

CITY OF SYLVAN LAKE
REGULAR MEETING
NOVEMBER 14, 2007

A Regular Meeting of the Sylvan Lake City Council was held on Wednesday, November 14, 2007; opening at 7:35 p.m. Mayor Hungerman presided over the Pledge of Allegiance.

Present: Hungerman , Lorenz, Shepp, Wiegand

Absent: Maurina

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

APPROVAL OF AGENDA

Lorenz requested adding 11F. Discussion of Boat Dock Committee.

Moved by Lorenz, seconded Wiegand, to approve the City Council Agenda for November 14, 2007, as amended.

Yes: All

No: None

MOTION CARRIED

APPROVAL OF MINUTES

Moved by Lorenz, seconded Shepp, to approve the minutes of the following meetings as presented:

October 10, 2007, Special Meeting & Regular Meeting

October 23, 2007, Special Meeting

Yes: All

No: None

MOTION CARRIED

APPROVAL OF DISBURSEMENTS

Moved by Wiegand, seconded Lorenz, to approve the voucher report for November totaling \$155,046.41.

Oct Payroll	\$ 41,959.10	Check #'s 10534-10551
Accts Pay-Oct-Nov	<u>\$113,087.31</u>	Check #'s 42315-42409
Totaling	\$155,046.41	

Yes: All

No: None

MOTION CARRIED

ACCEPTANCE OF REPORTS

Mayor Hungerman received the City Attorney's report for the month of October 2007, and the Police Department report for September 2007, and asked that they be placed on file. Martin stated he would get the DPW's report to Council next month.

Bibeau noted the Boga hearing has been rescheduled for November 28, 2007.

COMMITTEE REPORTS

CC-020-07

Nicole Menuck reported for the Community Center Rental Committee. She stated the group took the old rules and looked at them step by step. They added some things and deleted others. They also looked at other policies from associations. Mary Johnston put together a very impressive document. Menuck has a proposal to give to Martin. The committee would like to be present when City Council discusses it.

BRIEF PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

P1-008-07

JoAnn Eberhardt asked if a warning could get out to seniors regarding a third party gas company going door-to-door, trying to high pressure you. They claim they can save you money on your gas bill.

Pete Peters added it is illegal for them to be in the city going door-to-door. He suggested discussing who is legal and who is not allowed to go door-to-door.

Helen McAllister stated she has seen them and she saw the police going by and not stopping them either. Martin informed her the police may not have known they were solicitors. He asked everyone to call the police department if solicitors are going to the door. Clerk Clippert added, Richard Eberhardt did call City Hall this morning and reported he did call the Police Department but the phone line was busy. Clippert stated anytime the phone is busy to call back. The police line is forwarded to West Bloomfield dispatch. Our phone system only forwards one call at a time.

O-012-07

Jim Palazzollo asked if any letters have gone out to residents with dead trees in their yards and also he questioned if the ordinance states that the city won't go onto the property until after 30 days. Martin stated yes to both. Most residents have responded. Also the ordinance requires the City to go to the court after 30 days to allow them to go onto the property. Palazzollo doesn't care for the dead tree ordinance that City Council adopted. He asked that they amend the ordinance to have the dead tree immediately removed. He doesn't understand why 30 days is allowed when it could be a dangerous situation. Bibeau explained it is a safeguard to make sure the property owner is getting due process. It is a step the city felt was important, having the court authorize the City to go onto the property to remove the tree. This way it also protects the City.

CC-021-07

Delores Goldman asked if the temporary driveway entrance to the Community Center is the permanent location. She stated that location will cause headlights to shine into the Manning's private property. Martin doesn't believe it will. He stated that this is the permanent location for the driveway. Planning Commission, City Council and the committee moved it there to help out the Mannings. They couldn't move any further down because it encroach on the green space of the Community Center.

Brad Conkey congratulated Lorenz on his re-election and Eric Wiegand on his election. He looks forward to having them on City Council and knows they will do a good job.

There were no other comments.

Mayor Hungerman closed this portion opened to the public.

CITY MANAGER COMMENTS

Election

Martin congratulated Hungerman on his election to Mayor, Lorenz and Wiegand on their election. He is looking forward to working with them.

CITY COUNCIL COMMENTS

Wiegand thanked the citizens who supported him in the election. He will strive to succeed and to solve the problems that residents are concerned with. He congratulated Hungerman on being Mayor.

S-008-07

Wiegand asked about the bridge repair. He understands there is money in the budget for it already. Martin confirmed that is true. Part of the money from the Street/Drain project was to replace the ballistors and railing, but now they are going to wait until after the Community Center construction is done in case something happens.

CC-022-07

Wiegand also asked if the final coat on the driveway to Community Center would go in now. Martin replied, they are going to put the gravel in and grade it, put the leveling course of asphalt in and let it run over it and see if anything happens to it. Then if there are problems they will be corrected.

RT-005-07

Wiegand stated he has spoken with Betty Delaney and she spoke to him about getting an island on Orchard Lake Road. He asked if anyone has considered taking some property were the Citgo station is and curving it around and then on the other side there is an island there already. They could put a berm all the way across so people could walk straight through and go down 20' to an island. Martin replied, the Road Commission planned to go toward Sherwood where there is only four lanes across, but there is a safety issue. The problem is the turn lane isn't very wide.

It would cost \$125,000 to widen the road. The Friends of the Clinton River Trail are working with the City and will meet with the city and the Road Commission after the first of the year and start working on a real, safe crossing.

Shepp congratulated Lorenz and Wiegand. He acknowledged Lorenz' time and effort he puts into the city and thanked him for it. He expressed best wishes to Wiegand and stated there will be good and bad times. Shepp also thanked Brad Conkey for his time. He agreed he does have the city's best interest at heart. He congratulated Hungerman and wished him luck.

Lorenz congratulated Wiegand and Hungerman. He stated he enjoyed being Mayor for the past two years and expressed everybody should have that chance to do it. He thanked the City Council members for voting him as Mayor Pro-Tem. He acknowledged he is still working on a lot of things. Lorenz also thanked Conkey for his three years and asked him to keep volunteering.

Lorenz announced two members of the Board of Review have asked to be replaced. He asked Conkey to explain the position since he has been on that Board.

Conkey explained the job and stated it is a three year position which is paid.

Lorenz also thanked Justin Hatch for running.

Hungerman thanked Conkey for his time and service. He stated Conkey helped him on his first two years on council. He thanked Justin Hatch for running. He congratulated Wiegand and Lorenz and for their time and effort for running. He expressed his gratitude to council for electing him Mayor. He promised to do the best he can do and feels it is a big honor. He also expressed he is good listener and residents can come and talk to him.

ACTION ITEMS

B3-006-07 R2-018-07

- a. Approval to Participate in the Community Development Block Grant Program

Moved by Lorenz, seconded Wiegand, to adopt the resolution to participate in the 2008 Community Development Block Grant program.

Yes: All
No: None

RESOLUTION ADOPTED

C3-003-07

b. Approval of Cable Advisory Board's 2008 Budget

Loren Maurina stated this is the budget the Board came up with. Sylvan Lake's portion of the budget is 2.8%. The company provides two franchise payments to the four Greater West Bloomfield communities quarterly, 5% of gross revenue and 2% of gross revenue. The 5% revenue is deposited directly into the general fund of each community and the 2% is deposited into the Cable Joint Venture Fund, a fund maintained by the four communities to fund the administrative services of the Great West Bloomfield Cable Advisory Board and the operation of Civic Center TV 15. He explained the Cable Joint Venture Fund supports local cable programming.

Lorenz asked about the Cable Channel 15 and Comcast being the only one to provide this. He asked if AT&T had to provide it. Chris Milia replied AT&T has changed the cable world. AT&T says we'll have to spend \$10,000-\$15,000 to get that signal to them. Then you will have to go to channel 99 and you will get a computer listing which you would have to sort through a hundred different access channels that are provided in the Detroit area. Then it will come up like an internet service with a little viewing box. Only Clinton Twp township has chosen AT&T. Everyone is watching them.

Wiegand questions if there are really two new programs each month. Milia stated there are two high quality programs each month. They put out a program guide, which is provided to the City and it is on the City website.

Wiegand asked what it means when they say each community may expend funds from their share. Milia stated it can be used for cable related funds, i.e. cable casting of meetings. However the City sees fit. Maurina added there is around \$1,000,000 sitting in fund; of that Sylvan Lake's would be 2.8%. He stated wiring of the Community Center could be a use for these funds. He understands the City is not going to do that. Martin corrected him stating they are going to. They just won't be casting the meetings because of the cost involved there.

Maurina noted expended funds in this budget is less than the proposed money taken in this year.

Moved by Lorenz, seconded Wiegand, to approve the Cable Advisory Board's 2008 Budget as presented.

Yes: All

No: None

MOTION CARRIED

T-007-07

c. Approval to Waive Sending Winter Tax Bills Under .41¢

Clerk Clippert reported it cost around \$1,100 to print the winter tax bills and mail them. It does not include administrative time. There are 1,100 parcels. Of them 111 parcels were under \$5 and 26 of them were under the cost of a postage stamp. It would cost \$10.66 to send them and the 26 parcels only owe \$4.34. The City would save \$6.32 by not sending them out.

Clippert also noted she met with Chuck Moss, State Representative, to discuss having the State allow City's the option to levy this small County portion on the summer tax bill. Moss promised to present a bill on this.

Moved by Lorenz, seconded Wiegand, to approve not sending the 26 winter tax bills under .41¢ and having the city cover them.

Yes: All
No: None

MOTION CARRIED

BD-014-07

d. Discussion of Lakeview Docks

Martin explained the Lakeview residents have a pending lawsuit against the city regarding the 1977 Consent Agreement. City Council would like to hold public meeting with the residents and City Council will explain what they feel are the rights of the city; in regards to the docks, fees, 10 hp motors and seawall and have to the Lakeview residents do the same. That way everyone can get a better understanding of what is going on, instead of hearsay.

Lorenz added it would be an information meeting and hopefully they can move forward from there. He expressed the City does like the 1977 Consent Judgment. A date of January 22, 2008, study session meeting, was suggested for this meeting. Martin will get it published.

A2-009-07

e. Approval of Appointment of City Council Representative to Planning Commission

Moved by Wiegand, seconded Shepp, to approve the appointment of Aron Lorenz as City Council representative to Planning Commission.

Yes: All
No: None

MOTION CARRIED

BD-015-07

f. Discussion of Boat Dock Committee

Lorenz stated Dick Pfeffer is heading up the dock committee currently. Lorenz would like to appoint some additional members and define the committee, possibly have them write violation notices and give them to the police. Lorenz stated Brad Conkey has volunteered.

Martin informed everyone the committee that is in place currently isn't a formal committee. It is a group of residents assisting City Hall. He would like to provide guidelines for what is expected of the committee.

Conkey stated were several empty spaces this year and he would like to assist City Hall with this and he has several ideas to discuss and give to City Council.

Lorenz suggested making the November Study Session a Special Meeting to set up this committee and appoint members to it. Martin suggested making the appointments at the December meeting. Council asked Conkey to write down his thoughts and provide them to Martin before the study session.

NON-ACTION ITEMS

a. ROW Policy

Lorenz stated this can be taken off the agenda now.

- 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 Closeout
- I. City Entrance/Identification Signs

There was nothing new to report on these agenda items.

NEWSLETTER AND CABLE INPUT

Openings for Board of Review, walkers to wear reflective clothing after dark and call the police when solicitors are in the neighborhood.

ADJOURNMENT

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

Yes: All
No: None

MOTION CARRIED

The meeting was adjourned at 8:44 p.m.

Dennise Clippert, City Clerk