

CITY OF SYLVAN LAKE
REGULAR MEETING
DECEMBER 13, 2006

A Regular Meeting of the Sylvan Lake City Council was held on Wednesday, December 13, 2006; opening at 7:43 p.m. Mayor Lorenz presided over the Pledge of Allegiance.

Present: Hungerman, Lorenz, Maurina, Shepp, Conkey

Absent: None

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

APPROVAL OF AGENDA

Mayor Lorenz requested item 11G, Appointment to Planning Commission, be added.

Moved by Maurina, seconded Hungerman, to approve the City Council Agenda for December 13, 2006, as amended.

Yes: All

No: None

MOTION CARRIED

APPROVAL OF MINUTES

Moved by Hungerman, seconded Shepp, to approve the minutes for November 13, 2006, Regular Meeting as submitted.

Yes: All

No: None

MOTION CARRIED

APPROVAL OF DISBURSEMENTS

Moved by Conkey seconded Shepp, to approve the voucher report for December totaling \$192,672.37.

Nov Payroll	\$ 76,550.50	Check #'s 10191-10243
Accts Pay-Nov-Dec	\$113,732.56	Check # s 41573-41631
Auto Debits	<u>2,389.31</u>	
	\$ 192,672.37	

Yes: All

No: None

MOTION CARRIED

ACCEPTANCE OF REPORTS

Mayor Lorenz received the City Attorney's and DPW s reports for the month of November 2006 and the Police Department report for October 2006 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 Lorenz opened the meeting to the public.

CC-015-06

Ron Goldman, 2465 Pontiac Drive, is concerned with the residents on the point not having a voice on the Community Center Committee. They were told they were passed over because it was full. He feels they are mostly affected by this project and should have someone on the committee. He questioned how they are going to trust council to not have this Community Center fail like the other one did. Martin replied, there is some money in the budget under Community Center for maintenance. It won t be enough, but there is some there. Martin doesn t believe City Council will let a new building fall apart. Lorenz explained when they are looking at appointing residents to a committee they ask who might be the most valuable. He thanked Goldman for his comments and informed them they will take them into consideration.

Nicole Menuck, 2475 Pontiac Drive, feels they should be cautious building a center with not enough money for maintenance. She feels it is ok to plan it, but not build it at this time. She appreciated the call she received regarding the committee, but she would like to see a special meeting held so those closest to the building can have some input as to what they are concerned about.

Ron Ogusky, 2459 Pontiac Drive, suggested the parking and access to the Community Center be built to the south, further from the homes.

Pete Peters, 2234 Garland, questioned how the number of tickets issued this year compares to last year. Martin estimates it is 5-6 times more. Peters asked why this is. Martin stated because they are enforcing the law more.

Marlene Toby, 2412 Renfrew, asked for support to hold a farewell/ground breaking party for the Community Center. This could go along with City s 60th Anniversary.

WA-013-06

Toby also questioned the water rate increase that was in the newspaper and why Keego Harbor is paying so much less. Martin explained there is a formula that is used to calculate water rate. It is court driven, which includes peaks hours and days, averages, maximums and distance from Detroit. Keego Harbor doesn t purchase their water from Detroit. They purchase it from Oakland County Drain Commission. Communities are no longer allowed to subcontract to get

Detroit water. They have to purchase from the City of Detroit directly. Martin explained he had the Engineers look into using the water tower to help regulate high and low flows. He stated the water tower is too small and water would only last a half day. Filling the tower when the usage is low may backfire because if something tells it to fill and there is water main break or a fire then there would be a large draw on the system. It would make the peak hours and days higher. After evaluating it, the Engineers didn't feel it would save the City enough money to make it worth it.

CC-016-06

Lorenz stated he didn't have a problem with the farewell/groundbreaking party.

Moved by Hungerman, seconded Maurina, to support the residents to hold a farewell/groundbreaking party for the Community Center.

Yes: All
No: None

MOTION CARRIED

C4-001-06

Hazel Holly, 1483 Rosedale, is concerned with an odor and emissions from Stone Soap Company. She stated it is a strong chemical smell. Martin stated he will contact them. Pete Peters agrees with Holly and stated they should provide what they are admitting into the air.

Bob Duschinske, 1756 Stratford, questioned when the residents are going to see the reduction of sewer rates. Martin acknowledged residents have received two decreases within the last two years. Duschinske commented on the article in the West Bloomfield Beacon with Eriksen's and Hunger's comments on the election. He feels they were very unprofessional.

Nichol Menuck asked if there has been any discussion with the Fire Department for using the Community Center as training during the demolition. Lorenz stated it has been discussed. Martin will speak with them.

There were no other comments

Mayor Lorenz closed this portion opened to the public.

CITY MANAGER COMMENTS

Martin welcomed Maurina and Shepp and congratulated Mayor and Mayor Pro Tem on their appointments. He thanked Conkey for his work as Mayor and Mayor Pro-Tem.

Study Sessions

Martin asked City Council if they still wanted to continue holding study session regularly each month or only having them on an as needed basis. Lorenz feels they have been useful at certain

times. He feels if there is a specific item they need to discuss, then they are productive to have. Conkey agreed they need to pick one item and accomplish something with it and not have twenty items on the agenda. Martin stated he has it setup to have Orchard, Hiltz come to the January Study Session to discuss the Street/Drainage Project.

Planning Commission

Martin announced the Planning Commission meeting has been moved back a week to January 9th, due to the holiday.

Calls at City Hall

A-004-006

Martin shared a new process he is implementing. When someone calls in, the employee answering the phone will take their name, phone number and the issue they want to discuss. Hopefully they can help them or get back to them. A message can still be left in Martin's voicemail. Lorenz added there is a log book at City Hall and this will document the issues and a written response will be given to the residents, if necessary, so they know that their situation has been looked at and either the City agrees with it or doesn't.

CITY COUNCIL COMMENTS

Hungerman welcomed Maurina and Shepp and stated he looks forward to working with them. He thanked Lorenz for his time he has put in over the last year. He believes it is a good continuity that Lorenz is still on as Mayor for the next year. He assured the residents the new Community Center will be built within the budget they have set. They are discussing with the Architects the maintenance of the building and building it so that the maintenance is the lowest possible. He summed up, it is nice to see a big crowd here.

Conkey also welcomed Shepp and Maurina and he is sure they will do a good job. On the phone log book, he requested a list of big issues of the phone log so they know what the discussions are and the responses. Conkey thanked the residents for coming out and expressing their concerns and comments.

Shepp thanked everyone for welcoming him. He thanked the residents who supported him and stated he will do his best to learn as quickly as possible. He informed residents to feel free to call him; he is willing to listen. Shepp is excited about the Community Center project. He agrees they need to address the maintenance funding issue. He would like to see the city work together as one again.

Maurina thanked the residents. She is glad to be here. She knows she has a lot to learn. She is aware of the impact the Community Center project has on the surrounding residents, though she explained not everyone is going to be happy, but asked them to feed their thoughts to council. She invited everyone to call or stop by and asked that they keep talking.

Lorenz congratulated Maurina and Shepp and thanked council for their willingness to have him as Mayor. His goal is to work through the issues and keep everyone as friends. Lorenz thanked

Conkey for his time as Mayor Pro-Tem.

Lorenz reminded everyone about the A Capella Choir caroling at Memorial Park on December 23rd from 1:00-2:30 p.m. This is a fund raiser so they may perform at Carnegie Hall. Food and drinks will be provided. There is no charge. They are asking for donations.

Lorenz addressed an issue he would like to discuss over the next year. He would like to see an area where dogs can walk in the park and swim.

He shared Detroit Edison plans to expand their service center. He stated this will add intensity to the site. Most of their property is in Bloomfield Township. Bloomfield Township had a meeting regarding this and Maurina and Shepp attended this meeting. They have met with Bloomfield Township Planners and expressed their concerns. He asked if anyone know any of the Pontiac School Officials. He stated they have seven or eight vacant properties and he would like to see them get together with Edison and entice them with tax breaks to come into Pontiac. Then the city would have 20 acres that could be developed into something nice.

ACTION ITEMS

A2-009-06

- a. Appointment of five-member Community Center Committee

The Mayor explained this committee will meet with the architect and project manager to define the actual layout of the Community Center, materials, parking, etc. The plan will then be presented to the Planning Commission for their input and review. Final approval will be made by City Council.

Moved by Conkey, seconded Shepp, to approve the five-member Community Center Committee consisting of City Council representatives Sharon Maurina and Aron Lorenz, City Manager John Martin and residents Brian Schulz and Jack Hunger.

Yes: All

No: None

MOTION CARRIED

ZP-013-06

- b. Approval to Distribute the Draft Master Plan

Martin stated this step provides input from the other surrounding communities and Oakland County. Planning Commission will review their input and incorporate whatever changes they deem fitting. The document will then come to City Council for final approval.

Moved by Maurina, seconded Hungerman, to approve the distribution of the master plan to adjacent communities and Oakland County pursuant to the requirements of Public Act 285 of 1931 as amended.

Yes: All
No: None

MOTION CARRIED

C4-002-06

c. Local Approval Request from the MLCC (Liquor Control) for the Transfer of Ownership of a 2006 12-Month Resort Class C License with Dance/Entertainment Permit for 2440 Orchard Lake Road (Cactus Willies).

Martin explained the owner of the Loading Dock is planning on opening a new family restaurant and is requesting approval for a Class C license, including Dance/Entertainment. The restaurant will not be as big as The Lodge. Martin shared, The Lodge applied for a dance permit in 1993 and again in 1998 and was denied both times. Parking requirements have been looked at and will be reviewed again. Martin and Chief Silver are recommending to not approve the dancing/entertainment.

Conkey asked what type of permit they would need to have a guitar player, playing in the corner. Martin stated there are two different types of permits a dance permit and dance/entertainment permit.

Shepp inquired if there is anyway to control the type of entertainment they allow. He asked if there is an ordinance that would help with this. He understands the ordinance for No liquor by the glass. Martin will find out what kind of permit can be approved that would allow small entertainment.

Lorenz asked what kind of background check is done on them. Martin replied, a complete background investigation has already been completed through the police department.

Moved by Hungerman, seconded Maurina, to table the request to transfer ownership of a 2006 12-month resort Class C licensed business with Dance-Entertainment Permit.

Yes: All
No: None

MOTION CARRIED

A2-010-06

d. Approval of Appointment of City Council Representative to Planning Commission

Mayor Lorenz recommended Paul Hungerman to be reappointed.

Moved by Shepp, seconded Conkey, to approve the appointment of Paul Hungerman to the Planning Commission for 2007.

Yes: All
No: None

MOTION CARRIED

R2-012-06

e. Approval of Performance Resolution to MDOT for Work on State Highways

Moved by Conkey, seconded Shepp, to approve the Performance and Indemnification Resolution as required by the State of Michigan Department of Transportation authorizing the City Manager to apply for a State Highway permit if necessary.

Yes: All
No: None

MOTION CARRIED

F-008-06

f. Approval of Financial Institutions for 2007

Clerk Clippert stated she would like to add Merrill Lynch to the list. She is looking at investing in commercial paper with them. Lorenz questioned why the need for so many institutions. Clippert stated this keep the City's money diversified. Each institution only insures up to \$100,000.

Moved by Hungerman, seconded Maurina, to approve the City's use of banking establishments as amended.

Yes: All
No: None

MOTION CARRIED

A2-011-06

g. Appointment to Planning Commission

Mayor Lorenz stated a replacement is need to fill the term for Sharon Maurina since she has been elected to City Council. Her term goes to February 28, 2008. Mayor Lorenz stated there are three residents interested, JoAnn Eberhardt, Russ Meskin. James Cowper just expressed his interest on Friday. Mayor Lorenz recommended JoAnn Eberhardt. Lorenz stated Rick Vanker's term expires in February and this will create a three year opening.

Moved by Shepp, seconded Hungerman, to approve the appointment of JoAnn Eberhardt to fill the remaining term for Sharon Maurina, until February 28, 2008.

Yes: All
No: None

MOTION CARRIED

NON-ACTION ITEMS

a. Right-of-Way Policy

There was nothing new to report on this agenda item.

b. Boat Docks and Marina License **BD-014-06**

Martin is working with the DEQ and two attorneys who specialize in riparian litigation, with coming into compliance. He stated the DEQ did know for a number of years about the city owned dock spaces and they told the city they weren't going to do anything. Now with the number of things coming up, the city will have to come into compliance.

Maurina asked what the time frame would be. Martin stated, from application to acceptance, if everything goes smoothly, 30 days. If there are problems, they would request a public hearing be held and then the process would be 90-120 days. The city is getting on this right away. The attorneys feel we can work this out while starting the boating season.

Lorenz clarified no retainer has been paid to any attorney yet. He would like to give the City Manager authorization to deal with an attorney, surveyors and whoever else to complete this process.

Moved by Shepp, seconded Conkey, to authorize the City Manager to have the ability to use the necessary resources to hire an attorney and surveyors, in an amount not to exceed \$10,000.

Yes: All
No: None

MOTION CARRIED

- 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
- j. City Managers Review

There was nothing new to report on these agenda items.

NEWSLETTER AND CABLE INPUT

There was no input.

ADJOURNMENT

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

Yes: All
No: None

MOTION CARRIED

The meeting was adjourned at 8:58 p.m.

Dennise Clippert, City Clerk