

CITY OF SYLVAN LAKE
REGULAR MEETING
FEBRUARY 13, 2008

A Regular Meeting of the Sylvan Lake City Council was held on Wednesday, February 13, 2008; opening at 7:30 p.m. Mayor Hungerman presided over the Pledge of Allegiance.

Present: Maurina, Shepp, Hungerman

Absent-Excused: Wiegand, Lorenz

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

Moved by Maurina, seconded Shepp, to excuse Wiegand absence because of sickness and excuse Lorenz' absence because he is out of town.

Yes: All

No: None

MOTION CARRIED

APPROVAL OF AGENDA

Moved by Shepp, seconded Maurina, to approve the City Council Agenda for February 13, 2008, as presented.

Yes: All

No: None

MOTION CARRIED

APPROVAL OF MINUTES

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

January 16, 2008 Regular Meeting

January 22, 2008 Special Meeting

January 29, 2008 Special Meeting

Yes: All

No: None

MOTION CARRIED

APPROVAL OF DISBURSEMENTS

Moved by Shepp, seconded Maurina, to approve the voucher report for February totaling \$243,152.26.

Jan Payroll	\$ 52,218.77	Check #'s 10596-10515
Accts Pay-Jan-Feb	\$187,077.35	Check #'s 42585-42668
Auto Debits	<u>\$ 3,856.14</u>	
Totaling	\$243,152.26	

Yes: All
No: None

MOTION CARRIED

ACCEPTANCE OF REPORTS

Martin asked City Council to look at the audit report. He will sending them a letter of explanation on it and then they can discuss it at a study session.

Mayor Hungerman received the DPW's and City Attorney's report for the month of January 2008, the Police Department report for December 2007, and the Audit Report for fiscal year ending June 30, 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

Russ Meskin asked if the general public was able to see the reports that council just accepted. Martin stated they are available at City Hall.

CITY MANAGER COMMENTS

Trail Crossing

RT-001-08

Martin reviewed his prior meetings with the Road Commission to discuss ideas to get a safe crossing for the trail. Ideas discussed were a crossing west of the trail on Orchard Lake Road across from where the Lodge used to be and a safety island on Orchard Lake Road, which would require widening the road and would cost \$100,000. Martin met again, last week, with the Road Commission and discussed a pedestrian activated light. The cost would \$50,000. Tri-Party funds are available. The City would have to pay 1/3 of the cost and the County and Road Commission would pay 2/3 of the cost. There would be on-going maintenance cost at about \$1000 year. Currently the "smart" system is federally funded. If that was to stop it would add an additional \$1000 a year to the maintenance cost. Martin will get with the trail committee to let them know of this and suggest they raise funds for it.

Tax Bill-Penalty

T-001-08

Martin explained summer taxes were due September 14th. Taxes that are dropped off in the drop box are picked up by the Police at midnight and given to the Treasurer. Any taxes paid after midnight are left in the box until next business day. The Treasurer sends a letter to those who dropped them after midnight to inform them a penalty is due. A commercial business is claiming they dropped their taxes off before midnight and doesn't want to pay the penalty and asked the Treasurer to inform City Council of this.

County Annual Report

Martin announced copies of Oakland County Drain Commission's 2007 annual report are on the back table.

Actuarial Report

R1-002-08

Martin explained this report was done by Rodwan Consulting. This report is required because of new Government Standards Board (GASB) requirements. It shows post retirement health insurance and what it will cost and what the liability will be to the city. Currently the city funds retiree health care costs on a pay-as-you-go basis. Now GASB standards say we can no longer do that. Instead we must show what the liability is and how we are going fund that liability. Martin asked council to look at this report and it would be discussed at a study session.

CITY COUNCIL COMMENTS

Shepp thanked everyone for coming. He thanked the DPW for getting the roads cleared so quickly. He appreciates their hard work and being able to get out.

P1-007-08

Maurina commented on the police and attorney's reports and how many DUI's there are. She wondered if there is anyway to highly penalize drunk drivers. She suggested, once the Community Center is open holding a personal property and personal safety class on a Saturday. She noted as the economy gets worse, crime will increase.

Hungerman echoed Shepp's comment on thanking everyone for coming out.

ACTION ITEMS

a. Discussion of Park Policies

PR-002-08

Martin reported he met with Mitch Black and they discussed a few things they would like to try in the parks this year. A couple of things Black would like to change is the closing time for the restroom. Currently it closes at 11 p.m., Black would like 9 p.m. Maurina stated that is to early in the summer, 10 p.m. may possibly work. Gates were also discussed. Black would like set times set from noon-9 p.m. Council would like to continue with the policy as it is. Martin also discussed with Black scheduling for the Park Ranger and accountability. The park ranger will be reporting to the Chief during the week and the Chief and Martin will check on them regularly.

An officer will be in park during the weekends again this year. They will rove all the parks. This will allow the park ranger to stay at Ferndale where it is the busiest. A check list to clean the restroom will be provided this year. And lastly they discussed possibly allowing the park ranger to sell a “day pass” for the boat ramp. A policy would have to be written on how this would be handled.

R1-003-08

b. Approval of Resolution Defining Hours Per Month for MERS Benefits

Martin explained this resolution defines how many hours a month can be worked and still be considered part-time. Shepp asked if a full-time employees works less than the 160 hours if they would loose their retirement. Martin stated they are not penalized if they go below the 160 hours.

Moved by Maurina, seconded Shepp, to approve the MERS resolution defining hours of work per month for MERS retirement purposes.

Yes: Shepp, Hungerman, Maurina
No: None

RESOLUTION ADOPTED

R1-004-08

c. Approval of Resolution Excluding Temporary Employees from MERS Benefits

Martin explained this excludes temporary employees from receiving MERS benefits.

Moved by Shepp, seconded Maurina, to approve the resolution excluding temporary employees from MERS benefits.

Yes: Hungerman, Maurina, Shepp
No: None

RESOLUTION ADOPTED

F-002-08

d. . Approval of Budget Amendments for Fiscal Year 2007/2008

Moved by Shepp, seconded Maurina, to approve the budget amendments for fiscal year 2007/2008 as presented.

Yes: All
No: None

MOTION CARRIED

e. Consideration to Adjourn to Executive Session to Discuss Pending Litigation

Moved by Shepp, seconded Maurina, to adjourn to executive session to discuss the pending litigation after item 13.

Yes: All
No: None

MOTION CARRIED

NON-ACTION ITEMS

a. Boat Docks and Marina License

Martin reported information was turned over to the DEQ and is being reviewed. He should hear something soon.

- b. Amendment to the Zoning Ordinance Defining Maximum Lot Coverage of Structures
- c. Amendment to the Zoning Ordinance Defining Total Lot Coverage
- d. Amendment to the Zoning Ordinance Defining Residential Parking
- e. Amendment to the Zoning Ordinance defining attached garage location and dimensions

There is nothing new to report on these agenda items.

f. Security for Ferndale Park, Restroom and Boat Launch

Martin stated security for the Community Center is being looked at, cameras, key cards and different options. They are hoping to include this cost with the construction of the Community Center. Then later the beach tags and Ferndale restroom can be added to it.

- g. Street and Drainage Project
- h. City Entrance/Identification Signs

There was nothing new to report on these agenda items.

NEWSLETTER AND CABLE INPUT

Martin let everyone know the website has been down all week. The host has been changing servers and has problems with it. Hopefully it will be fixed soon.

At 8:10 City Council adjourned into Executive Session.

At 9:15 City Council reconvened the regular City Council meeting.

Moved by Shepp, seconded Maurina, to accept the Attorney of Record's recommendation in the Sherrod vs. the City of Sylvan Lake case.

Yes: Maurina, Shepp, Hungerman
No: None

MOTION CARRIED

Moved by Shepp, seconded Maurina, to adjourn to executive session to discuss additional pending litigation.

Yes: All
No: None

MOTION CARRIED

At 9:20 City Council adjourned into Executive Session.

At 9:41 City Council reconvened the regular City Council meeting.

ADJOURNMENT

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

Yes: All
No: None

MOTION CARRIED

The meeting was adjourned at 9:41 p.m.

Dennise Clippert, City Clerk