

A Regular Meeting of the Sylvan Lake City Council was held on Wednesday, April 15, 2009; opening at 7:33 p.m. Mayor Lorenz presided over the Pledge of Allegiance.

Present: Wiegand, Zubrzycki, Lorenz, Maurina,
Absent: Shepp (excused)
Also Present: City Manager Martin, Clerk Clippert and City Attorney Bibeau

APPROVAL OF AGENDA

Moved by Wiegand, seconded Zubrzycki, to approve the City Council Agenda for April 15, 2009, as presented.

Yes: All
No: None

MOTION CARRIED

APPROVAL OF MINUTES

Moved by Maurina, seconded Zubrzycki, to approve the following minutes as presented:

March 11, 2009, Regular Meeting
February 26, 2009, Study Session

Yes: All
No: None

MOTION CARRIED

APPROVAL OF DISBURSEMENTS

Moved by Zubrzycki, seconded Wiegand, to approve the voucher report for April totaling \$176,982.34.

Mar Payroll \$ 49,134.95 Check #'s 10829-EFT216
Accts Pay-Feb-Mar \$127,847.39 Check #'s E00000051-43838

Totaling \$176,982.34

Yes: All
No: None

MOTION CARRIED

ACCEPTANCE OF REPORTS

Wiegand asked if the number of tickets issued for code enforcement could be shown on this report each month. Lorenz questioned if there were two fatal accidents last month. Martin will look into this. Wiegand questioned the Rehme case. Bibeau provided an update.

Mayor Lorenz received the DPW's and City Attorney's Report for the month of March 2009, and the Police Department report for February 2009, and asked that they be placed on file.

COMMITTEE REPORTS

Brad Conkey reported the Boat Dock Committee will hold it first meeting next week. They will review what happened last year and discuss changes for this year.

Eric Wiegand reported for the Home and Garden Tour. More docents are needed this year with bigger homes on the tour. He also asked residents to support Sylvan Lake restaurants and stores. They are always donating toward these fundraisers and it would be nice if the residents gave back to them.

Ann Nichols conveyed the Sylvan Lake Garden Club invites everyone to help out May 21st for the Memorial Park cleanup, from 10:00 am to noon. June 6th is the Plant Exchange at Memorial Park from 10:00 am-noon.

There were no other reports.

BRIEF PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Julie Bednark is concerned with blight and her neighbor's property. She has tried to speak with him. There have been numerous cars and trash in the past. It was cleaned up some, but now items are showing up again over the winter. Stray cats living on this property are also a problem and also a dead tree is on the property line. Mayor Lorenz asked her to report this to the Ordinance Officer. Martin reported this property has been dealt with in the past numerous times and taken to court. He will follow up on this.

Richard Probst shared he bid on the lawn maintenance contract for the city. He stated he has the best intentions for the city and hopes the council will consider a resident for the work.

Brad Conkey commented on the purchasing of a police car. He stated most department keep their cars to 100,000 miles. He added it is cheaper to spend \$1800 for repairs than \$3,000-\$5,000 to equip a new car. Conkey quoted an article from the internet that stated a "hemi" is costly including gas and oil changes.

Conkey asked that a reminder be put in the newsletter regarding dogs on leashes and dogs allowed at front of Community Center property. Also residents are golfing at Ferndale Park and not replacing divots.

Conkey commented on having the park ranger full time. He feels having a patrol car parked down at the park helps and the police should walk the park every hour. It is a waste of money to have a park ranger full time. He also feels having the police on the bike is a waste of money. Conkey stated every time he see the police they have their cell phone up to their ear. He questioned if 5 full-time and 4 part-time is correct. Martin replied, 5 full-time includes the Chief and the part-time only work when a full-time officer is off.

Conkey feels blight needs to be enforced. He feels enough tickets are not written for this.

Lorenz informed Conkey that the purchase of a new patrol vehicle has been put on hold for 6-9 months; the park ranger will work 7 days a week, but there will not be the bike patrol. Lorenz agreed the talking on the cell phone is an issue that needs to be addressed. The blight problem is with the code enforcement officer and that is part-time position, but he stated the police can look at this also.

MaryAnn Smith feels having the park ranger is a good thing. They clean up the beach each morning. She is not sure they are needed full time. Smith inquired if the cell phone which the police are talking on are personal or city issued. Martin stated they are personal cell phones.

Smith is concerned with the city's pension and feels it needs to be watched. She questioned whether anyone knew the interest rate of return. Lorenz referenced the Rowan's actuarial report for post employment health benefits. The interest rate they used with this report was 7%. Smith doesn't feel this is reasonable. She feels a committee should be started to look at this and stay on top of it. Martin clarified these are two different things. One is medical benefit funding and Smith is talking about retirement plan. Martin asked Smith to call him to setup a time to discuss this.

There were no other comments.

Mayor Lorenz closed this portion opened to the public.

CITY MANAGER COMMENTS

Tim Horton's

A site plan was submitted this week. They are hoping to open in the fall.

Road Commission

Martin had a bi-annual meeting with the road commission. They showed areas that are going to be worked on in the County. There is very little because of lack of funding. Michigan is at the bottom in how much the State receives in gas tax. Compared to other States Michigan is number 47 out of 50 states. Michigan has the second highest amount of roads of any State. Little Stimulus money was awarded to Michigan, \$16M; what is needed is around \$300M.. They showed documents they had prepared to show ways they have saved money. They are very under funded. They had to deal with strict income and expenses just like we have had to for many years.

Newsletter

Martin stated he has been really pushing everyone to sign-up for the electronic newsletter. It is quicker and you get reminders more often. He requested to do the paper newsletter no more than quarterly.

Legal Notices

The Observer & Eccentric Newspaper is going out of business. The city is working on finding another paper to publish legal ads.

Household Hazardous Waste

West Bloomfield Twp. is having their waste collection May 2nd. Residents can take their hazardous waste to their Civic Center. The process is the same as in the past.

Community Center Alarm

The alarm system was installed last week. It is not operating yet. Martin is getting employee's codes assigned and it will be activated soon. He would like to look at getting cameras next. If the restrooms are going to be open all summer then cameras may be needed.

Bridge

Martin got a quote for \$14,500. This has been budgeted in the Street/Drainage Project Fund. His goal is to have it completed before the Home & Garden Tour.

DEQ

The city's dock application has been granted for exactly what we have, 167 spaces with up to two boats allowed at each space.

CITY COUNCIL COMMENTS

Wiegand is happy to hear the bridge will be repaired before the tour. He would like to see no smoking on city property and get rid of the ugly urns. Martin stated currently no smoking is allowed in the building, but allowed outside. Martin asked Bibeau if they could enforce no smoking on city property. Bibeau will have to research it.

Wiegand agrees the police talk on their cell phones all the time. He disagrees with not needing a full time park ranger. He doesn't feel the police should be spending their time in the park.

Wiegand would like to see a brochure created to promote the Community Center, especially if they are considering opening it to the public.

Zubrzycki expressed the park ranger has been a debated topic. He doesn't want it going away. He heard some residents may hold a fundraiser to subsidize it. Zubrzycki would support no smoking on city property.

Maurina discussed the city annual cleanup day. Council agreed to June 6th and it will be put in the newsletter. Maurina also supports non-use of cell phones for personal calls while on duty.

Maurina asked where we are at with the liability when the city goes onto foreclosed property.

Martin reviewed the grass height was lowered, but they still have an amount of time the city has to wait before going onto property to mow.

Maurina questioned the road damage where Edison had worked. Martin stated Edison and Consumers both need to finish some repairs to the road. Consumers has been more responsive. Maurina asked that they be followed up with.

Lorenz shared in the newspaper today it addressed housing values in Michigan. It stated that Sylvan Lake decreased 11%. This is a real challenge for the city because it causes a decrease in revenues. The State is looking at taxable values not going up if assessed value goes down. If this passes the city will be in trouble because we will only get less money.

Lorenz expressed his appreciation to Smith for her comments. Volunteers are still needed for the fireworks events.

ACTION ITEMS

a. Presentation of Appreciation by Clinton River Watershed Council

Susan Gills from the Watershed Council read their certificate of appreciation for Sylvan Lake's participation and support with Storm Water education. She presented the certificate to Martin. Gills' announced May 14th the City of Keego Harbor is holding a presentation on Managing Water Front Properties, at their City Hall.

Lorenz asked Gills' what kind of powers the Watershed Council has. Gills stated they work with communities and organizations for education. Lorenz asked if they do anything they could contribute with impervious surfaces and how much a lot should be covered. Gills will share what they have.

b. Recycling Program Presentation - Richfield Management

Dan Garman announced they are starting Rewards for Recycling program. This will work in trying to improve rate of recycling. Last year Sylvan Lake had under 27% recycling. The national rate is 34%. Implementing this program will increase participation by 50%. He explained an ID chip is embedded onto each container. Containers range from the regular recycling bins that residents currently have to 65 gallon containers. Their trucks have a scanner on them and it reads chip which accumulates points for rewards. He explained there are three different tiers of rewards. Each resident can save \$250 a year on the average. To participate in the program it is \$1/cart and \$1 month per household. If the city were to purchase the 65 gallon bins they would be \$50 each. The website for this program is RewardsforRecycling.com.

Zubrzycki asked if the current bins could be used with this program. Garman stated they would just attach the ID chip to it. It is still \$1/month per household to participate. ID'ing the bins will stop bins from getting stolen because it will show which household it belongs to. Zubrzycki asked if the large bins could be used in the parks. Garman stated he would do that for the city.

Council was very please with this program and thanked Garman for his presentation.

c. Trash Collection Contract Extension with Richfield Management

Martin thanked Richfield for the job they are doing; it is the best hauler the city has ever had. They have saved the city in money for waste hauling and leaf collection. Because of this there is a savings in the fundbalance. Martin strongly recommended extending the contract with Richfield to 2014. He would love to do the recycling program too.

Garman stated he will put in writing "no leaf disposal charge," a savings of \$5800 if the city extends the contract. He will also provide recycling bins for the parks. He noted it is the lowest price for the area. Garman offered to lock 2015 and 2016 in at \$14.45 per stop.

Zubrzycki asked if there was a saving for bagging leafs verses vacuuming them. Garman stated it is about \$.45, but he doesn't feel the residents would want this and the cost of the bags would be more. Zubrzycki noted there was an assessment for gas when the price of gas was up. Garman stated a credit will show next month.

Moved by Wiegand, seconded Zubrzycki, to approve the contract extension with Richfield Equities to 2016 and give the City Manager and City Clerk authority to sign the agreement.

Yes: Zubrzycki, Lorenz, Maurina, Wiegand

No: None

MOTION CARRIED

d. Approval of Lawn Maintenance Contract

Martin explained four bids were received. One did not supply the required information and is not considered for this contract. Of the three other bids Kennedy Lawn & Snow was the lowest and provided all the required documentation. Probst Landscape Services supplied an old copy of Workers Compensation. He currently does not have it, but will get it if awarded the contract.

Lorenz feels having a resident doing the work is good for the city and the resident. He would recommend Probst.

Wiegand asked Probst what other municipalities or large companies, with this much property, he has serviced. Probst said, no municipalities and none this large. He plans to cut it over a course of two days. Martin declared that is not an option; it has to be cut Thursday, with a raindate of

Friday. Probst stated he could do that. Wiegand questioned why Probst hasn't had insurance in the past. Probst explained as a small company he didn't need it. He would get it if needed.

Zubrzycki would like to support a resident, but also wants to abide by the bid process. He would like to see a bid process adopted in the future. He thanked Probst for attending the meeting and answering their questions. Probst offered to match Kennedy's bid. Lorenz stated he can't do that at this point; they need to follow the bids as presented. Lorenz reaffirmed his support for Probst.

Moved by Zubrzycki, seconded Wiegand, to award the lawn maintenance contract to Probst Landscaping Services, understanding that the mowing frequency will be determined by the City Manager to reduce cost when possible and Probst is to provide proper insurance coverage.

Yes: All
No: None

MOTION CARRIED

e. Approval of Resolution Supporting the Annual Memorial Day Parade

Martin reviewed this is done annually to show our support of the Memorial Day Parade. It is submitted with the permit to the Road Commission.

Jim Bull, Sylvan Lake's representative for the parade, conveyed everything is going well. They are a little short on money, but hoping to get more donations.

Moved by Maurina, seconded Wiegand, to approve the resolution supporting the Annual Memorial Day Parade.

Yes: All
No: None

RESOLUTION ADOPTED

f. Approval of TCO for 2009 Fireworks Parking

Martin stated this is the same as the previous year's. It does not allow any parking on any street or ROW during the fireworks with the exception of approved gravel or paved parking areas.

Lorenz asked if volunteers will be needed to install and take down signs. Martin agreed they are needed. Zubrzycki suggested putting it in the newsletter.

Moved by Wiegand, seconded Maurina, to approve the Traffic Control Order that prohibits parking on any street or road right-of-way as outlined, for the annual fireworks on July 5, 2009 with a rain date of July 10, 2009.

Yes: All
No: None

MOTION CARRIED

g. Community Center Policy - Fees for Use Types

Lorenz stated Dan Navarre from West Bloomfield Parks & Recreation provided their information for fees and use types. The Community Center Rental Committee has also provided their notes of discussion on the matter. Martin recapped they need to review the information supplied by the rental committee and to decide what groups are free or at a reduced rate and what is a city group. Lorenz would also like to discuss opening to the public.

Nicole Menuck encouraged council to take action on this soon. She also would like to see a brochure done. She has someone who will do a virtual tour and put it online.

Lorenz suggested making the study session a special meeting to make decisions on these rules. Zubrzycki suggested sending out an e-news byte regarding the special meeting.

h. Review City Fees

Lorenz suggested discussing these fees at the study session. He noted the discussion of boat dock and RVA fees would be left for a regular meeting.

i. Approval of Internal Control Policy for Home and Garden Tour Account

Martin stated that the Home and Garden Tour Group needs to create their own entity, get a tax ID number and bank account and keep their books separate from the city. That way they will have total control to do as they see fit. It is too late in the year to do this now so the city has set up a separate bank account through the city for the Home and Garden Tour. They are bound by the City's rules and regulations and scrutiny. The account will be audited and the city is responsible.

Moved by Wiegand, seconded Maurina, to approve the bank account and budget for the Home and Garden Tour, allowing two representatives from the group and the City Manager and Clerk/Treasurer from the City to transact business, only one signature is required from the Home and Garden Tour group and one signature from the City; and approve the procedures and internal controls as presented.

Yes: All
No: None

MOTION CARRIED

j. Approval of Resolution for Post Employment Benefit Funding

Martin explained the Governmental Accounting Standards Board (GASB) now requires government entities to record the liability for post employment health benefits. The city had an actuarial done by Rowan Consulting. Adopting this resolution states the city agrees to budget each year for this liability. It goes into a separate account and is held.

Zubrzycki questioned as funds build, is there a point where it stops. Martin stated an actuarial is required every five years. The city's actuarial will change because cuts have been made in benefits over the last year with benefits and the union contract now states that no health benefits will be provided at retirement for new hires. \$25,000 has been budgeted for this fiscal year. Money will need to be budgeted until there it reaches that point which it is fully funded.

MaryAnn Smith feels the forecast is flawed. Interest rates are not running at 7% and it is wrong to approve unless they approve it for one year only. She feels a second actuarial should be done. Lorenz explained this resolution only adopts a funding plan. It doesn't state what the funding amount will be. Smith feels the city may not be funding enough.

Moved by Maurina, seconded Zubrzycki, to adopt this funding plan for the unfunded actuarial accrued liability post employment health benefits for the employees of the City of Sylvan Lake.

Yes: All
No: None

RESOLUTION ADOPTED

k. Approval of "Red Flag" Identity Theft Prevention Policy

Martin explained because the city does utility billing, we are required to put together a policy for identity theft prevention. This protects anyone from getting a residents information such as social security number, date of birth, electronic information, etc. A procedures policy has also been written for the employees to follow.

Moved by Zubrzycki, seconded Maurina, to approve the Identity Theft Prevention Policy as presented.

Yes: All
No: None

MOTION CARRIED

1. Approval of Budget Amendments for Fiscal Year 2008/2009

Moved by Maurina, seconded Wiegand, to approve the budget amendments for Fiscal Year 2008-09 as presented.

Yes: All
No: None

MOTION CARRIED

m. Review Meeting with Keego Harbor - Mayor Lorenz

Lorenz shared he and Martin met with Keego Harbor's City Manager, Mayor and Mayor Pro Tem. They discussed the pro and cons and individual police departments, combining police departments into one department, Sylvan Lake providing police services to Keego Harbor and vice-versa, dissolving both departments and starting a new/separate police department. They also discussed outsourcing to Sheriff's department, West Bloomfield, Waterford or Bloomfield Twp. They would go together for this proposal instead of separately. It could save more money this way. Lorenz shared that Sylvan Lake's cost per square mile for police is \$1,168,000; Keego Harbor's is \$1,460,000. The average larger city, such as Rochester is \$703,000. This is because the infrastructure is the same. It costs smaller communities more. The cost per capita is \$292.

Martin added the only real way they can save money is to reduce coverage which we don't want. He reported Keego Harbor's Manager has contacted other departments regarding outsourcing. They are now calling Martin to discuss their service. West Bloomfield is not interested in taking over the service for the cities.

Lorenz continued, the DPW was discussed. The departments have very different duties. Currently they are sharing equipment/tools. They discussed maybe saving money on sharing snow plowing; having one city do it. It would be hard to work out. Keego Harbor did cut back this past year. They only plowed when there was 2" or more of snow and only plowed after the snow was complete. They saved a lot of money on salt this past year.

They also discussed doing purchases together. Election training and notices are already being done together.

n. Continued Discussion of Budget and Millage Plan

Lorenz stated this will be discussed at the study session. Martin stated they need to decide what they what to do and ballot language will need to be decided soon.

NON-ACTION ITEMS

a. Boat Docks and Marina License

Moved by Zubrzycki, seconded Wiegand, to remove this item from the agenda.

Yes: All

No: None

MOTION CARRIED

b. Internet or Community Center

c. Sylvan Otter Lake Association Request for increased fee

d. Security for Ferndale Park, Restroom and Boat Launch

e. Street and Drainage Project

f. Community Center Parking Lighting

g. City Entrance/Identification Signs

i. Noise Ordinance

There was nothing new to report on these agenda items.

h. Wireless Communications Tower Ordinance

Martin updated he and Bibeau made the requested changes, but they need to work on some additional wording still.

NEWSLETTER AND CABLE INPUT

Docents are needed for the Home & Garden Tour. May 21st clean up Memorial Park and June 6th citywide cleanup day.

ADJOURNMENT

Moved by Zubrzycki, seconded Wiegand, to adjourn the regular City Council Meeting.

Yes: All

No: None

MOTION CARRIED

The meeting was adjourned at 10:35 p.m.

Dennise Clippert, City Clerk