

CITY OF SYLVAN LAKE  
REGULAR MEETING  
OCTOBER 14, 2009

A Regular Meeting of the Sylvan Lake City Council was held on Wednesday, October 15, 2008; opening at 7:45 p.m. Mayor Lorenz presided over the Pledge of Allegiance.

Present: Wiegand, Zubrzycki, Lorenz, Maurina, Shepp

Absent: None

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

Yes: All

No: None

MOTION CARRIED

APPROVAL OF AGENDA

Martin requested to add 11G. Approval to Change November City Council meeting date and remove item 11C. because the audit is still being worked on.

Moved by Wiegand, seconded Maurina, to approve the City Council Agenda for October 14, 2009, as amended.

Yes: All

No: None

MOTION CARRIED

APPROVAL OF MINUTES

Moved by Shepp, seconded Zubrzycki, to approve the following minutes as presented:

September 9, 2009 Regular Meeting

September 24, 2009 Study Session

Yes: All

No: None

MOTION CARRIED

APPROVAL OF DISBURSEMENTS

Moved by Wiegand, seconded Maurina, to approve the voucher report for October totaling \$215,390.78.

Sept Payroll	\$ 50,386.36	Check #'s	10903-10915
			DD661-DD683
			EFT272-EFT281

Accts Pay-Sept-Oct \$165,004.42 Check #'s 44199-44276  
Totaling \$215,390.78 E0000000089-E0000000091

Yes: All  
No: None

MOTION CARRIED

### ACCEPTANCE OF REPORTS

Mayor Lorenz received the DPW report and the City Attorney report for the month of September 2009, and the Police Department report for August 2009 and asked that they be placed on file.

### COMMITTEE REPORTS

**CC-016-09 FR-002-09**

Wiegand reported the Home and Garden Tour donated the sign for the Community Center. They are planning to do some landscaping around it and he would like to light it from the light pole at the street. Martin stated he didn't think DTE would allow it, but would ask. Lorenz asked how much the Home and Garden Tour made this year. Wiegand report around \$14,000.

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

Betty Delaney thanked the City Council for the four-way stop sign at Lakeland and Woodland. She asked why it cost a \$1 per sheet, to a get copy at City Hall.

Russ Meskin inquired if there is any chance of getting the shed painted by the bocce ball court. Martin asked him if he wanted to donate the paint. Meskin stated he would.

Meskin asked if the Planning Commission meeting would be changed because of the election. Martin replied probably.

Lorenz clarified it was the residents coming to the meeting asking for the four-way stop signs that allowed City Council to vote on it. He encouraged residents getting involved.

### CITY MANAGER COMMENTS

#### Millage Handout

Martin stated there have been questions and confusion with the handout. He clarified the reduction in valuations, on an average, for next year are estimated to be at a 9% reduction in taxable value. Residents values will range anywhere from 0-20% reduced; 66% of the residents will see a reduction.

#### CCRIF

Martin received an update from Oakland County regarding the cooperative initiative revolving fund that is being worked with Keego Harbor. The County is negotiating a quote for cost with Plante Moran. They should have the cost at the beginning of next week.

#### Home & Garden Tour

Martin thanked the committee and Wiegand for the sign. He has received positive comments on it. He made clear the sign was paid for by the Home & Garden Tour and not the city.

#### Audit

The auditors are finishing up. There were a lot of changes in the law over the last year, which Martin has mention to council before. One of their big things they spent time on was the Home and Garden Tour funds. Last year they were told this would be the last year for the city to be involved with accounting of the funds. This will be expounded on more after the audit is complete.

He shared, with limited funds and limited help everyone is trying to do the right thing. City Council and City Hall employees are all under pressure and stress. He stressed council needs to be careful on coming into City Hall and telling the employees what to do or how something should be done.

Lorenz asked Martin when the boats have to be out of the water and kayaks removed from the rack. Martin stated November 15<sup>th</sup> for both.

#### CITY COUNCIL COMMENTS

Wiegand asked if there are funds to remove the ash tree by the boat ramp. Martin assured him it is on their list. They wait until they have a few to do.

Wiegand showed a sign which he is going to have made promoting the millage. He also shared he had his refuse containers at the end of his driveway taken.

Shepp expressed the sign for the Community Center really looks good. He thanked the Home and Garden Tour committee for doing it and their efforts. He shared this may be his last meeting, pending the election results. He thanked the City employee's for their work, especially the DPW who is usually looked over and under appreciated. He thanked those who he has served with and hopes the millage passes for the city and residents. He acknowledged State Shared Revenue is being cut by 11%. Shepp wished his two opponents good luck.

Maurina let everyone know there are going to be two additional millage presentations, Tuesday, October 20<sup>th</sup> at 10:30 a.m. and Thursday, October 22<sup>nd</sup> at 7:00 p.m. Meet the Candidates night is Wednesday, October 21<sup>st</sup> at 7:00 p.m and the Election is November 3<sup>rd</sup>. She encouraged

everyone to vote.

Maurina questioned the recycling containers and which one can be used. Martin explained any of the recycling containers can be used for the rewards program.

Zubrzycki stated he passed out information on Saturday regarding the millage proposal. In general all were in support of it. There were two absentee voters who were against it, but said they would consider it.

Zubrzycki invited everyone to the Family Halloween Party, October 30<sup>th</sup> at the Community Center.

He stated there was an article in the paper about Keego Harbor using the Oakland County Sheriff for their Chief of Police temporarily and how it is working out great.

Lorenz thanked Sharon Maurina for getting the flyers ready and out; and those who have helped and provided the information for this. He thanked the Home and Garden Tour for the donations to the city.

He suggested holding a community event to explain the rewards for recycling program and raffle a recycling container. He stated there are different size containers for sale at City Hall. Maurina asked if the containers could be display at the Community Center on Election Day.

Lorenz recognized each of the council candidates and wished them good luck for the candidates night and election day. He asked everyone to promote attending one of the millage meetings.

## **ACTION ITEMS**

### **R2-005-09**

- a. Approval of Resolution - State Annual Permit for Work on State Highways

Moved by Maurina, seconded Shepp, to approve the Performance and Indemnification Resolution as required by the State of Michigan Department of Transportation authorizing the City Manager, Police Chief or City Clerk to apply for a State Highway permit if necessary.

Yes: Zubrzycki, Lorenz, Maurina, Shepp, Wiegand

No: None

**RESOLUTION ADOPTED**

b. Approval of Acceptance PY 2010 CDBG Application **R2-006-09**

Moved by Shepp, seconded Maurina, to approve the Program year 2010 Community Development Block Grant (CDBG) application in the approximate amount of \$8,000 as follows and authorize the Mayor to sign the Application and submit the documents to Oakland County.

<u>Account Number</u>	<u>Project Name</u>	<u>Amount</u>
172170-731227	Minor Home Repair	\$3,200.00
172160-732170	Public Service(Yard Svc)	\$3,200.00
172140-730789	Administrative Services	\$1,600.00

Yes: Lorenz, Maurina, Shepp, Wiegand, Zubrzycki

No: None

**RESOLUTION ADOPTED**

c. Consideration to Approve Budget Amendments

This item was removed from the agenda.

d. Consideration to Approve Waiving Small Tax Balances **T-003-09**

Martin explained there are 24 winter tax bills which are less than \$1.00. The cost to send out these bills is greater than the amount received; if the bill is even paid. Also he noted Oakland County only allows bills over \$3.77 to be turned over to them at tax settlement time.

Moved by Wiegand, seconded Maurina, to waive the collection of delinquent outstanding tax bills owed to the City as of March 1, 2010 that are less than \$3.77 and waive sending and collecting the 24 winter tax bills that are less than \$1.00.

Yes: All

No: None

**MOTION CARRIED**

**CC-017-09**

e. Consideration to Approve Community Center Policy - Fees for Use Types

Mayor Lorenz requested they address each of these separately that way if they get hung-up on one they can still move forward. He read the Priority I-City Meetings. Zubrzycki suggested adding "or his designee" after At the discretion of the City Manager.

Moved by Maurina, seconded Zubrzycki, to approve Priority I for the fees for use types as amended.

Yes: All  
No: None

MOTION CARRIED

Priority II-Community Events (Non-Fund raiser). The committee suggested restricting the rentals April 1 thru September-No Weekends and October 1 thru March 21-weekends permitted. Maurina suggested, based on the passed year, that May should be used instead of April. Martin felt the restrictions aren't needed and it could be watched and changed if it does become a problem. Lorenz agreed. Shepp felt it is up to the discretion of the City Manager.

Nicole Menuck stated the committee did kick this around a lot and felt weekends are very busy during the summer. Also there is no school during the summer and events could be held during the week.

Moved by Shepp, seconded Zubrzycki, to approve Priority II for the fees for use types and to not include the weekend restrictions at this time.

Yes: All  
No: None

MOTION CARRIED

Priority III-Regular rentals and Sylvan Lake Businesses. Nicole Menuck asked if they are allowing business owners or business property owners. Martin stated it is defined in the policy that it is business owners. Council felt business owners pay the property taxes through their lease agreement. If the property owners doesn't have a business they can have a business owner sponsor them.

Moved by Zubrzycki, seconded Shepp, to approve Priority III, as submitted.

Yes: All  
No: None

MOTION CARRIED

Priority IV-Fund Raising Event. Council had trouble with wording for this priority and weren't sure if the third paragraph from Priority II should be included here. Council passed on taking action on this.

Priority V-Fund-raising Meetings and Civic Groups. Martin stated council will need to decide how much they want to charge for this. Martin is ok with the Committee's recommendation.

Moved by Maurina, seconded Wiegand, to approve Priority V, charging Sylvan Lake groups \$100 for six meetings and Non-Sylvan Lake Group as stated.

Yes: All  
No: None

MOTION CARRIED

Lorenz would like to change the word Priority to Category.

Moved by Zubrzycki, seconded Maurina, to change the word Priority to Category.

Yes: All  
No: None

MOTION CARRIED

Council all agreed Category III, IV & V would require a deposit at the time of application. Nicole Menuck asked where the Yoga Instructor would fall. Martin stated if something isn't mentioned then they would fall under a regular rental. Zubrzycki asked if a Category VI should be added for others. Martin will rewrite all this and bring it back next month.

f. Discussion of Noise Ordinance **O-007-09**

Lorenz explained this has been discussed at the Planning Commission for a number of months. Mike Zubrzycki has done all the research on this and saved the city a lot of money by doing this, otherwise the City Planners would have had to do it and charge the city.

Zubrzycki stated, City Council set a deadline which has helped to move this along. He feels it needs to be passed. He has received some resistance from some of Planning Commission. Maurina feels they have better direction now. He would like to get it nailed down.

Wiegand asked if a public hearing is needed. Lorenz felt it should wait because it is an unfinished document.

Lorenz announced after the meeting tonight if anyone interested is observing, they are going to try and measure the ambient noise level. They would like test the air conditioner and an automobile running. These are all exempt. Zubrzycki added, there are acceptable guidelines which have been tested. Normally you would test at the property line. It is not to persecute your neighbor. It is for the repeat offender.

Lorenz asked why ordinance violations are misdemeanor and other things such as this noise ordinance are civil infractions. He feels this is why the police are hesitant to issue violation because it is a misdemeanor and it will stay on the resident's record. Bibeau stated it is because of historical purposes.

## NON-ACTION ITEMS

- a. Appointment of Parks and Recreation Committee members

Lorenz asked what the status is this. Martin stated he only has 4-5 residents interested. Lorenz will send out an email.

- b. Security for Ferndale Park, Restroom and Boat Launch
- c. Community Center Parking Lighting
- d. City Entrance/Identification Signs
- e. Appointment to the GWBCAB for a three-year term

Lorenz asked if anyone responded for this. Martin stated he has not received a volunteer for this. Lorenz will send out an email on this.

- f. Discussion on Broadcasting Council meetings

There was nothing new to report on agenda items b, c, d or f.

## NEWSLETTER AND CABLE INPUT

No Study Session this month. Ask for volunteers for the Park & Rec and Cable.

## ADJOURNMENT

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

Yes: All

No: None

MOTION CARRIED

The meeting was adjourned at 9:17 p.m.

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Dennise Clippert, City Clerk