>Subsequent Year Annual</b>	<b>\$101,000</b>

#### D. IMPLEMENTATION

Since it is unknown how the Walled Lake Improvement Board will develop the special assessment district (SAD), at the time of writing of this report, a cost distribution per riparian parcel will be used to assist in planning purposes. If the cost is distributed equally amongst the riparian parcels each parcel would be assessed approximately \$375 for year 1 and \$275 for subsequent years.

In order to implement any one of the above outlined projects, the Lake Improvement Board will need to take the following actions:

1. Adopt a project or program and its initial estimated budget.
2. Set a date for the Hearing of Practicability. During this meeting, the Lake Improvement Board for Walled Lake approves the proposed improvement projects and their associated estimated budgets.

## SECTION 5

### LAKE IMPROVEMENT RECOMMENDATIONS

3. Set a date for the Assessment Hearing. During this meeting, the Board approves the assessment formula, and the associated Assessment Roll. Once approved, the roll is forwarded to the City Clerk with authorization to spread the approved assessments.
4. Contract Documents are usually prepared next. The contract documents generally include the plans and specifications for the approved project.
5. A bid opening date is set and the project is then advertised.
6. The bids received are opened and the bids are evaluated.
7. The project is awarded.
8. The project begins.

Items 1 - 8, listed above are but a simple summary of all of the tasks and events that generally need to take place when proceeding with project associated with lake improvements.

When the project implementation process has been completed for a particular project or program, the above noted items will generally need to be repeated on an annual basis.

#### F. CLOSING REMARKS

The SDA Project Team would like to thank the Walled Lake Improvement Board for having given us the opportunity to prepare this report.

Walled Lake is a beautiful Lake. The fact that its residents have made a commitment to take the initial steps to preserve the lake and its water quality is a clear indication that Walled Lake is in good hands. We wish you all the best of times.