

CITY OF SYLVAN LAKE  
SPECIAL MEETING  
OCTOBER 23,2007

A Special meeting of City Council was held on Tuesday, October 23, 2007, at Sylvan Lutheran Church, 2399 Figa, West Bloomfield, at 7:36 p.m. with Mayor Lorenz presiding.

Present: Hungerman, Lorenz, Maurina, Shepp, Conkey  
Absent: None  
Also Present: City Manager Martin

Approval of the Agenda

Mayor Lorenz requested item 7. Roosevelt Gym and Maurina requested item 8. DTE Discussion, be added to the agenda.

Moved by Hungerman, seconded Maurina, to approve the agenda as amended.

Yes: All  
No: None

MOTION CARRIED

Meeting Open to the Public for Brief Comment

There were no comments.

Approval of reprogramming CDBG Funds                      **B3-004-07**

Moved by Hungerman, seconded Maurina, to approve the reprogramming of existing funds from:

- 2003-Minor Home Repair #731227 for \$2,762.84
- 2003-Planning #731360 for \$1,600.00
- 2004-Minor Home Repair #731227 for \$5,400.00
- 2004-Planning #731360 for \$1600
- 2005-Minor Home Repair #731227 for \$5,400.00
- 2005-Planning #731360 for \$1600.00
- 2006-Minor Home Repair #731227 for \$500.00
- 2006-Planning #731360 for \$1600.00

to Clearance and Demolition #172170, for \$20,462.84, for the demolition of the Community Center and to authorize John Martin to sign the application and submit the documents to Oakland County.

Yes: All  
No: None

MOTION CARRIED

Discussion of Community Center

**CC-019-07**

Martin reported the Center has been demolished. They found the “B” room had three slabs on top of each other and there was another set of footings in the center. Martin is not sure what was there. They are on track to grade the site, install the footings and pour concrete.

Lorenz discussed holding a ground breaking ceremony and showing the demolition and pictures. Acknowledging those who started this and helped worked on it. Martin will put something in the newsletter.

Martin stated there are a few things the committee has left to do. The mechanicals are still being looked at as well as the kitchen. They have scaled it way back. It is in between a basic warming kitchen and a cooking kitchen.

Council discussed possibly holding a ceremony on Saturday, November 3<sup>rd</sup> at 11:00 a.m. Everyone will look at their schedules and let Martin know.

Update on Dispatch with Sheriff’s Department

**P1-007-07**

Martin reviewed his discussion on going to Oakland County for dispatch, which would roughly save the city \$40,000. Right now Oakland County radios are not compatible with West Bloomfield, Orchard Lake, Keego Harbor or Sylvan Lake. It is scheduled for a new radio system that everyone can communicate with. It should be happening pretty soon. Then that is the time to make the switch to Oakland County.

Maurina asked what the political ramification with West Bloomfield will be. Martin stated they are not going to be happy. He is hoping to get the negotiations done with West Bloomfield Fire Department before this change. Martin added, Keego Harbor is also interested in this; Orchard Lake is not so much.

Lorenz referred to the 5 year projection for police services, which Martin had provided. He pointed out changing to the Oakland County Sheriff’s Department verses keeping the police department in the city, the projection in 5 years comes out almost even. Martin agreed. He explained the city would still need someone to do park patrol and code enforcement if the city changed to the Sheriff’s Department.

Council discussed how this would affect the officers if the city did change to the Sheriff’s Department. Martin stated that Chief Silver would be the only one really affected by it because he is older, but not vested in the city yet. The rest of the officers are younger. Conkey doesn’t believe Silver is running a cost effective department when he is proposing to

have one of his guys riding around on a jet ski on a Saturday, having an officer ride a bike all summer and they don't get off the bike. Martin stated it is not just money. It is making sure everything is going on that this is suppose to and being seen.

Hungerman pointed out changing over to the Sheriff's Department right now will cost the city more money.

Lorenz questioned an incident which he heard about, where an officer went to a house because he thought he heard something, possibly a domestic violence and they asked to come in and the homeowner told them they didn't need to and the officer took out his baton and said he was going to count to three and they better let him in. Conkey stated the Sheriff's Department has said the city is going to get sued because of unprofessional procedures. He feels with the Sheriff's Department it may cost more, but they will be professionals who know the job. Martin did point out if an officer does suspect a domestic issue then the officer has the right to get inside because the person at the door may be scared because the violator may be standing behind them telling them not to open it. Martin said there is always more to the story than the resident offers.

Lorenz asked Martin how he feels about changing over. Martin feels council really needs to look hard at every aspect, the ability of us to do it on our own, how things are changing, and money is a big issue. He feels the next step should be to have someone from the Sheriff's Department come to a study session and ask them questions. Council agreed.

Lorenz stated he is a penny pincher and feels they can wait to look at the Sheriff's Department in five years from now because this is where the projection shows it evening out with the city maintaining their own department.

Martin stated at some point something is going to have to go on the ballot for an increase in revenue.

Council discussed the West Bloomfield Fire contract and what would happen if Sylvan Lake didn't go with West Bloomfield. Council thought that they may want Rick Eriksen come to discuss with them the contract with the Tri-City Fire Department.

Discussion of ROW Policy

**S-007-07 R-017-07**

Martin noted the underlined items are what he added to the policy. He discussed the height requirement was left out because it would be kind of hard to set something. He explained they want to have clear vision and you want to have safe access or escape for someone walking or on a bike. Lorenz discussed how far they should have to keep landscaping back. Shepp asked what is going to be grandfathered in. Martin would propose only the parking areas; everything else should come into compliance.

Hungerman stated he isn't prepared to approve the policy tonight because they just received it a couple hours ago.

Moved by Conkey, seconded Maurina, to approve the resolution regulating homeowners' use/improvement of City's road right-of-way, Section 58-110(2)© of the Right-of-Way Regulation Ordinance.

Yes: Lorenz, Maurina, Shepp, Conkey  
No: Hungerman

**RESOLUTION ADOPTED**

Maurina would like to discuss sometime if the appeal process should be council or a three member board. Conkey feels for the first year it should be city council because they know the intent and why it was done. After a year if they are still getting a lot of appeals they can look at it again.

Moved by Shepp, seconded Conkey, to attach the resolution for the appeals process to the approved right-of-way policy and to set the fee at \$250.

Yes: All  
No: None

**MOTION CARRIED**

Roosevelt Gym

**PR-021-07**

Lorenz contacted West Bloomfield Schools regarding renting the Roosevelt gym for a couple hours. They agreed to rent it at \$40/hour. He suggested if they do it as a city, residents would have had to purchase a sport tag. If they don't want to do it as a city function he is sure enough volunteers would donate \$5. He would like to advertise it on the city's website and newsletter to find out who would be interested in this. Maurina questioned if anyone could rent the gym for \$40. Lorenz confirmed they have to fill out an application and pay the \$40. It is \$85 after the janitor goes home. Lorenz will find out what hours it would be available at \$40 and get whatever other details he can.

DTE Discussion

**C4-008-07**

Maurina is upset because she is under the impression that DTE is going forward with their request. The Bloomfield police seem to think they are going forward. Lorenz questioned what request. Maurina replied, to expand their building and they are trying to work out some private plan with Bloomfield to so they won't get tickets. Lorenz asked where she got this

information. Maurina stated from Mike Zubrycki. Martin reported Zubrycki first thought that DTE was going to take the township to Court to fight the 10:00 p.m. limit and that wasn't true. What did happen with Bloomfield Twp. they did dismiss the tickets because DTE is trying to work with the township and the City of Sylvan Lake, to make something happen that is amicable to everybody. They are not going forward with the request to install the canopies. They are going forward with trying to move. They are getting closer, but there is still a lot of that will have to be done. Maurina questioned what kind of a time frame we are looking at. Martin would estimate at least two years.

Lorenz was upset after the last meeting. He stated, there is two sides to every story and the first reaction for everyone is to react to what we heard first, but until you have all the information you should not react and it may take 5 minutes to a week to get the information you need. Lorenz reviewed how residents incorrectly stated things about DTE and Bloomfield Twp. at the last meeting. He asked Maurina when was the last Bloomfield Twp. meeting she attended. She stated two months ago.

Conkey noted the DTE property is zoned light industrial and all the residents along there bought the property knowing this.

Hungerman updated Maurina at the last city council meeting, council instructed Bibeau to send DTE a letter stating if this problem doesn't get resolved they can look forward to legal action.

Lorenz is still confused why Chief Silver isn't having his officers write tickets. Martin stated what Bloomfield twp found out when they wrote the tickets that they didn't really apply. What they were writing them under was a construction clause and you can't do construction work between 10 p.m. and 7 a.m. This isn't construction. With the nuisance ordinance our department can issue tickets based on a nuisance complaint. They always give them the option to with correct what is wrong. So they will warn them first to quiet it down. If they get a call later and the noise is still continuing then they will write the ticket.

Hungerman is concerned if this does go to court and what the Judge will do. He doesn't believe they will shut them down. He feels bad for the residents and he is hoping that DTE will move. Martin reminded council anytime there is a public nuisance it has to be a "public nuisance". It can't be a nuisance to one person and have everybody's tax dollars fight for one person. He is sure that there are six or seven household on Avondale who feel there is a nuisance. Martin suggested to Zubrycki to sue them.

Lorenz reviewed at one of the meetings he was at with Martin, DTE and Bloomfield Twp. DTE was trying to convince us that they should have covered parking structures. The Bloomfield Twp Supervisor was tough on them. He told them the metal building would only

amplify the sound. Sylvan Lake got into it with them about how this would change the actual function of the building. Everyone agreed at the meeting if they got the variance to put these structures up that we would limit them to the number of trucks that they currently have at this point. It was at that point that Mike Palchesko said I think it is time for you guys to help us out because the property is no good to them if the trucks are limited. Martin added, between that and their sound study saying they need a 20' wall. Lorenz felt their number one goal was to move at that point.

Maurina apologized for not being able to attend some of the meetings. She stated she wouldn't be able to attend the November meeting.

Adjournment

Moved by Hungerman, support Shepp, to adjourn the Special Meeting.

Yes: All

No: None

MOTION CARRIED

The special meeting adjourned at 8:58 p.m.

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Dennise Clippert, City Clerk