

A Regular Meeting of the Sylvan Lake City Council was held on Wednesday, February 14, 2024, opening at 7:30 p.m. Mayor Cowper presided over the Pledge of Allegiance.

Present: Cowper, Segal, Zubrzycki, Buchanan

Absent: Clarke

Also Present: City Manager Martin, Attorney Schultz, Clerk Dryden, and Chief O'Donohue

APPROVAL OF AGENDA

Moved by Segal, seconded Zubrzycki, to approve the City Council Agenda for February 14, 2024, as presented.

Yes: All

No: None

MOTION CARRIED

APPROVAL OF CONSENT AGENDA

Moved by Segal, seconded Buchanan, to approve the following items on the consent agenda as submitted.

- A. December 20, 2023, Regular Meeting and Executive Session; and January 23, 2024, Study Session
- B. Disbursement Report, Payroll check #'s 12266-12270, DD5162-5216, EFT1823-1838, STUB227-STUB233; and A/P check #'s 52593-52646, EFT & ACH 3062-3103; TOTALING: \$ 630,156.25.
- C. Acceptance of Public Works and Police Department for December 2023 and January 2024.

Yes: All

No: None

MOTION CARRIED

COMMITTEE REPORTS

There were no reports.

BRIEF PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Mayor Cowper opened the meeting to the public.

There were 46 people in the audience.

Mayor Cowper asked the audience how many are in favor of community events. Half the room had their hands up. He asked how many are opposed to community events. One person raised their hand.

CC-002-24

Tom Molloy stated he tried to find the current community events application online and click here didn't work. He feels the proposed application is cumbersome, and date and times are arbitrary. He stated only one person is doing community events and why is the city going to make her fill this out. He stated the sign announcing events on Kelli's property is the perfect location by his observation. Under summer events considers it says everyone has to feel included, equitable. He feels equitable is insulting. He addressed concerts and food trucks being loud. He stated that by time you get to the bridge it is not loud. No one is falling down drunk. Kelli Krause started the events and should be commended for it, not condemned for it. He expressed whoever put this application together is not playing with the rest of the community. He doesn't believe the rest of the community believe in this document either.

Dave MacGillis stated he is here because it was stated that no one is complaining about the music. His neighbor had a couple of parties last summer with loud music. He called the police, and they took care of the problem, but he found out there is no limit on how long music can play. Neighboring cities end events by 9 p.m. He is ok with food trucks as long as they are not bothering anyone.

Jeannie Fraser shared she does have back yard parties with music once a year. She informs and invites her neighbors, and she lets the police know they will be going until 10 p.m. She feels it is not unusual to have a 10 p.m. cut off time.

Jane Hardy asked how far this is going to go. Can they not have house parties or grad parties anymore? How far is the city taking this?

Bozenna Johnson asked what the difference is between community events and private events.

Laurie Kaminski stated she can hear the Oakland county Boat Club's music and she has nothing against them. There is so much positive stuff with the events. Kelli collects money for events. So what would happened with no approval? She feels food trucks are awesome. She feels Tom Molloy summed it up the best. She addressed Kelli Krause having music at her house. Kelli has to coordinate musicians and food trucks, which isn't easy to do if one of them needs to change the day they are available.

Courtney Marshall shared that kids love all these events. It is special for them. They are down by the lake and residents get to know the kids in the neighborhood. She feels 10 p.m. is a good end time; 9 p.m.; it is still light out.

Patty Harrop asked Council to tell the audience what they are working on. She feels there is a lot of miss information out there and they should set everyone straight and not continue with all the comments because she feels when council lets them know what is happening it will answer their questions.

Kim Robinson has no issues with concerts on Lakeview. She applauds Kelli for her efforts. It promotes the neighborhood and if there are parking issues she offered up her driveway.

Anthony Bull doesn't understand the scope of the change. He feels citizens should be able to review the scope of change and council should table this.

Scott Baumgartner feels there has been a push against live music over the last couple of years. He is not sure of the significance of it. He feels it is not a significant problem. He went to the police department and found 12 complaints had been filed over the last 4 years.

Dave MacGillis stated he came to voice his opinion and feels like he is being slapped down. He should be able to state his opinion without recourse.

There were no other comments.

CTY MANAGER COMMENTS

Martin stated this is our first regular City Council meeting this year, so Happy New Year and Happy Valentine's Day!

We are really cooking at City Hall. Applications for zoning permits, variances, text amendments to the zoning ordinance, FOIA requests, site plan review discussions, and responding to letters and emails keep us very busy. The other major issue is the election, which will be on February 27th. The new laws and regulations are very challenging, especially when there are questions the state doesn't have the answers to, and they are still making changes and decisions on legal issues. This will be a very big election year with a lot of silly new laws. That is our regularly scheduled Study Session night, so we won't be holding a Study Session unless we have important issues to discuss and hold it on a different evening. We will be discussing water/sewer rate increases, the Garage and Rubbish Contract, and Garland Boulevard plantings at a future meeting.

A-001-24

Megan, our new Deputy Clerk, is working out great. She's smart, personable, and learns quickly, and he thinks she's happy to be here. We enjoy working with her. We hope she enjoys the large variety of work that goes with being a Deputy Clerk and we're hoping she will be willing to transition to the Clerk position at some point. But we won't rush her on that.

Martin shared project updates. Tree trimming and removal were done at Memorial Park. This was mentioned at our December City Council meeting. We have a plan drawn up that will open up the park so people can see that it is much larger than the small triangle in the front. Most people didn't know it was 150 feet deep.

PR-001-24

Martin met with Michigan ReLeaf and are on the schedule to receive 20 street trees to plant in the Spring. Please be watching for a newsbyte asking for volunteers to help place the trees. This is a grant that requires volunteers to help. This will put us over 100 trees received and planted with them. That is in addition to the 50 or 60 we have planted on our own over the years.

PR-002-24

The Tennis/Pickleball court work should begin in May. The Ferndale drainage improvements should begin within the next 3 weeks. We were hoping the ground would be frozen, but the weather has been too nice to have that happen.

Martin discussed City Hall. It's interesting to him how many people think there isn't anything to do at City Hall, we're just waiting for their phone call or email. We are swamped all the time and will never be caught up. With that being said, he thanked Dennise for all her constant hard work here over the past 32 years. She is not an upfront person, not wanting or needing to be seen or heard. But she is a constant and consistent hard worker, even volunteering work that she does at home. She has knowledge of almost all aspects of the City. She has essentially been the Assistant City Manager for the past 20 years without the title. She is one of those people you can give a task and forget about it, knowing it will be done. We discuss most issues and assist each other constantly. Martin shared our time here in Sylvan Lake is getting closer to an end so, Thank you, Dennise.

A-002-24

As another part of the succession plan for Martin's eventual retirement (not too soon), He is happy to announce that he has given Corey the title of Assistant City Manager. He has more than proven his knowledge, work ethic and desire to learn more about all aspects of Sylvan Lake. We have been and will continue to work closely together to create a very smooth transition after my retirement, regardless of who the City Council names as the City Manager Corey will have the necessary knowledge to maintain.

CITY COUNCIL COMMENTS

Buchanan wished everyone a Happy Valentine's Day. It is nice to see so many here and thanked them for being here. The Euchre Tournament is Wednesday, February 21st. Last night was book club with 20 in attendance. They meet the second Tuesday at 6:30 p.m. each month. Contact Ruth Anderson if you have any questions.

Segal thanked everyone for showing up and expressing their concerns and thoughts.

Zubrzycki thanked everyone for coming and expressed Happy Valentine's Day. He feels there has been good discussions. He shared yesterday was the anniversary of the MSU shooting. His prayers and thoughts go out to those families. Also Judge Matthews has his support with the decisions in the Cromley court case.

Cowper thanked everyone for coming. He named all the events which have happened over the last couple of years. He stated it is City Council's job to manage the City Manager and make policies and laws. Council is all in favor of community events. They are just making changes to make it easier for everyone to understand.

ACTION ITEMS

a. Community Events Policy & Application **CC-003-24**

Cowper explained the difference between community events on city property and private events on resident's property (which City Council is not talking about). There are three main things they are addressing in the policy and application. The form will be fillable to do online. Regarding the security deposit, all of City Council felt it was reasonable to strike it. Ending time for an event, Cowper suggested 9:30 p.m., Segal knows a lot people feel 9:00 p.m. is good but she felt 9:30 was a good compromise. Buchanan is good with 9:30 p.m. and noted if the applicant wants to go later they can apply for that. Zubrzycki shared after the study session he looked at comparable communities. None go past 9 p.m. He is for 9:00 p.m. He stated he is a little confused with different times showing in different places on the policy. Martin stated they are both supposed to be noon-9:30 p.m. and he has corrected that. Zubrzycki wasn't sure what application was being reference in public comment, but it was not this one that they are discussing. Zubrzycki suggested setting a day of the week and time for community events. Buchanan stated what Zubrzycki just stated is great and that works for other communities, but our community is unique. The cost of a music event is not covered by the city, but by donations of the residents. Setting a day is impossible. She shared Kelli told her the opportune time for a concert is 7:30-9:30 p.m. because the musician has to set up and if they work it is hard to make it earlier. Zubrzycki asked why the city doesn't put money in for concerts. He agreed that what Kelli does is fantastic. Everyone has rights and they need to consider everyone. He knows it is a challenge booking groups, but if you can't get a group, you find another group or don't have the event. Cowper suggested they table the discussion of setting one day and maybe discuss it for 2025.

Martin explained that community events are on city property or adjacent property with the park. There are no limits on the number of events or the number of events on day of the week to hold an event. The application is easy to fill out. The security deposit has been removed, food trucks can be at the community center or at a park. There are no Community Center rentals if an event is already scheduled. City Council is not talking about private events, and private events don't have an ending time. They have to follow the noise ordinance. Martin added that what Kelli does is great. This application and policy is for any resident who wants to hold a community event, so they know how to go about it.

Jennifer Hill stated she has no objection to Kelli having concerts on her property. She feels the area across from her is not a park under the Lakeview consent agreement.

Pete Peters just wants to make sure his Barbershop singers can still sing at the Community Center.

Cheryl Toby asked what is the definition of a community event and what is the indemnification? Why have this and what does it pertain to? She feels it doesn't make sense. They always had a community center that residents used and didn't have to sign an indemnification. Residents pay to have this community center. She feels there is a risk of excluding some residents from holding a community event because of the indemnification. Martin explained the difference between city holding an event and residents having a community event.

Attorney Schultz added community events are not city sponsored events. Having an indemnification is standard, The city is insured and immune from things against them.

Toby feels residents should have the opportunity to opt into a city event. She asked Council to reconsider the indemnification and make a definition for community event.

Zubrzycki stated he is good at moving forward. He would like to discuss a day of the week for holding an event, down the road. Buchanan noted the City did dedicate a day of the week for community events, Thursday, but the applicant is not limited to that day. Segal feels they can discuss one day of the week next year.

Bozenna Johnson asked what a city event is. Martin replied with examples of Memorial Day parade, Sylvan shuffle, and the haunted trail.

Nicole Menuck expressed it seems the difference is Parks & Rec. She noted they are always looking for help and this is a way around the indemnification problem. The indemnification is because a private resident is holding an event, inviting everyone in the city, onto city property.

Tom Molloy noted if they are going by numbers, there were 11 events on Thursday's and 14 on Sunday's last year; so they should go with Sunday.

Moved by Buchanan, seconded by Segal, to approve the Community Event application with the modifications discussed tonight. Also discussing the indemnification after this.

Yes: All
No: None

MOTION CARRIED

b. Resolution Authorizing the City Manager to accept the Endo International Chapter 11 Bankruptcy Reorganization. R2-001-24

Martin explained Endo International was a manufacturer of an opioid drug. Over the last several years there have been lawsuits against manufacturers, distributors, pharmacy chains and consulting company for the misuse and over prescription of opioids. As a result of the cost of claims against it, Endo filed for bankruptcy protection. To settle the claims and reorganize the company so it can operate, the restructuring plan requires Endo to establish a fund to pay monies to state and local governments for damages they sustain from the opioid crisis. This resolution is in support of Endo doing this.

Moved by Zubrzycki, seconded Buchanan, to adopt this resolution to accept Endo International Bankruptcy Reorganization Plan.

Yes: Segal, Zubrzycki, Buchanan, Cowper
No: None

RESOLUTION ADOPTED

ADJOURNMENT

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

Yes: All
No: None

MOTION CARRIED

The meeting was adjourned at 8:26 p.m.

Dennise Dryden, City Clerk