

CITY OF SYLVAN LAKE
STUDY SESSION
JUNE 28, 2005

A Study Session of City Council was held on Tuesday, June 28, 2005, at Sylvan Lake City Hall, 1820 Inverness, at 7:04 p.m. with Mayor Conkey presiding.

Present: Lorenz, Eriksen, Conkey, Hunger

Absent: None

Also Present: City Manager Martin and Clerk Clippert

Dock Layout and Fees

BD-003-05

Patrick Howell, Chairman of the Dock Committee, discussed dock fees and establishing a marina. Fees on surrounding lakes are: Cass Lake \$1600, Elizabeth Lake \$2300 and Pine Lake \$4200. They take the boats in and out of the water and have a gas pump for the dock renters. He believes fees should be increased in Sylvan Lake. The seawall and ramp are in need of repairs.

Howell along with Martin, has spoken with the DEQ regarding a marina. Currently the city is operating as a marina, but has no marina license. The DEQ is overworked and under staffed to enforce the violation. If Sylvan Lake wanted to create a marina, a public hearing would have to be held.

Lorenz questioned if Sylvan Lake had a marina, if it could be rented to outside residents. Martin stated it could be. Lorenz likes this revenue idea. Hunger agreed with Lorenz, but stated is the fight worth going through.

Council discussed other options for increasing dock spaces. Martin suggested only allowing one boat per space and decreasing the size of the spaces. Conkey suggested making every dock holder share their space. Conkey also would like for every dock holder to have to a registered boat in their space. He suggested a rack storage at the Community Center for boats without MC numbers, paddle boats, canoes and sunfish.

Eriksen recalled the discussion from last year where residents stated they took their turn waiting to get a space and those on the wait list can wait also.

Council discussed Lakeview seawall. Lorenz expressed, council may want to look at adopting an ordinance requiring the Lakeview owner s seawall to match the City s seawall.

Conkey asked for a list of boat space violations and the status of those violations.

ZP-009-05

Maximum Lot Coverage and Garage Location for Residential Property

Martin stated there will be a public hearing at the next Planning Commission meeting. The lot coverage issue ended up allowing 35% coverage up to 8,000 square feet of lot area. Lots greater than 8,000 square feet are allowed 25% coverage or 2800 square feet whichever is larger. There is a lot more still in the works on this ordinance than just this lot coverage issue. They talked about garages on the front of the house, also ways to encourage residents to have detached garages around the back and possibly by giving them a bonus of square footage of coverage.

Martin reminded council the ZBA hearing will be back before them this month. If council chooses to approve the amendment for lot coverage he would be pretty close, but Martin is not sure if he would recommend that without coming up with a package of all the ideas they have been discussing, which includes the garage.

Lorenz explained how the City of Birmingham has dealt with this. They made a two-prong attack on it and said you can't have more than 50% of the front of your house be a garage and the second step is your garage has to be set five feet back from the front of the house. Lorenz is in favor of adopting something like this, but possibly adding a bonus room above the garage.

Martin discussed with council the variance request. Lorenz stated if the ordinance for lot coverage is approved, then the homeowner could build his three car garage and be within the ordinance requirements.

Martin's recommendation is going to be to not approve the amendment until everything is together.

Millage Proposal Language

T-005-05 F-002-05

Martin would like direction on what council is thinking. Council has been discussing if it is going to be a millage or flat fee to the residents. He still hasn't received the final word if a voted flat fee would be allowed.

Lorenz discussed a flat fee to each household. Everybody gets their tags. Boat docks are a separate fee. He would like the Park and Recreation budget to be separate from the General Fund. He explained how currently the city is taking in less than what is being spent for parks.

Hunger suggested considering a fraction of millage. Lorenz doesn't believe it is fair to lakefront owners because they are less likely to use the park. Hunger reminded there would be income from the commercial district, especially if the DDA goes through and development really starts. Also some lower income resident could argue they never use the park either. Conkey stated they are still benefitting from the parks. The value of their home is also because it is a lake community.

Lorenz likes the idea of getting rid of the beach/sport tag fee. He questioned if the voters voted on a flat tax if that would be tax deductible. Martin stated it would be like a special assessment.

Lorenz believes a flat tax confuses residents. The voters need to be educated as to what they are voting on.

Eriksen would like to present a package to the residents.

Lorenz discussed a millage of .70 for a Parks and Recreation Millage, still having the boat dock fees separate.

Martin warned against only coming out even. Martin advised on giving a true picture of true cost.

Eriksen recalled discussion on levying 3 mills for the general fund. Lorenz explained by levying a Park and Recreation millage it would give the general fund the \$40,000 it uses currently to maintain the park. Eriksen asked if this was to just maintain and improve the parks, they are not trying to sell a new Community Center. Hunger thought it is just a budget for the Park and Recreation. It is not inclusive or exclusive. Martin clarified, the current budget is around \$80,000 and that does not include the Community Center. It includes \$15,000 for park improvements. It covers maintenance, porta johns, park rangers, repairs, cost for tags, locks, taxes and utilities. Fees for Sylvan-Otter is also budgeted in here.

Council discussed the fee structure for Sylvan-Otter weed control.

Martin brought up a complaint residents are having with mandating the homeowner must have a boat in order to get a ramp key. So if someone has a family member who comes into town for the day they can't get a pass unless they have a key already. Eriksen added they are just going down to the Boat Club and paying them \$20 to use their ramp. Martin would like the city to get the \$20. Eriksen would like to work on millage rate first. He thought council was discussing levying three mills.

Conkey asked what it would take to break even. Lorenz replied, 1.22 mills. Conkey inquired if 2.55 would be enough. Martin stated, 2.50 mills for the general along with .70 for Park and Recreation would be great. He will start working with this figure. Council needs to discuss what residents would be getting for this millage increase. If the millage doesn't pass the proposed cuts would be leaf program, police services and snow plowing. Eriksen would still like to see the millage go back to 10 mills as the Charter states. He doesn't believe it is unfair to ask for.

Conkey suggested putting a list together of other cities and their millage rates. He would also like to have a captain on each street to help explain to all households about this proposed millage.

Lorenz questioned what they are getting for the increase. Eriksen replied, it should be explained how money has been coming out the saving account for the last couple of years. Martin added, they need to start pushing all the things that are falling apart because of lack of funding. Also there are State and Federal mandates.

Dan Aldrich stated it is an inflation increase.

Ferndale Restroom

PR-024-05

Martin provided proposals he received from Patty. They ranged from \$24,000 with a Community Build to \$50,000. Council discussed what they liked and disliked. Hunger added they are more a guide and he believes they could do a City build similar to the play structure. It just gives them a focus point.

Hunger stated, Patty's committee has discussed using the pavilion for vending machines, can drives or having a concession stand.

Conkey doesn't like the overhang or having picnic tables by restrooms and believes it will be a place for kids to hang out. He is not in favor of having a concession stand or vending machines either. He would still like to see the cost to maintain it.

Lorenz would like to see the footprint from the pump house used.

Martin suggested turning it and having the restroom on the lakeside and the pavilion on the Ferndale side.

Hunger added, they just want to know what Council is interested in so they can go from there.

Lorenz stated it looks good, but council would need to decide how many bays for the pavilion they want to build. Eriksen likes the three bays.

Conkey suggested having a public hearing to discuss it.

DDA Update

ZP-010-05

The meeting with the County was canceled today and rescheduled for Wednesday 3:00 p.m. Martin has been speaking with McKenna regarding this meeting. They will be attending also. The Mayor and Mayor Pro Tem will also be there.

Eriksen questioned if a public hearing will take place this month. Martin stated he wasn't going to schedule the public hearing until after talking with the County. If it appears the County will opt out then there is no need to go forward with it.

Lorenz asked how firm the County is on opting out. Martin is not sure. He said they will have to listen to what they are looking for and see if it is what the City is working on.

Eriksen asked how the County benefits from a DDA. Martin replied, from the marketability; the draw to the County.

Eriksen noted Brooks is pushing Emerging Sectors and this should be good for approving the DDA.

Lorenz reminded, it has been recommended to remove the commercial and industrial district from the city's debt retirement levy, which would mean the residential would have to pick up that cost. Eriksen didn't recall hearing this. Martin explained it is something the County will look at to see if the city is serious. The water/sewer project would be a justifiable one to leave on because they have benefitted from it. It still means the residents would have to pick up an additional \$25,000, Lorenz stated.

Fence Ordinance

Council agreed with the proposed changes to the fence ordinance.

Makeup of Zoning Board

Z-005-05

Martin stated it has been advised to have a separate Zoning Board of Appeals from City Council. It is not good to have City Council make the rules and then be asked to supercede them.

Lorenz suggested appointing alternates. This would help when there is a conflict of interest or if someone is missing. Eriksen agreed to the alternates. He would still like to see Council sit as the Zoning Board. Conkey also likes being on the Board of Appeals and the knowledge Council has already. Hunger believes it is a matter of checks and balances and he doesn't mind sitting on the Board, but he is for having it separate from Council. He recalled Council's in the past not making good decisions. Lorenz added, Council can make it mandatory that they go to training if they are going to be on the Board.

Martin asked them to think about it. They could make it a combination of Council and residents.

Lorenz would like the alternates at least appointed soon. Martin stated the ordinance would have to be changed first. He will start working on that.

Fundraisers

PR-025-05

Martin reported the City just finished up with the Home & Garden Tour. He is setting up a meeting with Judy and Molly to discuss how the committee works. The City assisted the committee in a huge way. Guidelines need to be set. Martin has spoken with other municipalities on how they handle fundraisers and they don't even get involved at all.

Conkey agreed with this and was concerned with the liability also.

Martin would like to suggest to the committee to do it on their own. Lorenz was confused by this, stating it is 180 degrees turn around from last year. Hunger feels if volunteerism is going to work the city has to encourage and guide them. It can't be micro-managed. He believes it is a good thing even though there is a lot of balancing.

Community Center

CC-014-05

Mayor Conkey questioned if the Theater IV group is storing stuff in the Community Center. Hunger acknowledged they are. Conkey expressed, no one is allowed inside the building. They haven't signed any release forms and there is liability. Hunger will get the stuff out of there.

Martin reported on the RFP for the mold remediation. Martin and Bibeau have worked on it and City Council should have received a copy for their input. Martin would like to go in ourselves and clean and then have it tested. Eriksen didn't like this and he wants to get the RFP out. Lorenz questioned why they should have a professional company come in to scrub the building when they are saying the A room is ok and people already cleaned the basement. Eriksen likes the RFP and wants to go with it.

Lorenz asked to change a term from similar to no more .

Martin will make the changes and send it out.

Rental Ordinance

Eriksen questioned the status of the rental ordinance. Conkey stated, the property ordinance is with Planning Commission. Lorenz asked if the city received a copy of Keego Harbor s. Martin stated he did and it will be on the agenda for next month.

Adjournment

Moved by Hunger, support Lorenz, to adjourn the Study Session Meeting.

Yes: All

No: None

MOTION CARRIED

The study session adjourned at 10:18 p.m.

Dennise Clippert, City Clerk