

CITY OF SYLVAN LAKE
REGULAR MEETING
JULY 11, 2007

A Regular Meeting of the Sylvan Lake City Council was held on Wednesday, July 11, 2007; opening at 7:35 p.m. Mayor Pro Tem Hungerman presided over the Pledge of Allegiance.

Present: Maurina, Shepp, Conkey, Hungerman

Absent: Lorenz (excused)

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

APPROVAL OF AGENDA

Moved by Conkey, seconded Maurina, to approve the City Council Agenda for July 11, 2007, as submitted.

Yes: All

No: None

MOTION CARRIED

APPROVAL OF MINUTES

Maurina question if the minutes were clear enough on page 3, paragraph 2, the last sentence. Martin suggested changing it to "The committee is leaving it up to the professionals, Auger & Associates as the Architects and Jim Butler, PEA Inc. as the design Engineer, to put the committees ideas together."

Moved by Conkey, seconded Shepp, to approve the minutes of June 13, 2007, Regular Meeting, as corrected.

Yes: All

No: None

MOTION CARRIED

APPROVAL OF DISBURSEMENTS

Moved by Maurina, seconded Conkey, to approve the voucher report for July totaling \$269,296.28.

June Payroll	\$ 46,461.76	Check #'s 10451-10468
Accts Pay-June-July	\$222,834.52	Check #'s 42068-42132
Auto Debits	<u>0.00</u>	
	\$ 269,296.28	

Yes: All

No: None

MOTION CARRIED

ACCEPTANCE OF REPORTS

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

COMMITTEE REPORTS

Helen McAllister announced that on August 16th the Garden Club will be holding the Ice Cream Social, celebrate Sylvan Lake's 60th Anniversary and a farewell/ground breaking ceremony for the Community Center. Generally it is from 6-8 p.m., but she thought they might want to go until 9 p.m.

Marlene Toby thanked the Home and Garden Tour Committee. She stated it was the best money maker. She appreciates the volunteers and residents cleaning up their yards.

There were no other committee reports.

BRIEF PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Mayor Pro Tem Hungerman opened the meeting to the public.

FD-001-07 PR-013-07

Bill Wright, Sylvan Lake's Fire Board Representative, shared a 911 call to Sylvan Lake for a tipped over boat. Emergency vehicles couldn't get through because of the locked gates. He feels residents value property over public safety. He stated the Fire Chief expressed this concern also. Wright doesn't like the locks on the gates and feels safety should come first. He doesn't recall locks being required to close the gates. He encouraged Council to not lock the gates.

MaryAnn Smith agreed she doesn't like the gates. She feels it excludes everyone access to the lakefront for driving. She feels it is ok to close them during the day, but to have them open after 5 or 6 p.m.

Sally Chestnut questioned if this discussion was for new gates or the current gates in place. Hungerman explained the discussion tonight would be for times of open/closing the existing gates and who will be doing this.

Bill Stevens doesn't feel the gates are necessary. He feels if the city is paying the Park Ranger then they should do it and they should open them when it rains. He feels they are infringing on the safety. He believes the police department's job is public safety and they can be on call to open the gates if necessary.

Nicole Menuck thanked the Police Department for the bicycle safety program they held and she hopes they will do it again.

MaryAnn Smith reminded City Council over 300 residents signed a petition four years ago to close the gates at noon and open them at 6:00 p.m.

Russell Meskin clarified the incident call for 911. He stated the storm came up quickly and they thought a boat had tripped over with people in it. A Keego Harbor officer was the first to respond. Councilman Conkey came next and assisted the police and fire departments with his boat. It ended up being a water raft trampoline blown over and no one was on it or injured.

Bill Wright clarified he doesn't have a problem with the gates or the times they are open and closed. Just with the locking of them. He stated time is fragile in an emergency situation.

There were no other comments.

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

CITY MANAGER COMMENTS

Police

P1-002-07

Martin asked the Police Chief to inform the residents of the larceny's in the city last month. Chief Silver stated a series of larcenies from vehicles occurred in Sylvan Lake. Preliminary investigation revealed that approximately 25 vehicles were entered and one vehicle was stolen. Officers Fick and Mondeau began an intense investigation. As a result of their hard work, all suspects were identified and charged. Most of the property was recovered including the one vehicle stolen from Sylvan Lake and an additional vehicle stolen from Bay City. He noted all the 25 vehicles were unsecured.

MaryAnn Smith complimented the police. Her son went down at 1:00 a.m. to put their cover back on the boat and a police officer stopped him and asked him what he was doing. So Smith expressed her appreciation for the police watching the boats.

Bill Stevens expressed his gratitude on how Officer Mondeau handled a situation with some kids causing trouble from Pontiac and Waterford.

Home & Garden Tour

Martin thanked everyone for coming together and making the City look great. He stated the committee did a phenomenal job.

Fireworks

Later on the agenda he would like to discuss the early time the boats have to moved out at the Community Center.

Boat Dock Ordinance

BD-008-07

Martin recalled discussion with council on updating the ordinance to include that the fee can be used for maintenance, operation and improvements of the parks. He would like to get this on the agenda next month.

Trail Crossing

RT-002-07

Martin met with a representative from the Road Commission to look at the trail crossing at

Orchard Lake Road. They came up with a couple ideas and he is going to take this to their Engineers to come up with a plan. They discussed taking it more towards Sherwood at the Citgo Property. The distant to cross would be less. This would be a temporary fix. Tri-Party funds would pay for it.

CITY COUNCIL COMMENTS

Shepp stated committees and organizations are an integral part of the operation of the city and it encourages more group participation and citizen involvement . It helps pull the city together and the residents work together.

Maurina agreed with Shepp and stated the city looks so nice. She added committees are always looking for new members.

Maurina thanked the police for their bike safety day. She agreed the kids had a great time. The police checked helmets, tires and taught safety. The kids got to meet all the officers and it made them feel comfortable to talk with an officer.

Maurina urged residents to tell their neighbors to take precautions and lock up their home and cars. This will also help in keeping the numbers of incidents down.

Conkey thanked the Home and Garden Tour. He stated he participated in the event this year and it was really great. Conkey also expounded on the 911 incident with the raft. He stated the Keego Harbor Officer told him he never knew Sylvan Lake had locked gates in their parks. He had to drive on a resident's lawn to get around it. Conkey suggested letting other departments know Sylvan Lake has locked gates. Conkey added the response to this call was quick and they handled it great.

S-002-07

Conkey stated he assumed repairs to the roads are not being done because the city is still working it out with the contractors and lawyers. Martin agreed this is correct.

M-006-07

Conkey stated there are dead trees in the city and some are hanging over the road. He asked if there is anything the city can do. Bibeau stated they would have to be looked at individually. The ones on the road right-of-way could be cut.

BD-009-07

Conkey expressed there are still a lot of empty boat slips especially at the Community Center, meaning there are poles, but no boat. He stated there are some on Ferndale also. He suggested revisiting the policy this winter and adding the slip holder is responsible for getting a boat in the space by this date and having penalties if they don't comply by the date.

Hungerman thanked the Home and Garden Tour and the Fireworks committees. He feels it encourages everyone to work together.

ACTION ITEMS

a. Park Gate Policy

PR-014-07

Conkey stated he asked that this be put on the agenda for discussion. He would like to have the Police Department open/close the gates; they are more responsible than the Park Rangers. He doesn't have a problem with the times set currently. He stated if the gates were opened early, the city couldn't afford to have an officer there all the time to watch the traffic. He stated they have stepped up on enforcement. Conkey doesn't know if locks are needed or not. He suggested setting a fine for anyone who moves the gates. He agrees safety should be first. He feels the police can use their judgement on when to open the gates.

Maurina agreed it is fine to notify other departments about Sylvan Lake's locked gates, but added employees come and go. She suggested adding signs on the gate to state only to be open by emergency vehicles only. She feels if the gates are not locked they will get opened and the city might as well not have them. She would like to see the saw horses put in the same place each day too.

Shepp feels the gates can be opened by the Park Ranger when they are going home. He questioned why the Ranger didn't open them when it started raining and they went home. Martin stated the Ranger was told to open them and he didn't.

Conkey asked if the Rangers have contact with the Police. Martin stated they do.

Hungerman feels the bigger question is whether to lock them or not. There are valid reasons for both.

Maurina stated safety goes two ways, for emergency vehicles and for the kids down there. She stated the gates have been there for the 25 years she has lived there. She suggested changing the times to noon-8:00 p.m.

Conkey stated he is fine with that. He just wants the Police to handle it. He has more confidence with the Police.

Maurina asked why the Rangers aren't doing it. Martin recalled a recent incident when he was on vacation, but didn't know of others. Maurina stated there have been other times.

Chief Silver stated he doesn't have problem with handling the gates. He asked what they want to base it on weather or foot traffic. He wants to be clear so everyone understands the same thing. Conkey feels it would be weather more than foot traffic.

Shepp stated the Rangers should open/close the gates with the follow up from the Police Department.

Marlene Toby stated consistent time is what they need, not basing it on weather. She feels noon-

8:00 p.m. is reasonable, not matter what the weather is.

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Janice Danielson agreed signs are needed. She is a new resident and didn't know what the gates were for or to not move them.

Bill Stevens asked why there are gates on Lakeview. The small beach only has 2-3 people there. He stated it is not a private road and he feels they are unlawful. Also the gate committee suggested having a three way stop sign at Ferndale, but nothing happened with that.

Bill Wright warned Council someone is going to sue the City in a life threading situation because they had to take time to unlock gates.

Martin stated stop signs were discussed with the Traffic Improvement Association and they didn't recommend it. He added the gates have been locked for the last 30 years.

Maurina agreed they should revisit the need for gates on Lakeview. She stated she has a discomfort with locked gates and she would like the time to be from noon-8:00 p.m.

Hungerman suggested putting this item on the study session agenda.

b. Approval of Three-year Agreement with Janz & Knight for Auditing Services

Moved by Conkey, seconded Maurina, to approve the three-year agreement, through fiscal year 2008/2009 with Janz & Knight for auditing services, as presented.

Yes: All

No: None

MOTION CARRIED

c. Fireworks Update

M-007-07

Martin reported he was unable to attend, but heard they were great. He stated Hungerman did a great job. He stated there were some complaints from the Community Center dock holders, about having to have their boats out at noon time. Martin explained this is because that is when the explosives are delivered. He doesn't know what the City can do to change this, but thought it should be discussed.

Hungerman stated this is the first year all the boats were moved on time. He understands the inconvenience, but doesn't know a way around it either. He explained the Fire Department issues the permit and they won't give it to them if they don't abide by the 350' radius.

Maurina stated this is not a new thing. She suggested appealing to the community to share their space for 24 hours. Hungerman agreed that is a good suggestion. Maurina asked if the Boat

Club could offer any spaces. Hungerman stated there are very little. Someone suggested using

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the little beach. Conkey stated there were several empty spaces on Ferndale. He suggested they discuss this earlier next year and get out and ask residents to help out.

Hungerman discussed other things to make the event better, such as moving the porta-johns on the other side of the snow fence at the Community Center and getting more porta-johns at Ferndale.

Hungerman expressed the fund raising committee did a great job and the money is still coming in. If anyone still has a sign in their yard, they can delivery it to the Boat Club for them to use next year.

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

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

Yes: All
No: None

MOTION CARRIED

NON-ACTION ITEMS

- a. Right-of-Way Policy
- b. Boat Docks and Marina License
- 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.

NEWSLETTER AND CABLE INPUT

Thanks the volunteers who helped with the fireworks and signs can be turned in.

At 9:11 City Council adjourned into Executive Session.

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At 10:35 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 10:35 p.m.

Dennise Clippert, City Clerk