

A Regular Meeting of the Sylvan Lake City Council was held on Wednesday, November 12, 2014; opening at 7:35 p.m. Mayor Dzenko presided over the Pledge of Allegiance.

Present: Dzenko, Meskin, Zubrzycki, Cassar

Absent: Lorenz

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

APPROVAL OF AGENDA

Moved by Cassar, seconded Meskin, to approve the City Council Agenda for November 12, 2014, as submitted.

Yes: All

No: None

MOTION CARRIED

APPROVAL OF MINUTES

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

September 30, 2014 Study Session

October 8, 2014 Regular Meeting

Yes: All

No: None

MOTION CARRIED

APPROVAL OF DISBURSEMENTS

Moved by Meskin, seconded Zubrzycki, to approve the voucher report for November totaling \$361,794.56.

Oct Payroll	\$ 49,252.46	Check #'s	11658-11664 DD2084-DD2108 EFT886-EFT895 STUB 47-STUB 49
Accts Pay-Oct-Nov	<u>\$312,542.10</u>	Check #'s	47923-48011
		EFT	833 (E) – 854 (E)
		ACH	828 (A) – 860 (A)
Totaling	\$ 361,794.56		

Yes: All
No: None

MOTION CARRIED

ACCEPTANCE OF REPORTS

Martin reported there are still problems with getting the police stats. They will have to manually add them, but Martin will get the reports caught up and to Council by years end. Dryden reported the Attorney's report was not received. Mayor Dzenko received the DPW report for October and asked that it be placed on file.

COMMITTEE REPORTS

Jim Endres reported for Cable Communications Board. He stated the next meeting will be December 4th at West Bloomfield Twp. Eleanor "Coco" Siewert, a Professional Parliamentarian, will be at this meeting to make a presentation on the Open Meetings Act and how to run meetings. If Council is unable to make the meeting there will be a link to see the presentation on the City's website and on demand on CivicCenterTV. He acknowledged Attorney Schultz did an outstanding job with the Planning Commission training.

Meskin reported for the Home and Garden Tour. The tour will be June 20, 2015. Eric Wiegand has lined up 10 homes already. Some of them may drop out though. They are looking to add interesting garages or items in your garage. Contact Russ and he will pass onto Eric if anyone has something of interest. Many volunteers will be needed for docents.

BRIEF PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Jim Endres congratulated Dzenko on being appointed Mayor and thanked Zubrzycki for his time as Mayor.

CITY MANAGER COMMENTS

City Hall

Martin asked everyone to please excuse the dust as we work on City Hall. It is very noisy and very dirty, but things are going very well. Both Sgt. Zuehlke and Martin are spending quite a bit of time on the project. By that he means donating, before and after hours, or during slow times if possible. Of course as with any project involving a building that was built in the 20's we keep finding interesting things that have to be corrected. Nothing earth shattering, but increased time and money.

Tree seminar and Clinic

Martin reported this was very well attended and very informational.

Water/Sewer Rates

U-001-14

Martin met with DWSD and city engineers to discuss our water rates last week. As expected they will be increasing. However, our variables have not really changed. He will have Water and Sewer rate proposals for the next study session or at the next City Council meeting if we do not have a study session. Speaking of that, the next study session is scheduled for the Tuesday the 25th, which is the Tuesday before Thanksgiving. Martin doesn't have a problem meeting, but asked council to check their calendars for your availability.

SAW Grant

SW-007-14

This is actually becoming very time consuming working on the planning for this program. It's a great program and he is very happy we received it. We completed one round of laser scanning in the City. The DPW didn't have time to pick up every marker yet. Martin informed everyone if they see blue stakes to pull them out and throw away.

Planning Commission

The Planning Commission met last night. The three agenda items were for the Special Land Use and Site Plan Review for Ellen's, and the Zoning Map Amendment for Lake Front setbacks. The Site Plan for their expansion and outdoor seating was approved by Planning Commission. The SLU and Map amendment are on City Council's agenda tonight.

Consumers Energy

C4-005-14

They have done a lot of work in the City and are once again very slow on restoration. They have restored the lawns, but the concrete sidewalks have not been repaired properly and there are many areas that have been cut and patched in the streets. We have informed Consumers and we're keeping an eye on them and they need to repair the sidewalks before winter.

DTE

C4-006-14

Martin has asked Mr. Palchesko for any update he can provide on our request for information regarding the power outages. He'll forward whatever he receives.

Seawall

PR-008-14

The Contractor is planning to start the seawall installation next week. We are really looking forward to having that project completed and not have to worry about it for several years.

Zoning Board of Appeals

The Zoning Board of Appeals has met again and continues to review Vision's site plan for variances. The next scheduled ZBA hearing is immediately prior to the December 10 Council meeting.

Election

The Election went quite smoothly. He thanked Dryden and staff for a job well done. Sylvan Lake had a 58% turnout. Not a great turnout, but he believes the State-wide turnout was 44% and Oakland County was 54%. Those numbers may be off, so don't hold him to them. He congratulated Mike Zubrzycki on his landslide victory. He looks forward to continuing to work with him. He also thanked him for his time as Mayor. Zubrzycki ran great meetings, was fair, calm and very thorough. Martin appreciated his willingness to learn all he could about the topic at hand before making a decision and even changing his mind if new information presented itself.

Leaves

CA-007-14

Martin acknowledged there are a lot of leaves out there. City Hall has heard from a lot of residents about the poor leaf collection program this year. As Mayor Zubrzycki mentioned last month, we are doing all we can with the collection. They have now promised that they will be in the City five or six days a week until they are caught up.

Events

There are a few important dates coming up. There is the annual wine tasting event held by the Parks and Rec Committee this Friday the 14th. All docks, hoists, etc. must be out of the water by the 15th. The annual Holiday Cookie Exchange is December 14th at 2:00 here and Santa will be here too. Lastly, the Police Department, in conjunction with the Sylvan Lake Lutheran Church, will be helping to create a fun and enjoyable holiday for some children and families that the Church has identified. The department will help raise funds in the way of donations and then purchase gifts for the families. You will be seeing more information soon. Checks should be made out to the City of Sylvan Lake, and then the funds will be deposited into an account for this event.

Zoning permits

B1-001-14

Continue to come in. There have been a few that have been interesting getting them to provide the required information and have been denied because of it. We are going to be working on some new policies for zoning permits over the off-season and will be bringing them to Council for approval.

Martin wished everyone a great Thanksgiving Holiday with family and friends.

COUNCIL COMMENTS

Cassar congratulated Zubrzycki on his re-election, Dzenko on being appointed Mayor and Meskin Mayor Pro-Tem. He thanked everyone for coming.

Zubrzycki also thanked everyone for coming. He is happy he was able to run unopposed so he didn't have to freeze outside on Election Day. He thanked the voters. He also thanked Martin and Dryden for helping him with his time as Mayor. He congratulated Dzenko and Meskin on their

appointments. Zubrzycki paid his respects to the Veteran's. He questioned if the permits Martin mentioned were residential or commercial. Martin stated mostly residential. Zubrzycki asked if DTE ever accepted service for the lawsuit. Martin acknowledged they were served. Zubrzycki is hoping the structure comes down before they apply for site plan review. He feels it should be the same for everybody; you can't build something and then ask permission after the fact. Lastly Zubrzycki invited everyone to come to the Wine Tasting Event.

Meskin congratulated Zubrzycki on being the first councilmember to have a four year term.

Dzenko congratulated Zubrzycki and for serving as Mayor for the last two years. He thanked Council for their support and their involvement. He acknowledged the Vets and appreciates all they do. He was glad to see a concert for them and that the Country is recognizing them. Dzenko questioned the house on Garland. Martin stated there is nothing new to report. A notice was sent to the property owner regarding the backhoe he is storing at this daughter house on Sherwood.

Zubrzycki thanked Jim Endres for running for the Pontiac School Board and encouraged him to try again next year.

ACTION ITEMS

- a. Special Land Use for Pastries by Ellen, d/b/a Ellen's Bakery and Café
ZP-004-14

Martin reported a very detailed plan was submitted along with all the information for the request for an alcohol license. Planning Commission held a public hearing last night and unanimously recommended approval of the special land use for Ellen's.

Zubrzycki agreed it was a very well put together plan and made it easy to review. He expressed this is the type of establishment they want to see.

Jim Endres also was pleased with the plan and how it was submitted.

Moved by Cassar, seconded Zubrzycki, to approve the special land use for Pastries by Ellen, d/b/a/Ellen's Bakery and Café 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 dated October 27, 2014.

Yes: All
No: None

MOTION CARRIED

b. Approval of Alcohol License for Pastries by Ellen, d/b/a Ellen's Bakery and Cafe

A1-003-14

Martin reviewed this is the second half of the approval for the sale of alcohol. An in-depth investigation was done on the owners and the establishment. There were no issues found. The business plan does follow our requirements of opening and closing times, when they would sell alcohol, and the percentages of sales.

Zubrzycki wished them success.

Dzenko asked what their timing is for opening. Ellen Kalergis stated they are still getting contractor bids. They are hoping to start construction as soon as they get their permits. They would like to be open, if all things good smoothly, by next March.

Moved by Cassar, seconded Meskin, to approve the liquor license for Pastries by Ellen, d/b/a (Doing Business As) Ellen's Bakery and Café because:

1. It is consistent with the City's licensing policy, Section 3-2 of the City Code, the proposed use will provide a service, product, or function (a family-oriented bakery and café with limited alcohol service) that is not presently available within the city and that would be unique to the city; will foster further re-development in the area; and represents an added financial investment on the part of an existing local business.
2. It is Consistent with Section 3-5 of the City Code, the applicant meets the criteria for an individual licensee and the building meets all requirements of the ordinance. In addition, the applicant has demonstrated sufficient public need or convenience for the facility at the proposed location given the relative lack of other such licensed facilities in the City, the minimal potential impact of a fully-licensed facility in the proposed location, the uniqueness of the proposed facility (i.e., including a bakery) when contrasted against other existing or proposed facilities, the permanence of the establishment in the community and determination to improve the existing use, and given the proposed plan of operation set forth in the October 27, 2014.

Yes: All
No: None

MOTION CARRIED

c. Ordinance 324 Zoning Map Amendment for Lakefront Setback Overlay District 1

O-008-14

Martin stated this is the second half of the zoning amendment for the Lakefront Setback ordinance that was passed a couple months ago. The map reflects the area of the overlay district, which will be called Lakefront Setback Overlay District 1.

Moved by Cassar, seconded Zubrzycki, to approve Ordinance 324, Zoning Map Amendment for Lakefront Setback Overlay District 1.

Yes: Meskin, Zubrzycki, Cassar, Dzenko

No: None

ORDINANCE ADOPTED

d. Mayor Appointment to the Zoning Board of Appeals

A2-007-14

Mayor Dzenko stated Patty Harrop and Rob Galacz's terms are up on the Zoning Board of Appeals and they would like to be reappointed. Mayor Dzenko re-appointed Patty Harrop and Rob Galacz to the Zoning Board of Appeals for a three-year term. He requested more time to review the other applicants for the alternate position.

Moved by Meskin, seconded Zubrzycki, to approve the Mayoral appointments to the Zoning Board of Appeals as stated by Mayor Dzenko.

Yes: All

No: None

MOTION CARRIED

NON-ACTION ITEMS

- a. Security for Ferndale Park, Restroom and Boat Launch
- b. Community Center Storage and Furniture
- c. RV Fees
- d. Fire Dept
- e. Water/Sewer Rates

There was nothing new to report on these items.

ADJOURNMENT

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

Yes: All

No: None

MOTION CARRIED

The meeting was adjourned at 8:13 p.m.

Dennise Dryden, City Clerk