

CITY OF SYLVAN LAKE
SPECIAL MEETING
JULY 31, 2008

A Special Meeting of the Sylvan Lake City Council was held on Tuesday, July 31, 2008; opening at 7:00 p.m. Mayor Hungerman presided.

Present: Hungerman, Lorenz, Maurina, Shepp, Wiegand
Absent: None

Also Present: City Manager Martin, Clerk Clippert, and City Attorney Bibeau

Approval of Agenda

Mayor Hungerman requested to move public comment to after Discussion of Blight. Lorenz would like City Council to be able to comment after the public comment.

Moved by Lorenz, seconded Wiegand, to approve the agenda as amended.

Yes: All
No: None

MOTION CARRIED

Discussion of Blight

CE-003-08

Martin reviewed at the last council meeting they discussed driveways with blight. If City Council wants to include driveways as blight then they will need to come up with strict guidelines.

Wiegand acknowledged a letter which was put in resident's mailbox. He stated the letter didn't come from City Hall. The resident who did this had a problem with their neighbor.

Hungerman expressed he doesn't believe it would be beneficial to the city to include driveways with blight. He stated it wasn't the intent to make cracked driveways blight and feels they shouldn't consider it.

Lorenz agreed and stated he has looked at other cities over the last two weeks and feels Sylvan Lake should be commended. He likes the idea for volunteers helping out with the foreclosures. He feels the city ordinances are sufficient.

Wiegand stated there are only 4 or 5 driveways that might be blight. He noted the driveway on Ferndale, which was brought up in the past months, is fixed.

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Wiegand discussed foreclosures and how it is handled in three other cities. One city levies a 15% administration fee plus costs.

Shepp inquired if there is a way to shorten the time to make violators come into compliance. Martin suggested changing the delivery notice from registered mail to regular mail or hand deliver. He explained once they receive the notice they have seven days to correct the problem.

Lorenz questioned what the city would be opening themselves up to if they changed the ordinance; what the exposure would be. Bibeau replied, it would be ok if it is stated in the notice and a notice is given and they are given a reasonable time to fix the violation. He clarified, the city can get an administrative warrant to go on the property to make it safe.

Maurina would like the blight ordinance clarified more. Martin explained the way the ordinance works. He added just because a neighbor complains doesn't mean it is blight. It means it will be looked at and investigated, but not necessarily given a violation notice.

Lorenz asked how the city can get inside a house. Bibeau stated if it is a health or safety issue they can get a administrative warrant. The court issues them any day you present your evidence. Shepp questioned why it would be a public safety issue. Bibeau explained if there is standing water in a house it breathes mold and can under mind the foundation.

Hungerman expressed there isn't a problem in Sylvan Lake with blight. He stated the ramifications need to be considered; the cost to the city, which could include paying the code enforcement officer and cost to replace or fix violation. He warned everyone needs to be careful of what you say and how you say it because there could be negative effects on the city. He stated he is ok with changing how high the grass is allowed and how the deliver of notice is given.

Wiegand doesn't like seeing old cars covered with tarps. Martin suggested looking at an ordinance for disallowing outside storage of vehicles. Lorenz stated he is not for making an ordinance to please the minority of the people.

Shepp stated he agrees with changing the grass height and the notice, but he doesn't believe anything else needs to be changed at this time. Lorenz agreed with Shepp.

Wiegand provided pictures of weeds growing up through the road at the point on Pontiac Drive.

Martin will work with Bibeau on revising the ordinance for grass height and how the notice is issued.

Public Comment

Luke Cassar feels changing the ordinance isn't always good. Ordinances don't always need to

be the same as other communities because Sylvan Lake is different from them.

BD-009-08

He discussed boat dock space, beach tags and having to show registration, proof of residency. He feels anyone should have access to the boat ramp whether they are registered to the city or not. He inquired if there are any plans for increasing the fee for boat docks. He feels it needs to be looked at and increased. Also any property owner should be allowed to use the parks whether they are a resident or not.

Ray Dahlgren feels people are going out of their way to find things wrong. He believes if they got a problem with someone's property they should talk to them and handle themselves. He doesn't like this hotline for complaints. If there is a problem which can't be worked out, then it should be reported to code enforcement and your name goes on record regarding the complaint.

Jeff Diegel stated he moved out of the city about a 1 ½ years ago. He rents out the house on Garland which he owns. He feels he should be able to purchase a beach tag and use the park. He doesn't care if it costs more. He knows enough people in the city, but he is not sure when he is coming into the city and wants to use the park. He feels boat docks should be available to property owners also. He stated he has been using a dock space with somebody in the city; he has registered his boat with the Sylvan Lake resident, but politics came in and stopped that. Hungerman shared the dock policy is going to be discussed within the next couple of months and they will discuss this issue at that time.

Sharon Hughes announced she called West Bloomfield and Bloomfield Twp regarding driveways and they don't have an ordinance to force residents to fix their driveways. She stated she was given a notice regarding her driveway and while the code enforcement officer was there he told her the grass was too high and it needed to be cut. She pointed out that it wasn't 10" high and the neighbor cuts her grass when he cuts hers. She feels this was borderline harassment.

Hughes feels trees cost a lot to cut down and residents may not have the money to do this. She expressed people like antique cars and it is a personal thing and not hurting anyone by having them.

Hughes complained about her neighbor with a tree house/play structure in his yard, which is against the ordinance.

Discussion of Millage Proposal

E-002-08 R2-008-08

Martin provided a list of capital projects which need to be done, along with maintenance costs for ongoing projects, and new or increased general operating expenditures. He reminded council the 2008/2009 budget is short \$104,000. He also provided estimates of the proposed

annual revenue for different millage amounts. A comparison of millage rates from other small communities was provided. Pleasant Ridge was the next closes at 11.4248 mills compared to Sylvan Lake's 6.8941 mills.

Martin reviewed the three resolutions for ballot proposals, Park & Recreation Charter Amendment, Millage Restoration Charter Amendment-10 year renewable, and a Millage Restoration, which is perpetual; it restores the City Charter millage authorization previously approved by the electors as reduced by operation of the Headlee amendment.

Lorenz doesn't believe it is a good idea to put two millage proposals on the ballot because it won't pass. He doesn't see the point of having a Park & Rec .385 millage. He feels we have to get the city back to celibacy to maintain services.

Martin pointed out two mills will only help to maintain what the city is doing now. It doesn't allow for capital improvements. They need to have a plan for the future.

Lorenz feels they should propose 2.5 mills. Martin added, they should keep proposing this each election until it passes.

Shepp feels it will be difficult to ask, but knows it is needed.

Lorenz asked if sample tax bills could be sent again showing the taxable value and how much the millage will cost.

Bibeau questioned why council would want to limit themselves to a millage for 10 years and have to ask again. Lorenz feels it would be voted again once it is passed the first time. Shepp feels is should go back to 10 mills. Martin reminded everyone council doesn't have to spread the whole 10 mills. He understands it will be harder to sell. Hungerman wants residents to understand if it doesn't pass then next year the city is going to be cutting services because there is no money.

Moved by Lorenz, seconded Wiegand, adopt the presented resolution proposing a Charter Amendment to levy an additional 2.5 mills.

Yes: Lorenz, Maurina, Shepp, Wiegand, Hungerman

No: None

RESOLUTION ADOPTED

ADJOURNMENT

Moved by Lorenz, seconded Shepp, to adjourn the special City Council Meeting.

Yes: All

No: None

MOTION CARRIED

The meeting was adjourned at 8:43 p.m.

Dennise Clippert, City Clerk