

CITY OF SYLVAN LAKE
REGULAR MEETING
SEPTEMBER 10, 2008

A Regular Meeting of the Sylvan Lake City Council was held on Wednesday, September 10, 2008; opening at 7:33 p.m. Mayor Hungerman presided over the Pledge of Allegiance.

Present: Lorenz (7:37 p.m.), Maurina, Shepp, Hungerman
Absent: Wiegand (excused)
Also Present: City Manager Martin, Clerk Clippert and City Attorney Bibeau

Yes: All
No: None

MOTION CARRIED

APPROVAL OF AGENDA

Martin requested to add Item 11H, Consideration of Fair Trade Policy Resolution

Moved by Maurina, seconded Shepp, to approve the City Council Agenda for September 10, 2008, as amended.

Yes: All
No: None

MOTION CARRIED

APPROVAL OF MINUTES

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

July 31, 2008 Special Meeting
August 13, 2008 Regular Meeting
August 28, 2008 Study Session

Yes: All
No: None

MOTION CARRIED

APPROVAL OF DISBURSEMENTS

Moved by Maurina, seconded Shepp, to approve the voucher report for September totaling \$265,886.85.

Aug Payroll	\$ 39,699.22	Check #'s 10733-EFT137
Accts Pay-Aug-Sep	\$226,187.63	Check #'s 43205-43288
Totaling	\$265,886.85	

Yes: All
No: None

MOTION CARRIED

ACCEPTANCE OF REPORTS

Mayor Hungerman received the DPW report and the City Attorney report for the month of August 2008, and the Police Department report for July 2008 and asked that they be placed on file.

Lorenz entered the meeting at 7:37 p.m.

COMMITTEE REPORTS

There were no reports.

BRIEF PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

CC-008-08

Roy Chestnut expressed his concerns with the Community Center Rental policy. He stated there was outside music on Saturday night. Mayor Hungerman informed Mr. Chestnut that he gave the group approval to have outdoor music until 9:30 p.m., because they didn't get prior approval from the City Manager. Mr. Chestnut stated the music ended at 9:25 p.m. Chestnut also complained about the wedding held a week ago which went until 2:30 a.m. Lorenz thanked Mr. Chestnut for bringing these concerns to City Council and explained this is all new and things would still need to be worked out.

Helen McAllister thanked everyone who helped with the ice cream social.

Pete Peters asked if the city had a noise ordinance. Martin replied, noise is covered under the nuisance ordinance.

Fran Hines acknowledged the great job the garbage company is doing. She asked what the sign ordinance covered because she doesn't like the size or color of Verizon's sign. Martin stated the sign ordinance doesn't cover color.

Helen Jane Peters showed the picture of the Detroit Free Air Camp which was a gift to the City from the Greater West Bloomfield Historical Society. Copies of the print are available through her or the Historical Society. Peters asked City Council to consider letting the Historical Society use the Community Center on Wednesday evening, October 22nd for their meeting.

Chuck Moss, State Representative for our district, congratulated the city on the new building. He provided an update on Energy Regulation Bills. He stated he will be voting against raising rates and guaranteeing customers for DTE, Consumers or any other energy company. He will put the bills on his website and asked residents to call with any issues they would like to discuss.

Brad Conkey discussed the signs which the Valero Gas Station has put out. They are in the road right-of-way and are advertising products; he believes these are not allowed. Martin acknowledged they were put up over the weekend and they were already told to take them down.

Mary Ann Smith presented her thoughts on brick pavers. She feels they will cause the drainage to go to the neighbors instead of going into the ground. She asked council to consider the total impact this may have. She understands there is a house on Lakeview who installed the brick pavers and they have been told to remove them and now council is considering approving them. Smith shared, the show "60 Minutes" did a segment on sleep deprivation caused by noise. It is a real problem and impacts neighbors. She understands Mike Zubrycki's frustration and stated she is still have problems with her neighbor and their waterfall running all night.

Mike Zubrycki feels the city needs to improve the noise policy.

Brad Conkey added waterfalls help with road noise.

Dean Buchanan feels brick pavers would help his property because he has drainage problems and feels it improves the look of the property. He also stated he doesn't like cars in the street and would rather have parking spaces off the street made from stone or pavers or stamped concrete.

Fran Hines asked if parking is allowed on both sides of the street. Martin informed her it depends on the street.

Pete Peters would like to see a final decision made for the parking in the road right-of-way.

CITY MANAGER COMMENTS

Community Center

CC-009-08

Martin welcomed everyone to the new building. He stated there is a learning curve with the new building. He feels the rental committee did an outstanding job with the rental policy and stated things are always going to change. The construction committee is still working on a list of things needed and wanted. He asked residents to share what they would like to see. They are also working on ways to have the building open during day. Volunteers would be needed to

be in the building while it is open. There have been complaints about using the old picnic tables and garbage cans at the new building. Martin stated they will be used until funds or donations are provided to cover the cost of new ones.

Valero Gas Station

C4-011-08

The city continues to have issues with them. They have completed most of what was required. The detention areas still need some significant corrections. Maurina asked if there is a drop dead date for them to complete these items. Martin stated there is; it is about a week. There is a per day fine which comes out of their bond and if the bond runs out then they will close them.

Microphones

Martin explained the microphones which are on the tables are for the recorder.

Thank You's

Martin thanked the Garden Club, the Historical Society and Marlene Toby for the Community Center Dedication ceremony. He stated there was a great turnout.

Waterfalls

ZP-004-08

Martin conveyed, the waterfall issue was taken to Planning Commission and they decided not to address the issue. City Council can think it over and let Martin know if they feel it is needed.

CITY COUNCIL COMMENTS

Lorenz thanked the Garden Club for the Ice Cream Social. He thanked Sharon Hughes with her help on landscaping the trail. Hughes stated DTE donated the arborvitae, bench and mulch.

Lorenz commented on the rules and the requests for more, why rules aren't enforced and why it costs so much to run the city. He would like to see residents use common courtesy. He stated the City tries to do what we can with what we have.

Lorenz acknowledged Alex James and thanked him for his work on the video he made on the history of Sylvan Lake. Lorenz also thanked Chuck Moss for coming.

Maurina reiterated the thanks' to everyone. She asked if the gates will be closed anymore. Martin stated not after Labor Day. She asked if the signs could be picked up.

Shepp echoed the thanks' which Lorenz and Maurina made. He shared that he never thought about the design of the pavilion creating an echo chamber and they may have to look at this again. He added he appreciates the history of Sylvan Lake being recorded.

Hungerman thanked everyone for attending in the new building and for coming to the ice cream social. It was a huge success. He agreed the rules and regulations will have to be looked at and thanked everyone for sharing their concerns. He apologized for the outside music.

Lorenz added a thank you to the two churches which allowed the City the use of their buildings for a minimal fee. He suggested extending an invitation to them for use of the new community center, one time each, for an event.

ACTION ITEMS

CC-010-08

a. Approval of Home and Garden Tour Activities and Dates

Martin reviewed, this was discussed at the study session and their request for Monday evening meetings were ok. They have a date for the Home and Garden Tour for 2009. They are requesting Saturday, June 20, 2009. He noted this is a high demand day for graduation parties. He feels the regular Community Center fee should be charged when it is used.

Helen Jane Peters added they have a date of June 12, 2010, they would like for the tour also. She added they wouldn't dirty the building and could be out by 4:00 p.m. Martin explained graduation parties are usually an all-day and evening events.

Shepp feels this organization donations a lot of funds to the city and feels it is a matter of bookkeeping whether the funds go toward the rental or part of a donation.

Moved by Maurina, seconded Lorenz, to approve the meeting dates for the Home and Garden Tour group as presented.

Yes: All
No: None

MOTION CARRIED

Maurina feels guidelines need to be established on what is a fund raiser and if a fee is going to be charged.

CC-011-08

b. Approval of Parks and Recreation Activities and Dates

Mayor Hungerman stated these dates were also discussed at the study session. The discussion was that if the Community Center building is used, the group would be charged the cleaning fee. If the activities were outside and just the restrooms are used, there would be no cost.

Moved by Lorenz, seconded Maurina, to approve the activity dates for the Parks and Recreation committee with the appropriate cleaning fee being charged if the inside of the building is being used.

Yes: All
No: None

MOTION CARRIED

CC-012-08

c. Consideration to Approve Fund Raiser for the Trail

Betty Delaney would like to hold a pancake breakfast to raise funds to resurface the trail. She stated it would be up to the city what they resurface it with. Maurina informed her she needs to provide a written quote for the extent of what she is proposing and it should go through the Park and Recreation Committee. Delaney stated she would put a hold on this and talk with Mitch Black. Martin asked Delaney to call him and setup a time to go over the guidelines for a fund raiser.

S-003-08

d. Consideration to Amend the ROW Policy to Allow Brick Pavers

Moved by Lorenz, seconded Maurina, to send this to the Planning Commission for review.

Yes: All
No: None

MOTION CARRIED

Martin stated this was on the agenda last month and City Council asked him to make the changes and bring it back to them this month.

e. Discussion of Millage Proposal

E-006-08

Martin announced a presentation is being worked on to show residents why the millage is needed, why funds are gone, how they are used, what is required by law, and the Headlee Amendment and how it works.

Lorenz would like to hold two presentations before absentee ballots go out in two weeks from now.

Maurina asked residents to remain active and understand what they are voting on and why; to help get accurate information out.

O-007-08

f. Consideration to Approve Ordinance 293 Amending the Grass/Weed Ordinance

Mayor Hungerman explained there are two changes to this ordinance, the maximum height of grass and changing the violation delivery method.

Bibeau stated section 74-33 needs to state “after personal service, mailing or other such methods of service.”

Moved by Lorenz, seconded Maurina, to approve ordinance 293, Chapter 74, sections 32 and 33 of the Sylvan Lake Code of ordinances as amended.

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

ORDINANCE ADOPTED

CA-005-08

g. Consideration to Approve E-Commerce Resolution for Payment of Taxes Only

Martin explained this was before City Council back in June. In past years, credit card payment over the internet was available to residents. There was no charge to the city. There was a convenience fee to the tax payer. Back in June the County made changes to this and decided to charge the communities a fee and City Council opted out of the program. Since then many other communities also opted out and the County has reconsidered the charge and decided to cover the ongoing costs on the city's behalf. Clerk Clippert is proposing using this again for taxes only.

Shepp confirmed there is no cost to the city. Martin stated that is correct.

Moved by Shepp, seconded Maurina, to approve the resolution supporting E-Commerce online payment service agreement with Oakland County and Citizen Bank; and authorize the Clerk to execute the agreements needed to participate in Paylocaltaxes at no cost to the city.

Yes: All
No: None

MOTION CARRIED

R2-010-08

h. Consideration of Fair Trade Policy Resolution

Martin read the resolution explaining this supports the fair trade policy and states Sylvan Lake supports it also.

Judy Ward, representative from Domestic Manufacturing Industry, explained this information comes from the US Bureau of Trade. They are asking that the current policies be enforced

Shepp confirmed this is asking for support to enforce what is in place already.

Moved by Maurina, seconded Lorenz, to adopt the resolution supporting fair trade policy as submitted.

Yes: All
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

Martin reminded everyone that summer taxes are September 14, 2008. Also Oakland County is holding a computer recycling day this Saturday, September 13th. More information is on the city website or you can come into City Hall.

There was nothing new for the newsletter and cable.

ADJOURNMENT

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

Yes: All
No: None

MOTION CARRIED

The meeting was adjourned at 9:06 p.m.

Dennise Clippert, City Clerk