

CITY OF SYLVAN LAKE
STUDY SESSION
NOVEMBER 27, 2007

A Study Session of the Sylvan Lake City Council was held on Tuesday, November 27, 2007; opening at 7:03 p.m. Mayor Hungerman presided.

Present: Lorenz, Shepp, Wiegand, Hungerman

Absent: Maurina

Also Present: City Manager Martin, Clerk Clippert and City Attorney Bibeau

Approval of Agenda

Lorenz requested to add Discussion on having a Recycling Committee

Moved by Lorenz, seconded Wiegand, to approve the agenda as amended.

Yes: All

No: None

MOTION CARRIED

Approve meeting time to 8:30 p.m. with one, one-hour extension by vote

Moved by Lorenz, seconded Shepp, to approve the meeting to 8:30 p.m. with one, one-hour extension by vote.

Yes: All

No: None

MOTION CARRIED

Meeting Open to the Public for Brief Comment

There were no comments.

Discussion of Lakeview Litigation

Bibeau reported there is a motion tomorrow, by the plaintiffs, to clarify the status of the case in light of some pronouncements the Judge made in the past. Bibeau filed a counter motion asking for fees for 2007. He stated they haven't done any discovery and they have the burden of showing the fee is unreasonable and they haven't done that yet. Bibeau feels the public meeting Council has setup with the Lakeview residents for January 22nd at 7:00 p.m. is a good idea.

Lorenz asked to discuss how the public meeting would be handled. He suggested a power point presentation laying out the City's point of view and history of what is going on. A time line of

the docks since the adoption of the boat dock ordinance in 1967, 1972-73 Warwick created land and sold quit claim deeds, which was a violation of the Plat Act, 1974 City & Lakeview residents begin to dispute the property, 1977 Consent Judgment enacted, 1987 boat dock fee enacted, 1987 Special Assessment hearings for seawall installation on Lakeview, and in 1988 Lakeview residents agreed to make repairs themselves.

Council agreed they feel the seawall is not solely the city's responsibility. Bibeau suggested they stick with the issues that the Lakeview residents have addressed in the lawsuit. Hungerman added the boat dock fees are designed to cover cost and it affects all boat dock owners. It is not a revenue generator. The expenses have always exceed the revenues.

Lorenz suggested they ask them to dismiss the case and find out what they really want. Council asked Bibeau to do the presentation. Bibeau indicated they should allow Gaylen Curtis to counter since she is representing the Lakeview residents and to provide a copy of the presentation, ahead of time, to her.

Discussion of Dock Committee

Brad Conkey was present to propose his ideas for the dock committee. He provided names of residents who have been working on the committee and who are interested now.

Bibeau suggested council discuss formalizing the committee, the purpose, number of members, terms, how they are to be appointed and duties expected.

Martin suggested having them start by going through the rules and regulations and cleaning it up. Then having them police and enforce the ordinance.

Council agreed letters of interest should be submitted to City Hall. A five member committee would be formed with one year terms. Meetings would be public, posted and recorded. Voting would be a majority of the membership and they would be meeting once a quarter and more if necessary.

Moved by Shepp, seconded Wiegand, to extend the meeting 15 minutes.

Yes: All

No: None

MOTION CARRIED

Discussion to have a Committee for Recycling

Lorenz stated a group of volunteers would like to start a committee to push recycling. They heard that only 25% of City is recycling. They have ideas to put a one page flyer with the newsletter.

Council asked if they want to have a formal committee or just an endorsement for their action. Martin will find this out.

City Manager Comments

ROW

Martin asked Council to look at Bob Monument's property on Lakeview and also one house by Mitch Black's on Garland. They have a split rail fence and then there is a little bridge over the ditch. They were issued a violation. Monument said he didn't want the ditch enclosed and he thought this would be ok. This is not allowed by the new policy and Martin would like to discuss it with them.

Newspaper/City Manager

Martin stated there was a rumor of him getting fired, but he feels that is straighten out now. There was an article in the newspaper about all City Managers are under the gun from new council people being elected. Wiegand reported when the paper called him they said they heard a rumor the new city council members where not happy with John Martin. Wiegand told them there is no such rumor and they are happy. Lorenz feels they are fishing for stories. Hungerman stated they called him also, but when he called back and left his number, they never called him back.

Check Register

Martin reported there will be two checks on the report next month. One is for the Dump Truck, which has been ordered and the other is for repairs on the roads. Shepp asked how the trucks are purchased. Martin stated usually the city goes with the County or State bid, but this year they went with GM and Martin really wanted a Ford. Bid specs were sent out to a number of dealerships and Skalnek was the lowest.

Wiegand asked about Council members missing meetings and how many are allowed. He noted Maurina has missed the last three meetings. Martin stated the Charter states that if a council member is absent three consecutive regular meetings without being excused by the other Council members, this creates a vacancy. The cause of absence is to be stated in the record.

Appointment to fill the vacancy is for the remainder of the term. Lorenz stated he has considered her excused because she started this new job and he likes having her on Council. Hungerman agreed and stated he has spoken with her on this and told her to give it time and she would get it worked out with her job. Shepp feels she would resign if she felt there was a problem. Council agreed when someone is absent they will make a motion to excuse them or not.

Wiegand commented on the blight in the city. Martin stated he will go around with Wiegand next week.

ADJOURNMENT

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

Yes: All

No: None

MOTION CARRIED

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

Dennise Clippert, City Clerk