

A Regular Meeting of the Sylvan Lake City Council was held on Wednesday, April 16, 2014; opening at 7:48 p.m. Mayor Zubrzycki presided over the Pledge of Allegiance.

Present: Meskin, Zubrzycki, Cassar, Dzenko, Lorenz

Absent: None

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

APPROVAL OF AGENDA

Mayor Zubrzycki removed item 11B and added Memorial Day Parade and Lease Agreement with Verizon Wireless to Action Items. He noted they will renumber the Action Items making Adjourning to Executive Session after Memorial Day Parade and the Lease Agreement with Verizon Wireless as the last item.

Moved by Dzenko, seconded Meskin, to approve the City Council Agenda for April 16, 2014, as amended.

Yes: All

No: None

MOTION CARRIED

APPROVAL OF MINUTES

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

March 12, 2014 Regular Meeting

April 1, 2014 Study Session

Yes: All

No: None

MOTION CARRIED

APPROVAL OF DISBURSEMENTS

Moved by Lorenz, seconded Dzenko, to approve the voucher report for April totaling \$281,469.64, as submitted.

Mar Payroll	\$ 44,653.00	Check #'s	11588-11595 DD1914-DD1934 EFT819-EFT827 STUB41-STUB43
Accts Pay-Mar-Apr	<u>\$236,816.64</u>	Check #s	47543-47599

Totaling	\$ 434,874.23	EFT	723 (E) - 737 (E)
		ACH	725 (A) ó 729 (A)

Yes: All
No: None

MOTION CARRIED

ACCEPTANCE OF REPORTS

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

COMMITTEE REPORTS

There were no committee reports.

Zubrzycki shared the City is in need of someone to coordinate the Memorial Day Parade. Russ Meskin will not be in town this year. If someone doesn't step-up they may have no parade and just hold a small ceremony at Memorial Park.

BRIEF PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Jim Smith expressed his growing concern with the house under construction across the street from him. The basement has water in it, nails are sticking out of boards and the fence is always down. It is not a safe or secured area. He is concerned they won't be a good neighbor when they do move in if this is an example.

Joel Must would like to see the seawall at the end of Pontiac Drive replaced.

Don Newman asked if there is a time limit for the house on Garland to be done.

CITY MANAGER COMMENTS

Seawall

PR-003-14

MDEQ has approved our permit based on a steel wall. They are not requiring the amount of rip rap as originally thought. Now it is only required to have a 1 foot by 1 foot of the total wall. If City Council chooses a stone or synthetic stone wall the permit will still be applicable. Steel is the worst case scenario as far as the MDEQ is concerned.

Community Center repairs

CC-004-14

Martin feels the Community Center looks great! There is still a little maintenance to do as far as some painting, trim, insulation, etc. But he is pleased with the results. Hopefully this fall we can get the storage addition completed and be in great shape.

Boat Dock Applications

There ended up being ten boat dock spaces to distribute. They are still in that process.

Code/Construction Issues

CE-001-14

The house on Garland near Memorial Park, there has been obvious issues. Martin can't discuss the specifics, but the Building Inspector and he are in contact regularly about the safety of the property. A stop work order has been placed on the property and been ordered to be cleaned and install a secure fence around the property.

SAW Grant Update

SW-002-14

SAW (Stormwater, Asset Management and Wastewater) grant. Martin met with HRC to go over some of the logistics. We're beginning some of the planning now. This will be a long project, probably over the next couple years. He just received a packet in the mail from the MDEQ that contained the official agreement to sign and return. They required it to be returned by overnight mail and was due Friday. It's in the mail.

Streets

S-006-14

We were scheduled to have the majority of streets swept yesterday but they couldn't do it because of the snow. They were out today however. Martin has not had a chance to look at all of them.

City Hall Work

A-001-14

The hill beside the City Hall has been graded to expose the basement wall. We will need to get some permits through Bloomfield to make sure our work is done to code. We are all very excited about this project and making City Hall a safer place to work.

As a follow-up to that, two times in the past month we have had people, not Sylvan Lake residents, come into City Hall to pick up a vehicle that was impounded. There is a process that is followed when releasing an impounded vehicle. On one of the occasions, we watched a person drive up in a truck and found his license was suspended and had a warrant. He was handcuffed to the chair in the lobby until the other jurisdiction picked him up. On the other occasion, we had two people in City Hall, both had warrants for their arrest through other jurisdictions. They were both handcuffed to the chairs in the lobby until they were picked up. On that day we had two people walk into City Hall and immediately turn around and leave. It is dangerous and uncomfortable for residents and employees. These are a few of the things that will be eliminated with the changes in City Hall.

COUNCIL COMMENTS

Dzenko thanked everyone for coming. He is waiting to see the Community Center parking lot lights come on this evening. It is nice to have them and they look good. Martin added he has received some positive response. Dzenko likes the contrast with those from the road. Dzenko asked if there is time limit for the Garland house construction. Martin explained anyone who gets a building permit has one year. He further explained that means one year of no construction or inspections. Dzenko questioned if the Community Center storage/expansion area will be on the agenda. Martin stated it would.

Lorenz is happy to see the tennis court nets up and no cracks after the hard winter. It is good to see the long term infrastructure plans implemented. He explained Martin has a 10 year projection budget which is an important tool for City Council when making the decisions for infrastructure.

Cassar also commented on the lights at the Community Center stating they will be an asset to the Community Center. He concurred with Lorenz's comments on the projection budget for infrastructure.

FR-001-14

Meskin shared the Home and Garden Tour will purchase and donate new tables and chairs once the Community Center storage is added onto. He asked if the city has paid any money for the Saw Grant. Martin replied, just for the application, which was submitted by Hubble, Roth and Clark. Meskin commented on the Rosetta Stone being impressive for the seawall, but he is not sure anyone is going to see it when all the docks are in. He feels they should stick with the steel wall because it is more economical.

Zubrzycki agreed the Garland house, under construction, is a concern and he knows Martin is on top of it. He shared it is better to have many eyes and asked everyone to email their concerns to Martin. Zubrzycki thanked the Parks and Recreation Committee for the Easter Egg Hunt. He feels the lights chosen for the Community Center parking lot were the best for the city. He thanked Joel Must for his concern with the seawall at Pontiac Drive point. They will add it to their list. Zubrzycki explained City Council is doing their due diligence on deciding which type of seawall may be best. He is hoping to get one that will last 50+ years. He noted he saw the hawk light being installed at the trail crossing and is excited it is getting done.

ACTION ITEMS

- a. Mayoral Appointment to the Planning Commission **A2-005-14**

Mayor Zubrzycki explained there are two openings on Planning Commission. The terms for Michael Menuck and Jim Bull have expired. Menuck has expressed his interest to be re-appointed. There were three applications submitted, Pete Shelters, Pamela Klyn and Eric Wiegand. Zubrzycki spoke with Klyn and she stated since submitting her application her business has picked up and she

wouldn't be able to do this now. Mayor Zubrzycki appointed Michael Menuck and Pete Shelters to the Planning Commission for three years.

Moved by Cassar, seconded Dzenko, to approve Mayor Zubrzycki appointments to the Planning Commission as stated.

Yes: Zubrzycki, Cassar, Dzenko, Meskin
No: Lorenz

MOTION CARRIED

b. Tri-City Fire Board/Fire Department FD-002-14

Martin explained the fire contract is a five year contract with automatic renewal unless one party gives notice not to renew. They have to give this notice two years prior. Council's concern is not to opt out, but would like to discuss the division of the cost. They are looking at and discussing a letter they are writing to the Fire Board. Zubrzycki further explained how the cost currently is divided equally between Sylvan Lake, Orchard Lake and Keego Harbor, each paying \$287,450. Lorenz feels this is an aggressive tax on Sylvan Lake and Keego Harbor with it divided equally because in the taxing world it is based on millage rates and taxable values. Martin did a spreadsheet using 2013 taxable values Keego Harbor \$79,277,320, Sylvan Lake \$78,676,080 and Orchard Lake at \$330,262,260. Using the current 2013 Fire Budget of \$862,350 divided by the total tax values of the three communities the millage rate would be 1.7663 and cost Keego Harbor \$140,028, Sylvan Lake \$138,966 and Orchard Lake \$583,342. Lorenz would like this spreadsheet included in the letter if City Council is in agreement. The letter also needs to ask for an extension of the termination letter and why it is not equitable.

Meskin feels they should address the termination notification terms first. Dzenko didn't agree with Meskin. He understands they are two different issues. Zubrzycki feels this is setting the tone for negotiations. He would like to add they are looking forward to a meeting and set a date for this meeting.

Lorenz feels it will probably take the next seven years to iron this out and suggested sending letter with no date. Council was ok with this.

c. Memorial Day Parade M-001-14

Mayor Zubrzycki shared Meskin will be out of town for two weeks and can't do the Memorial Day Parade this year. So unless someone steps up there may be no parade. Cassar suggested sending out a newsbyte. Lorenz is concerned it may be too late for someone to take over.

Jim Smith expressed there has always been a parade and they have to continue that. He volunteered to Chair it if he can meet with Meskin and Martin. Neil Friedman stated he would be willing to help. Council thanked Smith and Friedman for stepping up.

L2-001-14

- d. Adjourn to Executive Session to Discuss Confidential Communications from Legal Counsel

Moved by Lorenz, seconded Dzenko, to adjourn to executive session to discuss confidential communication with legal counsel.

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

MOTION CARRIED

City Council adjourned to executive session at 9:11 p.m.

The executive session adjourned and City Council reconvened the regular meeting at 9:29 p.m.

- e. Lease Agreement with Verizon Wireless **CA-003-14**

Moved by Cassar, seconded Dzenko, to approve the second amendment to the lease agreement as presented by the City Attorneys and authorize the City Manager and City Clerk to sign and present it to Verizon Wireless for signature.

Yes: Lorenz, Meskin, Zubrzycki, Cassar, Dzenko
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

There was nothing new to report on these items.

NEWSLETTER AND CABLE INPUT

Memorial Day Parade help needed.

ADJOURNMENT

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

Yes: All
No: None

MOTION CARRIED

The meeting was adjourned at 9:32 p.m.

Dennise Dryden, City Clerk