

CITY OF SYLVAN LAKE
REGULAR MEETING
APRIL 11, 2007

A Regular Meeting of the Sylvan Lake City Council was held on Wednesday, April 11, 2007; opening at 7:30 p.m. Mayor Pro Tem Hungerman presided over the Pledge of Allegiance.

Present: Maurina, Shepp, Hungerman
Absent: Lorenz, Conkey (both excused)
Also Present: City Manager Martin

APPROVAL OF AGENDA

Moved by Shepp, seconded Maurina, to approve the City Council Agenda for April 11, 2007, as submitted

Yes: All
No: None

MOTION CARRIED

APPROVAL OF MINUTES

Hungerman corrected the regular minutes on page 6, Action Item A. The motion was made by Hungerman not Hunger. Maurina asked that the study session minutes on page 1, last paragraph, be made more clear in regards to the two projects. Also on page 3, last paragraph, Maurina would like it more clear on the discussion with the trash cans. She asked was it council that wanted the committee to stick to raising money on that. Martin stated he would get it fixed. Maurina also corrected on page 3, paragraph 2, the fourth word should be option, not opinion.

Moved by Maurina, seconded Shepp, to approve the minutes of March 14, 2007, Regular Meeting, as corrected.

Yes: All
No: None

MOTION CARRIED

Moved by Shepp, seconded Maurina, to approve the minutes March 27, 2007, Study Session, as corrected.

Yes: All
No: None

MOTION CARRIED

APPROVAL OF DISBURSEMENTS

Moved by Maurina, seconded Shepp, to approve the voucher report for April totaling \$183,214.71.

Mar Payroll	\$ 37,743.68	Check #'s 10346-10374
Accts Pay-Mar-Apr	\$142,397.87	Check #'s 41846-41900
Auto Debits	<u>3,073.16</u>	
	\$ 183,214.71	

Yes: All
No: None

MOTION CARRIED

ACCEPTANCE OF REPORTS

Mayor Pro Tem Hungerman received the City Attorney's and DPW's reports for the month of March 2007, and the Police Department report for February 2007, and asked that they be placed on file.

COMMITTEE REPORTS

There were no committee reports.

BRIEF PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Mayor Pro Tem Hungerman opened the meeting to the public.

Betty Delaney asked if the Community Center was going to be built on a slab and what the reason is for not having a basement. Maurina stated they started with a basement, but there were a lot of mitigating reasons why they changed to a slab. Maurina offered to go over it with Delaney at another time. They have not made any final decisions yet.

CC-008-07

Richard Eriksen wanted to share the results of the soil boring tests. He stated there are not problems where the footing are concerned with the exception to soil water and ? Water. The ground is sufficient enough to support footings.

There were no other comments.

Mayor Pro Tem Hungerman closed this portion opened to the public.

CITY MANAGER COMMENTS

No Haz

M-001-07

The City decided a couple years ago that the cost to be in this program was more than the benefit. Sylvan Lake and Orchard Lake will now participate with West Bloomfield. Their first collection is May 5th for household hazardous waste. Martin is going to be sending out some information to the residents because you have to sign up first and go to City Hall and get a pass.

This shows West Bloomfield that you are from Sylvan Lake and you are allowed to be there. There is a cost to the city per car. They are going to take the normal hazardous material and electronics. Also they will have a shredder there so anyone can have documents destroyed.

Memorial Day Parade

Monday, May 28th. Council is invited. Jim Bull or Mel Hagar will need to be notified if you are going to be in the parade.

Citgo Lawsuit

ZP-002-07

This lawsuit is almost done. There was a little bit of a problem with the storm water management. Martin stated it looks right now that they will have to have two retaining ponds. They will probably have to remove some things in order to get these retainage areas.

Lakeview Case

It is scheduled to go before the Judge on the 25th. Bibeau and Martin will be meeting with the Lakeview attorney next Wednesday, to go over some of the issues to see if they can resolve some prior to court.

CITY COUNCIL COMMENTS

Shepp had no comment.

C3-002-07

Maurina thanked everyone for coming. She shared last month Lorena Maurina came to Council regarding the Cable Advisory Board. She reported the Cable Board did vote to spend the \$5,000. Basically they are asking the Lawyer to look at ways that this new law may affect our ordinances.

Hungerman also thanked everyone for showing up. He announced this is the first meeting he has run and asked that they bare with him.

ACTION ITEMS

M-002-07

- a. Consideration to Approve Purchase of Flag Pole for City Hall

Moved by Shepp, seconded Maurina, to approve the purchase and installation of a new flag pole in front of City Hall at a cost not to exceed \$2,520.

Yes: All

No: None

MOTION CARRIED

- b. Approval of Resolution Proclaiming May, 2007 Mental Health Month

R2-008-07

Moved by Maurina, seconded Shepp, to approve the resolution proclaiming May, 2007 as Mental Health Month.

Yes: All
No: None

RESOLUTION ADOPTED

O-004-07

c. Consideration to Approve Map Amendments to the Zoning Ordinance

Martin reported Planning Commission has been discussing this for a few months. They held a public hearing last month. Last night they recommended approval of the amendments to rezone the JRE Tire property only at this time. Martin provided a map showing the changes. The reason for these changes is part of the intent of the Master Plan is to change the look of the Orchard Lake Road Corridor. It also rezones the trail to residential property.

Moved by Shepp, seconded Maurina, to approve Planning Commission's recommendation to approve ordinance 283 to amend the zoning map for 2635 Orchard Lake Road, property identification numbers 84-18-01-330-027 and 84-18-01-330-030 from I-1 Limited Industrial to C-1 Neighborhood Commercial and the Clinton River Trail, property identification number 84-18-01-502-002 from C-2 General Commercial and 84-18-01-502-003 I-1 Limited Industrial to R-1 Single Family Residential, with the understanding that the remaining proposed zoning map amendments have been tabled.

Yes: All
No: None

ORDINANCE ADOPTED

O-005-07

d. Consideration to Approve Text Amendments to the Zoning Ordinance

Martin explained the text amendments went along with the map changes. It eliminates any automotive use from the C-1 Neighborhood Commercial District. It is allowed in the C-2 and I-1 districts, but with greater restrictions as a "special use" in each district. Planning Commission did recommend the text amendments.

Moved by Maurina, seconded Shepp, to follow Planning Commission's recommendation to approve Ordinance 284 to amend the zoning text as presented.

Yes: All
No: None

ORDINANCE ADOPTED

CA-002-07 CC-009-07

e. Consideration to Approve Agreement with Construction Manager for the Community Center Project as Recommended by the Community Center Committee

Martin explained the Committee sent out RFP's and received four proposals back. The Committee interviewed the four and narrowed it down to the two most qualified. They questioned the two again and chose from there. Martin pointed out it is a two phase project, a pre-construction phase and a construction phase. If the Committee or the contractor find it is not working out then they don't have to go onto the construction phase. The Committee did come up with a recommendation to allow Martin and the City Attorney to draw up contract documents for the G-H Group as the Construction Manager.

Moved by Shepp, seconded Maurina, to approve the Community Center Committee's recommendation to hire the G-H Group as the Construction Manager for the Community Center project and instruct the City Manager and City Attorney to execute the amendment.

Yes: All
No: None

MOTION CARRIED

R2-009-07

f. Approval of Resolution Supporting the Annual Memorial Day Parade

Moved by Maurina, seconded Shepp, to approve the resolution supporting the annual Memorial Day Parade.

Yes: Yes
No: None

RESOLUTION ADOPTED

PR-008-07 CA-003-07

g. Consideration to Approve Agreement for Improvements to the Clinton River Trail

Martin stated he did go out for bids on this and Mike Grasser, a resident, came in the lowest. Maurina asked what exactly is going to be done and how long will it be guaranteed. Martin stated it won't be perfectly level, but it won't have the moguls like it is now. Maurina asked if it would look like West Bloomfield's. Martin relayed his conversation with Grasser. He will take out some of high spots and fill in the low, bring in 65 tons of stone to help fill that in and then make the drainage work. Maurina asked Martin to get some kind of guarantee from Grasser. Martin didn't feel that would be a problem.

Moved by Maurina, seconded Shepp, to approve the quote from Clouds Hill Hydroseeding, Inc. To make improvements to the Clinton River Trail at a cost not to exceed \$4,500.

Yes: All
No: None

MOTION CARRIED

M-003-07

h. Approval of Date for Annual Fireworks - Oakland County Boat Club

Moved by Shepp, seconded Maurina, to approve the date of July 3rd and a rain date of July 7th for the annual fireworks display hosted by the Oakland County Boat Club with the same conditions as previous years.

Yes: All

No: None

MOTION CARRIED

NON-ACTION ITEMS

- a. Right-of-Way Policy
- c. Amendment to the Zoning Ordinance Defining Maximum Lot Coverage of Structures
- d. Amendment to the Zoning Ordinance Defining Total Lot Coverage
- e. Amendment to the Zoning Ordinance Defining Residential Parking
- f. Amendment to the Zoning Ordinance defining attached garage location and dimensions
- g. Security for Ferndale Park, Restroom and Boat Launch
- h. Street and Drainage Project
- I. City Entrance/Identification Signs

There was nothing new to report on these agenda items.

b. Boat Docks and Marina License

BD-00707

Martin received a letter today from the Department of Environmental Quality, stating that our application has been put into the system and they are requesting additional information, survey work, layouts, docks, drawing of the docks and such. There will be surveyors out in the city looking at all the parks.

NEWSLETTER AND CABLE INPUT

Donations for the fireworks, Mental Health Month, No Haz collection. Maurina suggested having a sign at City Hall announcing the No Haz collection. Martin doesn't want the residents to think it is at City Hall. Also she asked if the newsletter could go out early to get this information to the residents. Maurina asked about the ads for the electronic newsletter and what is happening with it. Martin recalled it was a legality issue. What the money would be used for, if the City raised funds by selling ads are we jeopardizing our tax exempt status, so it

was left alone. Hungerman remembered a requested for exclusive rights to ads and that was going to cause problems also. Maurina asked if money is raised from ads and the money is used for the newsletter, is that an issue. Martin stated it probably wouldn't be. Hungerman suggested discussing this again at the next study session.

ADJOURNMENT

Moved by Shepp, seconded Maurina, to adjourn the regular City Council Meeting.

Yes: All
No: None

MOTION CARRIED

The meeting was adjourned at 8:35 p.m.

Dennise Clippert, City Clerk