

A Regular Meeting of the Sylvan Lake City Council was held on Wednesday, June 10, 2015; opening at 7:31 p.m. Mayor Dzenko presided over the Pledge of Allegiance.

Present: Cassar, Dzenko, Meskin, Zubrzycki

Absent: Lorenz

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

#### APPROVAL OF AGENDA

Moved by Zubrzycki, seconded Cassar, to approve the City Council Agenda for June 10, 2015, as submitted.

Yes: All

No: None

MOTION CARRIED

#### APPROVAL OF MINUTES

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

May 20, 2015 Budget Public Hearing

May 20, 2015 Regular Meeting

Yes: All

No: None

MOTION CARRIED

#### APPROVAL OF DISBURSEMENTS

Cassar commented on the cost being high for the Household Hazardous Waste collection at \$50 a car. He suggested they discuss this at a study session. Martin explained prior to using West Bloomfield Township, the city was with Oakland County and it was a consortium. They would have a company come in to do and it was costly. Zubrzycki asked Martin if he could put in a call to Rizzo to see if residents can drop off HHW for direction to places we can use.

Moved by Cassar, seconded Meskin, to approve the voucher report for June totaling \$169,519.64, as submitted.

May Payroll	\$ 45,898.46	Check #'s	11724-11728 DD2275-DD2300 EFT956-EFT964
-------------	--------------	-----------	---

Accts Pay-May-June	<u>\$ 123,621.18</u>	Check #s	48288-48341
		EFT	980 (E) - 983(E)
Totaling	\$ 169,519.64	ACH	975 (A) ó 979 (A)

Yes: All  
No: None

MOTION CARRIED

### ACCEPTANCE OF REPORTS

Meskin questioned cases being handled by other attorneys. Attorney Schultz stated this is the Fick case. He stated he can get a report from the insurance company. Martin thought there was an update on the City Attorney's report last month. Meskin asked to reference the case name when stating cases by other attorneys.

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

### COMMITTEE REPORTS

There were no committee reports.

Mayor Dzenko stated he has never heard from a representative of the Parks & Recreation Committee since he has been Mayor and he would like to hear from them. They have done many good things, but he would like them to attend a meeting. Martin will be talking with one of them soon and will mention this to them.

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

MaryAnn Smith shared Best Buy takes all electronics and the Dixie Flee Market recycles once or twice a month, in the back. Smith read comments from her husband Jim on the Memorial Day Parade; he was unable to attend the meeting as he is out helping his bocce ball team hopefully get a win. The parade and ceremony was enjoyed by many residents and veterans. The volunteers are what make it so special. He made many special thank you's to people who made particular contributions.

#### **PR-001-15**

Jim Endres asked to have all roads open since they are public roads and not private roads. He brings this request to City Council each year when the gates go up and he is not allowed to drive along the lake front.

MaryAnn Smith added City Council had a committee study this some years back and the consensus was that the gates should be opened by 6 p.m. and the Mayor at that time ignored the committee's recommendation and said they would be closed until 9 p.m. Cassar asked that this be put on study session.

### CITY MANAGER COMMENTS

#### City Work

Martin stated as he mentioned last month we have an awful lot of things going on at one time and it hasn't slowed down one bit, even with the wet spring we've had so far.

#### City Hall Construction

We're working hard on the improvements at City Hall with mechanical and rough plumbing almost completed. The door to the rear of the building was installed today. It's really is shaping up and we're very excited.

#### Parks

The beach has been graded and we are currently working on adding a lot more top soil to the areas on Ferndale that are not draining properly.

#### Park Rangers

The Park Rangers have begun and are working out well so far, although their hours have been down because of the rain. As always, please welcome them and be patient as they learn how everything works.

#### Goose Roundup

#### **L1-002-15**

We would normally be having our annual goose roundup this year. However, all round ups have been suspended in Oakland and Macomb Counties due to the Avian Flu being found in geese. He thanked Al Payson for passing on this information. Martin passed along that Payson said there are only about 30 geese on the lake. The egg destruction still happened.

#### Chairs for Community Center

Martin shared the city purchased 100 white folding chairs from Temple Israel for \$2.00 apiece. Some are wood and some are plastic, but the same design. They are dirty and some need to be painted. They will be great extra chairs and could be used outdoors when we have functions. They are not intended to take the place of new chairs that we are planning for indoors.

#### Family Fun Day

The annual Sylvan Lake Family Fun Day hosted by the Police Department, will be June 27, at the Community Center. He stated there is a slight name change from Sylvan Lake Kid's day because it is

for more than just kids. Sgt. Mondeau has once again worked very hard on getting all of components together for this event. He takes great pride in this department and City and he is greatly appreciated.

#### Fireworks

The annual Fireworks will be on July 3<sup>rd</sup>. Martin reminded everyone there is no parking on any street the same as last year. There will be parking at the Community Center for a fee.

#### Consumer Fireworks

Consumer fireworks are only allowed to be used from 8:00 a.m. to midnight on July 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup>. You must be 18 years old and cannot be on public, school or church property. In fact, you must be on your own property or have written permission to be on someone else's private property. You cannot be under the influence of drugs or alcohol. The objective is to allow people to have a festive and safe holiday. These reminders will be sent as newsbytes and on our website.

#### August Election

Pontiac School District is holding a special Election August 4<sup>th</sup>. It is the same millage proposal they had in May.

#### Update on Non-Action Items

Martin reported he is still working on the construction site ordinance, donation and sponsorship policy and a few others. We are planning on having a draft for discussion at the next Study Session. At the Garland construction you will be seeing more work at the site very soon. The property was surveyed and found that the footing for the new front wall is 1 1/2' too close to the front property line. So it has to be moved.

#### Water Resource Commission

#### **U-004-15**

Martin has met a few times now to discuss water/sewer operations, costs and ideas for them to take over some of the City's operations. We will continue discussion to determine what work we think would be best for them to perform and the associated costs. We decided to wait for final estimates until we have completed the SAW grant study so we will have accurate maps that show manholes, conditions, etc.

#### Sewage Disposal Contract

#### **SW-001-15**

He also discussed with Water Resources, in a separate meeting, a new Agreement for sewage disposal. It was beginning conversation but will happen quite quickly. Partially due to the changes in operation of the Sewage Treatment Plant and sewer system being done by the WRC. Part of that discussion was changing the rate structure for the cost charged to Sylvan Lake for sewage disposal. As he has mentioned before, he feels the charge was not equitable because the city is being charged for actual sewage being disposed of using fees based on water consumed. He is hoping for a significant reduction in cost that can be passed on to residents in the way of a reduction in sewage fees.

Saw Grant

This work is going very well and very busy. Martin has been meeting with the engineers at least weekly to discuss the project, new hardware and software, reviewing maps and data, and discussing next steps. Currently they are surveying the City to obtain elevations for all of the culverts for the storm system.

### COUNCIL COMMENTS

Cassar thanked Jim Smith for organizing the Memorial Day Parade and all who helped. He sat with some of the vets and they really appreciate the acknowledgment and being recognized.

#### **L1-003-15**

Zubrzycki also thanked Jim Smith for doing the parade. He thanked Martin for the volleyball sand and questioned the sand at the boat launch if it could be moved to the beach. Martin explained no they do take out but it has a lot of garbage in it. Zubrzycki shared he got a lesson on weed control and the chemicals they use. He explained school is out tomorrow and the beach will be filled with parties of students. One of his neighbor kids said there was a sign stating this area was going to be treated. He spoke with Phil Thomas, Sylvan-Otter Association and the DNR. It was only that canal. They use non-toxic chemicals and it is safe for swimming. The 24 hour notice is to give the company spraying free clearance so no one gets in their way.

Meskin requested the gates remained closed on the night of the fireworks until 11:30 p.m., after everyone is gone. He congratulated Jim Smith for planning the Memorial Day Parade and MaryAnn Smith for allowing Jim to do it. He also thanked John Martin for his singing. Meskin noted he was disappointed at last month's meeting to only see five residents attend with the Budget being adopted. He would like a newsbyte sent out for every meeting. Martin clarified the public hearing notice was in the newspaper, on the website and a newsbyte did go out. Meskin shared the end of the fiscal year is June 30<sup>th</sup> and he would like to see the audit report in September like they did two years ago. He was not please last year in receiving it in December.

Dzenko isn't bothered that a lot of residents didn't show up for the budget meeting, it means they are happy with the city. He expressed the parade was fantastic. Dzenko is look forward to completing the regulating construction sites ordinance.

### **ACTION ITEMS**

- a. GWBCCC-Establishment of a Community FM Radio Station                      **C3-002-15**      **R2-006-15**

Albery explained this is a cooperative venture of the Commission and the West Bloomfield School District. Approval of this proposal would turn the existing school station into a community station in

cooperation with and in support of public, educational and governmental cable television in West Bloomfield Twp. and the cities of Keego Harbor, Orchard Lake and Sylvan Lake. In order that the station provide a high quality (50dbu) signal to every location in the four communities, the transmitter and antenna will be replaced and relocated to Fire Station #1 on Orchard Lake Road. The proposed project budget is \$50,196, Sylvan Lake's share being \$1,849.

Mayor Dzenko asked what this is for. Albery explained this is a huge advantage in cases of emergency; FM radio is the only communication if power goes out. This dictates they will report for the four communities and will be on the air no matter what happens.

Meskin noted the growth of expenses. He doesn't want to see the fund going to zero. Albery let him know each of council has control and can vote how they feel. A budget and finance balances are provided to council each time something is presented.

Zubrzycki asked what the expenses will be for this. Albery estimated \$5,000 for personnel. If City Council wants a guarantee to get emergency notices out then this needed. Zubrzycki asked how long it takes to replenish the fund if they take out \$2,000. Albery estimated a year or two. Sylvan Lake's balance is currently \$15,000.

Meskin question how this will work if the building isn't occupied 24/7? Albery explained this will be setup so dispatch will only have to pick up a microphone and they will be on air immediately.

Jim Endres asked City Council to tune in 89.3 on their FM radio on their way home.

Moved by Cassar, seconded Zubrzycki, to approve the agreement approving the Second Amendment to the Intergovernmental Agreement establishing the Joint Advisory Board for Cable Communications by and between the Charter Township of West Bloomfield and the Cities of Sylvan Lake, Orchard Lake Village and Keego Harbor.

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

**MOTION CARRIED**

Moved by Cassar, seconded Zubrzycki, to approve the Concurrent Resolution approving the Second Amendment to the Intergovernmental Agreement Established June 5, 1984 Establishing the Joint Advisory Board for Cable Communications and to authorize the Cooperative Agreement to Establish WBLD Radio as a Community FM station between the West Bloomfield School District and the Greater West Bloomfield Cable Communications Commission.

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

**RESOLUTIONA DOPTED**

Moved by Cassar, seconded Zubrzycki, to approve the proposed radio station project budget of \$50,196 through the allocation of 12.5 percent of its equity in the Cable Joint Venture Fund on December 31, 2013.

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

**MOTION CARRIED**

Mayor Dzenko stated the Comcast contract is up this year and asked what is happening with this. Albery explained last year Comcast announced they were going to buy Time Warner and create the biggest cable company by far. It fell apart in late April, it was too big of an internet company. The Department of Justice couldn't deal with that. Charter Communications is going to buy Time Warner, but that won't affect us. Only the transfer was being discussed so far. The new agreement will be coming up. Communities funding is in State Law and is protected. If you are looking for the franchise to make Comcast a better company, they can't make that happen. There will be a new agreement with Comcast. Residents of Sylvan Lake have options, there are two cable providers and two satellite providers. He invited questions and comments anytime, call or email him.

Meskin reviewed legal fees were approved prior what happened with this money. Albery explained the money was used for legal firm for the dedicated transfer. Since this didn't go through they will bring up getting money back when in negotiations.

Dzenko asked why the Cable Joint Venture Fund audit of fund is 2013. Albery stated that is the West Bloomfield Finance Department that does that. He will push them for an answer.

b. Mayoral Appointment to the Tri-City Fire Board

Mayor Dzenko requested to table this item to the July 8<sup>th</sup> meeting, as he didn't have time to talk to each of the applicants.

c. 2014/2015 Budget Amendments **B-008-15**

Martin stated this is pretty self-explanatory. There are just a few changes needed.

Moved by Cassar, seconded Zubrzycki, to approve the budget amendments for Fiscal Year 2014/15 as presented.

Yes: All

No: None

**MOTION CARRIED**

Mayor Dzenko asked where the city is at on the sewer fund paying back the borrowed money. Martin stated he is waiting for the July billing before evaluating.

Cassar requested adding the Boat Ramp Sticker policy to the study session agenda. Martin would also like to discuss allowing Lakefront ownerø access to our ramp. They are getting in one way or another. It makes sense the city should benefit from it. Also they can discuss policy enforcement.

**NON-ACTION ITEMS**

- a. Ordinance to Regulate Construction Sites
- b. Policy Regarding Donations and Sponsorships
- c. Security for Ferndale Park, Restroom and Boat Launch
- d. Community Center Furniture
- e. Fire Department

**ADJOURNMENT**

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

Yes: All

No: None

**MOTION CARRIED**

The meeting was adjourned at 8:42 p.m.

---

Dennise Dryden, City Clerk