

CITY OF SYLVAN LAKE  
STUDY SESSION  
MARCH 2, 2005

A Study Session of City Council Meeting was held on Wednesday, March 2, 2005, at Sylvan Lake City Hall, 1820 Inverness, at 7:01 p.m. with Mayor Conkey presiding.

Present: Dzenko, Eriksen, Hunger, Lorenz, Conkey

Absent: None

Also Present: City Manager Martin and Clerk Clippert

Discussion of DDA Process Peter Webster

**ZP-003-05**

Peter Webster, Dickinson Wright PLLC, discussed setting up a DDA (Downtown Development Authority) and the possibility of acquiring property. He explained condemnation and steps needed to proceed. This acquisition method would be used as a last resort. He stressed how the council would want to develop a vision of the city for any property. Necessity for public use would have to be proven. There are two obstacles in proving necessity, economic redevelopment and public purpose.

Darrell Fecho, McKenna, explained what the County will look at when making their decision to approve a DDA. They will want to know the need for it, the impact it will have on other properties and if the City has a plan showing a downtown development. He recommended getting the County Commissioner on board as early as possible.

Martin reminded council the impact this would have on the general fund. The tax dollars that would normally go to the general fund would now be a lost because it would be going to the DDA.

Lorenz asked for verification on who the members of the DDA board have to be. Fecho agreed that the majority would generally be business owners.

Webster summed up by advising council to get a handle on the value of the property and start the DDA process. He also recommended finding out any cost to remediate the property.

Community Center Discussion Survey and Process

**CC-004-05**

Darrell Fecho and Michelle Aniol, from McKenna, were present to discuss the survey process. They presented samples of their work with other communities. He stated they have done a lot of Recreation Plans and worked as kind of a project manager for these kinds of projects. He explained the survey process and options.

Council explained their concerns with getting a big enough response and asking the right questions.

Fecho stated a needs assessment should be done, then present the plans, options to residents and educate them. The City officials need to decide options and how to educate the residents.

He explained how a Building Authority works. The city enters into an agreement and it becomes like a mortgage where you pay it off in 20-30 years. It doesn't take a vote of the residents. It is not a millage. It has to be budgeted in the general fund.

Lorenz gave them a brief background on what has been done. Hunger added, a consensus among Council needs to take place.

Council debated if a survey should be done now or after a public hearing.

Conkey suggested the survey be educational, to include the history of Proposal A, the challenges the city is facing, asking the residents if they are willing to pay for a millage and how much.

Hunger would like to come up with 20 people to conduct a phone survey.

Michelle stated it sounds to her like there is an accreditability and ownership issue. She suggested Council update their Master Plan to start with.

Lorenz would like to educate the residents first and then have a third party do a survey.

Martin will work with McKenna to see if they can come up with a plan from council's feelings discussed here.

#### Dock Spaces Lining and Width

#### **BD-002-05**

Conkey would like the dock spaces relined so everyone has the same width dock space. He would also like to have permanent markers installed in the grass behind the seawall for reference to make sure docks are put in straight.

Martin stated surveyors would have to do this because of the curve of the seawall. A few years back they did from the beach to Telegraph. Martin estimated it would cost around \$10,000. He suggested doing from the beach to the Boat Club and both sides of the Community Center.

Rental Ordinance

**O-004-05**

Eriksen asked for it to be redone, taking out the all references to owner-occupied residential. Rental homes are looked at from a commercial stand point.

Conkey would like to drop the whole thing.

Council debated whether a rental ordinance is needed or if a blight ordinance should be drafted and enforced. Council asked Martin s opinion on it. Martin stated it would help identify the rentals, make sure there is only a single family living in it and more control for inspections inside and out. Martin clarified the City doesn t have a blight ordinance, it is a nuisance ordinance. Council agreed to look at an ordinance which registers homes, recovers inspection and administration fees; and also to look at a blight ordinance.

Fee for Police Reports

**P1-003-05**

Martin explained they have a new way for handling police reports. They now have to turn over their reports to TIA and TIA will handle the distribution of the report. They charge \$13 and the city would get \$5 of that. Martin will put this item on the agenda to increase our fee from \$3 to \$5.

Cat Ordinance

**P-005-05**

Council would like to hold a public hearing. Martin will add this to the agenda to set a public hearing date.

Park Fees

**PR-007-05**

Hunger stated he was sent an email asking this be reviewed, to charge everyone. Martin provided figures from 2004 on park registrations, showing 451 residents paid; more than half of the households. Hunger will provide this information.

Martin also informed City Council that 19 dock holders did not pay for their space on time. Council discussed applying a penalty. They decided they would call the 19 dock holders and to discuss this on the June agenda.

S & B Plumbing Bills

**WA-002-05**

Martin provided costs for pumps and for the building. He stated he moved fast on this because of the problem they were having down there. Next time he will make sure it goes out for bid. Martin is satisfied with the work and the new pumps. He stated it cost more because it was a small job and they had a hard time getting builders to do it.

Martin informed council, as a results of all the flooding, he has filed a grant request for harzard mitigation. The State called and said there is a good possibility of getting reimbursement up to \$80,000.

Speed Limit Garland to the Bridge

**P1-004-05**

Eriksen would like a 15 mph sign installed Pontiac Drive between Garland and the bridge. Martin informed him it can t be done because it is not in front of a park. Eriksen questioned Memorial Park. Martin clarified it is only 25 feet there.

Hunger asked if a sign could be put up and not enforced.

Lorenz questioned the political fall out for making it 15 mph.

Eriksen suggested a public hearing.

Martin will speak with the Chief.

Conkey suggested stop signs at Ferndale and Pontiac Drive and setting up speed traps.

Street Closing for Fireworks

**M-002-05**

Eriksen stated he doesn t expect to get the volunteers like he did last year.

Hunger stated he spoke with Brian Jeffrey s regarding the parking.

Lorenz spoke with Ellen s Pastries and The Lodge regarding selling food and splitting proceeds. They were both interested.

Eriksen suggested budgeting for extra help.

**S-003-05**

Expectation of Contractor and Engineer to Finalize Contract for Street/Drainage Project

Eriksen ask council if any of them wanted to fight the contractors and what they should fight. He stated if nobody wants to pursue it then he would drop it.

Martin stated he has been meeting with Engineers on strategies. They don t want to do anything until the contractor says they re done. Martin reminded council, the contractors owe the city money each day the project isn t finished. This stopped over the winter, but will take effect again as soon as they are able to begin work. There is additional work which still needs to be done, but is not part of the contract. Martin recommended that they do not have the current contractor do the work.

Lorenz stated he spoke with Phil Sakalian and he suggested getting another price and telling the contractors we ll deduct it from what is owed them. He also suggested making them extend their bond.

Possible Litigation

**L2-001-05**

Martin informed council he received a FOIA and a letter threatening to sue the city, from an attorney who is a resident in the city. He explained their water service broke and was repaired by S & B Plumbing. The homeowner called the next day because water was coming in his basement. Martin stated he went to look at it and it had 2 of water. The water was coming up through the drain. It was clean water. Something happened to the sewer service because water was coming in from the footing drains. The sewer service broke. Martin spoke with the City s insurance Company the day it happened and they stated the City is not responsible for it. Martin also spoke with Bibeau today.

Lorenz asked if the homeowner should have had a sump pump and if there is anything in the ordinance stating they have to. Martin stated he should have a sump pump, but there is nothing to force them to get one.

Adjournment

Moved by Dzenko, support Eriksen, to adjourn the Study Session Meeting.

Yes: All

No: None

MOTION CARRIED

The study session adjourned at 10:50 p.m.

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Dennise Clippert, City Clerk