

A Regular Meeting of the Sylvan Lake City Council was held on Wednesday, February 12, 2014; opening at 7:36 p.m. Mayor Zubrzycki 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 Meskin, seconded Dzenko, to approve the City Council Agenda for February 12, 2014, as submitted.

Yes: All

No: None

MOTION CARRIED

APPROVAL OF MINUTES

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

January 8, 2014 Regular Meeting

January 28, 2014 Study Session

Yes: All

No: None

MOTION CARRIED

APPROVAL OF DISBURSEMENTS

Moved by Meskin, seconded Dzenko, to approve the voucher report for February totaling \$335,405.18, as submitted.

Jan Payroll	\$ 70,195.94	Check #'s	11567-11580 DD1864-DD1894 EFT794-EFT808 STUB38-STUB40
Accts Pay-Jan-Feb	<u>\$265,209.24</u>	Check #s	47407-47488
		EFT	683 (E) - 705 (E)
Totaling	\$ 335,405.18	ACH	678 (A) ó 696 (A)

Yes: All

No: None

MOTION CARRIED

ACCEPTANCE OF REPORTS

Mayor Zubrzycki received the DPW and Police reports for January and asked that they be placed on file.

Martin shared the police report shows the new format. He will go over the detail with Council at a Study Session.

COMMITTEE REPORTS

Jim Endres reported for the Cable Commission. He stated they recorded the Polar Plunge and it is on Civic Center TV. He is working with Martin to do a before and after of the new Police offices in the basement of City Hall. He is enjoying being on the Cable Commission. Dzenko asked if Cable could record the Garden Club's Presentation on March 20th. Martin stated he didn't know they wanted this done, but yes it could be.

Martin asked that they email him something regarding this.

Zubrzycki invited everyone to the Parks & Rec Chili Cook-off and Euchre Tournament, March 1st.

BRIEF PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

There were no comments.

CITY MANAGER COMMENTS

Martin thanked everyone for coming tonight and wished everybody a Happy Valentine's Day this Friday. He thanked them for braving the cold.

Police

PD-003-14

The Police department continues to show their excitement and volunteerism and willingness to help others. Last month Martin talked about the two Christmas activities that members of the department volunteered for and this past weekend they hosted the 2nd annual Polar Plunge. There were about 70 participants in this year's plunge and raised over \$12,000 dollars for the Special Olympics. You can see a short video with an interview and showing some of the plungers at civiccentertv.com. This is a very fun event that benefits the Special Olympics and we hope to continue and improve it in the years to come. Martin shared when they cut the ice in the lake, it was 17 inches thick. The police did that Thursday evening. When they went back Saturday morning, it had refrozen and was already four

inches thick. He again thanked the volunteers in the department for their continued hard work.

Upcoming Items

Coming up we have taxes due by midnight this Friday the 14th, water/sewer bills are due February 20th, and the WB School Election will be held Tuesday the 25th. The annual Parks and Rec. Chile cook off/Euchre tournament was postponed to March 1st so make sure you come to that. They have a great time at that event. The March Board of Review is meeting March 10th and 12th.

Boat Dock Applications

BD-003-14

Are due March 3rd by 4:00. Martin made Council aware if they get complaints, City Hall is following the policy very strictly. We will not take partial applications and will not accept faxes of insurance information, registration, etc. Martin also discussed adding a new dock space between the boat ramp and the beach on Ferndale, reducing the size of the dock spaces by less than 1-foot. This space will replace the one that was removed on Lakeview.

SAW Grant

We still don't have any real information on the SAW grant. As expected there was more requested in grants than funding would allow, so it appears there will be a lottery. Martin will let Council know as soon as he hears anything concrete.

Planning Commission

Planning commission did meet last week and held a public hearing for Larco's special land use. The next scheduled meeting for Planning Commission is May 6th. Tentatively on that agenda will be discussion of setbacks for lakefront property and a light ordinance.

Seawall

Martin is still waiting for cost estimates for the seawall. He contacted them again today and was told they wouldn't have anything by tonight.

Snow Fall/Water Main Breaks

S-002-14

The snow and cold weather continues to take its toll. We're running out of room to put the snow. We've had seven water main breaks since the first of the year. Hopefully we'll get some warm days between the cold ones so this melts slowly. Martin is starting to worry about the amount of water we'll have this spring.

P1-004-14

Martin reported one of our Officers and one of our reserves went out with our backhoe and dug out 20 to 25 of our hydrants so they would be more easily accessible. He thanked them for that.

Working On

Martin shared currently at City Hall we are working on EVIP requirements for the state, new water testing requirements, training for new building department software, Police Department training, new requirements to receive Street and Highway funding; also the budget, Community Center, Seawall

and City Hall work.

COUNCIL COMMENTS

Dzenko came down Lakeview and noticed it is down to one lane. He stated he has no problem with adding the space on Ferndale.

Cassar thanked everyone who participated in the Polar Plunge, the Police and Sheriff's Departments. He congratulated the participants on their fundraising efforts. He congratulated the DPW on the great job of clearing the streets. Lastly he shared a family member is working on the Community Center, Jim Cassar, but he is not affiliated with him.

Lorenz reiterated the Polar Plunge comments. He expressed hats off to the DPW on the snow maintenance.

Meskin stated is always great to hear about the volunteerism, participants and those who donate. Meskin referred to an article in the newspaper regarding the Pontiac School District. The State says they have 10 years in which they can try to amortize their deficit. He is hoping not to see another judgment on the tax bill this year. Meskin asked if the generators are up and working yet. Martin reported they are having gas lines issues with the one at Garland and Telegraph, but the Beverly one is working.

Zubrzycki expressed he is sorry he missed the Polar Plunge, but saw the video online. He thanked the DPW for clearing the snow. He shared we are having record numbers this year with the snow. Zubrzycki also doesn't have a problem with adding the space on Ferndale. He noted the current spaces are extra wide. Zubrzycki announced the city needs volunteers to help with the Memorial Day Parade. He thanked Jim Endres for his work on the Cable Commission and whoever cleared the ice for skating.

Martin followed up on Cassar's comment on Jim Cassar doing the work on the Community Center. He has been working with the city prior to Cassar being on Council and does quality work.

ACTION ITEMS

- a. Policy and Fees Boat Dock Move List and Wait List **BD-004-14**

Martin reviewed this was discussed last month and at the study session. A fee is being discussed tonight because people were wanting to stay on the move list and constantly move. There were issues with residents moving to a new space and city Hall removing them from the move list. The residents then came back and said they shouldn't have come off the list because they still wanted to

move. Also Council will be discussing increasing the wait list fee to go to the bottom of the list because they declined a space. The objective of the wait list with the fee was to make sure those who signed up were serious about getting a space and putting a boat in.

Moved by Cassar, seconded Dzenko, to adopt the resolution for the Boat Dock Move List Policy and implementing a \$50 fee for dock license holders to be placed on the boat dock move list and increase the fee to \$50 for residents on the boat dock wait list to be added to the bottom of the list if they decline a space when offered one by the City.

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

RESOLUTION ADOPTED

b. Special Land Use for Mike Larcoø al a carte ZP-003-14 A1-001-14

Martin stated that the Planning Commission did hold a public hearing and made a recommendation to City Council to approve the special land use request. They found no issues with the request.

Lorenz questioned if there is anything that prevents this restaurant from changing into a poker establishment or from having those types of fundraisers. Attorney Schultz replied that their application specifically states they are a family restaurant with specific hours. The zoning ordinance states that if there is a change in the use then they would have to get further review and approval by City Council. Paul Mousley stated he has investigated this. The State has a moratorium and is not issuing any license for charity poker. He feels it is a non-issue at this point. Jeff Sherbow, Attorney for Larcoø, agreed with Attorney Schultz, it is written in the ordinance that any such use would require approval by the City. City Council did a well written, well-thought out ordinance that requires an approval of that.

Cassar questioned 501c permits for one time use. Attorney Schultz said there is a difference between the occasional thing and a fundamental change in use. Attorney Sherbow added they would still have to get a special permit from the LCC. He clarified that such a use is not what is being asked here. Also according to the ordinance they can't do this without City approval. Schultz added if it is a significant concern Council can put that in the motion, there would not be a regular poker tournament or any otherwise permitted activity without approval from City Council. Lorenz stated he is comfortable with the ordinance.

Moved by Meskin, seconded Cassar, to approve the special land use for MP Pasta, also known as Mike Larcoø Al a Carte, located at 2440 Orchard Lake Road, for the reasons stated by the Planning Commission in its recommendation, and conditioned upon the compliance with the representations in the plan of operation set forth in the letter from Jeffrey Sherbow on behalf of MP Pasta LLC, dated January 13, 2014.

Yes: All
No: None

MOTION CARRIED

c. Approval of Alcohol License for Mike Larcoø al a carte **A1-002-14**

Martin explained he along with two police officers reviewed the application, as well Attorney Schultz. A complete background was done on both applicants and no issues were found. Their recommendation is that the application be approved.

Lorenz thanked City Council and the City Attorney for taking the time, investigating and developing these ordinances to protect the residents and the city as we move forward with liquor by the glass. He thanked Larcoø for their interest and Planning Commission for their work on this.

Cassar agreed the City Attorney did a lot of work on this. He feels they made the right decision to put this issue on the ballot.

Dzenko is also happy the vote went forward because last time he was on City Council they did not want to make this decision.

Lorenz acknowledged the input from residents which was very helpful also.

Jim Endres expressed Council did a great job putting this together and he welcomed the neighbor.

Mayor Zubrzycki wished Larcoø great success.

Moved by Cassar, seconded Dzenko, to approve the liquor license for Mike Larcoø Al a Carte, 2440 Orchard Lake Road, because it will provide a fully licensed establishment within the City, not presently available, and because it represents an added financial investment on the part of an existing local business. The applicant has demonstrated sufficient public need or convenience for a fully-licensed facility at the proposed location given the lack of other such licensed facilities and the minimal potential impact of a fully-licensed facility in the proposed location as described in the proposed plan of operation set forth in the January 13, 2014, communication from applicantø attorney.

Yes: All
No: None

MOTION CARRIED

d. Mayoral Appointment to the Parks & Recreation Committee **A2-004-14**

Mayor Zubrzycki appointed Patrick Runk, Patty Harrop, Terri Etter, Mary Lewis and Kay Carpenter

to the Parks and Recreation Committee for a one-year term.

Moved by Lorenz, seconded Cassar, to confirm Mayor Zubrzycki appointment of Patrick Runk, Patty Harrop, Terri Etter, Mary Lewis and Kay Carpenter to the Parks and Recreation Committee for a one-year term.

Yes: All

No: None

MOTION CARRIED

e. Non-Resident Community Center Rentals

CC-002-14

Martin explained there are two things he would like to change in the Community Center Rental Policy. The first is to remove the section in the Non-Resident application that prohibits them from renting the Community Center on weekends in the summer. There have been no issues. Nonresident rentals are increasing and residents know if they want to rental the center to make their reservation a year in advance.

The second issue is regarding the cost schedule for both residents and nonresidents renting on Friday and Saturday. He recommended changing the fee schedule for Fri-Sat (daytime 10-4), to Fri-Sat (daytime 10-4, Nov-Mar). During the summer months they would have to rent for a full day. This is only during peak times.

Lorenz questioned if the fee for nonresidents should be increased. Dzenko would like to see how much it is utilized broken down by resident and nonresident.

Meskin shared the Home and Garden Tour is going to donate tables and chairs when the center has proper storage for them; then may be the time to change fees.

Jim Endres feels the price should be raised.

Jeffrey Sherbow feels the city is losing income by doing away with dual rentals on Friday~~s~~, Saturday~~s~~ and Sunday~~s~~. Zubrzycki stated this is where getting a breakdown on the rentals would be helpful. Lorenz clarified the city does not do dual rentals in a day. Cassar added it is because they have the building inspected and possibly cleaned before the next event and the inspector may not be available or enough time allowed for cleaning before another same day event. Lorenz agreed the dual booking won't work.

Moved by Lorenz, seconded Dzenko, to approve the changes to the Community Center Rental agreement to allow nonresident application for weekends during the summer and restrict daytime only rentals on Friday, Saturday and Sunday to the months of November through March for resident and nonresident application.

Yes: All
No: None

MOTION CARRIED

f. Interlocal Agreement for Election Services **CA-001-14**

Martin reviewed this is a five year agreement. We approved a similar agreement in the fall of 2007. This provides ballot layout and programming services for our elections and related equipment.

Moved by Lorenz, seconded Cassar, to authorize the City Manager to execute the interlocal agreement for Election Services between the City of Sylvan Lake and Oakland County as presented.

Yes: All
No: None

MOTION CARRIED

NON-ACTION ITEMS

- a. Security for Ferndale Park, Restroom and Boat Launch
- b. Seawall
- c. Boat Dock Fee Schedule
- d. Community Center Parking Lighting
- e. Noise Ordinance
- f. Sale or Lease of City Real Property
- g. Community Center Storage and Furniture

There was nothing new to report on these items.

Lorenz stated the Boat Dock Move policy can be removed since they just adopted it tonight. Also prior he had asked to keep the program for the City to Sponsor an employee to attend the Police Academy on the agenda, but he is ok with removing it now.

NEWSLETTER AND CABLE INPUT

Garden Club having Aqua Fina making a presentation.

Martin announced City Hall will be closed Monday for President's Day.

ADJOURNMENT

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

Yes: All

No: None

MOTION CARRIED

The meeting was adjourned at 8:43 p.m.

Dennise Dryden, City Clerk