

CITY OF SYLVAN LAKE
SPECIAL MEETING
JANUARY 29, 2008

A Special Meeting of the Sylvan Lake City Council was held on Tuesday, January 29, 2008; opening at 5:02 p.m. Mayor Hungerman presided.

Present: Lorenz, Maurina (5:04 p.m.), Shepp, Hungerman
Absent: Wiegand (excused)
Also Present: City Manager Martin, Clerk Clippert and City Attorney Bibeau

Approval of Agenda

Moved by Lorenz, seconded Shepp, to approve the agenda as presented.

Yes: All
No: None

MOTION CARRIED

Discussion and Approval of AT&T Franchise Agreement **C3-003-08**

Dave Albery, Representative for the Cable Advisory Board, explained the agreement and how the PEG fees are calculated. Fees will need to be filled in on the agreement with 5% for the Franchise Fee and 2.28% for PEG Fees. He further explained, the resolution authorizes the City Manager to execute the Franchise Agreement with AT&T and it states that the City is taking the action because it is required to do so by the Act, but this does not waive the city's rights to challenge any provision of the Act or any provision of the State-Mandated Agreement. He noted there is no State universal coverage requirement with AT&T. Bibeau stated the plan shows full coverage for the whole city. Albery stated AT&T doesn't have to provide for that whole plan, which cable has always had to. He feels if they are going to service Sylvan Lake they should have to serve everybody.

Moved by Lorenz, seconded Maurina, to adopt the resolution related to Video Franchise Agreement with AT&T.

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

RESOLUTION ADOPTED

Approval of Resolution Requesting Preservation of PEG Channel Locations **C3-004-08**

Albery explained this resolution opposes the move of the Public Governmental and Educational access channels. On January 14th, The District Court issued a Temporary Restraining Order prohibiting Comcast from moving Civic Center TV to a digital channel assignment. Pending the outcome of this decision, the current Channel 15 on the analog basic tier could change to channel 915 on the digital basic tier. Subscribers would be required to have a digital cable box or a cable

card compatible television using QAM. Albery stated this resolution allows the City's voice to be heard and stand up for what they feel is right.

Shepp asked if this has any legal force. Albery stated it does not.

Moved by Lorenz, seconded Maurina, to adopt the resolution requesting preservation of existing channel locations for Public, Governmental and Educational access channels, also known as PEG.

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

RESOLUTION ADOPTED

C3-005-08

Lorenz discussed wiring the new Community Center and funding it. Albery clarified the city can wire the building with camera cables; cameras would then be remote controlled. Funds are in Sylvan Lake's portions of the joint venture fund and can be used for wiring and televising. Lorenz asked if these funds could be used for ancillary equipment. Albery stated they could. He asked the city to provide an estimate cost, line by line.

P1-006-08

Approval of Resolution Changing the Retirement Benefit as Agreed in POLC Contract

Martin explained this resolution is the same one from the prior meeting. It is only changing the effective date. It must match with the POLC Contract which states the B-3 benefit change will take effect July 1, 2007.

Moved by Lorenz, seconded Shepp, to approve the resolution changing the MERS benefit for the Police division from B-2 to B-3 as approved in the 2003 POLC agreement with an effective date of July 1, 2007.

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

RESOLUTION ADOPTED

Maurina asked when the current police contract expires. Martin stated July 1, 2008; negotiations will probably start next week. They will ask for a list of items and they will negotiate. Martin will provide a copy of the current contract to City Council. Approval of any change has to go before City Council.

Maurina questioned what they will ask for. Martin replied, they will ask for similar item as what

surrounding communities are getting. Martin has already let them know the city doesn't have much money.

Meeting Open to the Public

BD-002-08

Lorenz asked if anyone has heard any feedback from the Lakeview meeting. No one really had.

Loren Maurina gave council some questions to think about. How they think non-Lakeview residents feel about this? How they think they would feel if the city loses the spaces on Lakeview? Martin stated there are only eight spaces the city would lose. Loren Maurina questioned, what if the city pays \$100,000 for seawall replacement. How do they think the residents would feel and what if the fee goes to \$10 for the Lakeview dock holders?

Martin is meeting with Gaylen Curtis tomorrow and they will see where they will go from there.

ADJOURNMENT

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

Yes: All

No: None

MOTION CARRIED

The meeting was adjourned at 6:08 p.m.

Dennise Clippert, City Clerk