

CITY OF SYLVAN LAKE
REGULAR MEETING
FEBRUARY 11, 2009

A Regular Meeting of the Sylvan Lake City Council was held on Wednesday, February 11, 2009; opening at 7:32 p.m. Mayor Lorenz presided over the Pledge of Allegiance.

Present: Zubrzycki, Lorenz, Maurina, Shepp, Wiegand

Absent: None

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

APPROVAL OF AGENDA

Martin requested item 11F, Approval to Waive Small Tax Bill Balances, be added to the agenda.

Moved by Wiegand, seconded Maurina, to approve the City Council Agenda for February 11, 2009, as amended.

Yes: All

No: None

MOTION CARRIED

APPROVAL OF MINUTES

Moved by Shepp, seconded Wiegand, to approve the minutes of the January 14, 2009, regular meeting as presented:

Yes: All

No: None

MOTION CARRIED

APPROVAL OF DISBURSEMENTS

Moved by Maurina, seconded Zubrzycki, to approve the voucher report for February totaling \$199,867.09.

Jan Payroll \$ 53,978.45 Check #'s 10808-EFT196

Accts Pay-Jan-Feb \$145,888.64 Check #'s 43626-43697

Totaling \$199,867.09

Yes: All

No: None

MOTION CARRIED

ACCEPTANCE OF REPORTS

Mayor Lorenz confirmed the audit report would be discussed at the study session. Martin agreed it would, but probably not the February one. He still has to prepare his explanation letter and spreadsheet.

Mayor Lorenz received the DPW's and City Attorney's Report for the month of January 2009, the Police Department report for December 2008, and the Audit Report for Fiscal Year ending June 30, 2008, and asked that they be placed on file.

COMMITTEE REPORTS

There were no reports.

BRIEF PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Helen McAllister stated the Garden Club is hosting a speaker, March 19th, 7 p.m. at the Community Center, from the Oakland Woodland Gardens, regarding wild plants and native flowers. On Saturday, March 28th Oakland County is holding a session on composting. The cost is \$20. Contact Helen McAllister for further information.

Fran Hines suggested a cost savings for collecting trash every other week. Mayor Lorenz surveyed the audience. Of the 20 residents, four were in favor of this, 1 in favor if there was a large savings.

Russ Meskin suggested having recycling collected only every other week. He questioned what the revenue shortfall was for the fiscal year end compared to what was budgeted. Martin stated there was a significant difference, but he wasn't sure what it was and inform Meskin he could view a copy of the audit report at City Hall.

Mike Rammel hopes if a noise ordinance is adopted, it will be enforced. He feels the nuisance ordinance is not enforced. He requested open public comments be allowed through out the agenda, with restraints put on it. At the very least move public comment to after action items.

Joan Engle is in favor of recycling every other week. She questioned if the boat dock fee was going to increase again this year. She is not in favor of this since there was a big increase last year. Mayor Lorenz informed her it has been discussed, but no motion has been made.

L1-001-09

Phil Thomas, Sylvan-Otter Group, provided copies of their financial summary for 2003-2008. It broke down dues collection and expenses incurred. He asked City Council to raise the dues to boat dock holders by \$30. He noted there has been no increase for approximately 20 years. The cost of chemicals have increase every year.

Mike Rammel suggested changing the donation notice that goes out asking for a set minimum amount. Thomas stated he will try to clarify that better.

Lorenz inquired as to why the year end balance has increased over the last couple of years. Thomas replied, donations come in at different times. A lot make donations in October, November and December. There is no benefit to treating the lake then. They do more for the lake at different times and it depends when funds are available. Lorenz asked how many properties are on Sylvan Lake, touching the lake. Thomas estimated 1300. Thomas added the donation is tax deductible. They are a non-profit group.

Maurina observed she can tell when donations don't come in and less chemicals are put in the lake. She indicated he may want to add that to the letter.

Lorenz stated council will discuss this at a study session.

JoAnn Eberhardt asked the number of times they spray the lake. Thomas replied, there is not a set number. It depends on funds. He would like to spray the lake three times a year (May, June, July). Steve Miller stated he is not a fan of chemicals and asked if there is a way to extract the weeds. Thomas stated they can be "harvest." Weeds are pulled out six feet below the surface. This leaves a lot of weeds remaining and he is not a fan of this process.

Ted Popowitz referenced the newsletter and the city proposing to sell property. He asked what property. Mayor Lorenz stated the City has property at Memorial Park and the Community Center property, which would take 2/3 votes of the voters to approve the sale of City property. Popowitz inquired how big the police department is. Chief Silver stated there are five full time, four part-time and one ordinance officer.

There were no other comments.

Mayor Lorenz closed this portion opened to the public.

CITY MANAGER COMMENTS

Storm Water Management

WA-001-09

Martin announced and provided flyers for two presentations coming up. He explained part of what is required from the city is education. February 17th, from 7pm-8pm, a session will be held at the Community Center on the "Water Shed Story." On May 14th the City of Keego Harbor will host a presentation at their City Hall on "Lake Front Property for Water Quality." A news byte will go out to all electronic subscribers.

Community Center

Martin is still discussing with DTE lighting for the Community Center parking lot. They provided a proposal, but it was not what he wanted. Also being discussed later tonight will be alarm and internet service for the Community Center.

City Hall Closed Monday's

Martin stated in the paper newsletter this month it was stated that City Hall is closed, but full time staff is still working. He clarified front desk help is not working, which is saving the city from \$10-\$12K.

Stimulus Package

Martin is attending a session tomorrow on this topic; it cover how to apply and what things to apply for. Martin has a very long list of things to apply for. He asked council to contact him if they could think of anything.

Construction

B1-001-09

Construction is going to be starting with Peters and Arrowood's houses. Martin informed Council that he is working on a letter giving them permission to park in the boulevard. Parking will be allowed in 120 day increments. They are not to be obstructing traffic or causing drainage issues. Restoration has to be completed along with the project. A bond will be required for the restoration.

CITY COUNCIL COMMENTS

Shepp had no comment.

Wiegand commented on the lights being left on at the Community Center. He suggested motion detectors. He thought the city was going to get rid of the ordinance officer and have a citizen committee handle it, with the police writing tickets. He would like to see in the newsletter something about that City Council all agreed to putting a millage proposal on the ballot in November and explain why it is needed. Maybe put one item in each newsletter.

Maurina asked if there is an ordinance for removal of the house after fire damage. Martin stated there is not; we follow the building code. The house will be removed soon though. They are bidding it out for the demolition.

Maurina noted she has been watching other community meetings on cable and she observed West Bloomfield and Bloomfield Twp both allow public comment at each item. She feels this leads to better communication. Lorenz clarified this comment is allowed after the board discusses it amongst themselves.

Zubrzycki thanked the Park & Recreation Committee for the new TV. He attended the Super Bowl party and had a great time. He acknowledged Thomas' request and stated it is tough times to ask for more money, but he appreciates his work and supports him.

Zubrzycki addressed the noise ordinance and stated it is going to be a long road, but it will be enforced when it is adopted.

Zubryzcki also supports public comment with measured time.

Lorenz thanked everyone for coming. He wants everyone to understand the challenges the city is facing. He agrees more millage discussion needs to be put in the newsletter. He asked for volunteers to form an ad hoc committee to help in getting the word out to promote the millage. He acknowledged the city has done a lot work to reduce costs. Raises were cut back long before all this started and City Hall has been proactive in saving money. Lorenz acknowledged he was doing his due diligence and looked into different health care plans and when he spoke with Clerk Clippert regarding this he found the City had already implemented the plan Lorenz suggested.

ACTION ITEMS

- a. Consideration to Amend Community Center Rental Policy

CC-001-09

Martin stated the committee has recommended some changes to the rental agreement and policy. Council addressed each item separately.

The committee recommended the rental fee be increased from \$350 to \$375. When the fee was first set the cleaning fee was unknown.

Moved by Wiegand, seconded Maurina, to approve increasing the Community Center rental fee to \$375 for evenings and holidays.

Yes: Lorenz, Maurina, Shepp, Wiegand

No: Zubryzcki

MOTION CARRIED

Wiegand would like to consider renting to non-residents to raise more money. Lorenz stated this will be discussed with the budget.

Zubryzcki asked if an operation millage for the Community Center was on the ballot at a prior election. Lorenz confirmed it was and it was turned down.

Council looked at charging a fee to access the building the night before an event (if available).

Patty Harrop, Committee member, explained the committee had a hard time saying who should pay what fee between fundraisers, committees, and clubs. They tried to find some balance. She provided the example of the Home & Garden Club need the Community Center on a prime Saturday in June. Why should the city lose money when it could be rented.

Harrop stated people are getting in the night before their event and just leaving the building unlocked. Lorenz stated he is not in favor of charging a fee for night before access. He feels it is just another thing for the police to check. Zubryzcki asked what the risk is. Maurina stated,

kids getting in. Wiegand suggested raising the fee to \$50 or \$75. Lorenz suggested \$100. Zubryzcki stated a security deposit is taken already. Any damage to the building could come out of that deposit. They need to figure a way to carve out use for the community; Community Center versus rental hall. He asked council to give it some thought.

Maurina admitted there isn't a rush to fill the rental dates. She has a problem with charging a fee to setup the night before. She wants people to use the center more, not more fees.

Zubryzcki stated he would be ok with a higher rental fee for access to the building the night before the event.

Lorenz has a problem with charging a fee for a community event. He asked how renters are getting access the night before. Martin explained currently they have to ask and permission is given if it is available, at no charge.

Wiegand is for making extra money.

Shepp is concerned with how much people are willing to spend before they say forget it. He personally feels no one should be allowed access the night prior to their event. He would like to keep the center in the condition it is in.

Russ Meskin is not in favor of fees. Would like to see the rental fee not collected until 30 days in advance.

Moved by Zubryzcki, seconded Maurina, to amend the \$100 fee to \$25 to access the building the night before an event (if available).

Yes: Shepp, Wiegand, Zubryzcki, Lorenz
No: Maurina

MOTION CARRIED

The Committee recommended no decorations are to be affixed to any outside fixture, particularly light poles. Martin doesn't recommend this except the light poles. Nothing should be on them. Lorenz would like to leave it up to the City Manager to allow with restrictions. Martin stated he would have it added to the application to describe decorations.

Council discussed the different recommendations for fees for committee, fundraisers, community event (non-fundraiser) and clubs. Council felt this portion should to be discussed at a study session.

Moved by Maurina, seconded Wiegand, to table this and discuss at the study session.

Yes: All
No: None

MOTION CARRIED

JoAnn Eberhardt didn't understand the problem with charging a fee to the group raising funds for the city. Either way the money is going towards the community center.

Mitch Black feels council is not giving them the opportunity to be a Community Center. They need to utilize the building and make it a viable entity. He asked that they give it a year for them and the citizens to figure out how to use and help organize the use.

Helen McAllister suggested putting a brochure together to promote the Community Center. Maurina stated that is already being discussed.

b. Approval of Fireworks Dates

C5-001-09

Paul Hungerman announced the fireworks will be launched from a barge in the lake instead of at the Community Center property. Snow fencing won't be needed and boat dock holders won't have to move their boats. The dates are July 5 with a rain date of July 11th.

Martin noted there is a rental on July 11th for a wedding. Mayor Lorenz asked Hungerman if the rain date could possibly be changed to Friday, June 10th. Hungerman will check with the fireworks company and the Boat Club Board.

Moved by Shepp, seconded Maurina, to approve July 5 as the date for the annual fireworks with the rain date to be determined.

Yes: All
No: None

MOTION CARRIED

c. Discussion of Community Center Rental for Fireworks Event

CC-002-09

Martin explained with the fireworks being launched from a barge, all the Community Center property can be used. He asked council to think about allowing the Community Center to be rented. If so, should there be a premium; parking passes would needed to only allow those with passes to park there. Or should the city use it as fund-raising venue or use it for a community activity not a fund raiser?

Shepp would like something put on by the City as a fund raising event. Zubrzycki would like to keep it open to the community, possibly sell food to raise funds. Lorenz agreed and suggested having a kids party during the day. Something should go in the newsletter and on cable that the city is looking for volunteers for multiple fund raisers for this date.

Moved by Shepp, seconded Zubrzycki, to restrict the use of the Community Center for July 5 and possibly the rain date of the fireworks, for community sponsor activity.

Yes: All
No: None

MOTION CARRIED

Maurina thought the building might need to be secured because the fireworks are open to the public. Zubrzycki felt volunteers could be used to secure the building.

Wiegand stated a lot of organization will be needed to pull this off. A group will needed to organized the event.

d. Discussion of Investigating Combining/Sharing Services with Keego Harbor

A-003-09

Martin acknowledge the presence of Dale Stewart, City Manager of Keego Harbor. He stated he and Dale have been meeting periodically to discuss many issues facing both the cities. They would like to have the Manager's and Mayor or a council representative to meet with them to discuss possible solutions.

Moved by Maurina, seconded Wiegand, to approve the City Manager and a council representative to investigating shared services with the City of Keego Harbor.

Yes: All
No: None

MOTION CARRIED

Mayor Lorenz stated he would be willing. Shepp and Maurina would like to be involved in the discussion to hear first hand what the options are. Martin would like a small group to begin the discussion. There will be a lot involved in undertaking this and they will involve full council at that time.

Moved by Wiegand, seconded Maurina, to approve having Mayor Lorenz represent Sylvan Lake along with the City Manager.

Yes: All
No: None

MOTION CARRIED

e. Continued Discussion of Budget Plan **B-002-09** **CC-003-09**

Martin reviewed the list of items to be discussed to reduce the shortfall. He stated the items which have already been enacted are the boat dock wait list fee, rack usage fee, closed City Hall on Mondays, reduce cost with Planner and reduced employee benefits.

Lorenz added this tick list will continue to grow. Residents suggestions are welcomed and appreciated. Some items won't be popular, while others will be. Lorenz addressed opening the parks to the public. He clarified the city parks are private so the city has to pay taxes to keep them that way. It cost approximately \$8500 a year to keep them private. Clippert announced the Community Center taxes will increase a lot this year because the new building was assessed with it.

Martin stated budget study sessions will begin next month.

Fran Hines suggested charging a fee to be on the RVA wait list and renting out space on the City Hall property for more boat storage.

Paul Hungerman noted the parcels, which are city property, that could be sold are: end of Pontiac Drive, Telegraph and small portion of Stone Soap parking lot.

Zubrzycki questioned how many people have paid to remain on the boat dock wait list. Martin estimated about 25.

Wiegand would like to discuss opening the Community Center to the public. Shepp stated that could be discussed with the Community Center policy changes at the study session.

Mitch Black would like to see the park ranger allowed to sell day passes for boat ramp.

Knudsen said if the park rangers are eliminated volunteers would be needed. Mayor Lorenz asked him if he is volunteering. Knudsen said he would.

Martin discussed purchasing a new patrol vehicle. He explained currently there are three patrol cars. Residents thought we had more because Keego Harbor was using the our parking lot when their City Hall was being rebuilt. He noted last year a patrol vehicle was not purchased. A 2005 Chevy Impala would be replaced with a new charger. The repair costs are less and resale is significantly higher with a charger. It is in the budget already to purchase a police vehicle.

Lorenz noted he did get on ebay and found the Chief's figures for resale value were correct. He questioned what the repairs were that cost \$4650 for one of the Impalas. Chief Silver stated steering rack, transmission and alternator were the large items. Repairs don't include wear and tear such as tires and oil changes. Lorenz shared he is always being asked why three cars are needed when one officer is on a shift and two vehicles would be sitting. Silver acknowledged he

drives one also and if one goes down another is running 16-24 hours a day. They need to have some down time. Martin added, if an officer goes to court while not on duty he uses another car. Then all three cars are being used. Silver noted larger departments have their own maintenance department; Sylvan Lake doesn't. The higher the millage on a car the less it will sell for.

Zubrzycki asked if an extended warranty has been looked into. The Chief stated he is looking at that for the Charger.

Maurina has a problem with buying a new car each year and would rather pay to fix them. She is concerned with safety, but economically this is not the time to buy.

Lorenz asked how much a new Charger would cost. Chief Silver stated a new Charger would cost \$23,000. Maurina asked how much to outfit the vehicle. Silver estimated \$6000 because the old equipment from the Impala wouldn't work in the Charger. He estimated it would be \$3000 to outfit an Impala.

Wiegand agreed it is not fiscally the time to buy. Zubrzycki stated it may make more sense to buy. He wants to look at this further. Shepp feels putting off the purchase is not the best choice. He feels rear wheel drive vehicles are better. Lorenz suggested they discuss this further at the study session. He wants the employees using the vehicles to have the right tool to do their job.

Lorenz stated they may want to look at sharing a patrol vehicle with Keego Harbor. Chief Silver report Keego Harbor has five vehicles; one for each full-time officer.

Martin turned to discussing having the alarm activated and internet service provided at the Community Center. He stated there will probably be a monthly cost; \$20/month for the alarm and he is not sure for internet service. He stated there are pros and cons for both. The building has cable run into it, but there is no modem. Also the center is wired for cameras. A camera would cost between \$700-\$800. Lorenz would like a camera in the entrance so the bathrooms could be open to the public.

f. Approval to Waive Small Balance Tax Bills

T-001-09

Clippert explained taxes are collected at City Hall until March 1st. After March 1st all delinquent taxes are turned over to Oakland County. They do not allow any delinquencies under \$3.77. Currently there 18 delinquent bills under \$3.77, totaling \$21.74. Only those delinquent at March 1st would be waived.

Moved by Wiegand, seconded Maurina, to approve waiving the tax bills under \$3.77 as of March 1st.

Yes: All

No: None

MOTION CARRIED

NON-ACTION ITEMS

- a. Boat Docks and Marina License
- b. Amendment to the Zoning Ordinance Defining Maximum Lot Coverage of Structures
- c. Security for Ferndale Park, Restroom and Boat Launch
- d. Street and Drainage Project
- e. City Entrance/Identification Signs
- g. Communications Tower

There was nothing new to report on these agenda items.

f. Noise Ordinance

C4-002-09

Martin reported Planning Commission is looking at several municipalities ordinances for noise. He would like City Council to allow Zubrzycki to contact DTE directly, so nothing gets lost in translation. Zubrzycki would copy Martin on all emails. Lorenz stated he would be ok with this. Shepp asked if this was for communications only and not decisions. Martin said it would be communication only.

Moved by Zubrzycki, seconded Maurina, to make Mike Zubrzycki a representative of City Council, to communicate directly with DTE regarding noise, vibration and diesel fume issues at the facility at Orchard Lake Road; with copies of all communications going to Paul Bibeau and John Martin.

Yes: All

No: None

MOTION CARRIED

Lorenz asked if a letter should be sent to DTE. Martin stated a meeting is being set up with them, which Martin and Zubrzycki will attend.

NEWSLETTER AND CABLE INPUT

City Council to submit communications to the City Manager to post on cable and send electronically. Sylvan-Otter donations.

ADJOURNMENT

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

Yes: All

No: None

MOTION CARRIED

The meeting was adjourned at 10:21 p.m.

Dennise Clippert, City Clerk