

A Regular Meeting of the Sylvan Lake City Council was held on Wednesday, October 14, 2015; opening at 7:30 p.m. Mayor Dzenko presided over the Pledge of Allegiance.

Present: Lorenz, Meskin, Zubrzycki, Cassar, Dzenko

Absent: None

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

APPROVAL OF AGENDA

Moved by Cassar, seconded Meskin, to approve the City Council Agenda for October 14, 2015, as submitted.

Yes: All

No: None

MOTION CARRIED

APPROVAL OF MINUTES

Moved by Lorenz, seconded Cassar, to approve the regular meeting minutes of September 9, 2015 as submitted.

Yes: All

No: None

MOTION CARRIED

APPROVAL OF DISBURSEMENTS

Meskin asked for of expenses for the construction at City Hall. Martin stated he planned on bringing that to the next study session for discussion.

Moved by Meskin, seconded Lorenz, to approve the voucher report for October totaling \$431,907.45, as submitted.

Sept Payroll	\$ 55,976.43	Check #'s	11756-11761 DD2413-DD2439 EFT991-EFT1000
Accts Pay-Sept-Oct	<u>\$ 375,931.02</u>	Check #'s	48518-48583 EFT 1053 (E)-1055(E), 1061-1072(E)
Totaling	\$ 431,907.45	ACH	1052(A), 1056(A)-1060(A)

Yes: All

No: None

MOTION CARRIED

ACCEPTANCE OF REPORTS

Mayor Dzenko received the DPW, the Police and City Attorney's reports for reports for September and asked that they be placed on file.

COMMITTEE REPORTS

Mayor Dzenko stated council should have received a report from the Parks & Recreation Committee. This report will be placed on file.

Jim Endres asked if Council received the Planning Commission memo on attendance. Mayor Dzenko confirmed they did and stated they would look it over.

BRIEF PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

CE-001-15

Nicole Menuck asked if there is a code enforcement officer. She shared there is a habitual offender who leave his trash cans at the curb for half the week. Also there are a lot of leaf bags that will out earlier than garage day. Martin confirmed there is a code enforcement officer and he tagged garage can that were out to early today. He stated they are not going to tag the leaf bags this time of year.

L2-001-15

Cheryl Fearon, 1945 Wellington, Bloomfield Hills, spoke before City Council regarding the DTE litigation for sanctions. She is one of the residents involved in this and they are going to court on October 21st. She asked City Council for support and asked if Council members would come to court to support them.

MaryAnn Smith expressed the Pumpkin Patch was a great event. She acknowledged she supports the residents with the DTE lawsuit and feels the City Council and City Manager should be writing letters to Judge Langford-Morris, that the City has attempted to work with DTE. She feels the Judge needs to know these things. The citizen of Sylvan Lake should show up to support them too.

Jim Endres doesn't believe City Council writing anything will help. He feels the Judge won't even consider it.

Jim Smith shared the tree planting event was a nice affair. It was great the trees were donated. It was a nice diverse group helping out and he congratulated all who donated their time. He recognized Martin for being there too. It was a great neighborhood affair.

CITY MANAGER COMMENTS

City Work

Martin shared there is a very short time to try to get our outdoor projects completed. Spring we are trying to get everything cleaned up from the winter and ready for summer and now we're already gearing up for leaves and snow removal.

City Hall Construction

City Hall is coming nicely although we keep being surprised now and then with the work, layout, etc. Martin will be talking at the next study session about some new ideas for City Hall. He thinks they are excellent plans that we should implement while we're working on the building.

Streets

S-006-15

Paving Repairs will begin soon. He does not have a specific date because the contractor is very busy. He will only be giving us a couple days' notice. They are supposed to be completed this fall though.

Leaf Collection

CA-005-15

It is scheduled to start the 26th. We are asking them to start next week so they don't get behind, but that is not confirmed yet. We are going to encourage people to use leaf bags if they don't want their leaves sitting at the edge of the street. We will also be lenient on people putting their leaf bags out prior to trash day. We would rather see them in bags than piled in the street.

Boat Docks

We're already planning for the boat dock season next year and trying to make it as easy as possible on both City Hall and the applicants.

Audit

The Auditors are finishing up the audit. There always seems to be unforeseen issues that take a little more time than usual. There is a lot more to an audit and report than people realize. If the auditors are going to do a good job, and ours do, it cannot be rushed. It's not a matter of just looking at our books and not finding any arithmetic errors. They look at all funds and departments very closely to make sure we and the audit follow state guidelines. What makes it more interesting is the state guidelines keep changing and becoming more onerous on the municipalities and auditors.

SAW Grant

They are still plugging away finishing up manhole inventory. The bid specs for sewer cleaning and televising are being finished and ready to be sent out now.

Donations

FR-003-15

Bocce Court restrooms are being painted inside by a couple of our residents that happen to be here tonight. The generosity of people donating their time and material is really nice to see. He thanked Jim and Mary Ann Smith for all of their help.

Police Video

The in-Car police video is working exceptionally well. They are very grateful for being able to have it in their vehicles. It has come in very handy, nothing serious, but helpful.

Trail/Trees

RT-002-15

Trail Trees. Martin mentioned last month, ITC, owner of the large electricity transmission lines and towers along the trail, came and topped the trees along the south side of the trail between Orchard Lake Road and Inverness the beginning of August. ITC cut the trees following the laws that allow them to do so. What was left was less than desirable for our trail and City. Actually, they were just sticks with vines on them. Martin met with representatives from ITC and they looked at the area where ITC is creating a sign that will say the area is a work in progress and explain what is going to be done. It will state something like:

Summer 2015: - Incompatible vegetation and invasive species were removed by ITC field crews. ITC is providing safe and reliable power to your community by removing transmission line incompatible tall growing plant species within and near to the wire zone at this project site.

Fall 2015 - Spring 2016: Project site is being prepared by controlling regrowth of incompatible and undesirable invasive plant species.

Late summer 2016: Native plantings and seeding are installed to foster a sustainable greenway that will beautify the trail, are able to better tolerate drought, absorb storm water run-off and thrive into the future.

ITC is now working with the City to beautify the area using plantings that meet ITC's requirements. This will make a lasting improvement to that section of the trail. For those of us with sight looking into the future, we realize this will be a fantastic improvement to the beauty of the trail in that area. Those complaining about losing the "canopy" don't realize it was already lost when the trees were trimmed. They didn't see the sticks that used to be trees. He is meeting with a representative from ITC Friday to discuss planting. We have also painted the wall behind the gas station.

Tree Planting

S-007-15

Martin shared we did our first of hopefully many community tree planting a few weeks ago. ReLeaf Michigan, who has been working with the city on the tree inventory and planting program has obtained a grant for the City to plant 20 trees. We have chosen locations on Woodland and Lakeland to plant them. A real tree inventory and planting program has been on our goals and objectives list for quite a few years now. Having the inventory and program will help us assess the trees, their health, replacement and give us an idea of value to the City. He found it interesting that there were a lot of people that honestly thought we hadn't planted any trees in the City for 20 years or something. Then they are surprised to learn we've easily planted 100 trees in the past 5 or 6 years. It's just easy to miss the small ones amongst the tall ones. A big thank you to Barb Ash for her passion for trees and all of the work she's put into this project.

City Hall Trees

M-002-15

Martin stated we need to remember that just like any other living thing, trees have a life span. We want them to last as long as possible, but they will not last forever. It is our job to remove them prior to them becoming a hazard. We also need to plan for the future both for construction, open space, sight lines, disease, etc. We have lost a lot of trees or parts of trees in the past few years during storms. There is no blame to be placed when a tree gets old and needs to come down. It is also possible that a tree will not be planted in the same place the old one was. There are a number of things to take into consideration. We do our best to come up with species that fit the criteria for the location to be planted. With that in mind, it is sad to say that we need to start over with the trees in front of City Hall. The pine trees were planted over 60 years ago. The two closest to City Hall had an incurable disease and need to come down. There used to be two near Inverness and we lost one several years ago. The one that is left looks terrible because it is topped by DTE because of the power lines. So we will be removing those trees in the near future and will come up with a nice landscape plan.

COUNCIL COMMENTS

Cassar thanked everyone for coming. He is already eager for spring.

Lorenz thanked Jan Hays for the pumpkin patch. He asked Attorney Schultz if it would do any good for Council to write a letter supporting residents in the DTE lawsuit. Attorney Schultz stated they should not as a council because of due process issues, but individually can do what they feel is appropriate. Lorenz asked where the letters should be sent. Schultz recommended the Attorney for the residents since he can have them presented to the court.

Zubrzycki also thanked Jan Hays and feels the city is very fortunate she donated everything and paid for the rental of the Community Center to do the event. Zubrzycki thanked Martin for saving the city money with things such as road repairs and tree donations and many other things too. Zubrzycki acknowledged he is also involved in the DTE lawsuit. He feels if it would have gone to trial then they would have won.

Meskin asked for clarification on the DTE \$15,000 case evaluation. Zubrzycki explained that was the original offer to settle the case. Residents turned it down because they wanted the noise to go away, not money. Martin asked when the case evaluation was. Zubrzycki estimated in 2010.

Meskin stated the hill by the police entrance looks good.

Jim Endres asked for clarification on writing letter as Chairman of the Planning Commission. Attorney Schultz reiterated it is ok to do as a resident, but not as a representative of Planning Commission. They can reference they are on Council or Planning Commission and know of the

lawsuit, but this is their personal opinion.

Cheryl Fearon asked if the Mayor or City Attorney could do a letter mentioning the two DTE lawsuits. Zubrzycki clarified those were zoning issues. Attorney Schultz stated.....

Dzenko asked when the leaf collection starts. Martin stated October 26th; he is trying to get them to start earlier so they don't get behind like last year. Martin added residents can bags their leaves also. Dzenko continued with praising Jan Hays' pumpkin patch. He commented on the "Next Door Site", he didn't realize other communities can chat too. Nicole Menuck informed him there are settings so you can block that if you choose to.

ACTION ITEMS

- a. Annual Winter Maintenance Agreement with RCOC **CA-001-15**

Martin reminded council this is done annually. There is a 10% increase over last year's agreement which the city will receive. Lorenz asked if Martin knew the actual cost for maintaining that section. Martin explained it is by linear foot. Lorenz recalled the County use to maintain that. Martin agreed that was true. Cassar asked when the City started. Martin estimated about 20 years ago.

Moved by Lorenz, seconded Meskin, to approve the Winter Maintenance Agreement with TCOC for the 2015/16 winter season.

Yes: Meskin, Zubrzycki, Cassar, Dzenko, Lorenz
No: None

MOTION CARRIED

- b. Mayoral Appointments to Zoning Board of Appeals **A2-006-15**

Mayor Dzenko stated Nicole Menuck and Dave MacGillis have been on the board and expressed an interest to remain on it. Mayor Dzenko appointed Nicole Menuck and David MacGillis, to the Zoning Board of Appeals for a three year term to expire on September 30, 2018.

Moved by Meskin, seconded Zubrzycki, to approve the Mayor's appointment of Nicole Menuck and David MacGillis, to the Zoning Board of Appeals for a three year term to expire on September 30, 2018.

Yes: All
No: None

NON-ACTION ITEMS

- a. Security for Ferndale Park, Restroom and Boat Launch
- b. Parking in ROW
- c. Fire Department
- d. Seawall – Pontiac Drive
- e. Ordinance Regulating Construction Sites

ADJOURNMENT

Moved by Cassar, seconded Zubrzycki, to adjourn the regular City Council Meeting.

Yes: All

No: None

MOTION CARRIED

The meeting was adjourned at 8:19 p.m.

Dennise Dryden, City Clerk