

A Regular Meeting of the Sylvan Lake City Council was held on Wednesday, May 13, 2009; opening at 7:45 p.m. Mayor Lorenz presided over the Pledge of Allegiance.

Present: Maurina, Shepp, Wiegand, Zubrzycki, Lorenz,

Absent: None

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

#### APPROVAL OF AGENDA

Moved by Wiegand, seconded Maurina, to approve the City Council Agenda for May 13, 2009, as presented.

Yes: All

No: None

MOTION CARRIED

#### APPROVAL OF MINUTES

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

April 15, 2009, Regular Meeting

April 23, 2009, Special Meeting

Yes: All

No: None

MOTION CARRIED

#### APPROVAL OF DISBURSEMENTS

Moved by Wiegand, seconded Maurina, to approve the voucher report for May totaling \$198,165.03.

Apr Payroll           \$ 69,433.12 Check #'s 10841-EFT231

Accts Pay-Mar-Apr \$128,731.91 Check #'s 43839-73910

                          Totaling     \$198,165.03

Yes: All

No: None

MOTION CARRIED

## ACCEPTANCE OF REPORTS

Wiegand asked Bibeau to explain the Rehme case. Bibeau provided an update.

Mayor Lorenz received the DPW's and City Attorney's Report for the month of April 2009, and the Police Department report for March 2009, and asked that they be placed on file.

## COMMITTEE REPORTS

Loren Maurina reported for the Cable Advisory Board. He stated the audit is complete and Sylvan Lake's portion of the joint venture fund is \$5,215. There was an expenditure that the city may have forgotten about for \$4,500, for the making of the history of Sylvan Lake video in 1997. There is also a missing reimbursement from Sylvan Lake, which adjusted the amount in the fund. Next month they are going to come up with a proposal to present to the cable board to benefit all communities to reassign the way the expenses are allocated. If they can get West Bloomfield and Orchard Lake to agree to it the amount of money they have in the fund will go down and Sylvan's and Keego's will go up. Maurina will keep council informed on what happens with this. He clarified the \$5,200 is the balance at the end of 2007. Portions of that may have been used in 2008 and 2009 because they are actually spending more than what they are taking in and this would be coming out of the joint fund. Lorenz asked if the money could be used to broadcast council meetings. Maurina stated it could. He is also going to be proposing to the board, they put one broadcast a month into the budget. He doesn't know whether they will agree to that or not. He stated the meetings are broadcast on Channel 15 and 915. Also if a community has taped them in the past you can get the archive off your computer. Lorenz thanked Maurina for the great job he does. He asked residents if they would be interested in the city broadcasting the meetings. Maurina clarified, how many would be interested in paying for the broadcast because the funds come out of the general fund. Martin clarified nothing comes out of the general fund unless nothing is left in the cable joint venture fund.

There were no other reports.

## BRIEF PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Chuck Moss, State Representative 40<sup>th</sup> District, he also sits on the appropriation committee. He reported income tax receipts have declined by 56%. The Governor is talking about raising taxes again. He doesn't believe he can support that. Revenue Sharing is cut; the picture is very bleak. They are going to make cuts and reforms, which they should have made a long time ago. Wiegand asked how much the revenue sharing is going to go down. Moss doesn't know at this time. He stated it is possible none of the revenue sharing money is safe. Maybe he can better tell this summer. The State's budget has to be adopted by October 1<sup>st</sup>.

Duane Bigsby inquired about the DNR license. Lorenz informed him the city did get their marina permit approved by the DEQ and everything is ok.

Helen Jane Peters shared two special events are coming up. The Home & Garden Tour, June 20<sup>th</sup> from 10:00 a.m. to 4:00 p.m. and the Whitfield School Reunion, August 2<sup>nd</sup> from 1-4 p.m. They are looking for pictures and anyone who went to Whitfield is welcome.

Tom Bjorklund, owner of Bellacino's, stated he attended the Planning Commission meeting last night. He has two items he is asking for. He asked council to help the businesses during this economic hard time by allowing outdoor seating and temporary signs. Martin stated the he has spoken with the City Attorney regarding the outdoor seating and the ordinance would have to be amended.

MaryAnn Smith read her concerns with the city's financial strength of pension and benefits. She is concerned with the interest percentage rate used to calculate the actuarial report for post employment health benefits. Using a lower rate of return will cause need for more money for this funding. She felt the resolution approved last month was irresponsible of City Council when the report is probably wrong. She proposed having a pension finance committee to study this. If her request is ignored she threaten to circulate a petition to freeze pension benefits and eliminate future health benefits because it is not being funded correctly. Lorenz reminded her last month Martin offered to meet with Smith to discuss this and she didn't. Smith replied she doesn't want to be a one-person committee. Lorenz stated the resolution, which was approved last month, was not approving an amount, just acknowledging it and stating they would fund it.

Sue Birnholtz questioned the status of the tennis courts and asked when they would be useful. She also asked if a day pass could be sold for the beach. Lorenz replied, the long-term plan is to have the tennis courts fully repaired. The short-term plan is a band-aid. He understands there is a group who wants to hold a fund-raiser for this.

There were no other comments.

Mayor Lorenz closed this portion opened to the public.

#### CITY MANAGER COMMENTS

Martin stated it is nice to see the room full with residents. It is good for them to hear first hand what is going on, instead of getting second hand incorrect information.

Bridge

The new balusters and rail are completed now.

#### Tim Horton's

Planning Commission approved the site plan last night. Tim Horton's is going in where Twisted Cycle/JRE Tire was.

#### Thank You

Martin thanked JoAnn Eberhardt for volunteering and sitting at the Community Center on Monday's from 10 am-2 pm. The idea is for residents to use. The center is rented next Monday so Eberhardt will be here Wednesday from 10 am-2 pm. Eberhardt stated more volunteers are needed. She is hoping anyone who has a dock space along Pontiac Drive or at the Community Center will volunteer. This way the bathrooms could be used. Martin continued, Sharon Maurina has volunteered to schedule uses/events with the center and put it on the city's calendar. Martin will put something in the newsletter regarding this. Council wants to see the building used.

#### Planning Commission

The Planning Commission recommended the approval of the fence ordinance. It will be on the agenda next month. It still needs to be put in ordinance form.

#### Temporary Signs

Martin recommended doing the same as when Cass Lake Road was closed. He would like to help the businesses as much as possible. He will get something together for City Council to look at.

#### Events

Martin reminded everyone about the City Cleanup Day and the Home & Garden Tour.

#### Financial Situation

Martin stated there is talk about why we as City Council, the City Manager and City Hall haven't talked about the financial situation until recently. They do realize this is the worst time to be asking for money. He stated we as a city, are in this together. He and City Council don't gain anything from proposing this. It is trying to get everyone to work together so we can maintain everything they like about Sylvan Lake. He read a memo regarding a special meeting being held to discuss proposing a millage increase. Sylvan Lake has never had a millage increase ever. This letter is dated 1995 and this is when Martin started recommending changes. Ever since then cuts have been made. He has not pushed the issue, but it is his job to inform City Council of pending issues. Last year was the first year a millage increase was proposed. He stated this is not a new topic; it has been discussed for the last 15 years.

#### CITY COUNCIL COMMENTS

Wiegand announced they have 68 advertisements for the Home & Garden Tour booklet. He feels residents are not supporting these businesses and they need to. More documents are needed for the tour with bigger houses this year.

Wiegand asked for volunteers to help make a brochure to promote the Community Center.

He is still seeing the police talk on their cell phones. He understands they are used for city business also, but feels he sees them all the time on the phone. Martin stated they have been informed of this.

Wiegand asked if the ice rink would be put away before the tour.

Wiegand commended Martin and Clippert on the hard work they do.

Shepp discussed having the Community Center open to the public. He stated it helps to get abatement on taxes as well as generate more revenue. He praised volunteers and stated the city needs them.

Shepp stated there has been talk about raising fees and taxes. He stated every resident has a right to express his or her feelings. He was not happy with getting a flyer stuck in his mailbox. He feels if someone wants to be heard they should at least sign what they are putting out, put a name or address on it and they should not put it in everyone's mailboxes. It is illegal. He said there were comments about the staff at City Hall and the number of employees. Shepp understands everyone is taking cuts, but feels the city is already operating at a minimum. He feels they all do an outstanding job and the employees shouldn't be asked to subsidize the city. He added the city has limited resources as to where money can come in. He doesn't want to decrease services anymore.

Zubrzycki thanked everyone for coming. He announced soccer has started again and invited everyone to come. He stated the City Wide Garage Sale is May 28, 29 & 30<sup>th</sup>.

Zubrzycki recognized MaryAnn Smith for her dedication on her issue. What they did last month was acknowledge the city needs to do something. They did put aside some money. It does come out of the general fund and they had to budget what the city could afford. He agrees they have to have a plan and feels it is worth looking at a committee.

Maurina agrees with Zubrzycki in recognizing Smith comments. She feels they do need to get a realistic picture on what the cost is. She added they have 30 years to get it funded. Doesn't like getting unsigned flyers either. They will respond to calls and emails. She feels council needs to better explain how, what and why money is spent on and what the city staff does. She doesn't like threatening. She asked everyone to listen and make suggestions.

Maurina feels the Home & Garden Tour is a great function of the city. They have been getting publicity this year because of Marlene Toby. She urged everyone to come. The money that is made comes back into the community. In the past it has funded the kitchen for the Community Center and part of the irrigation.

Lorenz conveyed Helen Jane Peters received the Lifetime Volunteer Achievement Award at the Michigan Week Breakfast. He congratulated her and he appreciates all the volunteers. He announced the Plant Exchange is June 6<sup>th</sup> from 10am-noon at Memorial Park. The Memorial Park cleanup is May 19<sup>th</sup> & 20<sup>th</sup>.

Lorenz also addressed the flyer. He wished who ever puts these flyers out would talk with one of the council members or the City Manager before they start putting out incorrect things because then people believe that City Council and the City Manager are just throwing money out the window. He addressed the issue of City Council putting a proposal on ballot until it passes. He reminded everyone they are residents too and would have to pay the tax increase also and they don't want to have to either. Council's responsibility is to explore and put forth the different options the city has. Presently they are talking with Keego Harbor to share police coverage and services, but they want to maintain the same coverage as the city currently has. So when council puts a proposal on the ballot for residents to vote on, he feels they are doing the residents a service by allowing them to vote instead of council just making the decision to cut out services. He feels having our own police department is a deterrent to crime. He clarified the number of police officers employed are 4 officers and the chief. There are part-time officers, but they only work in the absence of a full-time officer. He clarified the city only has three police cars. He stated a new Charger was not purchased and when they do they research the hard facts and base their decision on that. He reminded everyone the city has never had a millage rate increase. Housing values are where they are at because we maintain our city. The fate of the city is really up to the residents when they go to vote. City Council can't raise taxes only the residents who vote can.

## **ACTION ITEMS**

### **a. Approval of Day Pass and Fee for Residents to Use Parks**

Martin asked approval for day pass for use of the parks. It would allow a resident that does not have a park tag to purchase this day pass instead of having to leave the park. He suggested a \$10 fee be charged. He noted the park policy would need to be amended to allow this.

Shepp doesn't have a problem with it as long as ID would be required. Wiegand asked if they would have to pay on the spot. Martin stated they would. Zubrzycki agreed it is a good idea and asked that a receipt be given out.

Annette Meskin questioned if the \$10 is per person. Martin stated it is for a family. Russ Meskin suggested the \$10 be a down payment on the full fee. Ann Nichols feels the day pass is an excellent idea because her grand kids may only come once during the summer and that is only time she uses the park. Dan Forsyth asked where the \$10 fee came from. He informed them Dodge Park is only \$4 for a day pass. Maurina informed him Dodge Park is a County Park and funded differently.

Moved by Shepp, seconded Wiegand, to allow the City Manager to institute a day pass for residents to purchase that will give them the same benefit as a park tag for that calendar day only, a drivers license must be provided showing residency, at a cost of \$10.00 per day pass, and to amend the park policy to reflect this change.

b. Approval to Allow Park Ranger to Issue Day Pass for Parks and Boat Ramp

Martin explained he would like the park ranger to be allowed to sell the park day pass and boat ramp guess pass. Council all agreed this would be ok.

c. Discussion of Reduction in State Shared Revenue

This item was already covered with Representative Moss.

d. Approval of FY 2009/2010 Millage Rate Resolution

Moved by Wiegand, seconded Maurina, to approve the millage rate resolution for fiscal year 2009/2010 as presented.

Yes: All

No: None

RESOLUTION ADOPTED

e. Approval of FY 2009/2010 Appropriation Resolution

Moved by Maurina, seconded Zubrzycki, to approve the Appropriation Resolution for fiscal year 2009/2010 as presented.

Yes: All

No: None

RESOLUTION ADOPTED

f. Consideration to Increase Fee Schedule

Lorenz suggested discussing the boat docks and recreation vehicle lot separate and bulking all the other small stuff together. Zubrzycki is ok with all the small stuff except he would like to leave the garage sale permit at \$5. Wiegand feels the garage sale permit should be increased to \$10.

Moved by Zubrzycki, seconded Shepp, to increase the replacement keys or tags to \$10, copies of current or prior year taxes to \$2 per page, duplicate certificate of occupancy to \$5, and the Absentee voter disk \$35, voter labels \$1 per page, and the electronic transmittal of voter info to \$15.

Yes: Maurina, Shepp, Zubrzycki, Lorenz

No: Wiegand

MOTION CARRIED

Lorenz discussed the boat dock fee and stated having a boat dock is a privilege not a right. He stated this is a tough issue, where everyone is right.

Moved by Shepp, seconded Wiegand, to increase the dock holder and share fee by \$100 starting in 2010.

Lorenz doesn't feel \$100 is enough. He suggested \$100 first and \$50 each year to a cap. Shepp stated increasing the fee to a select few to help fund the whole city. There are few revenue generators, which the city has to use. He hates to increase it, but feels they have to. Zubrzycki acknowledge Sylvan Lake has one of the lowest operating millage rates in the Oakland County but they should not expect the dock holders to completely subsidize the city's shortfalls. He would like the dock fees to fund the parks. He would support a modest increase and earmark the money for parks or seawalls. Wiegand agreed with Zubrzycki. Lorenz agreed with Shepp, dock holders shouldn't fund the city. He would rather see a millage increase instead. Maurina agreed with Zubrzycki and Shepp. She would be more comfortable with a \$50 increase.

Brent Chudler agreed docks are a privilege. By raising the fee at this time, you are now saying only the privileged can afford the boat dock. He is in favor of a millage increase. He asked council to table this issue until after the millage is proposed. Increasing the fee is not going to fix the city's problem. It is only a band-aid. Lorenz agrees with a lot of what Chudler stated, but feels sometimes, they as council have to make the unpopular decision to increase fees.

Russ Meskin thought the last dock increase was suppose to go to seawall repair and he hasn't seen any fixed yet. He would be willing to pay \$50 more if he could see the seawall getting fixed. He feels the millage is more important now than the \$16,000 this will the get.

Gerry Rozycki agrees \$50 would be a fair increase, higher would not be fair.

Maria Dagnillo feels council is making this an expense residents can't enjoy. She would like them to find another way.

Nicole Menuck stated it is a fee for what you are using and others are not using. She stated 20% of households would be paying for the millage because they are assessed at a higher value.

Annette Meskin asked council to postpone this until December after the November ballot. It will make good will. She feels the millage is important.

Duane Bigsby also agrees with postponing. He suggested if they must increase it, put it to repairs and when the repairs are done decrease the fee again.

Lorenz stated the only fair way to share is equally. Everyone gets for a space for free. You rotate it around, 160 use the docks this year and next year another 160.

Shepp suggested if the millage passes to not enact the increase. Maurina is for holding off on the increase. Zubrzycki asked how long the seawall repairs could wait. Martin replied, across from the Community Center needs to be repaired this year. Also F1-F50 needs repairing. Lorenz is glad everyone has expressed their feels on this topic. He feels they as council need to remember there are 1800 residents, with 160 dock holders. There are a lot of dock holders who could have come to this meeting but chose not to. Wiegand agreed waiting to after November would be better for the millage. Zubrzycki agreed with Wiegand. Lorenz feels increasing this fee has nothing to do with the millage.

Yes: Shepp, Zubrzycki, Lorenz

No: Wiegand, Maurina

MOTION CARRIED

Moved by Maurina, seconded Zubrzycki, to direct the increase to seawall repairs.

Lorenz doesn't see a need for this. The general fund finances the parks, but he will support it if everyone wants this. Bibeau reminded council the ordinance states the fee for the docks is for parks and recreation purposes. Shepp doesn't want to earmark the money because it doesn't do what they set out to do. Zubrzycki would like the money there to maintain the city.

Yes: Wiegand, Zubrzycki, Lorenz, Maurina, Shepp

No: None

MOTION CARRIED

Moved by Shepp, seconded Wiegand, to increase the RV lot fee to \$400 annually.

Zubrzycki explained the idea is to help clean up the lot. Maurina asked if the policy states they can't store junk. Martin stated if it is licensed it is ok. Bibeau suggested they change the policy to store recreation vehicles only.

Gerry Rozycki feels two increases are too tough, especially in this economy. Brett Chudler asked if council has looked at commercial rates because they may be exceeding those and may lose people. Lorenz stated they have. Zubrzycki asked if the millage passes if the rates could be lower. He suggested only raising the fee a \$100.

Moved by Zubrzycki, seconded Maurina, to amend the fee to increase by \$100.

Yes: Zubrzycki

No: Lorenz, Maurina, Shepp, Wiegand

MOTION FAILS

Mayor Lorenz called for the motion to increase the RV lot fee to \$400.

Yes: Lorenz , Shepp, Wiegand

No: Maurina, Zubrzycki

MOTION CARRIED

g. Approval of Ordinance 297, Wireless Communication Ordinance

Moved by Zubrzycki, seconded Maurina, to approve Ordinance 2907, Wireless Communication Ordinance as presented.

Yes: Maurina, Shepp, Wiegand, Zubrzycki, Lorenz

No: None

ORDINANCE ADOPTED

h. Approval to Place Delinquent Water/Sewer Bills on the Tax Roll

Moved by Maurina, seconded Zubrzycki, to approve the Clerk/Treasurer placing the delinquent water and sewer accounts on the tax roll as presented.

Yes: All

No: None

MOTION CARRIED

i. Approval to Remove 12.E “Street and Drainage Project” from the Agenda

Moved by Zubrzycki, seconded Maurina, to remove item 12.E. Street and Drainage Project from the agenda.

Yes: All

No: None

MOTION CARRIED

j. Resolution declaring May 2009, Mental Health Month

Moved by Wiegand, seconded Maurina, to approve the resolution proclaiming May 2009 as Mental Health month.

Yes: All  
No: None

RESOLUTION ADOPTED

k. Continued Discussion of “Budget and Millage Plan and Ballot Questions

Wiegand would like to see millage rates levied by other cities. Lorenz conveyed the police and fire department are the biggest expense for the general fund. He proposed a public safety millage, to continue with the same police coverage in the future, as they have now, at 1.5 mills. Maurina thought 2.5 mills is needed to put us at where we need to be. Lorenz suggested they ask for less because of the economic conditions. He feels it would be better to ask for more in another few years. Shepp asked if the 1.5 mills would free up money in the general fund. Lorenz stated it would. Maurina supports where Lorenz is going, but is not sure if they would or would not vote for a millage is the answer he is looking for. Shepp added, they are not going to want to give up the service, but they are also not going to want to pay for it. She suggested they look at this again at the study session with new information they are expecting to get. Zubrzycki feels everyone is passionate with public safety. He read an article from the Michigan Municipal League on infrastructure and it being a big item.

l. Discussion of Recycling Program

Martin would like to get this program going soon. He stated it is \$1 per household, per month. He knows Council removed this from the budget, but suggested offering the larger bins at a discounted price, perhaps half the cost. He stated the bins don't have to be purchased up front. Shepp would like to get started. Maurina asked if the whole city needed to participate. Martin stated they don't. Maurina suggested a separate flyer with the newsletter. Wiegand wants the recycling bins that Richfield is donating to the parks to match with what the city has. Zubrzycki asked if we could back out of the program at anytime. Martin replied, yes.

Moved by Zubrzycki, seconded Shepp, to get into the recycling program and fund it at \$1 per household, per month.

Yes: All  
No: None

MOTION CARRIED

Council asked Martin to find out prices for the different size bins, then they can decide what they want to charge.

m. Discussion of Code Enforcement

Martin still likes the idea of having “one” person heading up code enforcement and being responsible for notices, etc. He knows Council removed this from the budget, but he suggested having someone at part-time, at a lower pay scale than an officer. Lorenz, Zubrzycki, Shepp and Wiegand all agreed to Martin’s recommendation. Maurina did not. She doesn’t think having a resident volunteer would be good either.

n. Discussion of Ad Hoc Park & Recreation Committee

Lorenz would like to get this going. Martin stated they would need to come up with rules and regulations similar to ZBA and Planning Commission. Wiegand asked if they would have the power to decide to buy things such as the ice rink. Martin stated they would not. They would still have to come before City Council. Martin will work with Bibeau and bring it back before City Council.

o. Discussion of Tennis Courts

Lorenz stated he has found a contractor who will repair the tennis courts for \$2500. There are volunteers who want to raise the funds for this.

**NON-ACTION ITEMS**

a. Internet for Community Center

Lorenz would like to direct Martin to get this done. It was stated AT&T only charges \$25 a month. All council agreed this would good and to have Martin complete this with a fee of up to \$50 a month.

Moved by Zubrzycki, seconded Maurina, to removed item 12.A. from the agenda.

Yes: All  
No: None

MOTION CARRIED

- b. Sylvan Otter Lake Association Request for increased fee
- c. Security for Ferndale Park, Restroom and Boat Launch

- d. Street and Drainage Project
- e. Community Center Parking Lighting
- f. City Entrance/Identification Signs
- g. Noise Ordinance

There was nothing new to report on these agenda items.

Martin stated he is meeting with Nicole Menuck to discuss and make recommendations to take to the committee for fees and uses. Zubrzycki asked if Dan Albani had been invited to a meeting yet. Martin wants to be careful a policy isn't developed around that use.

Zubrzycki would like to discuss parking and fees for the Community Center during the fireworks. This will be put on the agenda next month.

Martin shared Rodney Knudsen vacated his place on Planning Commission last night. Lorenz reminded council there are four applicants they have from a couple months ago. Zubrzycki would like to follow the standard of putting it in the newsletter first.

Mayor Lorenz recommended the appointment of Paul Hungerman to finish the term til 2011.

Zubrzycki stated Jim Schafer expressed his interest. Lorenz stated they would wait until next meeting to appoint someone.

#### NEWSLETTER AND CABLE INPUT

Increase of fees and explain it doesn't include Lakeview, recycling program, docents are needed for the Home & Garden Tour, vacancy on Planning Commission and budget/millage discussion at the Study Session.

#### ADJOURNMENT

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

Yes: All

No: None

MOTION CARRIED

The meeting was adjourned at 10:55 p.m.

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Dennise Clippert, City Clerk