

CITY OF SYLVAN LAKE  
REGULAR MEETING  
JANUARY 16, 2008

A Regular Meeting of the Sylvan Lake City Council was held on Wednesday, January 16, 2008; opening at 7:30 p.m. Mayor Hungerman presided over the Pledge of Allegiance.

Present: Wiegand, Hungerman, Maurina, Shepp

Absent-Excused: Lorenz

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

Moved by Maurina, seconded Wiegand, to excuse Lorenz' absence.

Yes: All

No: None

MOTION CARRIED

APPROVAL OF AGENDA

Moved by Wiegand, seconded Maurina, to approve the City Council Agenda for January 16, 2008, as presented.

Yes: All

No: None

MOTION CARRIED

APPROVAL OF MINUTES

Hungerman asked that page 2, second paragraph from the bottom, 4<sup>th</sup> line; he would like it to state "Bibeau stated" Martin met with Palchesko.

Moved by Shepp, seconded Maurina, to approve the minutes of December 12, 2007, Regular Meeting as amended.

Yes: All

No: None

MOTION CARRIED

APPROVAL OF DISBURSEMENTS

Moved by Wiegand, seconded Shepp, to approve the voucher report for January totaling \$357,196.71.

Dec Payroll	\$ 58,236.62	Check #'s 10578-10595
Accts Pay-Dec-Jan	\$296,007.74	Check #'s 42508-42584
Auto Debits	<u>\$ 2,952.35</u>	
Totaling	\$357,196.71	

Yes: All  
No: None

MOTION CARRIED

### ACCEPTANCE OF REPORTS

Mayor Hungerman received the DPW's and City Attorney's report for the month of December 2007, and the DPW and Police Department report for November 2007, and asked that they be placed on file.

### COMMITTEE REPORTS

#### **C3-001-08**

Loren Maurina, GWBCAB, reported Comcast is attempting to move the PEG channels and put them where no one is going to find them. Subscribers will be required to have a digital cable box or a cable card compatible television using QAM to receive them. On January 14, The District Court issued a Temporary Restraining Order prohibiting Comcast from moving Civic Center TV to a digital channel assignment. The Cable Board is asking all the municipalities to adopt a resolution to send to the State requesting Comcast PEG Channels on the lower tier channels. Maurina will provide a copy of the resolution when he receives it.

Maurina recalled last month City Council asked him to find out why the money in Sylvan Lake's portion is lower than expected. Maurina stated Dave Albery has been trying to get figures from the West Bloomfield Treasurer, but she has been less than cooperative. Maurina asked the City to call. He stated the amount should be 2.8% of \$900,000.

### BRIEF PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

#### **PR-001-08**

Philip Thomas, President of the Sylvan-Otter Association, discussed lake quality and dues. They have not increased the fee in the past, but are now raising the dues to \$75. He explained they were at \$45 for Lake front owners and \$35 for boats. He is asking the City to incorporate this \$75 fee into the dock fee.

Thomas also discussed the City's application with the DEQ for dock spaces. He understands the city is not asking for additional slips. He offered to extend his service to write a letter in favor of the City getting approved for the slips they have.

Mitch Black is pleased and excited to be apart of the boat dock committee. He asked what direction City Council has given the committee, what time frame and what is their ultimate goal. Martin stated a list was provided to Conkey. He can get a copy to Black. Hungerman recalled the primary issue is to increase the usage of docks. There are dock spaces out there with no boats in them. There are other concerns, but this was the big issue. Bibeau provided a copy of the resolution from the last months minutes.

Maurina questioned if council really wanted the committee doing violation notices. Martin stated the committee will write up the violation and City Hall will send them out.

**C4-001-08**

Mike Zubrycki discussed DTE. They reported noise again last week. Called the police and they couldn't issue them a ticket because they couldn't find who was causing it; no one was in the trucks. He asked what the status is and what they need do to escalate it. Martin stated he spoke with Palchesko and he stated their process is not to start the trucks before 7 am and they are in by 4 pm. Someone will take the trucks to check them, that could be until 7:00 p.m. They are not to be running and no work is to be done on them unless at the front of the building. They also talked about cameras. Martin asked them to call the Sylan Lake Police Department each time there is noise. If there is something an officer can do then they can issue a ticket.

Zubrycki stated trucks are pulling in and out constantly. They have increased the number of trucks and it impacts the air quality. He asked if there was any information the city could get on quality of air.

Zubrycki asked if the city could enact an anti-idling on Class D trucks. Bibeau will have to look into it. Zubrycki stated he would provide sites where States have ordinances in place.

Liz Zubrycki stated a neighbor of hers attempted to call dispatch and the dispatcher told her it was not within the jurisdiction.

Hungerman shared that he along with Martin, Bibeau, Lorenz and the Chief had a meeting to clear up some misconceptions. He stated everyone should be calling West Bloomfield dispatch. They are obligated to call a Sylan Lake officer. Also discussed having a police officer sitting and stopping in area at times to listen and maybe it will deter them also.

Chief Silver stated he will call dispatch tomorrow to make sure they understand protocol.

CITY MANAGER COMMENTS

CPR Training

**P1-001-08**

The Ordinance Officer, Officer Ferrell, would like to provide CPR training. Training would be provided to employees first and then opened to residents. Training will be held at the new Community Center.

Water Main Repair **WA-001-08**

New water main is needed on Orchard Lake Road, in front of Burger King. The repair is similar to Glenwood and Garland. The water main is very deep on Orchard Lake Road, 13'. The main is 55 years old and difficult to get to. The line is a dead end line. It ends at Kentucky Fried Chicken. Martin will get prices.

CDBG **B3-001-08**

Martin announced the reimbursement for the demolition for the Community Center was approved. The City received a check for \$20,500.

Election **E-001-08**

Martin reported the election went well. He thanked everyone involved in the process. Clerk Clippert added there is another election May 6<sup>th</sup> for the schools. Currently only board members are on the ballot. Clippert stated nominating petitions are available at City Hall, 40 signatures are needed or you can pay \$100 in lieu of the petition. Filing is done at Oakland County.

Special Meeting

Tuesday, January 22<sup>nd</sup> at 7:00 at the Sylvan Lake Lutheran Church, City Council will present a brief history and discuss the Lakeview Consent Agreement, along with the lawsuit.

Website **C5-001-08**

Martin asked everyone to take a look at the website. The calendar has been updated. There are two: Events and Community Center. Click on an event and it will provide further information. Residents interested in renting the center will be able to see if their date is available.

CITY COUNCIL COMMENTS

**P1-002-08**

Wiegand discussed blight in the city. He passed out an article which was in the paper where city's are cleaning up the blight and assessing it on the taxes. He provided pictures of violations. He would like to discuss this issue at the February study session. Martin asked everyone to call when they feel they know of a violation. He stated everything you think is a violation may not be.

Wiegand stated the DPW is doing a great job on the snow removal.

Mitch Black asked if the Code Enforcement Officer has a set schedule. Martin stated he does not. He is dedicated to enforcement and is going to aggressively address problems.

Patty Harrop reported construction trucks from Citgo Gas are parking down Sherwood. Chief Silver stated they are aware of this and are looking into it.

Shepp apologized for not being at the meeting last month.

Maurina expressed her appreciation for everyone coming and sharing their comments. She stated council does listen and will try to respond to their concerns.

Hungerman had no comment.

## **ACTION ITEMS**

### **F-001-08      R2-001-08**

- a. Approval of Resolution Amending the Investment Policy

Martin explained periodically new guidelines are handed down from the Governmental Accounting Standards Board. This policy updates those requirements.

Moved by Wiegand, seconded Maurina, to approve the resolution adopting the amended investment policy dated January 16, 2008, as presented.

Yes: Hungerman, Maurina, Shepp, Wiegand  
No: None

**RESOLUTION ADOPTED**

### **A2-001-08**

- b. Approval of Mayor Appointment to Planning Commission

Mayor Hungerman recommended reappointing Jim Bull, Michael Menuck and Joanne Eberhardt to the Planning Commission for a three-year term.

Moved by Shepp, seconded Maurina, to approve the Mayoral appointment of Jim Bull, Michael Menuck and Joanne Eberhardt to the Planning Commission for a three-year term.

Yes: All  
No: None

**MOTION CARRIED**

### **R1-001-08      P1-003-08**

- c. Approval of Resolution Changing the Retirement Benefit as Agreed in POLC Contract

Martin explained this is a formality. It is a part of the contract with the Police that was approved by City Council in 2003. It provides a new benefit multiplier. The increase is approximately \$3,115 annually.

Wiegand asked how many officers this applies to. Martin stated, the four full-time police officers. It does not affect those retired, only current.

Moved by Wiegand, seconded Maurina, to approve the resolution changing the MERS benefit for the Police division from B-2 to B-3 as approved in the 2003 POLC agreement.

Yes: Maurina, Shepp, Wiegand, Hungerman  
No: None

RESOLUTION ADOPTED

**P1-004-08**

d. . Approval of Cost Recovery Fee Structure involving Drunk Drivers

Maurina asked if the City recovers the fees. Chief Silver reported the Court collects the fees and forwards them to the City.

Moved by Maurina, seconded Wiegand, to approve the fees for the recovery of costs involving a drunk driver as presented.

Yes: All  
No: None

MOTION CARRIED

**P1-005-08 CA-001-08**

d. Approval of Reciprocal Law Enforcement Aid Agreement

Martin explained this agreement is like the current agreement they already have with the other communities. It is a formal document stating the request for mutual assistance while Cass Lake Road is closed due to the bridge construction. This agreement is being signed by Keego Harbor, Orchard Lake, Sylvan Lake, Waterford Twp and West Bloomfield Twp.

Shepp questioned if they already had an agreement for aid surrounding communities. Chief Silver agreed they do. This is just a formal document for handling an emergency situation.

Moved by Maurina, seconded Shepp, to approve the Five Municipality Reciprocal Law Enforcement Aid Agreement as presented.

Yes: All  
No: None

MOTION CARRIED

**R2-002-08**

f. Approval of Resolution Supporting Oakland County and SEMCOG RE: NPDES

Martin provided this is a part of the Phase II Storm Water Management program. The MDEQ is making changes to the requirements. This resolution supports comments made by the Oakland County Drain Commissioner, SEMCOG and the Alliance of Rouge Communities, in opposition

to many of the proposed changes. The proposed changes would be significant and cause a financial and resource burden on all the communities. They would require a significant amount of additional work that would not be beneficial. Maurina questioned if the changes are really not helpful, or do the communities just not want to do them. Martin responded that it would require the municipalities to monitor and report on items that are known not to be problem areas.

Moved by Maurina, seconded by Wiegand, to approve the resolution supporting comments made by the Oakland County Drain Commissioner, SEMCOG and the Alliance of Rouge Communities, on the proposed NPDES Wastewater Discharge General Permit, No. MIG61000.

Yes: Shepp, Wiegand, Hungerman, Maurina  
No: None

RESOLUTION ADOPTED

### NON-ACTION ITEMS

- a. Boat Docks and Marina License
- 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
- f. Security for Ferndale Park, Restroom and Boat Launch
- g. Street and Drainage Project
- h. City Entrance/Identification Signs

There was nothing new to report on these agenda items.

### NEWSLETTER AND CABLE INPUT

There was no input.

### ADJOURNMENT

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

Yes: All  
No: None

MOTION CARRIED

The meeting was adjourned at 8:28 p.m.

---

Dennise Clippert, City Clerk