

A Regular Meeting of the Sylvan Lake City Council was held on Wednesday, May 28, 2014; opening at 7:58 p.m. Mayor Zubrzycki presided over the Pledge of Allegiance.

Present: Dzenko, Lorenz, Meskin, Zubrzycki, Cassar

Absent: None

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

APPROVAL OF AGENDA

Moved by Cassar, seconded Dzenko, to approve the City Council Agenda for May 28, 2014, as presented.

Yes: All

No: None

MOTION CARRIED

APPROVAL OF MINUTES

Moved by Meskin, seconded Lorenz, to approve the following minutes as submitted:

April 16, 2014 Regular Meeting and Study Session

May 1, 2014 Special Meeting

Yes: All

No: None

MOTION CARRIED

APPROVAL OF DISBURSEMENTS

Moved by Lorenz, seconded Meskin, to approve the voucher report for May totaling \$251,426.49, as submitted.

Apr Payroll	\$ 46,042.39	Check #'s	11596-11602 DD1935-DD1955 EFT828-EFT838
Accts Pay-Apr-May	<u>\$205,384.10</u>	Check #s	47600-47670
		EFT	738 (E) - 753 (E)
Totaling	\$ 251,426.49	ACH	739 (A) ó 743 (A)

Yes: All

No: None

MOTION CARRIED

ACCEPTANCE OF REPORTS

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

COMMITTEE REPORTS

There were no committee reports.

BRIEF PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Jim Endres thanked Jim Smith and Pete Peters for stepping up and pulling together the parade at the last minute.

S-008-14

David MacGillis shared his tree was hit by an intoxicated speeding driver. This has happened two other times in the past. He is concerned with the speeding drivers on Garland. He feels that stretch along Garland needs a stop sign to slow drivers down. He would like it at Woodland and Garland. The corner is tight there. He asked City Council to consider putting the local liquor establishments on notice that the police will be watching them and fining them if they allow intoxicated people to drive. He also suggested installing reflectors on the curve. Some have suggested to him lowering the speed limit, but he is not in favor of that. He would rather see a four-way stop sign. He also suggested installing pedestrian walking signs or possibly straightening out the street the next time they are redone. When MacGillis talked to Martin, Martin had told him it's a good thing the tree was there. MacGillis doesn't agree with that. He urged Council to discuss this.

Helen Jane Peters shared the next two Wayside signs have been designed and paid for by Sylvan Lake residents. They will be going up soon.

Pete Peters commended Dick Pfeffer for picking up trash every morning on his walks. He added all residents need to do this to help keep the city looking good.

Joe Scolaro is concerned with traffic flow and speeding in the city. He implored Council to control speeds.

Annette Meskin asked how many patrolmen are on at night. Martin replied there is one officer for each shift. Meskin feels that is not enough.

Jim Smith thanked Russ Meskin for his previous work on the parade and Jim Endres, Pete Peters, Pam and Neil Friedman for their help this year. Also he thanked John Martin, Dennise Dryden,

Mayor Zubrzycki, Luke Cassar, and Aron Lornez for their help. The good neighborhood signs were a success and he was pleased how everything worked out. Helen Jane Peters announced the parade is now showing on Civic Center Channel 15 and on the web.

Neil Friedman inquired when the gates will be going up.

Bill Brundage asked if police have been added. He sees them all over the neighborhood and is thankful because it is reassuring to see them. Zubrzycki stated he is probably seeing a lot of the reserve officers. There are two full-time officers, five part-time and a lot of reserves.

CITY MANAGER COMMENTS

Memorial Day Parade

Martin thanked Jim Smith for taking on the Memorial Day Parade and pulling everything together with little time. The new route worked well, the families had a great time, the weather was beautiful and there was very good attendance.

Garden Club

Martin also thanked the Garden Club and all its members for their continued work on beautifying Memorial Park. He shared he heard that Don Newman spends an awful lot of time working in the park and Martin didn't realize that. So a special thank you to Don!

SAW Grant Update

Martin had nothing new to report on the SAW grant.

City Hall

We're working on the official drawings for City Hall and will have them done soon. In the meantime we're working on removing everything from the basement so we can start work.

Hawk Signal

RT-001-14

The HAWK light is installed and operational. They did a really nice job with the installation. Martin has contacted the RCOC asking a few questions, but it's great. Annette Meskin suggested putting an explanation of how the signal works in the newspaper. Martin stated he has spoken with the Road Commission about putting up a sign in advance saying stop on signal. He can send a newsbyte out regarding this. The Friends of the Clinton River Trail want to have a joint ribbon-cutting ceremony with us, the RCOC, County and UPS Martin will forward dates to City Council. Zubrzycki added the Beacon will probably attend the ceremony and do an article.

Upcoming Events

The Garden Club's annual Plant Exchange is Saturday, June 7th from 10 a.m.-noon. Fireworks will be July 3rd. Martin asked City Council if still want to do the parking at the Community Center.

Council agreed to do. Martin acknowledged a few issues with gates, park rangers and buoys not happening. He promised it won't happen again. He thanked whoever put the buoys in. He noted the gates are only closed on weekends until school is out and the Park Rangers have started now.

COUNCIL COMMENTS

Cassar thanked Zubrzycki and Meskin for the nice program for the Veterans. He also thanked Jim Smith, Pete Peters and their helpers. They did a great job in taking over. It was good to see Uncle Sam and Statue of Liberty. Cassar thanked Martin for his music performance.

Dzenko apologized for missing the parade. He thanked Helen Jane Peters for her work on the Wayside Signs and history of the City. He asked Martin about the construction house on Garland. Martin stated he received plans and they were sent back to the owner for revisions. Dzenko asked about the homes that keep losing power. Martin stated he just got a response from DTE and he will forward that to Council.

Lorenz agreed with the thank you's previously mentioned. He gave a special thank you to Jim Smith for volunteering last minute to chair the parade. He hopes Smith will do again next year. Lorenz thanked Council for the work on the budget and capital projects, also Martin and Dryden for the spreadsheets they provide and keep updated.

Meskin thanked Jim Smith and Committee for a great job they did. He enjoyed working together and hopes they can do again next year. Meskin asked if all the boat slips have been given out. Martin was not sure. Meskin asked if he could stop in and see the work going on at City Hall. Martin shared Mike Grasser has been working moving all the dirt around that was dumped at City Hall and he did the excavating for the entrance to the basement. Next they will tear everything out. He was working with an architect for plans but they backed out. We will get plans and submit them to Bloomfield Twp to get a permit. Martin will be glad to have Council stop by once the work starts. There is nothing to see yet. Zubrzycki added the improvements at City Hall are for the safety of the city workers. Meskin asked if the city could provide nicer looking, heavy duty garbage cans on Ferndale and Garland.

Zubrzycki thanked MaryAnn Smith for lending her husband to Chair the parade. Jim Smith did a great job with help from Jim Endres, Helen Jane and Pete Peters. He thanked Meskin for being the Master of Ceremonies, Martin for his music, the bagpiper and everyone else who help with the parade. Zubrzycki agreed Council could discuss stop signs on Garland at a study session. He shared there is a new social chat network he believes Nicole Menuck put together for the neighborhood called "Next Door." Zubrzycki questioned Detroit Edison installing structures on their property without pulling permits. Martin stated he has spoken with them regarding this. Zubrzycki also questioned the numerous outages on Oakwood. Martin stated he has also spoken with DTE regarding this. He will forward the email when he gets answers. Zubrzycki thanked Mitch Black for

putting in the buoys on Memorial Day.

ACTION ITEMS

T-002-14

- a. Certify Delinquent W/S and A/R Bills to Tax Roll

Moved by Lorenz, seconded Dzenko, to approve placing delinquent water/sewer and accounts receivables bills, as presented, totaling \$1,623.34, on the summer tax roll. Allowing for if someone pays prior to being placed on the tax roll, it will be removed from list.

Yes: All

No: None

MOTION CARRIED

CA-004-14 M-002-14

- b. Agreement to Allow Good to Glow to Sell Glow Products in Parks During the Fireworks

Martin explained there is not a good mechanism to allow this especially since they want "exclusive" rights to sell glow products at the fireworks. The city cannot offer that. It is challenging since this is not a city sponsored event. Attorney Schultz added there is nothing in the city code to allow this. It is a commercial activity on city public property, but if council feels they really want to do this he suggested calling it a services agreement.

Cassar asked if they would have to provide liability insurance. Schultz agreed that is one item they would require. Lorenz feels the money should be donated to the Oakland County Boat Club since they put on the fireworks. Lorenz stated he is not a fan of this. He feels there will be other sales and it will escalate from there. Meskin would like to know their prices compared to local stores. He doesn't want the city to be known for price gouging. Zubrzycki agreed with Lorenz and is also not in favor of this. He asked Martin to let Good to Glow know that there is no interest at the City Council level and to remove this item from the agenda.

CC-001-14

- c. Charter Amendment Question on the Ballot To Change City Council Terms to 4 Years

Martin reviewed this was discussed before with Council and found a Charter Amendment would need to be approved by the voters. Ballot language would need to be drafted for Council approve at the June meeting.

Meskin stated it would save the City \$2,000-\$3,000 on not having an election in the odd years and the voter turn-out would be better in the even years. Dzenko agreed it is a good idea.

Annette Meskin would like term limits discussed.

Moved by Lorenz, seconded Cassar, to have the City Manager and Clerk move forward in drafting ballot language for a Charter Amendment changing the terms of City Council from 3-years to 4-years.

Yes: All
No: None

MOTION CARRIED

d. Noise Ordinance

O-003-14

Attorney Schultz stated this proposal has all the changes council requested. He did find a correction needed on page 2 of the tables, under residential times with decibel level at 55 the times should be 7:00 p.m. to 7:00 a.m.

Dzenko questioned what the ramifications are. Schultz replied if a violation is determined it is a civil infraction.

Meskin questioned the Oakland Boat Club and having a band outdoors at times. Martin stated they need to get a special approval, which they haven't in the past.

Dave MacGillis questioned who gives the special approval. Martin will give the special approval; it doesn't need to go before City Council. MacGillis shared he has heard the bands that the Boat Club has many times on the weekends. MacGillis congratulated Council on their diligence on this.

Megan Zumbach wanted to know if this ordinance applies to commercial property even if they are only 10% in the city. Zubrzycki replied, they are expected to comply with the portion in the city. Martin added she should call the police right away if something is happen. Don't wait to call.

Marjorie Holler asked what motivated this ordinance. She brought up she hears fireworks every night during July. Martin stated that is a separate ordinance. Fireworks are only allowed the day before, the day of, and the day after a National Holiday. He stated residents should call the police right when they are hearing them. Lorenz explained what motivated this ordinance. He stated there have always been complaints of noise and this gives the Officers the tools they need to enforce sound complaints. Lorenz shared when Council asked Martin how many complaints he receives each year he told them very few. People try to work with each other and put up with some of the things we know are going on because they know they moved into a community with a Community Center, the Oakland County Boat Club, and commercial property that backs up to residential. He has big reservations about this ordinance. He understands it and it is a good thing on one hand, not good for neighbors who just want to complain about their neighbor.

Cassar hopes this ordinance doesn't cause problems for the police.

Zubrzycki shared Attorney Schultz also represents the City of Novi. He asked Schultz if they see a lot of what is being said. Schultz stated they do not. It tends to be commercial. He clarified noise readings are taken at the property line and City Council can always adjust the decibel level numbers. Zubrzycki stated he still has faith in the residents using this ordinance in the correct manner and true intent.

Moved by Lorenz, seconded Dzenko, to approve the Noise Ordinance with the changes outlined on page 2 which Attorney Schultz made.

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

ORDINANCE ADOPTED

A-003-14 WA-002-14

e. Amending Clerk Fees for Miscellaneous Water Repairs and Calls

Martin explained this adds fees for service performed for each work order and a fee when meter or base plates have to be replaced. This is happening a lot when residents go away for the winter and don't properly drain water from pipes and turn off water inside their house.

Moved by Lorenz, seconded Dzenko, to approve the revised schedule of fees for work performed under water and sewer.

Yes: All
No: None

MOTION CARRIED

f. Personal Property Tax Reform Resolution **R2-001-14**

Martin explained this is a resolution the MML is supporting. Dzenko was not sure they need to adopt it. Council discussed it.

Moved by Lorenz, seconded Meskin, to approve the resolution on Personal Property Tax Reform.

Yes: All
No: None

RESOLUTION ADOPTED

g. Resolution Amending the Solid Waste Management Plan **R2-002-14**

Martin explained this amends the Solid Waste Management Plan to add a Transfer Station and a Waste Processing Facility in Pontiac.

Dan Garman from Rizzo Environmental Services was in attendance to answer any questions. Zubrzycki asked if residents could bring items over to this facility to dump. Garman replied, they could not at this time. Pontiac residents get to because it is the agreement they made with them since it is in their city.

Moved by Dzenko, seconded Lorenz, to approve the resolution amending the Solid Waste Management Plan as proposed by Oakland County.

Yes: Zubrzycki, Cassar, Dzenko, Lorenz, Meskin

No: None

RESOLUTION ADOPTED

h. Millage Rate Resolution Adopting 2014/15 Millage Rates **R2-003-14 B-002-14**

Moved by Lorenz, seconded Dzenko, to approve the millage rate resolution for 2014/15 as presented.

Yes: Cassar, Dzenko, Lorenz, Meskin, Zubrzycki

No: None

RESOLUTION ADOPTED

i. Appropriations Resolution Adopting 2014/15 Budget **R2-004-14 B-003-14**

Jim Endres stated he is not for putting \$25,000 in the Planning/Zoning Dept. budget for direction on how to save the city. He feels it would be wrong to unincorporate. He doesn't want to lose our identity. He will fight this along with many residents who he has spoken to. He doesn't want to hear it is just in case.

Zubrzycki stated residents are always asking City Council to look for ways to save. It is only their intent to look at. The study has not been approved yet. It is only in the budget. Dzenko agreed it only provides options. They put it in the budget for discussion. Lorenz stated he is all for this. City Council members are always changing and their knowledge is limited. The study provides a future document that provides options that the city might need to take a look at. Council will first need to

define what they want to do and then approve doing it. It is just a place card in the budget. Not planning for the future is planning for failure. Meskin was not in favor of putting in the budget, but wants to discuss this topic. Cassar stated he also questioned if it should go in the budget at this time. It only makes sense if something happens down the road to have a document to help them.

Moved by Lorenz, seconded Cassar, to approve the appropriations resolution setting the budget for 2014/15 as presented.

Yes: Dzenko, Lorenz, Meskin, Zubrzycki, Cassar

No: None

RESOLUTION ADOPTED

j. Sewall

PR-004-14

Martin stated Rosetta Stone provided an updated proposal, but didn't include the cost for rip rap or the erosion fence, or turbidity screen. He feels they should get this as it will affect the cost.

Cassar feels Rosetta had the opportunity to do a presentation and they should allow Seaside the same opportunity. He is not comfortable with steel walls and what guarantees for failure they provide. He feels they spent a lot of money on getting the engineers opinions and feels Seaside should have to answer to why they wouldn't do it the way the engineers are recommending.

Meskin stated the cost for the stone is \$270,000. He feels galvanized steel is easier and safer than stone. If it is put in correctly should last 20+ years. He is not sure how long the stone will last. He knows some feel the stone is beautiful, but with all the docks and boats in you don't see the seawall. He stated when he ran for City Council he pledged to keep cost down. Cassar respects Meskin's comments and explained the Rosetta stone is a high dense, highly engineered stone and they have 30 years in making them with a lifetime guarantee. He agreed he would also like to keep cost down, but wants to spend money in the best way possible. They need to consider the quality of the product. Maybe if the steel company will guarantee, back the products and fix if anything goes wrong that could change his mind. Lorenz stated he is a big fan of spending money once and not again. He is still open for discussion and having the steel company come in. Dzenko agreed.

Cassar will get with Rosetta to answer the two unknowns in their proposal and Martin will get with Seaside Seawalls to attend the study session and make a presentation.

k. Adjourn to Executive Session to Review Minutes

Moved by Lorenz, seconded Dzenko, to adjourn to executive session to Executive Session Minutes

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

MOTION CARRIED

City Council adjourned to executive session at 10:04 p.m.

The executive session adjourned and City Council reconvened the regular meeting at 10:08 p.m.

1. Executive Session Minutes of April 16 and May 1, 2014

Moved by Lorenz, seconded Dzenko to approve the minutes for April 16, 2014 as submitted and May 1, 2014, with the changes discussed in executive session.

Yes: All
No: None

MOTION CARRIED

NON-ACTION ITEMS

- a. Security for Ferndale Park, Restroom and Boat Launch
- b. Boat Dock Fee Schedule
- c. Noise Ordinance
- d. Community Center Storage and Furniture

Mayor Zubrzycki stated Seawall can be taken off non-action items and also the noise ordinance. Cassar requested Post Office Boxes be added.

NEWSLETTER AND CABLE INPUT

Martin stated he will remove this from the agenda since regular newsbytes go out all the time.

ADJOURNMENT

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

Yes: All
No: None

MOTION CARRIED

The meeting was adjourned at 10:11 p.m.

Dennise Dryden, City Clerk