

A Regular Meeting of the Sylvan Lake City Council was held on Wednesday, May 11, 2016; opening at 8:03 p.m. Mayor Dzenko presided over the Pledge of Allegiance.

Present: Zubrzycki, Cassar, Dzenko, Lorenz, Meskin

Absent: None

Also Present: City Manager Martin, Clerk Dryden and Attorney Schultz

APPROVAL OF AGENDA

Moved by Lorenz, seconded Cassar, to approve the City Council Agenda for May 11, 2016, as submitted.

Yes: All

No: None

MOTION CARRIED

APPROVAL OF MINUTES

Moved by Cassar, seconded Zubrzycki, to approve the April 13, 2016 regular meeting minutes as submitted.

Yes: All

No: None

MOTION CARRIED

APPROVAL OF DISBURSEMENTS

Moved by Meskin, seconded Lorenz, to approve the voucher report for May totaling \$219,113.29, as submitted.

Apr Payroll	\$ 50,468.19	Check #'s	11798-11802 DD2601-DD2623 EFT1047-EFT1053 STUB65-STUB67
Accts Pay- Apr-May	<u>\$168,645.10</u>	Check #'s	48834-48871
		EFT	1184-1188, 1190-1196 (E)
Totaling	\$ 219,113.29	ACH	1189, 1197-1201(A)

Yes: All

No: None

MOTION CARRIED

### ACCEPTANCE OF REPORTS

Mayor Dzenko received the Police and the City Attorney reports for April and asked that they be placed on file.

### COMMITTEE REPORTS

Jim Smith reported for the Memorial Day Parade Committee. The parade is May 30<sup>th</sup> starting at 11:30 a.m. It will be the same route as last year. They have added a drum line thanks to Jim Endres. There will be a new announcer, a reporter from WXYZ, Shelley Childes, a Sylvan Lake resident. Bike decorating begins at City Hall at around 10:30 a.m. Smith added they are going to lean towards honoring the Veterans who were killed in action.

Kathy Robbin added she is helping out and they will also acknowledge Veterans who live here. Anyone who knows of a vet should contact the committee.

Jim Endres shared the Vets have decided they don't want another shirt or hat, so that money will be donated to needed Vet's. Donations will be taken at the park during the ceremony.

Endres also reported the next Planning Commission meeting will be June 7<sup>th</sup> and the next Cable meeting is tomorrow night at 7:30 at the Civic Center TV.

### BRIEF PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Helen Jane Peters announced coming events: Sylvan Shuffle May 21<sup>st</sup>, Apple Island Tours-May 21<sup>st</sup> and 22<sup>nd</sup>, Michigan Week Breakfast-May 20<sup>th</sup>, five residents will be recognized; Home and Garden Tour-June 25<sup>th</sup>, they need docents and cookies made; Plant Exchange-June 4<sup>th</sup>. Russ Meskin added drivers are needed for the tour. Helen Jane noted the new tables and chairs at the Community Center were donated by the Home and Garden Tour.

**A-004-16      O-001-16**

Marjorie Holler received a letter about her neighbor running a business out of his home, which concerned her. She asked how the city is going to address it.

Kristin Albani asked what the policy is for safety for the residents. She feels there needs to be a sense of balance with how City Council works with the community.

Neil Friedman learned at the last meeting the Garbage and Rubbish fees are based on taxable value. So he may be paying a lot more for garbage than his neighbors. He feels this should be evenly shared. Also he shared he received a letter from the City regarding his boat dock being installed incorrectly. Year after year it is wrong and he uses a city employee to install his dock. He asked

why the city can't tell the city employee how to install the dock. When he called City Hall regarding this he was told that is not the city's problem.

Ron Goldman asked Council to assure those neighbors who live next door to the person who the letter is about, that they are safe.

Ramiro Munoz stated if you sell firearms residentially there will be an increase in traffic. He asked what Council is going to do with the increased traffic.

Emsley Wyatt feels this type of business needs to be on Orchard Lake Road and not residential.

### CITY MANAGER COMMENTS

#### Events

The annual City-wide garage sale will be May 27<sup>th</sup>, 28<sup>th</sup> and 29<sup>th</sup>. Make sure you sign up for that soon if you want to have your sale advertised and on the map.

We had a few events over the past month. Memorial Park workdays organized by Robin Reisig for many years now are great and the work accomplished is wonderful. Memorial Park is all spruced up and ready for Memorial Day. The Park cleanup hosted by the Parks and Rec. committee was well attended and the work much appreciated. Lots of cleanup and painting was accomplished. Over our somewhat light winter, the DPW was able to repair and paint all of the picnic tables too. The kids Movie Night a couple weeks ago was a big hit too. He reminded everyone to check out the city's Events Calendar to see all of the things that are going on. Also, if you're interested in keeping up with what's new on the website, you can sign up for "e-notifications" if there is something you are interested in like the City Council agendas, click the e-notify button and anytime something new is posted you will receive an email letting you know.

#### City Hall Construction

#### **A-005-16**

The City Hall project is moving along. The trim and doors are being finished on the main floor right now and they've begun painting. We're very excited about finishing up and moving back upstairs and out of the slightly cramped lower level!

#### Awarded Grant

#### **F-009-16**

Martin was very happy to announce that the city was awarded a grant from the Michigan Municipal Risk Management Authority for the purchase of Cameras for our patrol cars and also our lock system for the Police Department and City Hall. The total of the reimbursement was just under \$19,000.

#### Water Quality

#### **WA-003-16**

Martin sends out a consumer confidence report annually that explains that status of our water system, what testing has been done, what is found in our water etc. That will be sent out this summer. In light of what has happened in Flint Martin thought he would share just a couple thoughts tonight.

Sylvan Lake purchases our water from Detroit Water, or now the Great Lakes Water Authority. It is great water and we have not had any issues with it. Lead is generally not found in the source water itself. Problems similar to those in Flint arose not because of the water itself, but because of other issues with pipe type and water treatment being added. The issue with lead comes from the lead actually leaching into the water from old lead service lines. Prior to the 1930's lead service lines were installed from a water main to a home. Tiny amounts of lead would flake or leach off into the water going into the home. The galvanized plumbing installed at the time would allow some of the lead to cling to the galvanized pipe and some would continue to the faucet. When it was found that lead was this toxic, many lead service lines were replaced. However, the galvanized piping in homes was not. So the lead that was in the pipes would continue to come off of the pipe or the sediment in the pipe and enter the water. Our water system here was installed in the early 50's. So even homes that are from the 30's or earlier would not have had lead service lines. On the down side, copper pipes using solder with lead in it are known to leach small amounts of lead into the water as would some faucets made of brass that had very small amounts of lead in them. The highest amounts of lead are generally found if the water has been sitting in the pipes, not being used for a long time. Then the "first flush" of water from a faucet would contain most of the contaminants.

The EPA has set a health goal of 0 parts per billion of lead with an action level of 15ppb or more. We have had zero ppb in the 90<sup>th</sup> percentile. What is a part per billion? It is the equivalent of one penny in 10 million dollars, 1 second in 32 years or one drop of water in an Olympic-sized swimming pool.

Sylvan Lake has been testing for lead and copper in our water for several years now and have never exceeded the action level set by the EPA. Martin reminded everyone to make sure they read the consumer confidence report when they receive it this summer.

**BD-002-16**

Martin addressed Friedman comment on the boat dock installation problem. He agreed the person who installed his dock is a city employee, but he is not a city employee while installing your dock. We don't allow those two to comingle. Whoever the dock holder hires is working for you not the City. The dock holder should be down there while the dock is being installed to make sure it goes in correctly.

**A-005-16**

**O-002-16**

Next he addressed the letter that was sent to everyone. It was very well written and it served its purpose because you are all here. What this person is doing in their home is considered a home occupation and is allowed. A home occupant is not the primary function of a home. The person doing this is not a manufacture of guns; he is a gunsmith. He takes things and modifies them, puts parts on them. He does not sell ammunition. He is a federally licensed gunsmith, so he is following all the federal regulations. He is following the City of Sylvan Lake's rules. Parking was mentioned and that is one of the things they do look at when running an occupation in your home. Parking cannot negatively affect the area. You can't do something that is noisy or smells bad and there are others things as well. What he is doing is allowed and is safe and he is following the federal guidelines. He reminded everyone there are many household that have guns in their houses. We take

the safety of our residents very seriously monitor all home occupations as best we can. If you see or hear something that doesn't seem right, please let us know.

Sewer Lines

**SW-006-16**

Martin asked who is having sewer issues. There was no show of hands. The city is cleaning and televising all the sewer mains as part of the \$1M SAW grant the city received. It is part of the mapping and inventory to access what our capital needs are. There have been a few households, when the jet goes by, every once in while it will push some of the water back up the service line which is to your home and it make come out your toilet and you may get sewer gasses. It will only be once.

### COUNCIL COMMENTS

Cassar thanked everyone for coming and he likes seeing this turnout. He stated a lot discussions happen at the study sessions and encouraged everyone to attend them.

Zubrzycki welcomed everyone and thanked them for coming. He recognized the volunteers on many different committees and stated they are always looking for more. He thanked those who are volunteering already. Helen Jane Peters interrupted and shared Jim Endres raised the stone in front of the Memorial. Jim Endres added the Little Library has been moved from Memorial Park to Ferndale Park by the restroom.

**A-006-16      O-003-16**

Zubrzycki stated he received the letter also and everyone on City Council has children that have played in the neighborhood and they have the same concerns as everyone in the audience. His wife heard about this a month ago before the letter went out and Zubrzycki contacted Martin regarding what the city's policy is. To his satisfaction the City Manager and City Attorney have answered all his questions. He thanked everyone for coming and asked them to contact the City anytime they have a concern. He informed them of the website and newsbytes which are great for keeping informed. He also invited everyone to attend the study sessions.

Lorenz also thanked everyone for coming and the volunteers for the great work they are doing. He also agreed the letter was very concerning. They really do care about the safety of the residents. He has reviewed this with the City Manager and with many residents in the neighborhood; some actually know this individual. He has only received outstanding reports about this individual. Lorenz feels this is more like a hobby, not a business. The individual does work with actual Police Departments. He feels he was properly vetted. His bigger concern is with the person who wrote the letter and why he wrote it because it might be purposely misleading everyone and site certain inks in the neighborhood. He doesn't believe the letter was written for everyone's safety. Someone in the audience stated the letter should have been signed if they were so concerned with everyone's safety.

Meskin thanked everyone for coming. He believes the letter was written by a former partner and is

not a resident. Meskin stated volunteers are needed to help with driving the buses for the Home and Garden Tour. Meskin asked if the sewer televising and work will give a more exact billing. Martin stated one of the requirements for this is after is it all done and they see what capital improvements are necessary that they have to have auditor come through and reassess our rates to make sure everything the city does is covered. The new rates may not be in our favor. **SW-007-16**

Cassar also addressed the letter. He stated he got to know this individual before the letter came out. He has the highest caliber of safety standards, he is highly skilled and he is certified. Cassar would be more concerned with other households and what they have in their homes and not as skilled.

Dzenko asked everyone with more questions to contact City Hall and if anyone has a suspicion to call the Police.

Jennifer Wyatt has cause for concern when someone has guns in their home.

Ron Friedman asked Council to have this individual come to the next meeting to address resident's concerns. Attorney Schultz stated City Council doesn't have the ability to do that. Friedman urged Council to invite him then because he felt Council was not making the residents feel safe.

Nicole Menuck addressed Martin's comments that the letter was well written. There were a lot facts and statues mentioned in the letter. She asked that this be addressed to make everyone feel better. Martin stated the letter did a great job because they are all here and in Martin's opinion that was the purpose of the letter. The main thing is it is a legal, allowed home occupation. So the first page and half was not true because he is licensed. Attorney Schultz stated the letter is incomplete, not completely true.

## **ACTION ITEMS**

- a. Certify Delinquent W/S and A/R Bills to Tax Roll **T-001-16**

Moved by Zubrzycki, seconded Lorenz, to approve placing delinquent water/sewer and accounts receivables as presented totaling \$4,510.86 on the summer tax roll.

Yes: All  
No: None

**MOTION CARRIED**

- b. Budget Amendments for FY 2015/16 **B-004-16**

Moved by Lorenz, seconded Cassar, to approve the budget amendments for Fiscal Year 2015/16 as presented.

Yes: All  
No: None

**MOTION CARRIED**

- c. Garbage and Rubbish Contract Extension with Rizzo Environmental Services
- d. Ordinance 325 to Amend Chapter 54 of the Code of Ordinances "Solid Waste"
- e. Resolution Establishing Cost for the Collection of Trash, Recycling, HHW, Leaves, Cleanup, etc.

Moved by Lorenz, seconded Cassar, to table items C, D, and E until the next meeting.

Yes: All  
No: None

**MOTION CARRIED**

- f. Millage Rate Resolution Adopting 2016/17 Millage Rates **B-005-16**

Meskin asked if they are setting the Garbage and Rubbish rate at 1.9575 and the grand total being 22.9146. Dryden stated that is correct.

Moved by Lorenz, seconded Cassar, to approve the millage rate resolution as presented and setting the millage rate for the Garbage and Rubbish fund at 1.9575 for the Fiscal Year 2016/17.

Yes: All  
No: None

**RESOLUTION ADOPTED**

- g. Appropriations Resolution Adopting 2016/17 Budget **B-006-16**

Martin stated this resolution set the budget for 2016/17.

Moved by Cassar, seconded Lorenz, to approve the appropriations resolution setting the budget for 2016/17 as presented.

Yes: All  
No: None

**RESOLUTION ADOPTED**

**NON-ACTION ITEMS**

- a. Security for Ferndale Park, Restroom and Boat Launch
- b. Parking in ROW
- c. Fire Department
- d. Seawall – Pontiac Drive and Lakeview Beach
- e. ROW Policy

**ADJOURNMENT**

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

Yes: All

No: None

**MOTION CARRIED**

The meeting was adjourned at 9:04 p.m.

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Dennise Dryden, City Clerk